



## BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: March 5, 2018

Title: P18SP00001 FHM Partners, LLC - Foothills Mall Specific Plan

### Introduction/Background:

The Board of Supervisors approved this specific plan rezoning September 18, 2018.

### Discussion:

The specific plan rezoning was for approximately 51 acres of the Foothills Mall from the CB-1 (Local Business) and CB-2 (General Business) zones to Specific Plan (SP) zone for re-development of the Foothills Mall to a mixed-use, multi-modal destination that includes entertainment, housing, office retail, and hotel uses.

### Conclusion:

The Ordinance reflects the Board of Supervisors approval of the specific plan rezoning.

### Recommendation:

Approval

### Fiscal Impact:

0

### Board of Supervisor District:

☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ All

Department: Development Services - Planning Telephone: 520-724-9000

Contact: Terrill L. Tillman, Principal Planner Telephone: 520-724-6921

Department Director Signature/Date: [Signature] 2/15/19

Deputy County Administrator Signature/Date: [Signature] 2/19/19

County Administrator Signature/Date: C. Delellant 2/19/19

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Subject: P18SP00001

Page 1 of 1

**FOR MARCH 5, 2019 MEETING OF THE BOARD OF SUPERVISORS**

**TO:** HONORABLE BOARD OF SUPERVISORS

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

**DATE:** February 11, 2019

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**ORDINANCE FOR ADOPTION**

**P18SP00001 FHM PARTNERS, LLC – FOOTHILLS MALL SPECIFIC PLAN REZONING**

Owners: FHM Partners, LLC  
(District 1)

**If approved, adopt ORDINANCE NO. 2019 - \_\_\_\_\_**

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**OWNERS:** FHM Partners, LLC  
Attn: Ginamarie K Spencer Mendelsohn Oseran & Spencer PLC  
2525 W. Broadway Boulevard, Ste. 201  
Tucson, AZ 85745

**AGENT:** Lazarus, Silvyn & Bangs, P.C.,  
Attn: Keri Silvyn  
5983 E. Grant Road, Ste. 110  
Tucson, AZ 85712

**DISTRICT:** 1

**STAFF CONTACT:** Terrill Tillman

**STAFF RECOMMENDATION:** APPROVAL.

CP/TT/ar  
Attachments

cc: P18SP00001 File

ORDINANCE 2019-\_\_\_\_\_

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA; RELATING TO ZONING; REZONING APPROXIMATELY 51 ACRES OF PROPERTY (PARCEL CODES 225-44-315A, 225-44-316B, 225-44-316C, 225-44-317D, 225-44-318B, 225-44-319A, 225-44-319D, 225-44-320A, 225-44-320B, 225-44-320C, 225-44-321D, 225-44-321E, 225-44-321F, 225-44-321G, 225-44-321H, 225-44-321J, 225-44-322B, 225-44-323B, 225-44-324A, 225-44-324C, 225-44-324D AND 225-43-018Q) FROM THE CB-1 (LOCAL BUSINESS) AND CB-2 (GENERAL BUSINESS) ZONES TO THE SP (FOOTHILLS MALL SPECIFIC PLAN) ZONE, IN CASE P18SP00001 FHM PARTNERS, LLC – FOOTHILLS MALL SPECIFIC PLAN REZONING, LOCATED APPROXIMATELY 450 FEET NORTH OF THE NORTHWEST CORNER OF W. INA ROAD AND N. LA CHOLLA BOULEVARD, AND AMENDING PIMA COUNTY ZONING MAPS NOS. 76 AND 115 .

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

Section 1. The 51 acres located approximately 450 feet north of the northwest corner of W. Ina Road and N. La Cholla Boulevard and illustrated by the shaded area on the attached rezoning ordinance map (Exhibit A), which amends Pima County Zoning Maps Nos. 76 and 115, is rezoned from the CB-1 (Local Business) and CB-2 (General Business) zones to the SP (Foothills Mall Specific Plan) zone subject to the conditions in this ordinance.

Section 2. Rezoning conditions. The Foothills Mall Specific Plan, attached as Exhibit B (which has not been recorded but may be viewed at the office of the Pima County Development Services Department – Planning Division) is hereby adopted, subject to amendments as approved by the Board of Supervisors and including Part V (Conditions of Approval).

Section 3. Time limits of conditions. The Part V Conditions of Approval 1 through 14 adopted by Section 2 of this Ordinance shall be completed no later than September 18, 2023.

Section 4. The Conditions of Approval adopted in Part V of the Specific Plan may be amended or waived by the Board of Supervisors in accordance with Section 18.90.080 of the Pima County Zoning Code.

Section 5. The effective date of this Ordinance is the date the Chairman of the Board of Supervisors signs this Ordinance.


Passed and adopted by the Board of Supervisors of Pima County, Arizona, on this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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

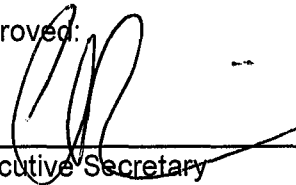
Attest:

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

Approved As To Form:

 1/15/2019  
\_\_\_\_\_  
Deputy County Attorney  
Lesley M. Lukach

Approved:

