



## **BOARD OF SUPERVISORS AGENDA ITEM REPORT**

Requested Board Meeting Date: August 17, 2020

**Title:** P20TA00003 ECONOMIC OPPORTUNITY EXPANSION OMNIBUS NO. 2 - TRAIL-ORIENTED DEVELOPMENT

### **Introduction/Background:**

In the spring 2020 Chuck Huckelberry Loop Trail (the Loop) survey, trail users identified wanting more destinations around the trail. This text amendment creates incentives for commercial development oriented toward users of the Loop Trail.

### **Discussion:**

The text amendment identifies select uses (restaurant, beverage service, retail, personal services) and eases some development requirements (setbacks, vehicle parking, use of portable temporary signs), that would be a Type I Conditional Use in some rural zones (RH, SR, GR-1, SH) and a permitted use in some industrial zones (MU, CI-1), on properties within five-hundred feet of the Loop.

### **Conclusion:**

The text amendment would promote economic development opportunities, create incentives for small businesses, and provide commercial and retail services to recreationists and commuters who use the Loop.

### **Recommendation:**

Staff recommends APPROVAL of the proposed text amendment.

### **Fiscal Impact:**

N/A

### **Board of Supervisor District:**

☐ 1      ☐ 2      ☐ 3      ☐ 4      ☐ 5      ☒ All

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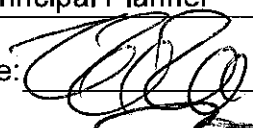
Department: Development Services

Telephone: 724-8800

Contact: Mark Holden, AICP, Principal Planner

Telephone: 724-6619

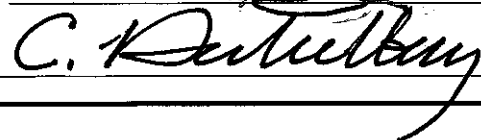
Department Director Signature/Date:

 7/22/2020

Deputy County Administrator Signature/Date:

 7/24/2020

County Administrator Signature/Date:

 7/24/20

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**PIMA COUNTY**

**DEVELOPMENT SERVICES**

**TO:** Honorable Board of Supervisors

**FROM:** Chris Poirier, Planning Official  
Public Works-Development Services Department-Planning Division *Tom Drazowski*

**DATE:** July 17, 2020

**SUBJECT:** P20TA00003 ECONOMIC OPPORTUNITY EXPANSION OMNIBUS NO. 2 - TRAIL-ORIENTED DEVELOPMENT

The above referenced Zoning Code Text Amendment is scheduled for the Board of Supervisors' **MONDAY, August 17, 2020** hearing.

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**REQUEST:** Proposal to amend by Ordinance, the Pima County Zoning Code.

**OWNER:** N/A

**APPLICANT:** Pima County Development Services Department

**DISTRICTS:** ALL

**STAFF CONTACT:** Mark Holden, AICP, Principal Planner

**PUBLIC COMMENT TO DATE:** As of July 17, 2020, staff has not received any public comments on the proposed zoning code text amendment.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:** APPROVAL (9-0; Commissioner Hook was absent).

**STAFF RECOMMENDATION:** APPROVAL

TD/MH/ds  
Attachments



## **BOARD OF SUPERVISORS MEMORANDUM**

Subject: P20TA00003

Page 1 of 2

### **FOR AUGUST 17, 2020 MEETING OF THE BOARD OF SUPERVISORS**

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Chris Poirier, Planning Official  
Public Works-Development Services Department-Planning Division

DATE: July 17, 2020

### **ADVERTISED ITEM FOR PUBLIC HEARING**

#### **ZONING CODE TEXT AMENDMENT**

#### **P20TA00003 ECONOMIC OPPORTUNITY EXPANSION OMNIBUS NO. 2 - TRAIL-ORIENTED DEVELOPMENT**

A PROPOSAL TO AMEND BY ORDINANCE THE PIMA COUNTY ZONING CODE, CHAPTER 18.07 (GENERAL REGULATIONS AND EXCEPTIONS), SECTION 18.07.030 (LAND USE REGULATIONS), TO PROVIDE GUIDELINES, LOCATIONS, CONDITIONAL AND PERMITTED USES AND DEVELOPMENT REQUIREMENTS FOR TRAIL-ORIENTED DEVELOPMENT; CHAPTER 18.13 (RH RURAL HOMESTEAD ZONE), SECTION 18.13.030 (CONDITIONAL USES), CHAPTER 18.14 (GR-1 RURAL RESIDENTIAL ZONE), SECTION 18.14.030 (CONDITIONAL USES), AND CHAPTER 18.17 (SR SUBURBAN RANCH ZONE), SECTION 18.17.030 (CONDITIONAL USES), TO ADD TRAIL-ORIENTED DEVELOPMENT AS A CONDITIONAL USE; AND, CHAPTER 18.37 (MU MULTIPLE USE ZONE), SECTION 18.37.010 (PERMITTED USES), AND CHAPTER 18.51 (CI-1 LIGHT INDUSTRIAL/WAREHOUSING ZONE), SECTION 18.51.030 (PERMITTED USES), TO PERMIT TRAIL-ORIENTED DEVELOPMENT. On motion, the Planning and Zoning Commission voted 9-0 to recommend **APPROVAL** (Commissioner Hook was absent). Staff recommends **APPROVAL**.

