

**CITY OF TUCSON
DEVELOPMENT STANDARD NO. 2-10.0
FLEXIBLE LOT DEVELOPMENT (FLD) STANDARD**

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2-10.0.0 FLEXIBLE LOT DEVELOPMENT (FLD) STANDARD.

2-10.1.0 GENERAL.

- 1.1 Purpose. This Standard has been established for the purpose of informing applicants of preparation, submittal, and review requirements for Flexible Lot Developments (FLDs) so that proper and adequate information is presented in a consistent manner, thereby providing the basis for an efficient and timely review. It is intended that this Development Standard provide support and clarification to the FLD provisions, Sec. 3.6.1, of the Tucson *Land Use Code (LUC)*.

This Standard does not waive any applicable City regulations or codes.

- 1.2 Definitions. Definitions for words and terms used in this Standard are found in the Development Standards Glossary or in Sec. 6.2.0 of the *LUC*.

2-10.2.0 SUBMITTAL REQUIREMENTS.

- 2.1 Tentative Subdivision Plat. The plat is to show compliance with the FLD regulations. A tentative subdivision plat must be prepared in compliance with Article IV of the LUC and Development Standard 2-03.0.0. Additionally, a tentative subdivision plat submittal must also include the following:

- A. *Perimeter Yard Setback.* The perimeter yard setback line is to be shown. Perimeter yard widths are based on a minimum distance as listed in the *LUC* or on the height of the exterior walls of the proposed units, whichever provides a greater setback. If tall units are proposed that may affect the setback, it is recommended that those units be used to determine the setback line. This will provide the designer an idea of which units fit which lots, assuming there is more than one (1) model unit proposed. At the time of building permit application, the exact perimeter yard will be applied on each lot.
- B. *Street Perimeter Yard.* The applicant is required to provide the following when requesting a reduction to the Street Perimeter Yard as described in Sec. 3.2.6.5 of the LUC:
 - 1. A description of how the reduced setback enhances the architectural design or the vehicular circulation in the FLD; and,
 - 2. A transportation impact analysis.

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- C. *Building Footprint.* Show the footprint of a unit on each lot or provide typical plot plan layouts for a corner lot, an interior lot, and a lot affected by the perimeter yard setback. These typicals are to be fully dimensioned and are to be drawn at a larger scale than the tentative plat. It is recommended that each lot be designed so that the largest proposed unit fits and still complies with Code requirements. This provides the greatest flexibility to the builder in terms of the size of the unit that can be sold for each lot. If this cannot be done, use the footprint of the largest unit that will fit on each lot.
- D. Provide, by note on the plat, the developable area, density, and site coverage calculations. If the use of a density increase is proposed, as permitted under Sec. 3.6.1.2.B of the *LUC*, indicate which of the provisions is being utilized and how the increased density criteria are being met.
- E. For FLD projects that have lots of less than four thousand (4,000) square feet submit the following:
1. Floor plans or drawings of the footprint of each unit, showing exterior dimensions. If only dimensioned building footprints are provided, be certain that locations of second floors (if applicable), front entrances, and motor vehicle parking spaces are noted. The floor plans can be preliminary plans and do not have to be complete construction drawings.

Plans can be reviewed in a more timely manner if copies of the building footprints drawn at the same scale as the plat are provided. This allows staff the ability to check which models fit which lots using a light table, instead of performing the tedious lot-by-lot math work.
 2. Building elevations of all proposed units with height dimensions. These assist in determining compliance with perimeter yard setbacks and screening of mechanical equipment. The elevations can be preliminary drawings. The model home construction plans will be used to determine exact setbacks and screening requirements at the time of application for building permits.
 3. A list indicating which model homes fit which lots. Unless a lot is planned for another use, each lot will be designed so that at least one of the model units fits on the lot in compliance with Code requirements. The list should indicate whether optional covered patios, porches, etc., will still allow the unit to fit on the lot in compliance with requirements.
- F. Additional information on compliance with Sections 3.6.1.2.B.2.c (Historic Preservation) and 3.6.1.2.B.2.h (Green Building) of the *LUC* are provided in Sections 2-10.4.0 and 2-10.5.0 of this Standard.

- 2.2 Development Plan. A Development Plan is required only if a subdivision plat is not required. A Development Plan must be prepared in compliance with Development Standard 2-10.0.0 and include the information described in 2-10.2.1.A – E.