 1-14-19  
\_\_\_\_\_  
Executive Secretary  
Planning and Zoning Commission

# EXHIBIT A

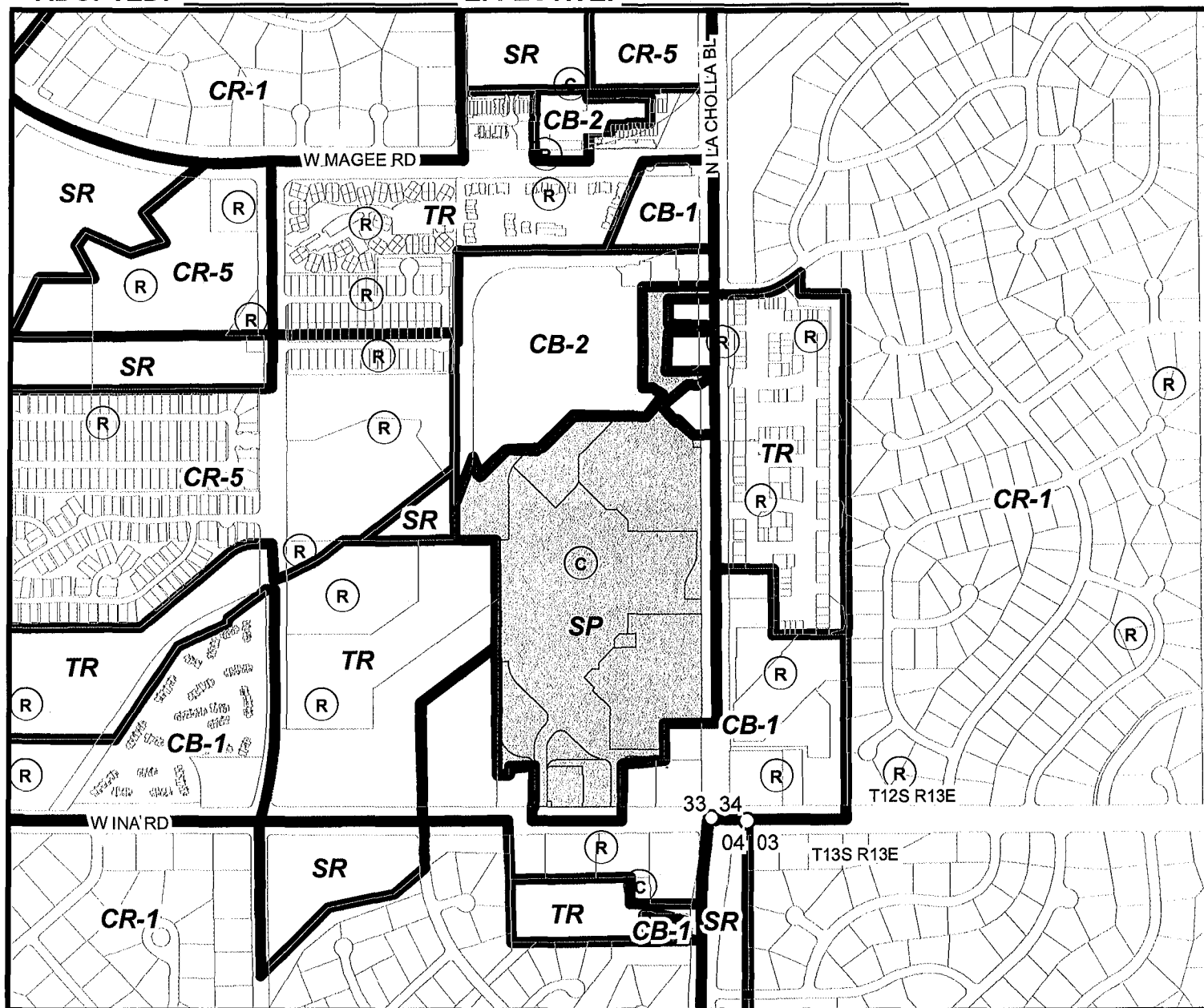
AMENDMENT NO. \_\_\_\_\_ BY ORDINANCE NO. \_\_\_\_\_  
 TO PIMA COUNTY ZONING MAP NO.'S 76, 115 TUCSON AZ. PARCELS 18Q,  
 15A, 16B, 16C, 17D, 18B, 19A, 19D, 20A, 20B, 20C, 21D, 21E, 21F, 21G, 21H, 21J, 22B,  
 23B, 24A, 24C, & 24D BEING A PART OF THE SE 1/4 OF SEC 33 T12S R13E.



0 205 410 820 Feet

ADOPTED: \_\_\_\_\_

EFFECTIVE: \_\_\_\_\_



EXECUTIVE SECRETARY PIMA COUNTY PLANNING AND ZONING COMMISSION

© NO BUILDING PERMITS WITHOUT CERTIFICATE OF COMPLIANCE  
 FROM CB-1 & CB-2 51.0 ac  
 ds-November 30, 2018

P18SP00001  
 Multiple taxcodes



# Foothills Mall Specific Plan

Approved by Board of Supervisors September 18, 2018

# Foothills Mall Specific Plan

Pima County, Arizona

## Submitted to:

Pima County Development Services  
Land Planning & Regulation  
201 North Stone Avenue  
Tucson, Arizona 85701

## Prepared for:

FHM Partners, LLC  
20 E. Congress Street, Suite 300  
Tucson, Arizona 85701

## Prepared by:

Lazarus, Silvyn & Bangs, P.C.  
5983 E. Grant Road, Suite 290  
Tucson, Arizona 85712

## With assistance from:

Cypress Civil Development  
2030 E. Speedway Boulevard, Suite 110  
Tucson, Arizona 85719

## M. Esparza Engineering, LLC

2934 W. Salvia Drive  
Tucson, Arizona 85745

September 2018

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# Foothills Mall Specific Plan

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- Appendix B: Parking Plan Example
- Appendix C: Viewshed Simulations
- Appendix D: Height Study

# Foothills Mall Specific Plan

## I. Introduction and Policy

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### Introduction and Policy

#### A. Introduction

In December 2016, FHM Partners, LLC ("Owner") purchased the majority of what is known as the Foothills Mall ("FHM"), located at the northwest corner of North La Cholla Boulevard and West Ina Road. (See *Exhibit I.A: Regional Location Map*.) FHM was originally developed in 1981 under a development plan that encompassed approximately 68 acres. The Owner proposes to re-envision, re-purpose and redevelop approximately 51 acres of the FHM to create a unique urban mixed-use environment (the "Project"). The Project is comprised of 22 parcels, identified by the following Pima County Assessor parcel numbers ("APN"): 225-43-018Q, 225-44-315A, -316B, -316C, -317D, -318B, -319A, -319D, 320A, -320B, -320C, -321D, -321E, -321F, -321G, -321H, -321J, -322B, -323B, -324A, -324C, and -324D (the "Property"). (See *Exhibit I.B: Property Map*.)

Across the country, urban and suburban shopping malls are evolving to create new environments. Consumer interaction with bricks and mortar stores is changing with the increase in online sales activity over the last 5-10 years. This change in behavior and move away from outdated mall concepts provides an incredible opportunity to redevelop and reposition the FHM property to provide a unique, exciting, regional destination and living environment with existing infrastructure to support the multi-dimensional development.

The Owner has spent considerable time studying successful project experiences throughout the country with a specific focus on changing consumer desires. The successful future of these community spaces requires thoughtful integration of retail, multi-family, office, entertainment, restaurant and hospitality uses. This vision of the Project is discussed in detail on pages 7-10 of this Specific Plan and aligns perfectly with the policies of Pima Prospers and is an exciting opportunity to create a unique environment and community amenity within the northwest Pima County region. The purpose of this Specific Plan is to provide flexibility in design and location of uses and permit increased height for residential, hospitality and office uses. The existing structures and circulation may be modified, and the Owner has worked to ensure appropriate setbacks are established. This is an exciting infill, redevelopment project within an area of Pima County that needs reinvestment and revitalization.