(DISTRICTS 1, 2, 3 and 4)

#### **Planning and Zoning Commission Public Hearing Summary (June 24, 2020)**

(Due to the COVID-19 pandemic, the Planning and Zoning Commission hearing was conducted telephonically. Chairman Johns and staff were in attendance in-person, the remainder of the commissioners participated by phone, excluding Commissioner Hook, who was absent.)

Staff delivered the staff report that highlighted the zoning code text amendment to create economic development incentives for retail and commercial services for pedestrians and bicyclists who use the Chuck Huckelberry Loop Trail. A commissioner asked for clarification as to why this case was being brought before the commission; staff responded that the incentives will be added

to a number specific zones as a text amendment, to streamline the process for development on parcels near the trail.

The chairman opened the public hearing and asked if there was anyone who wished to speak. No one responded and the commission voted to close the public hearing.

Commissioner Gungle made a motion to recommend **APPROVAL** of Zoning Code Text Amendment P20TA00003; Commissioner Cook gave second.

A commissioner commented that staff appeared to have incorporated the comments received from various county departments. Another commissioner felt that the text amendment was proactive on staff's part, as this issue had been raised at a previous commission hearing; he also commented that the current COVID-19 situation likely made it difficult to obtain comment from some stakeholders, especially the restaurant industry.

Another commissioner noted that the Loop is identified as a regional resource in Pima Prospects, the county's comprehensive plan, and that these incentives are long overdue as the plan update was approved 5 years ago; he continued that he hopes staff will move quickly on additional amendments for increased residential density and promoting transit connections along the Loop. Staff responded that the discussions regarding a similar text amendment for residential development are underway. Finally, the chairman stated that he appreciated staff's work on the text amendment, but noted that staff needs to do a better job at communicating these economic development programs to the community.

Upon a roll call vote, the motion to recommend **APPROVAL** passed (9-0; Commissioner Hook was absent).

TD/MH/ds  
Attachments

cc: Tom Drzazgowski, Chief Zoning Inspector  
P20TA00003 File

ORDINANCE 2020-\_\_\_\_\_

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA AMENDING THE PIMA COUNTY ZONING CODE, CHAPTER 18.07 (GENERAL REGULATIONS AND EXCEPTIONS), SECTION 18.07.030 (LAND USE REGULATIONS), TO ADD GUIDELINES, LOCATIONS, PERMITTED USES AND DEVELOPMENT REQUIREMENTS FOR TRAIL-ORIENTED DEVELOPMENT; CHAPTER 18.13 (RH RURAL HOMESTEAD ZONE), SECTION 18.13.030 (CONDITIONAL USES), CHAPTER 18.14 (GR-1 RURAL RESIDENTIAL ZONE), SECTION 18.14.030 (CONDITIONAL USES), AND CHAPTER 18.17 (SR SUBURBAN RANCH ZONE), SECTION 18.17.030 (CONDITIONAL USES), TO ADD TRAIL-ORIENTED DEVELOPMENT AS A CONDITIONAL USE; AND, CHAPTER 18.37 (MU MULTIPLE USE ZONE), SECTION 18.37.010 (PERMITTED USES), AND CHAPTER 18.51 (CI-1 LIGHT INDUSTRIAL/WAREHOUSING ZONE), SECTION 18.51.030 (PERMITTED USES), TO PERMIT TRAIL-ORIENTED DEVELOPMENT. (DISTRICTS 1, 2, 3 AND 4)

THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA FINDS THAT:

1. The Planning and Zoning Commission, at its March 25, 2020 hearing, initiated and authorized staff to amend the Pima County Zoning Code to facilitate and encourage development in Pima County, specifically identifying properties in close proximity to the Chuck Huckelberry Loop Trail for development incentives as part of Economic Opportunity Expansion Omnibus #2.
2. Pima County Board of Supervisors approved the update of the Comprehensive Plan, Pima Prospers, on August 17, 2015 (Co7-13-10; Resolution 2015-62).
3. Pima County Comprehensive Plan, Chapter 3 - Use of Land, Element 3.2 - Focused Development Investment Areas identifies the Chuck Huckelberry Loop Trail as a designated growth area; and, Chapter 4 - Physical Infrastructure, Element 4.8 - Trails Element identifies support of the Loop and other county trails to promote healthy lifestyles, economic development, and connectivity to a variety of destinations.
4. This ordinance updates the zoning code to provide the purpose, guidelines and development standards and permitted uses for trail-oriented development, and to identify zones in proximity to trails where trail-oriented development may be permitted or conditionally permitted.
5. This ordinance does not create new restrictions on the use of property, and this ordinance is not intended to, nor should it be construed to reduce any existing rights to use, divide, sell or possess private real property.