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- 2-10.3.0 ADDITIONAL SUBMITTAL REQUIREMENTS.** FLD applications may also require the following information. Two (2) copies of the information are to be submitted unless specifically stated otherwise.
- 3.1 Privacy Mitigation Plan. Refer to Section 3.6.1.5.A.2 (Privacy Mitigation) for applicability requirements and development criteria. The Privacy Mitigation Plan shall at a minimum include the following:
- A. A plan identifying the lots and/or units that must provide privacy mitigation;
 - B. Photographs of the site and its interface with the adjacent properties documenting the existing conditions; and,
 - C. Drawings, such as elevations and landscape plans, and a written description of the proposed mitigation techniques demonstrating compliance with 3.6.1.5.B. The plan shall also include when practicable additional design elements to increase privacy such as the siting angle of buildings, windows, and lots.
- 3.2 Architectural Variation Plan. Refer to Section 3.6.1.6.B (Architectural Variation) for applicability requirements and development criteria. The Architectural Variation Plan shall at a minimum include the following:
- A. A plan identifying the lots and/or units that must provide architectural variation pursuant to Sec. 3.6.1.6.B.2 (Applicability).
 - B. Drawings, such as elevations and building footprints, and a written description of the proposed architectural variation techniques demonstrating compliance with 3.6.1.6.B.3.
- 3.3 Covenants, Conditions, and Restrictions. Three (3) copies of Covenants, Conditions, and Restrictions (CC&Rs) are required if there is to be an association of home owners to assume responsibility for the ownership and maintenance of commonly-owned property.
- Two (2) copies of protective covenants or common use agreements are required if shared areas are to be established by easements over individually-owned property.
- 2-10.4.0 HISTORIC PRESERVATION REQUIREMENTS.** Sec. 3.6.1.2.B.2.c of the FLD provisions in the *LUC* allows an FLD to be developed with a density increase if the project includes preservation of a historical site, structure, or landmark or if the project leads to preservation or scientific study and documentation of a historical site, structure, or landmark. To comply with this requirement, an archaeological study is required to determine the potential for designation as a prehistoric or historic site or structure.
- 4.1 Study Requirements. In the study, the following steps must be completed as they relate to each individual site within the project, unless determined unnecessary as outlined within this criterion. The information contained in these steps will include: the extent of such sites or structures; the extent of data collection on each site; and the potential for preservation of each site, including methods or plans for such preservation. This criterion

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is considered satisfied upon approval by the City of a report, completed by a qualified archaeologist, which provides evaluation of all steps.

The steps in an archaeological study are as follows:

- Step 1.* A preliminary study to determine the presence of prehistoric or historic sites. This is accomplished by a thorough walk-through survey of the project site prior to any disturbance. The result of this step is an evaluation of the potential for prehistoric or historic sites within the project site, according to Step 2.
- Step 2.* A testing of possible sites identified during the preliminary and post-grading studies. This is usually accomplished by a more detailed survey, with collection of surface artifacts; digging of test pits in possible sites; or trenching to determine the depth of a site, the approximate number of features in the site, and more specific identification of the extent of the site. The result of this step is a more detailed evaluation of site potential in terms of area extent, possible age, complexity (such as multiple occupations), and number of features (such as the number of pit houses, extramural features, storage houses, or ball courts in Hohokam villages).
- Step 3.* Excavation of site features to retrieve maximum data about the site. Excavation is done within the context of a scientific research design or plan and prior to destruction of the site for development. The research design or plan specifies questions to be answered by the excavating, lists methods of getting answers (including the percent of the site to be excavated), and gives special techniques to be used (such as radio carbon dating, pollen analysis, dendrochronology, etc.). The result of this step is a report on the excavation, an analysis of the material collected, and a synthesis of results into scientific literature or prehistoric reconstruction.

If a site or structure is identified by the archaeological study as being of significant magnitude and meeting the eligibility criteria for the National Register of Historic Places, it is to be preserved. Preservation may be pursued in a number of ways, such as, but not limited to: incorporation into the project design as common area; dedication as a conservation easement to the appropriate governmental or nonprofit agency; offer of sale, at appraised value, to the appropriate governmental agency; or dedication at nominal cost to the appropriate governmental agency. Such dedicated property may be used to calculate densities.

- 2-10.5.0 GREEN BUILDING REQUIREMENTS.** Sec. 3.6.1.2.B.2.h of the FLD provisions of the *LUC* allows the development of an FLD with a density increase if the project is designed and located in such a way as to comply with the energy efficiency requirements listed below. The energy efficiency requirements are grouped into three (3) categories: infrastructure, siting, and design. These three (3) categories list a total of thirty-one (31) criteria. Projects meeting a minimum of twenty (20) criteria of the thirty-one (31) comply with the requirements of this provision.