# Foothills Mall Specific Plan

## I. Introduction and Policy

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### B. Conformance with Pima Prospers

This Specific Plan is consistent with the goals and policies of the Pima County Comprehensive Plan, *Pima Prospers*. The Property is identified as a Community Activity Center ("CAC") within the Tortolita Planning Area of *Pima Prospers*. Like other CACs, this Project:

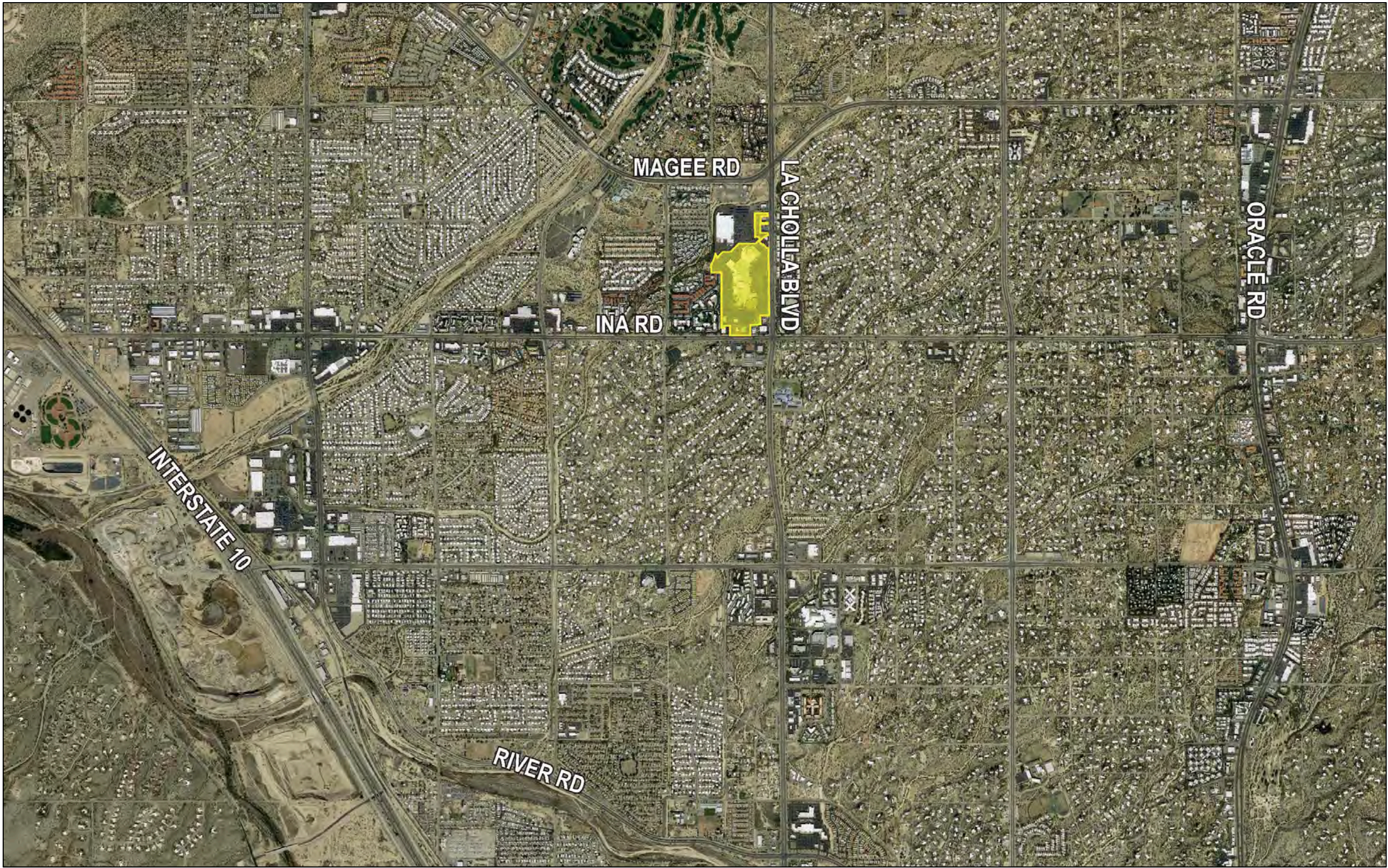
- is located on major arterial roadways with access to public transportation;
- has been designed to provide pedestrian and bicycle connectivity between the Project and surrounding uses, where feasible; and
- is a high-intensity mixed-use center with a full range of uses, including housing, retail, personal services, office, hotel, restaurant and entertainment uses.



Foothills Mall Specific Plan

I. Introduction and Policy

Exhibit I.A: Regional Location Map





Foothills Mall Specific Plan

I. Introduction and Policy

Exhibit I.B: Property Map





# Foothills Mall Specific Plan

## I. Introduction and Policy

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The following policies from *Pima Prospers* are relevant and support this Specific Plan:

### 1. Use of Land

- **Policy 3.1.1.1:** Promote land use patterns that support healthy people, a healthy environment and a healthy economy.
- **Policy 3.1.1.2:** Provide an appropriate mix of land uses that:
  - Supports a balance of housing, employment, shopping, recreation and civic uses;
  - Furthers expansion of economic development goals;
  - Recognizes in the unincorporated County the dominant suburban growth pattern within the metropolitan area and the dominant rural growth pattern outside of the metropolitan area.
  - Promotes the integrated and efficient use of infrastructure and services.
- **Policy 3.1.1.6:** Promote a compact form of development in urban and suburban areas where infrastructure is planned or in place and the market is receptive.
- **Policy 3.1.1.7:** Support and incentivize horizontal and vertical mixed-use development and redevelopment in character and scale with existing development.
- **Policy 3.1.1.8:** Require all mixed-use developments to incorporate design elements for walkability, bikeability and access to work, school, services, infrastructure, and healthy foods.
- **Policy 3.5.1.2:** Support and ensure multi-generational housing that is accessible to jobs, multimodal transportation, education, recreation, commerce, healthy foods, and health-related services.
- **Policy 3.5.8.1:** Incorporate through good design housing types within mixed use developments at scales generally compatible, but more dense than adjacent established neighborhoods.



# Foothills Mall Specific Plan

## I. Introduction and Policy

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- **Policy 3.5.8.2:** Continue to use appropriate transitions for dissimilar types of development and provide connectivity to trails, pedestrian walkways, and bicycle routes.
- **Policy 3.5.8.4:** Include trees and other landscape elements as design mechanisms in creating scale appropriate developments.
- **Policy 3.5.9.1:** Support urban development patterns that exhibit the physical design characteristics of pedestrian-oriented, store front-style retail and encourage physical activity, alternative transportation, social interaction and activation of the public realm where appropriate.
- **Policy 3.2.1.1:** Promote efficient growth in urban, suburban and rural areas compatible with each area's specific scale, character and identity in areas where infrastructure is planned or in place.
- **Policy 3.2.1.3:** Recognize the link between urban form, infrastructure availability, resource efficiency and economic development to create a healthy and climate resilient region.
- **Policy 3.2.2.1:** Utilize infill development to strengthen existing neighborhoods, create the higher density necessary to support desirable services, increase the tax base, and make our communities more efficient without being disruptive to existing neighborhoods.
- **Policy 3.2.2.4:** Support redevelopment efforts in areas that include densifying neighborhoods, vacant or non-performing shopping centers, or blighted or unsafe housing.
- **Policy 3.2.2.6:** Integrate parks, plazas, and other gathering places with shade-providing trees and comprehensive landscaping into neighborhood centers to provide places for community activity and interaction and to reduce urban heat island effect.

# Foothills Mall Specific Plan

## I. Introduction and Policy

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### 2. Physical Infrastructure

- **Policy 4.8.1.10.d:** Encourage residential multi-modal opportunities, public safety and appropriate connectivity among parks, neighborhoods and commercial areas.
- **Policy 4.8.2.3:** Encourage the utilization of the urban trail system as an alternate transportation mode to decrease reliance on automobiles, reduce air pollution, increase overall health and serve economic development functions.