IT IS ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:

Section 1. Pima County Code Chapter 18.07, Section 18.07.030 (Land use regulations) is amended to add guidelines, location, permitted uses and development requirements for trail-oriented development, as follows:

CHAPTER 18.07  
GENERAL REGULATIONS AND EXCEPTIONS

...

18.07.030 Land use regulations.

...

V. Trail-oriented development: to provide incentives to encourage economic development and small-scale business opportunities through retail and services for users who commute and recreate on established county trails.

1. Guidelines - Establishments should:

- a. Be located to provide safe access for pedestrians and bicyclists to and from trails;
- b. Provide outdoor seating, shade, landscaping, and be oriented toward trails to the extent practicable;
- c. Use elements of green building, sustainability, water harvesting, and green infrastructure / low impact development in project design and construction;
- d. Promote and complement the region's long historic, cultural and natural heritage, and existing specific site characteristics (such as shade trees, vegetation, or viewsheds) where possible.

2. Location:

- a. Any parcel within five-hundred feet of the Chuck Huckelberry Loop Trail, or any county-identified Loop Trail spur segment.

3. Uses:

- a. Food and beverage service, such as coffee shop, café, delicatessen, ice cream store, juice bar, refreshment stand, brew pub, restaurant (with or without alcohol sales);
- b. Retail, such as bicycle shop, farm products stand, farmers market, grocery, convenience store, or similar small retail establishment;
- c. Services, such as bank or personal services;
- d. Other trail-oriented development: all uses which are similar in type, scale or intensity to other uses listed and which are, in the opinion of the zoning inspector, not otherwise unlawful, injurious to the general health and welfare or specifically excluded.

4. Requirements for permanent structures and establishments:

- a. Maximum floor area in RH, GR-1 and SR zones: 10,000 square feet;
  - b. Setbacks on parcels that abut trails and onsite vehicle parking may be reduced to less than required, with Planning Official approval, when demonstrated that the minimum necessary to support onsite use is provided;
  - c. Shall provide sufficient and secure bicycle parking.
5. Signage - Section 18.79.040 of the zoning code notwithstanding, temporary and portable advertising signs for establishments along trails shall be permitted:
- a. Free-standing single-sided or two-sided sandwich board type signs only permitted;
  - b. Signs shall not exceed sixteen square-feet in area per side;
  - c. Signs shall be placed during business hours only and removed at close of the business day;
  - d. Signs shall be located and secured so as not to cause safety hazards. Signs shall not be placed within trail rights-of-way, obstruct congested areas, obstruct entrances, obstruct line-of-sight down the trail, or otherwise obstruct trails;
  - e. Signs shall not be illuminated;
  - f. Signs may be placed on public property.

Section 2. Pima County Code Chapter 18.13, Section 18.13.030 (Conditional uses) is amended to add trail-oriented development as a conditional use, as follows:

Chapter 18.13  
RH RURAL HOMESTEAD ZONE

...

18.13.030 Conditional uses.

...

B. Uses conditionally permitted:

...

38. Trail-Oriented Development:

- a. Type I procedure.
- b. In accordance with Section 18.07.030(V) (Land use regulations).

39. Other conditional uses: All uses which are similar....

Section 3. Pima County Code Chapter 18.14, Section 18.14.030 (Conditional uses) is amended to add trail-oriented development as a conditional use, as follows:

Chapter 18.14  
GR-1 RURAL RESIDENTIAL ZONE

...

18.14.030 Conditional uses.

...

B. Uses conditionally permitted:

...

25. Trail-Oriented Development:

a. Type I procedure.

b. In accordance with Section 18.07.030(V) (Land use regulations).

26. Other conditional uses: All uses which are similar....

Section 4. Pima County Code Chapter 18.17, Section 18.17.030 (Conditional uses) is amended to add trail-oriented development as a conditional use, as follows:

Chapter 18.17  
SR SUBURBAN RANCH ZONE

...

18.17.030 Conditional uses.

...

B. Uses Conditionally Permitted (Type I Procedure).

...

7. Trail-Oriented Development: In accordance with Section 18.07.030(V) (Land use regulations).

Section 5. Pima County Code Chapter 18.37, Section 18.37.010 (Permitted uses) is amended to add trail-oriented development as a permitted use, as follows:

Chapter 18.37  
MU MULTIPLE USE ZONE

18.37.010 Permitted uses.

A. Uses permitted:

...

21. Keeping chickens in accordance with the restrictions in Section 18.09.020(T)(1) (General Residential and Rural Zoning Provisions);



22. Trail-Oriented Development: In accordance with Section 18.07.030(V) (Land use regulations).

Section 6. Pima County Code Chapter 18.51, Section 18.51.030 (Permitted uses) is amended to add trail-oriented development as a permitted use, as follows:

Chapter 18.51  
CI-1 LIGHT INDUSTRIAL/WAREHOUSING ZONE

...

18.51.030 Permitted uses.

...

I. Trail-Oriented Development: In accordance with Section 18.07.030(V) (Land use regulations).

Section 7. That this ordinance is effective 31 days after its adoption.