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The energy efficiency requirements may not be modified through the Development Standard modification process. Any request to deviate from or waive any of the criteria is acted on by the Board of Adjustment as required for any other density increase request.

5.1 Infrastructure.

- A. The project boundary is within one-fourth ($\frac{1}{4}$) mile of an existing bus line.
- B. The project is located in a low water-lift zone (below an elevation of twenty-seven hundred [2,700] feet).
- C. The project qualifies as urban infill, e.g., there is an existing R-1 subdivision or more intense development within one-fourth ($\frac{1}{4}$) mile of the project boundaries on all sides.
- D. The project is located within one thousand (1,000) feet of existing water, electric, and natural gas distribution lines of sufficient capacity to serve the project.
- E. The project is a mixed commercial and residential use, either designed as a consolidated project or by its relation to adjacent commercial projects.
- F. The project is located within one (1) mile of the University of Arizona or the Downtown District.
- G. The project is located within two thousand (2,000) feet of:
 - 1. an existing neighborhood shopping center; or
 - 2. property for which a final or conditional ordinance has been adopted rezoning the property for such use; or
 - 3. property for which a building permit has been issued, and is still current, for the construction of such use.
- H. The project is located within four thousand (4,000) feet of:
 - 1. an existing regional shopping center; or
 - 2. property for which a final or conditional ordinance has been adopted rezoning the property for such use; or
 - 3. property for which a building permit has been issued, and is still current, for the construction of such use.
- I. The project is located within thirty-five hundred (3,500) feet of an existing or reserved neighborhood park, regional park, or other public recreational or community facility.
- J. The project is located within one thousand (1,000) feet of a school which meets all the requirements of the compulsory education laws of the State of Arizona.

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- K. The project boundary is thirty (30) percent or more contiguous to an existing R-1 subdivision or more intense development.
- L. The project is located within three thousand (3,000) feet of a major employment center.
- M. The project is located within one-half ($\frac{1}{2}$) mile of public bike paths and incorporates bike paths which connect to these.

5.2 Siting.

- A. Buildings are designed with windows oriented to provide at least five (5) hours of solar access on December 21 between the hours of 9 a.m. and 4 p.m.
- B. Buildings are designed to provide complete shade to all windows on June 21. On new construction, shading devices which require manual operation to accomplish the shading do not qualify as building design that provides shade.
- C. Building design and deciduous landscaping at maturity are integrated into the project to provide shade to eighty (80) percent of the east and west facing walls on June 21. On new construction, landscaping alone does not satisfy this criterion.
- D. Paved areas, such as principal sidewalks and parking areas, are shaded with deciduous shade trees or architectural shading elements, such as trellises, roofs, etc. Principal sidewalks are those which provide access from parking to each unit and from each unit to all common areas. Shade trees in a parking area are to be within a protected landscaped area with a minimum width of five (5) feet and at a ratio of two (2) trees for every three thousand (3,000) square feet of parking area.
- E. Eighty (80) percent of all buildings are located and constructed to provide at least five (5) hours of solar access to three-fourths ($\frac{3}{4}$) the height of the south wall on December 21. This requirement must take into account walls and vegetation which could block solar access.
- F. Eighty (80) percent of the buildings within the project are positioned with the longer axis, if any, oriented within twenty-two (22) degrees of a true east/west direction.

5.3 Design.

- A. At least eighty (80) percent of the dwelling units are constructed with common walls.
- B. All buildings are earth sheltered, partially protected by earth berms, or built into an existing hillside or slope.
- C. All buildings are constructed with insulation at foundations and floor slabs at grade.
- D. All building envelopes have an overall average thermal resistance value (R value) of twenty-four (24) or greater.

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- E. Buildings have windows that can be opened and which are oriented between twenty (20) and seventy (70) degrees of prevailing diurnal wind patterns to provide natural through ventilation. The windows are to be double glazed and spaced at least three (3) feet apart.
- F. Individual units feature a minimum area of glass, to be less than ten (10) percent of the exterior wall area.
- G. At least eighty (80) percent of the residential buildings do not have windows on the east facade.
- H. At least eighty (80) percent of the residential buildings do not have windows on the west facade.
- I. The residential buildings include overhangs on the south facade to provide shading during the summer months.
- J. At least eighty (80) percent of the units in the project have screened porches.
- K. At least eighty (80) percent of the dwelling units are designed to provide a private unroofed outdoor space for sleeping, such as a rooftop deck or sun porch.
- L. At least eighty (80) percent of all buildings are constructed with light-colored roofs and walls.