### 3. Human Infrastructure

- **Policy 5.3.1.1:** Promote the establishment of a comprehensive and integrated system of parks, plazas, and playgrounds, and a trails system that provides connectivity to residential areas, employment, services, schools, libraries, activity centers and other community amenities.
- **Policy 5.3.1.3:** Continue to provide a diverse range of park types, functions and recreational opportunities to meet the physical and social needs of county residents.
- **Policy 5.3.1.7:** Increase opportunities to incorporate green space as a part of the urban environment and to decrease heat islands effect, improve biological diversity, and enhance property values and quality of life.

### 4. Cost of Development

- **Policy 7.1.1:** Encourage the development of retail, commerce, employment and mixed-use residential projects in Focused Development Investment Areas and in other planning areas where infrastructure is in place or planned.

# Foothills Mall Specific Plan

## II. Land Use Proposal

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### Land Use Proposal

#### A. Project Overview

The vision for FHM is to take advantage of its central infill location, the uses and infrastructure already in place, and to create a true destination—a live/work/play, multi-modal experience for the region. The Specific Plan establishes the guidelines to implement this vision over the next 15 to 20 years. The goal is to provide the required regulatory framework for implementing the FHM Specific Plan, while also granting the required flexibility for the Owner to respond quickly to consumer demands and market needs.

#### Infrastructure

This Property is unlike any other in unincorporated Pima County. It is uniquely situated to take advantage of existing infrastructure and established surrounding commercial and high-density/multi-family residential developments, which are components that undeveloped properties on the urban periphery do not have. Pima Prospers emphasizes that sustainable growth should occur in areas with existing infrastructure<sup>1</sup>. This Property has the major infrastructure in place—roadways, water, sewer and drainage facilities—to immediately support a multitude of opportunities and mix of uses at FHM.<sup>2</sup>

The Project's location at the northwest intersection of Ina Road and La Cholla Boulevard—two major arterial roadways—supports the Specific Plan's high-density, urban vision. La Cholla recently has been improved in the Project vicinity, including a complete reconfiguration of its intersection with Magee Road and a new bridge over the Cañada del Oro Wash just north of the Property. Ina Road is a well-traveled east/west corridor connecting Interstate-10 to Tucson's northeast side. The Property is also well-served by public transportation, with established bus transit routes along both arterials.

#### Land Use

Pima Prospers encourages compact, mixed-use development where infrastructure is in place, and it specifically supports the redevelopment and densification of underperforming shopping centers.<sup>3</sup> The Owner envisions a complete redevelopment of the Property with a focus on a mix of uses, including entertainment, housing, office, retail and hospitality uses, that work

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<sup>1</sup> Pima Prospers Policy 3.1.1.6.

<sup>2</sup> *Ibid*, 3.1.1.2., 3.2.1.1., 3.2.1.3., 3.2.2.1., 7.1.1

<sup>3</sup> *Ibid*, 3.2.2.4.

# Foothills Mall Specific Plan

## II. Land Use Proposal

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synergistically to energize the Project and offers amenities to the surrounding community<sup>4</sup> This Specific Plan proposes a complete redesign and modification of the existing 620,000 square-foot building space, the addition of new and complementary uses, and the creation of linkages between uses to support its function as a single Project.<sup>5</sup>

The Project balances a mix of entertainment and dining experiences, public gathering spaces, retail, office, hospitality and multi-family uses.<sup>6</sup> The existing movie theater recently made a substantial investment in upgrades and will remain a key component of FHM. A host of other entertainment uses will be incorporated into the development, including the potential for a bowling alley, gathering and event space(s), a children's splash pad, and a venue for live musical performances. Outdoor plaza(s) and seating area(s), perhaps surrounded by a variety of dining options, are also envisioned as part of the Project. It will be a destination featuring both active and passive recreation amenities and family activities.<sup>7</sup>

The Project will continue to exhibit a strong retail component. Some of the existing retailers will remain, and new retailers will be drawn to the Project. Specialty markets may begin to emerge, such as a niche for the sale of locally-grown food and beverages or locally-crafted goods, reflecting community demands and preferences.

Multi-family residential is a critical component of the Project. There is a growing demand for convenient and accessible housing, especially among aging baby boomers and young millennials whose desire is to live in a more urban setting and within walking distance to retail amenities, food, entertainment and employment.<sup>8</sup> Housing co-located within mixed-use developments also provides the customers necessary to support the other uses within the Project. Market success hinges on this interdependent relationship (Danziger). Existing shopping centers, office complexes and housing surrounding the Property are key to this relationship and the future success of FHM.<sup>9</sup>

Higher-density office complexes and hospitality uses are also proposed, which have traditionally been complementary uses. Rather than be isolated, hotel operators are looking for locations that feature services and entertainment opportunities for their guests within easy walking

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<sup>4</sup> *Ibid*, 3.1.1.7.

<sup>5</sup> *Ibid*, 5.3.1.1.

<sup>6</sup> *Ibid*, 3.1.1.2., 5.3.1.3.

<sup>7</sup> *Ibid*, 3.2.2.6., 5.3.1.3.

<sup>8</sup> *Ibid*, 3.5.1.2.

<sup>9</sup> *Ibid*, 3.2.1.1

# Foothills Mall Specific Plan

## II. Land Use Proposal

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distance. Similarly, employees within the office complexes onsite, as well as those in the surrounding area, will find a wealth of options for lunchtime and after-work activities and dining, and they may opt to live there as well.

To achieve this synergy and create a node of activity like that of a town center where a multitude of activities, goods and services are accessible in a concentrated area, an increase in density and intensity of development will be required. Moderately intense uses are already established on the Property and surround it on all sides: multi-family residential to the west, office and commercial uses to the north, and major arterial roadways with office and commercial uses to the south and east. To attain the vision, this Specific Plan permits residential, office and hospitality uses to be 120 feet or up to 10 stories. Similar heights have been permitted in the northwest region for newer uses, such as Northwest Medical Center and the Top Golf facility. The Specific Plan allows for these heights while ensuring the uses and density are compatible with and complementary to existing development. In addition, the uses within the Specific Plan will be easily accessible to residents, employees and visitors of surrounding properties.<sup>10</sup>

### Circulation and Connectivity

Effective and efficient circulation into and around the Property is key to the success of FHM into the future. The Project is designed to be a mixed-use community activity center—meeting a range of needs within a single project. The goal is to become a destination that attracts visitors and provides the amenities and dynamic activities that will keep FHM active the entire day. A key to that success is providing easy, clear and effective access into and within the Property. The major ingress/egress points from Ina Road and La Cholla Boulevard are intended to remain the same. The focus will be to re-design the onsite circulation and reconfigure the building's interaction with the drives and parking areas. Portions of the existing mall structure will be demolished to make way for connections that link all portions and uses within the development.<sup>11</sup>

The Specific Plan aims to create an environment that encourages being outdoors and where a variety of daily activities are all located on a walkable (or bikeable) campus.<sup>12</sup> Partially shaded walkways will be provided throughout the development, and sidewalks will be incorporated into

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<sup>10</sup> *Ibid*, 3.5.8.1.