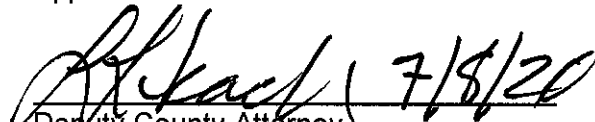
Passed and adopted by the Board of Supervisors of Pima County, Arizona, on this \_\_\_\_\_ day  
of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Chairman, Pima County Board of Supervisors

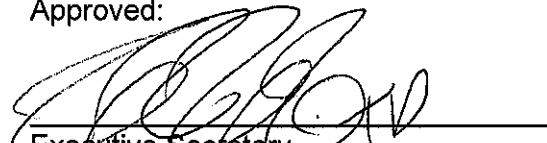
ATTEST:

\_\_\_\_\_  
Clerk, Board of Supervisors

Approved As To Form:

  
Deputy County Attorney  
Lesley M. Lukach

Approved:

  
Executive Secretary,  
Planning and Zoning Commission

**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION  
STAFF REPORT TO THE PLANNING AND ZONING COMMISSION**

**PUBLIC HEARING  
JUNE 24, 2020**

**P20TA00003**

**ECONOMIC OPPORTUNITY EXPANSION OMNIBUS  
NO. 2 - TRAIL-ORIENTED DEVELOPMENT**

**STATUS / AGENDA ITEMS**

**Planning and Zoning Commission Public Hearing  
Zoning Code Text Amendment**

**REQUEST**

A Proposal to Amend by Ordinance the Pima County Zoning Code, Chapter 18.07 (General Regulations and Exceptions), Section 18.07.030 (Land use regulations), to provide guidelines, locations, conditional and permitted uses and development requirements for trail-oriented development; Chapter 18.13 (RH Rural Homestead Zone), Section 18.13.030 (Conditional uses), Chapter 18.14 (GR-1 Rural Residential Zone), Section 18.14.030 (Conditional uses), and Chapter 18.17 (SR Suburban Ranch Zone), Section 18.17.030 (Conditional uses), to add trail-oriented development as a conditional use; and, Chapter 18.37 (MU Multiple Use Zone), Section 18.37.010 (Permitted uses), and Chapter 18.51 (CI-1 Light Industrial/Warehousing Zone), Section 18.51.030 (Permitted uses), to permit trail-oriented development. (Districts 1, 2, 3 and 4)

**INITIATION**

Planning and Zoning Commission, March 25, 2020

**STAFF RECOMMENDATION**

Staff recommends **APPROVAL** of the proposed Economic Opportunity Expansion Omnibus No. 2 - Trail-Oriented Development Zoning Code Text Amendment.

This request was initiated as part of the Economic Opportunity Expansion Omnibus No. 2 zoning code text amendments at the March 2020 Planning and Zoning Commission hearing. This amendment creates incentives for economic development on private and public properties in proximity to trails in Pima County, beginning with the Chuck Huckelberry Loop Trail and its designated spurs, and provides guidelines, conditional and permitted uses and development standards for economic development opportunities along trails.

The purpose of trail-oriented development is to promote a greater variety of destinations to support trail users who represent an as-yet untapped economic opportunity. Incentives will promote retail and commercial services along the trail, by reducing some of the development regulations that could make it challenging for new small businesses to get established. Incentives are identified for uses that would be permitted in industrial zones (MU Multiple Use, CI-1 Light Industrial/Warehousing Zones) and conditionally permitted in rural zones (RH Rural Homestead, GR-1 Rural Residential and SR Suburban Ranch Zones) on properties that abut the Loop.

Trail-oriented development along county trails, and the Loop specifically, is supported by policies goals of the Pima County Comprehensive Plan and other county plans.

## **BACKGROUND**

Transit-oriented development is a planning concept that concentrates compact, mixed-use residential and commercial development along or near transit routes and hubs that can increase use of public transportation and reduce the need for automobile use for daily life. More recently, dedicated bicycle and pedestrian trails and lanes, bike-share programs and other infrastructure that promotes active transportation have introduced the concept of *trail-oriented development* that can support more pedestrian- and bicycle-inclusive communities. Development along dedicated trails that is designed to serve trail users can also add value to development projects, improve financial returns, attract new employers, and contribute to communities' overall quality of life (from *Active Transportation and Real Estate - The Next Frontier*, Urban Land Institute, March 2016).

Regionally, Pima County's Chuck Huckelberry Loop Trail (the Loop) provides a system of separated paved shared-use paths that encircle Tucson and currently extend into Marana and Oro Valley. The central loop, completed in early 2018, and branch spurs currently total about 130 miles in length, with future segments planned to Catalina, Sahuarita and Green Valley, Tanque Verde Creek, and Pima Co. Fairgrounds. About 18 miles of the Loop currently lie within unincorporated county.

A recent survey regarding use of the Loop conducted by a University of Arizona graduate student with the Planning Division asked respondents what destinations they had accessed, and what additional amenities they would like to see along the Loop. Both Loop users and non-users responded that they would like more parks, restaurants/bars/café's, special events, and food trucks and mobile vendors along the Loop (click here for the [\*Chuck Huckelberry Loop Trail Survey Report\*](#)).

*Pima Prospers*, the 2015 update of the Pima County Comprehensive Plan, and other county plans identify the Loop for economic development, public health, and alternative transportation under a number of policies and goals:

- The Loop itself is identified as a Focused Development Investment (growth) Area (Pima Prospers 3.2)
- Provide community gathering areas (e.g., river walks) that attract, support and retain a healthy workforce and multi-generational families (Pima Prospers 3.2(5)(f))
- Support and promote the Loop and other system trails as regional attractions to promote healthy lifestyles, economic development, and connectivity to a variety of destinations (Pima Prospers 4.8(2), Policies 1 & 2)
- The Loop should be branded regionally to attract tourism and workforce (Pima County Economic Development Plan 2019-2021, Action Item 4.C.4)

The Loop also passes through or near other identified growth and economic development areas in the county:

- Tucson International Airport / Interstate 10 Economic Development Area and Flowing Wells Focused Development Investment Area (Pima Prospers 3.2)
- Kleindale/Dodge Infill Overlay Zone (Zoning Code Chapter 18.68)

## **TRAIL-ORIENTED DEVELOPMENT**

The bulk of the zoning code text amendment will be located in Chapter 18.07 General Regulations and Exceptions, Section 18.07.030 Land use regulations.

The amendment provides development incentives for properties along Pima County trails, starting with properties within 500 feet of the Loop and its designated spurs. Staff estimates that this would include over 900 acres of county-owned and managed parcels and around 2800 acres of private lands along the Loop and its spurs.

The amendment lists permitted uses, which include some types of food and beverage service, basic retail and some services. The amendment provides requirements for permanent structures and establishments: setbacks and vehicle parking may be reduced but additional bicycle parking may be required, and floor area of structures is limited to ten-thousand square-feet in rural zones only. Uses would also include non-permanent businesses such as food trucks, mobile vendors, "pop-up" retail, kiosks and stands. Also, some temporary, portable signage along trails will be permitted.

Trail-oriented development will be permitted in the MU Multiple Use and CI-1 Light Industrial/Warehousing zones. MU zoning is found along the Rillito River stretch of the Loop in Flowing Wells and the Kleindale neighborhood at Alverton and Fort Lowell, and the Loop passes through CI-1 zoning along the Julian Wash south of Tucson. The incentives allow uses in the CI-1 zone that are not generally otherwise permitted, and in the MU zone without an MU special use permit.

Trail-oriented development will also be permitted in the RH Rural Homestead, GR-1 Rural Residential and SR Suburban Ranch rural zones under the Type I Conditional Use Permit process; the zoning code will also permit trail-oriented development in the SH Suburban Homestead zone through reference in the SR zone. There is rural zoning along the Oro Valley Loop branch, around Flowing Wells, and in the Binghamton Neighborhood area, as well as areas where there are plans to extend the Loop (Catalina, Green Valley, the county fairgrounds). The incentives allow uses in proximity to the trail through a single public hearing before the Hearing Administrator, who can modify, waive or condition certain development requirements.

Most residentially zoned areas near the Loop are subdivided and developed, and were omitted from consideration; the uses are already permitted in commercial zones and were also not considered.

#### **Departmental and Stakeholder Review and Comment**

Staff sent the draft text amendment to county departments and other local development and bicycling stakeholder groups for review and comment. The list of contacted departments and groups and their comments are attached.

#### **Public Comment**

As of submittal of the text amendment for the Planning & Zoning Commission public hearing, staff has not received other public comment.

#### **Errata – P&Z Commission Hearing Legal Ad**

The original P&Z Commission hearing legal ad, published Monday, June 8, 2020, stated that the guidelines, locations, and permitted uses and development requirements for trail-oriented development would be placed in Chapter 18.09 Residential and Rural Zoning Provisions, Section 18.09.020 General requirements and exceptions – this was relocated to Chapter 18.07 General Regulations and Exceptions, Section 18.07.030 Land use regulations. Additionally, the ad included trail-oriented development in Chapter 18.31 TR Transitional Zone, Section 18.31.010 Permitted uses – this portion of the amendment was subsequently removed. The text amendment legal ad will be updated for notification of the Board of Supervisors' public hearing.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Mark Holden', with a horizontal line extending from the end.