<sup>11</sup> *Ibid*, 4.8.1.10.d.

<sup>12</sup> *Ibid*, 3.1.1.1., 3.1.1.8., 3.5.9.1.

# Foothills Mall Specific Plan

## II. Land Use Proposal

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the overall circulation concept linking transit stops on the arterials and ride-share drop-off points with the rest of the Project where feasible.<sup>13</sup>

Physical separation of uses is discouraged, including the separation of onsite uses from adjacent properties, when reasonable. Pedestrian-level connections with the multi-family housing developments and office complexes adjacent to Specific Plan area is encouraged, and where not currently existing, will be evaluated, where feasible.<sup>14</sup> Trail linkages to Pima County-owned property northwest of the Property are also desired to enable residents and visitors to access the larger Pima County trail system.<sup>15</sup>

Today, a sea of surface parking of approximately 2,850 spaces surrounds the existing main mall structure. This parking is a result of applying the current Pima County Zoning Code ("PCZC") suburban parking paradigm. The new parking calculations are based on research in surrounding urban communities to better reflect the infill nature of this Project. Going forward, thoughtful parking plans will be created for each phase that considers the mix of uses, peak hours of operation for the various uses, alternate modes of transportation and the changing relationship people have with their vehicles. It is anticipated that some of the existing parking areas will be repurposed over time for new Project elements, such as buildings or public gathering spaces. Parking will be provided based on demand, and overparking will be discouraged. Depending on the future build-out of the Property, parking structures may be constructed to make the most efficient use of the land.

### Concept Plans

Because flexibility and response to market conditions are key to the success of this Project, multiple Concept Plans (*Exhibits II.A.1-3*) and Artistic Renderings (*Exhibits II.A.4-7*) are included to illustrate the vision for the Specific Plan and demonstrate potential development scenarios. The plans' depictions are conceptual and are not to scale. The actual size and location of the buildings, parking and circulation will be determined at a later date. The market will ultimately dictate the mix of uses and the pace of redevelopment of the Property.

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<sup>13</sup> *Ibid*, 3.5.8.4.

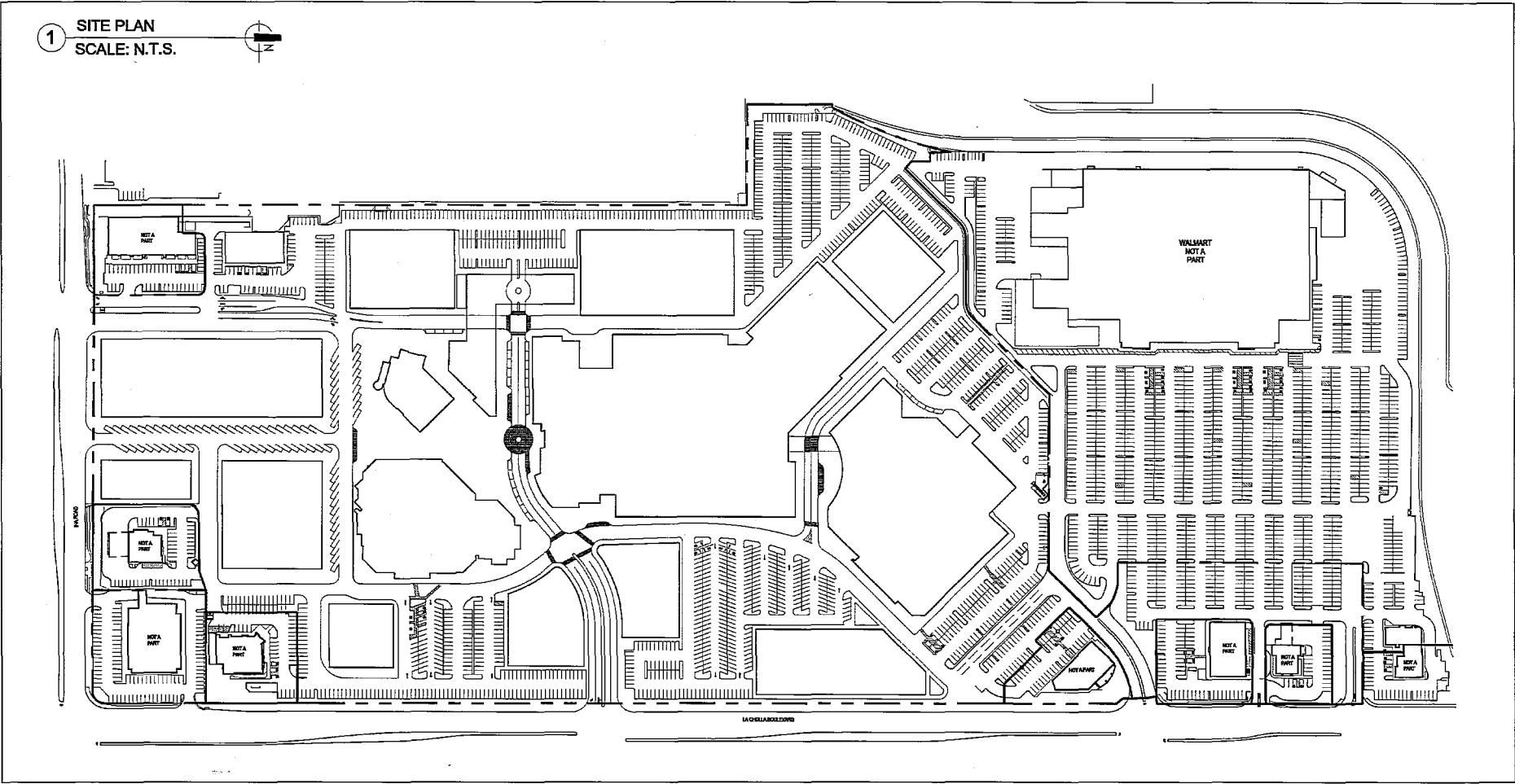
<sup>14</sup> *Ibid*, 3.5.8.2.

<sup>15</sup> *Ibid*, 4.8.2.3., 5.3.1.1.

Foothills Mall Specific Plan

II. Land Use Proposal

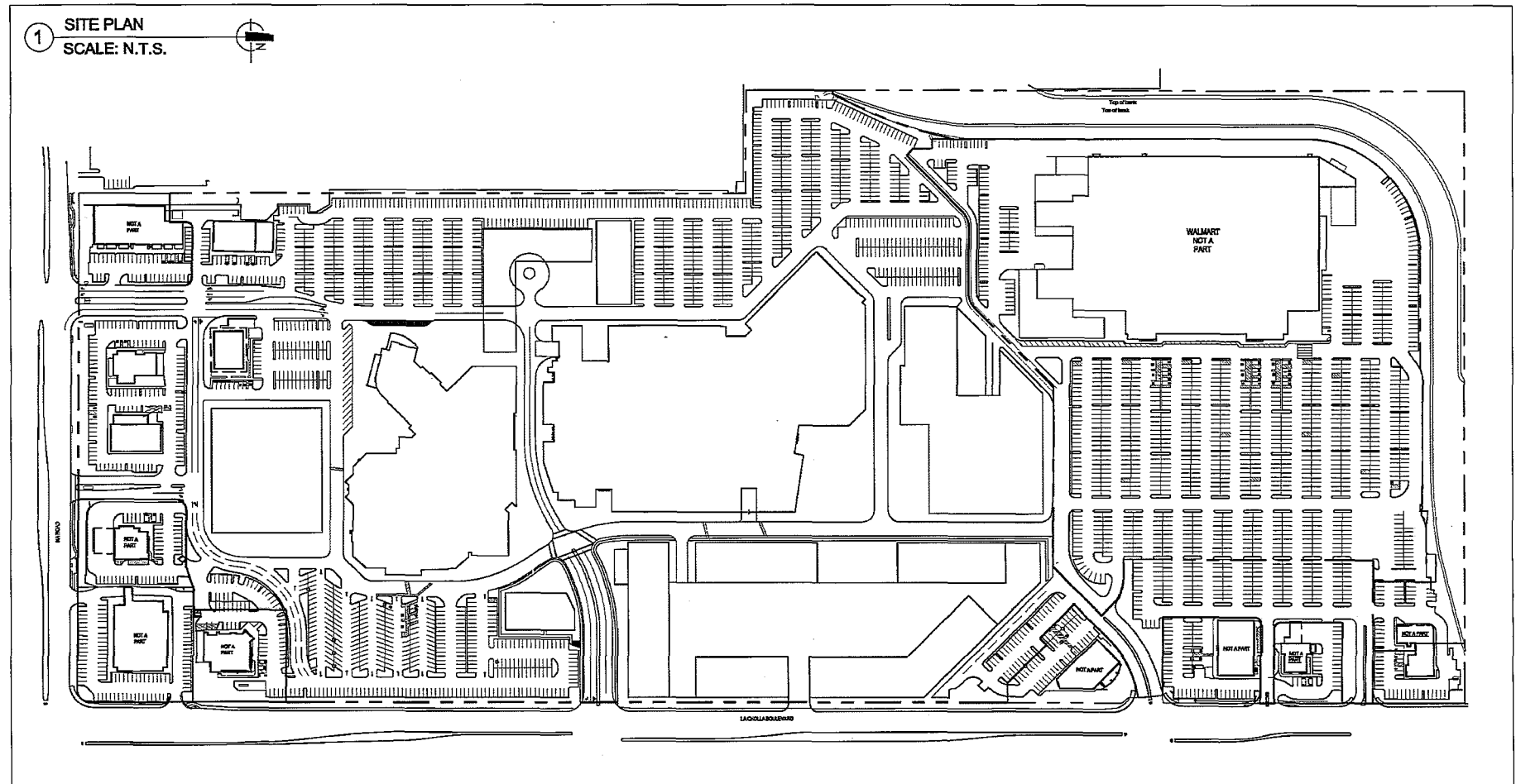
Exhibit II.A.1: Concept Plan A



## Foothills Mall Specific Plan

### II. Land Use Proposal

#### Exhibit II.A.2: Concept Plan B

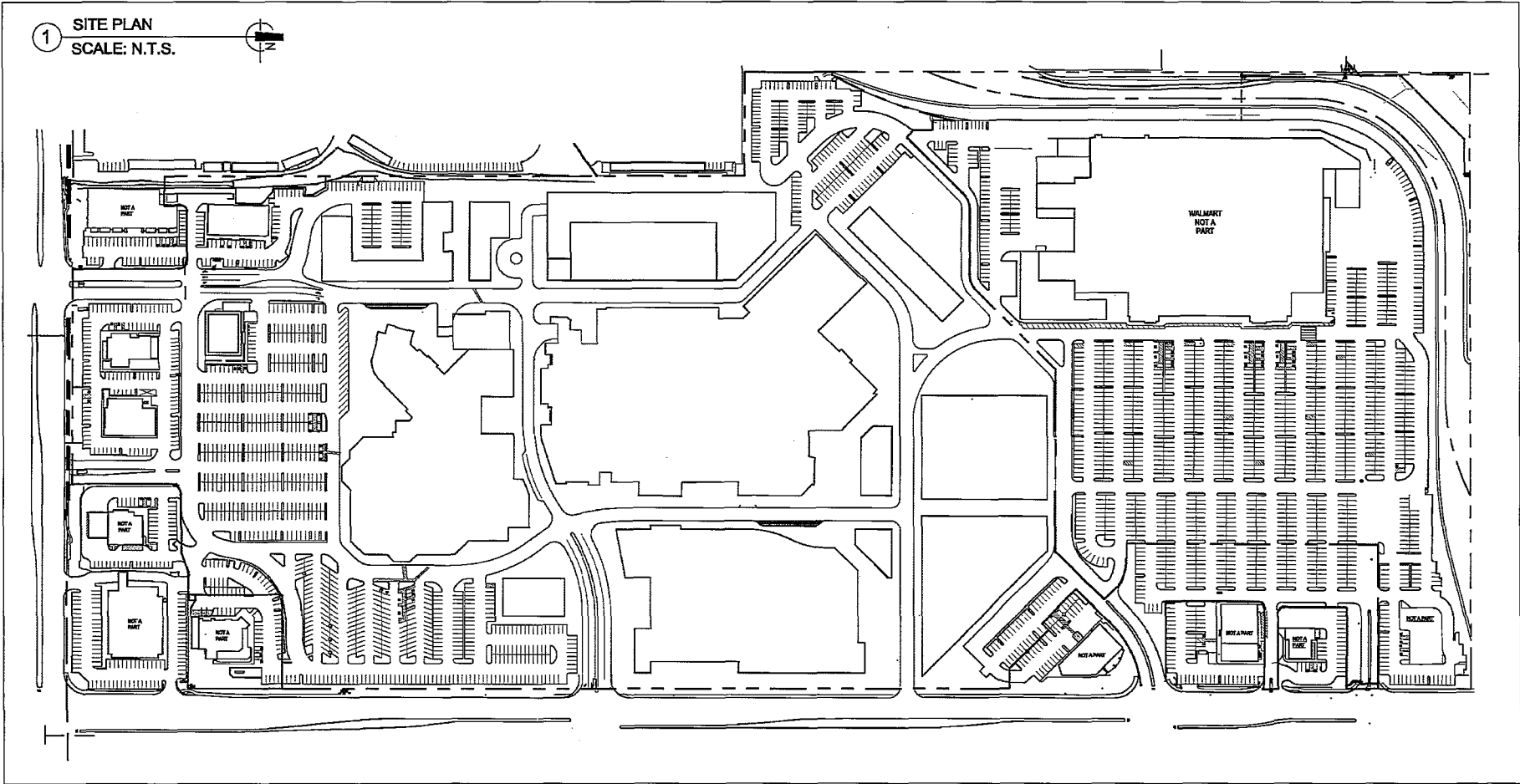




Foothills Mall Specific Plan

II. Land Use Proposal

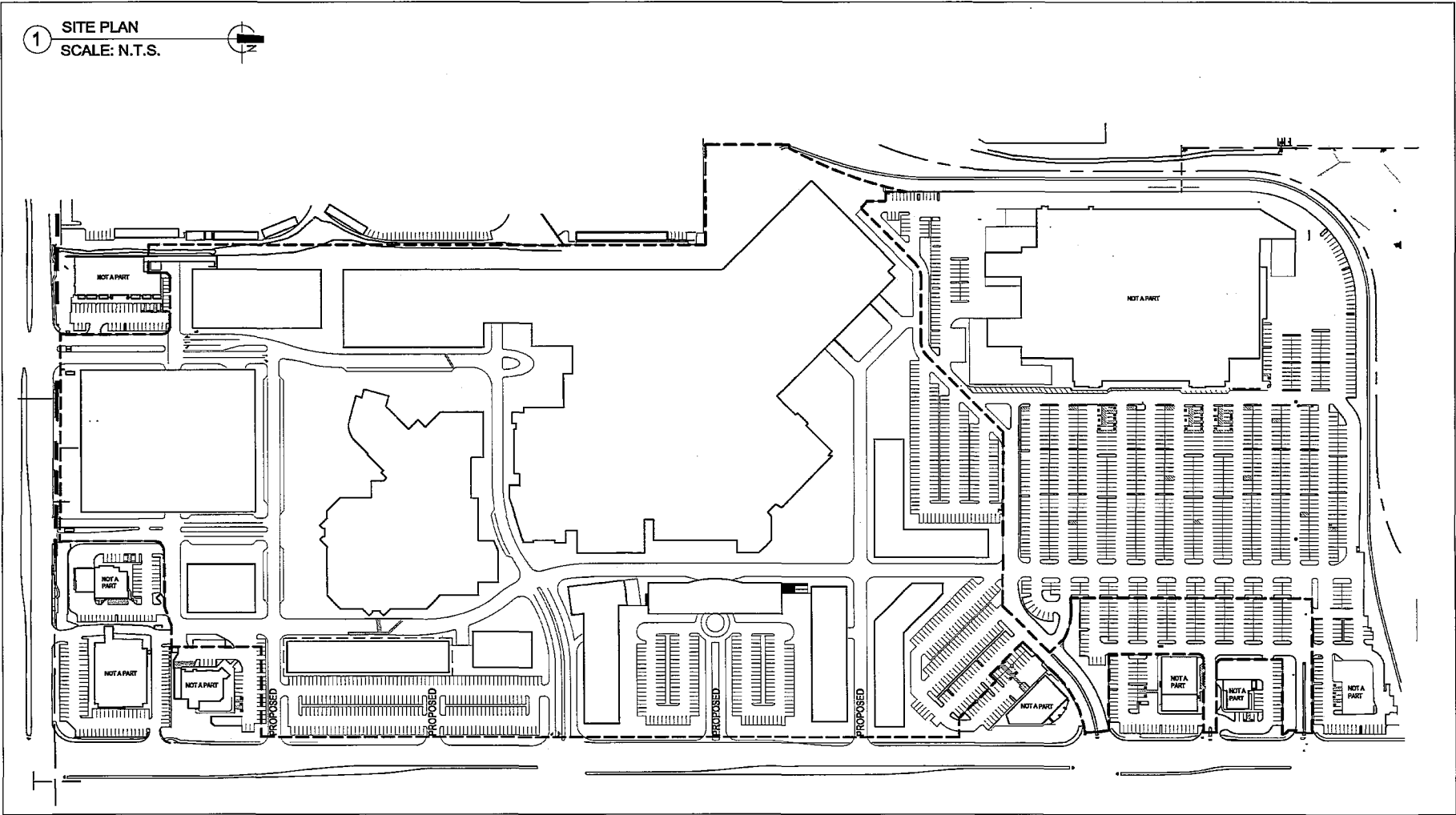
Exhibit II.A.3: Concept Plan C



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Exhibit II.A.3: Concept Plan D



# Foothills Mall Specific Plan

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### Exhibit II.A.4: Artistic Rendering A



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### Exhibit II.A.5: Artistic Rendering B





# Foothills Mall Specific Plan

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### Exhibit II.A.6: Artistic Rendering C



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### Exhibit II.A.7: Artistic Rendering D





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### B. Permitted Uses

The FHM Specific Plan proposes a single land use category that encompasses the entire Specific Plan area. Unless modified in this Section, all uses within County CB-2 Zone are expressly permitted. *Table II.B* includes additional permitted uses. In addition, the Pima County Planning Official may permit any use not specifically listed in CB-2 or this Specific Plan if determined to be similar in nature to other permitted uses.

**Table II.B: Additional Permitted Uses**

Artisan Residence
Commercial Recreation
Conference Facilities/Banquet Rooms