Mark Holden, AICP  
Principal Planner

**P20TA00003 ECONOMIC OPPORTUNITY EXPANSION OMNIBUS NO. 2 -TRAIL-ORIENTED  
DEVELOPMENT ZONING CODE TEXT AMENDMENT**

Agency Transmittal for Review & Comment

Pima County departments:

DOT - Jonathan Crowe  
RFCD - Greg Saxe, Eric Shepp, Andy Dinauer  
DEQ - Richard Grimaldi, Beth Gorman  
NRPR - Steven Anderson, Valerie Samoy  
Economic Development - John Moffatt, Patrick Cavanaugh  
Attractions & Tourism - Diane Frisch  
Health - Paula Mandel  
OSC - Jenny Neeley, Courtney Rose, Julie Robinson  
CDNC - Danny Tylutki, Ryan Stephenson  
DSD Planning - Janet Emel, Elva Pedrego  
DSD Site Group - Lauren Ortega, Joseph Godoy

Outside Stakeholders:

Greater AZ Bicycling Assn.  
El Grupo Youth Cycling  
Cactus Cycling Club  
Visit Tucson - Vanessa Bechtol  
Pima Co. Loop Advisory Committee  
American Institute of Architects Arizona - Tina Litteral  
AZ Builders Alliance - Tim Bee  
Diamond Ventures - Priscilla Storm  
Coalition for Sonoran Desert Protection - Carolyn Campbell  
Metro Pima Alliance - Allyson Solomon  
Rick Volk RE  
Vast Commercial RE Tucson - Eric Lamb  
Cotlow Commercial RE - Dean Cotlow  
Southern AZ Home Builders Assn. - David Godlewski, Shawn Cote  
Tucson Assn. of Realtors - Steve Huffman  
Tucson Metro Chamber - Amber Smith, Robert Medler  
Sun Corridor, Inc. - Joe Snell, Jeff Powell

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**From:** Ursula Nelson  
**Sent:** Thursday, June 4, 2020 4:00 PM  
**To:** Mark Holden  
**Cc:** Richard Grimaldi; Beth Gorman  
**Subject:** FW: Trail-Oriented Development incentives zoning code text amendment  
**Attachments:** Huckelberry Loop Survey Report CBaum 15May2020.pdf; Pima Co Trail-Oriented Development May2020.pdf; Trail-Oriented Development zoning ordinance May2020.pdf

Hi Mark. Richard forwarded your email to me. Overall it looks good. I only had two additional ideas.

1. What about including something about promoting or enhancing the Loop for commute purposes? Either to established businesses or to business that are newly located along the Loop.
2. The survey mentioned developing additional access points to the Loop and I think that's a good idea too and will help with commute trips.

Thanks Mark.

Ursula

**From:** Mark Holden  
**Sent:** Wednesday, May 20, 2020 2:23 PM  
**To:** Richard Grimaldi <[Richard.Grimaldi@pima.gov](mailto:Richard.Grimaldi@pima.gov)>; Beth Gorman <[Beth.Gorman@pima.gov](mailto:Beth.Gorman@pima.gov)>  
**Subject:** FW: Trail-Oriented Development incentives zoning code text amendment

Hi Richard and Beth –

Following a survey of Loop users and non-users, DSD is working on development incentives for retail and services along the Loop for bicyclists, pedestrians and other Loop users. We are amending the zoning code to promote economic development in zones on properties in the unincorporated county – I've included the actual text amendment and a description of the amendment.

I'd like your department to review the proposed amendment, but also provide other incentives that your department might be able to offer along the Loop. We're aiming for the Planning & Zoning Commission hearing in late June – please provide any comments by Friday, June 12<sup>th</sup>. Thanks,

Mark

Mark S. Holden, AICP

Principal Planner,  
Planning Division  
Pima County Development Services Dept.  
(520) 724-6619

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**From:** Joseph Godoy  
**Sent:** Friday, June 12, 2020 2:59 PM  
**To:** Lauren Ortega; Mark Holden  
**Subject:** RE: Trail-Oriented Development incentives zoning code text amendment

Hi Mark,

I was also thinking about the language we used for development in Kleindale? It had something to do with waiving sc requirements for certain types of development but would make your traditional commercial business like gas stations or starbucks to still go through the process?

**Joseph Godoy**  
*Site Division Manager*  
Pima County Development Services  
201 N. Stone Ave  
Tucson, AZ 85701  
[joseph.godoy@pima.gov](mailto:joseph.godoy@pima.gov)  
(520) 724-6756

**From:** Lauren Ortega <Lauren.Ortega@pima.gov>  
**Sent:** Friday, June 12, 2020 2:45 PM  
**To:** Mark Holden <Mark.Holden@pima.gov>; Joseph Godoy <Joseph.Godoy@pima.gov>  
**Subject:** RE: Trail-Oriented Development incentives zoning code text amendment

Hello Mark,

Joseph and I have discussed this at length. I think there is potential incentive to waive the requirement for a site construction permit if a project/building is less than a certain square footage. I think there are a few factors we need to take into consideration. Have you heard back from DOT and/or RFCD? I would expect RFCD to still have certain requirements since these developments will be adjacent to a river.

After these preliminary discussions, I think Joseph and I are thinking we could look at waiving a site construction permit if a project is 2,000 square feet or less. It just depends on whether RFCD would be supportive and whether they feel any of their requirements could be reviewed and permitted under a building permit.

Joseph, do you have any other comments?