Craftwork
Farmer's Market/Craft Events/Fairs/Bazaars (indoor or outdoor)
Instructional School
Light Manufacturing/Research and Product Development
Live/Work Spaces
Brewery (for both on- and off-premise consumption)
Outdoor Public Assembly, Recreation, Open Space (electronic messaging and/or entertainment options are permitted in association with these uses when located within the interior portion of the Specific Plan, such as in a courtyard)
Distribution Center/Delivery Services (maximum building area of 30,000 SF)
Self-Storage (in conformance with Specific Plan development standards only)
Vehicle Rental and Sales

# Foothills Mall Specific Plan

## II. Land Use Proposal

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### C. Prohibited Uses

Uses expressly prohibited in the Specific Plan are listed in *Table II.C*.

**Table II.C: Prohibited Uses**

Adult Oriented Business/Adult Activities Facility
Cemetery
Feed Lot
Industrial uses, except as specifically permitted within this Specific Plan

### D. Development Standards

#### 1. Site Development

For the application of development standards, the Property shall be considered a single parcel regardless of the ultimate parcel configuration within the Specific Plan boundary. Setbacks shall not apply for any internal lot lines. *Table II.D* provides a list of development standards that will govern site development throughout the Specific Plan.

Chapters 18.39 (General Commercial Standards) and 18.77 (Roadway Frontage Standards) of the PCZC shall not apply within this Specific Plan.