**Lauren A. Ortega, P.E.**  
Deputy Director  
Pima County Development Services  
520-724-6501

[www.pima.gov/developmentservices](http://www.pima.gov/developmentservices)

**From:** Mark Holden <[Mark.Holden@pima.gov](mailto:Mark.Holden@pima.gov)>  
**Sent:** Thursday, May 21, 2020 8:16 AM  
**To:** Lauren Ortega <[Lauren.Ortega@pima.gov](mailto:Lauren.Ortega@pima.gov)>; Joseph Godoy <[Joseph.Godoy@pima.gov](mailto:Joseph.Godoy@pima.gov)>  
**Subject:** FW: Trail-Oriented Development incentives zoning code text amendment



Hi J & L -

Following a survey of Loop users and non-users, DSD is working on development incentives for retail and services along the Loop for bicyclists, pedestrians and other Loop users. We are amending the zoning code to promote economic development in zones on properties in the unincorporated county – I've included the actual text amendment and a description of the amendment.

I'd like your department to review the proposed amendment, but also provide other incentives that your department might be able to offer along the Loop. We're aiming for the Planning & Zoning Commission hearing in late June – please provide any comments by Friday, June 12<sup>th</sup>. Thanks,

Mark

Mark S. Holden, AICP

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Pima County Development Services Dept.  
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P20TA00003 ECONOMIC OPPORTUNITY EXPANSION OMNIBUS NO. 2 -TRAIL-ORIENTED  
DEVELOPMENT ZONING CODE TEXT AMENDMENT

Dr. John Moffatt, Director  
Economic Development  
May 24, 2020

- Have you considered the hiking trails and mountain biking trails?
- [Amenities provided] ...should include shade. Shade is a big deal.
- [Location:] What about dedicated hiking trailheads? County parking lots could be an incentive to provide parking for users of these companies.
- [Permitted uses:] What about amenities in adjacent office parks such as identified for the Sunset Innovation Campus and out by the UA Tech Park and possibly The Bridges?
- [Permitted uses should not be injurious to general health and welfare] ...and consistent with surrounding property.
- [Signs may be placed during business hours] ...but must not interfere with traffic nor critical visibility (like at corners near vehicle traffic or pedestrian traffic) and within XXX feet of the business.



## PIMA COUNTY

Sustainability, Conservation  
& Historic Preservation

## MEMORANDUM

**Date:** June 16, 2020

**To:** Mark Holden, Development Services Department

**From:** Jenny Neeley, Program Manager

**RE:** Zoning Code Text Amendment: Trail-Oriented Development

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We appreciate the opportunity to provide comments on this draft text amendment to the Pima County Zoning Code. Please see below for detailed comments prepared by each of the three divisions of the Office of Sustainability and Conservation: Sustainability, Cultural Resources and Environmental Planning. Please let us know if you have any questions or would like additional information on any of the points we raise below.

### Sustainability Division Comments (prepared by Julie Robinson)

Thank you for the opportunity to participate in some early planning conversations regarding The Loop Trail-oriented development process. Overall, my impression is that there are many opportunities associated with this effort that can support small, local entrepreneurial businesses in this current economic downtown. Local First Arizona has calculated that 73 cents of every dollar spent at independently owned local businesses stays in the community (Nabhan, 2017). Furthermore, Gary Nabhan (a UA scholar), has noted that local food start-ups played a significant role in sustaining the base economy in the last Great Recession (2017).

The Trail-oriented development for The Loop offers a unique incubator opportunity to expand food entrepreneurialism in the region linked to the first location in the U.S. of a UNESCO City of Gastronomy designation and with it, to expand and promote sustainable practices that would enhance users' experience of The Loop. Specifically, I would suggest that Pima County's Development Services Department consider how to incentivize and support the infrastructure development needs for the following activities:

1. Incorporate waste reduction strategies through compostable and reusable takeout materials and the elimination of Styrofoam take-out containers all together (a practice implemented by Tucson Meet Yourself);
2. Expand the opportunity to include: Farming, farmer's markets and composting facilities adjacent to The Loop (these activities are targets for implementation in the FY 2018-25 Sustainable Action Plan for County Operations (SAPCO);
3. Where new structures are constructed that include vehicle and cart access, include Electric Vehicle charging stations;
4. Promote the installation of solar for shade and building structures;

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5. Seek funding/partnerships to provide “pop-up solar electricity/battery hubs” that mobile vendors can access for use instead of generators, which through their exhaust emissions contribute to ground level-ozone pollution and increased greenhouse gas emissions, along with noise pollution;
6. Expand Green Infrastructure along The Loop (installation of native vegetation and trees with water harvesting practices) according to Pima County’s Green Infrastructure Action Plan and SAPCO, and nearby businesses; and
7. Expand opportunities to increase awareness of the rich cultural resources and heritage sites within the vicinity of The Loop (also a target in SAPCO).

Many of the above suggestions may incur additional upfront and/or operational costs that that will be difficult for start-up entrepreneurs to cover. Since the benefits of these actions extend to the community at large, a number of non-profit entities might partner in helping to “green” The Loop, for example: UA’s Compost Cats run by the Office of Sustainability ([t.ledbetter@email.arizona.edu](mailto:t.ledbetter@email.arizona.edu)); Local First Arizona ([Mike@localfirstaz.com](mailto:Mike@localfirstaz.com)); Trees for Tucson ([katie.gannon@treesfortucson.org](mailto:katie.gannon@treesfortucson.org)); Watershed Management Group ([lisa@watershedmg.org](mailto:lisa@watershedmg.org)), and many others. Additionally, approaching Tucson Electric Power with an opportunity to fund low-cost renewable energy services and EV charging should be considered, along with outreach to community investment corporations.

Lastly, it has been well documented that the river corridors act as channels to extend and amplify the transmission of sound and noise. These types of noise impacts can affect other businesses, residents, wildlife, and users of The Loop, far removed from the site of origin, during the day or night. Because, of this, it is often difficult for law enforcement authorities to enforce noise ordinances (noise transmits across the invisible barriers of City and County jurisdictions, private properties, and zoning ordinances).

Additionally, authorities cannot regulate the types of music or speech that is transmitted by businesses. Still, some provisions must be considered in the trail development process so that small businesses to large events (like the Dusk Music Festival, which was held at Rillito Park, over the course of several years and featured headline acts amplifying violent and misogynistic lyrics) are held to responsible conduct. Specifics of amplified music at open-air mobile food cart vendor sites might require additional provisions. In the process of developing the trail-oriented plan, I encourage staff to consider the needs of all types of Loop users from parents, children, nearby residents, schools, etc. so this effort is widely supported and not undermined by negatively impacted groups.

The trail oriented Loop development efforts offer opportunities to stack multiple benefits from expanding green infrastructure to economic development. By encouraging and incentivizing sustainability features, benefits could encourage a broader and more diverse group of users. Adding sustainability features would also extend the benefits of The Loop beyond the immediate users, to the community.

I am happy to continue to participate in development conversations at the discretion of my Director and DSD staff.

Cultural Resources Division (prepared by Courtney Rose and Cannon Daughtrey)

Cultural Resources offers the following comments on Loop trail-oriented development:

- Requested (continued) review of all DSD permit applications (under BOS Policy C3.17). These development projects would include Conditional Use Permitted activities such as temporary structures and other impermanent uses as well as the review of development projects that include permanent buildings and facilities.
- Requested involvement early in the planning process of the applicant's development of designs for planned project. This involvement may include a monthly pre-application meeting in which cultural resources staff involved in initial reviews to provide ideas and recommendations to the developer who will be submitting a formal application.
- Requested involvement in providing input on areas selected by DSD to promote trail-oriented development along the Loop.
- Potential incentives could include equivalent but alternative and creative ways that could provide more value-added to the public to satisfy cultural resources requirements on a case by case basis.
- Identify ways to increase cultural awareness of the diverse cultural heritage through time along the Loop.
- Collaborate with OSC Sustainability on Green Infrastructure incentives.

Environmental Planning Division (prepared by Jenny Neeley)

OSC-Environmental Planning (OSC-EP) is generally supportive of this text amendment. While requests for Type I Conditional Use Permits are not subject to the Maeveen Marie Behan Conservation Lands System (CLS) and associated Conservation Guidelines and are thus not normally reviewed by OSC-EP, we would nevertheless appreciate being included in the review process for any Conditional Use Permits sought under this text amendment. This would allow us to offer recommendations to help applicants avoid, minimize, and/or mitigate the potential environmental impacts of these projects along County trails. We also encourage the County to consider requiring a cheap, non-burdensome review process for those uses that would otherwise be unconditionally permitted under this draft text amendment and to include us in those reviews as well, so that we can help minimize conflicts with surrounding areas and uses.

We ask the County to consider requiring a reasonable bufferyard for proposed uses under this text amendment that would occur on private lands adjacent to County-owned or managed Preserves (lands the County has acquired and/or manages to preserve their open space values, as reflected in the "County Preserves" MapGuide layer). This would provide some measure of protection for County Preserves from adjacent land uses and help maintain the values for which these Preserves were acquired and preserved.

There are only a few places along the Loop where privately-held lands in unincorporated Pima County may be adjacent to County-owned Preserves. These include private lands in the vicinity of 1) the Los Morteros Preserve and the complex of County-owned Preserves that comprise the Avra Valley I-10 Wildlife Corridor; 2)

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the Cultural Resource Preserve near the intersection of Ina and Silverbell; and 3) various Preserves acquired by RFCD under the Floodprone Lands Acquisition Program (FLAP) located along the southern stretches of the Loop along the Santa Cruz River, the eastern stretches along the Pantano Wash and on the south bank of the Rillito between Alvernon and Swan.

Upon initial review it appears that there is only a limited number of privately-held parcels within unincorporated Pima County that would be both within 500 feet from the Loop and adjacent to these Preserves, and all appear to have rural zoning designations. In these instances any proposed use under this text amendment would be subject to the Type I Conditional Use Permit process so the need for bufferyards could potentially be addressed on a case-by-case basis. However, the need to require bufferyards and other measures to protect County Preserves from adjacent incompatible land uses could increase should this text amendment be expanded to affect additional County trails beyond the Loop.