# Foothills Mall Specific Plan

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**Table II.D: Development Standards**

Minimum Site Area	None
Maximum Site Coverage	None
Maximum Floor Area Ratio (FAR)	None
Minimum Residential Density	Any residential uses shall meet a minimum of 6 residences per acre ("RAC").
Maximum Height	<p>Except as provided below, all buildings shall be limited to 80 feet in height.</p> <p>120 feet or 10 stories is permitted for hospitality, office and/or residential uses:</p> <ul style="list-style-type: none"> <li>• Parking may be vertically incorporated into this height.</li> <li>• The first 2 floors may include any use permitted in this Specific Plan.</li> </ul>
Minimum Setbacks	<p>All building setbacks are measured from the Property line unless otherwise noted.</p> <p>North: No setback required</p> <p>West:</p> <ul style="list-style-type: none"> <li>• Buildings up to 60 feet in height: 30 feet</li> <li>• Buildings 60 – 120 feet in height: 150 feet, measured from the closest residential unit west of the Property and existing on the effective date of this Specific Plan</li> </ul> <p>East &amp; South:</p> <ul style="list-style-type: none"> <li>• Buildings up to 30 feet in height: 15 feet</li> <li>• Buildings 30 – 60 feet in height: 30 feet</li> <li>• Buildings greater than 60 feet in height: setback is equal to the height of the building</li> </ul>
Minimum Building Separation	Per Building Code
Vehicular Parking	<ul style="list-style-type: none"> <li>• Shopping Center: 3.3 spaces per 1000 square feet ("SF") GFA</li> <li>• Hotel: 1 space per room</li> <li>• Office: 3 spaces per 1000 SF</li> <li>• Residential: 1.25 spaces per unit</li> <li>• Movie Theater: 0.20 spaces per seat</li> <li>• For the purposes of administering this Specific Plan, if a use is not Hotel, Office, Residential or Movie Theater, the use shall be classified as Shopping Center.</li> </ul> <p>For a reduction in the above standards, a parking plan stamped by a professional registrant may be submitted with each development package. The statement must define shared uses/peak times and provide justification for the reduction based on current studies and best practices related to vehicle use. See <i>Appendix B</i> for an example.</p>
Bicycle Parking	1 space per 15,000 SF GFA
Loading Areas	<ul style="list-style-type: none"> <li>• 1 space per 100,000 SF GFA</li> <li>• Loading areas and approach area for solid waste/recycling dumpsters may be collocated when deliveries and solid waste collection schedules are coordinated to avoid conflicts.</li> </ul>

# Foothills Mall Specific Plan

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### E. Landscape Program

The Property currently contains mature landscaping throughout the entire Specific Plan area. All existing landscaping shall remain until it is affected by redevelopment. At that time, only the landscaping within the affected Development Area is required to be redesigned to Specific Plan standards, and a landscape plan shall be submitted for that Development Area with the development package. Subject to the existing conditions of the Property, as outlined in Section F: Hydrology, below, site drainage will be studied with each development phase, and improvements may be incorporated to reduce off-peak flows and support amenity landscaping. Retention/detention will be studied at that time but is most likely not feasible due to existing conditions.

All new development will comply with County Zoning Code Section 18.73 – Landscaping, Buffering and Screening Standards with the following exceptions:

#### 1. Landscape

- Plants selected for use within courtyard areas and interior streetscapes (e.g. annual color planting, shade-tolerant plants, landscape pots, etc.) are not subject to the approved plant list.

#### 2. Irrigation

- Irrigation shall be connected to existing potable water services, as reclaimed water is not available on or near the Property.
- Passive rainwater harvesting techniques will be implemented to supplement irrigation when and where practicable only. New and redeveloped landscape areas will be designed to utilize harvested stormwater.
- Water Conservation Measures:
  - New landscape areas shall be irrigated by systems fitted with irrigation controllers that are capable of monitoring and responding to plant water needs using moisture sensors, weather stations and/or evapotranspiration data.
  - Irrigation technology chosen will be capable of preventing the irrigation system from running if sufficient soil moisture is present to support vegetation. All systems shall include rain shut-off technology.
  - Irrigation equipment shall be correctly placed to ensure plants are kept healthy using a combination of harvested and non-harvested water to ensure water conservation measures are met.

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- Water design features that use groundwater or CAP water, such as ponds and fountains, shall not exceed more than 300 square feet in size unless approved by the County Planning Official. The Owner must provide the County Planning Official with justification demonstrating the reason the water design feature requirements cannot be met within 300 square feet. Children's splash pads shall be exempt from this restriction.
3. Streetscape
- Interior streetscape and Project amenities and furniture shall be provided at the sole discretion of the Owner.
4. Screening and Bufferyards
- West: no bufferyard required. Existing drainageway vegetation to remain and existing vegetation screen along entire property line will be maintained. Additional plants or modifications may be proposed at the Owner's discretion.
  - East (La Cholla Boulevard): existing landscape bufferyard/landscape area shall be maintained. Additional plants or modifications may be proposed at the Owner's discretion.
  - South (Ina Road): existing landscape bufferyard/landscape area shall remain. Additional plants or modifications may be proposed at the Owner's discretion.
  - North: no bufferyard required.
  - No bufferyards shall be required between interior parcels/pads or between Development Areas.
5. Amenity Landscaping
- Amenity landscape requirements shall be satisfied by landscaping interior outdoor courtyard and ramada areas and interior pedestrian streetscape landscaping. Amenity landscaping shall be provided at the Owner's discretion.
  - Within each Development area, landscape areas should be considered where feasible in the portions of the site dedicated to parking, vehicular and pedestrian circulation, where practicable.
6. Buffelgrass Elimination
- The Owner shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the Property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This

# Foothills Mall Specific Plan

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obligation also transfers to any future owners of the Property within the Specific Plan area.

### F. Hydrology

The Property is 90 percent impervious with existing drainage and stormwater systems detailed in the Site Analysis. As redevelopment occurs, it is anticipated there will be no increase in stormwater flows due to the existing impervious nature of the Property. It is conceivable that there will be a slight reduction in flows leaving the Property due to new landscaped areas that would increase the Property's pervious surfaces and help retain stormwater onsite. The County Flood Control District has updated the Carmack Wash floodplain maps. Any redevelopment on the Property would need to factor in the existing underground storm drain system and provide any necessary adjustments, if required, to ensure continuation of stormwater flow through the Property since the system accepts stormwater from offsite. In addition, any change in roof or site drainage patterns could require analysis of the existing pipe system to ensure that any changes would not be over-stressing the existing system.

### G. Transportation and Circulation

The Property has been developed as a regional shopping center with retail as the primary use. Redevelopment of the Property will take place over the next 20 years. During that time, the mix of uses is expected to change, with retail being balanced with other uses, such as residential, office and hospitality. A traffic impact study has been prepared to identify the transportation-related impacts of the proposed redevelopment at a conceptual level. (See *Appendix A*.) As the Specific Plan develops and new uses are identified, updated studies will be required to assess the impacts of the combination of uses on the Property, in part because the intended new mix of uses will have varying peak traffic times and parking needs. In addition, as people's relationships with their vehicles continue to evolve, it is expected that alternative modes, like biking and ridesharing, will become more prominent. Each of these topics will need to be revisited over the 20-year life of this Specific Plan.

#### 1. Proposed Ingress and Egress

Ingress and egress locations along La Cholla Boulevard and Ina Road are not intended to be relocated with this redevelopment. Access to the Property exists at six locations: three on Ina Road and three on La Cholla Boulevard. There is another access location on La Cholla Boulevard, which primarily serves Walmart and restaurants north of the Property. Internal circulation permits access to and from the Property from this northern access, but it is not considered a primary access for the Property.

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With the exception of the signalized intersection at La Cholla Boulevard/Foothills Mall Drive, all other Specific Plan access locations are currently unsignalized. Two of the unsignalized access locations (the western access on Ina Road and the second access north of Ina Road on La Cholla Boulevard) permit full access movements (left turns and right turns). The other access locations provide only right-in, right-out movements due to the raised medians on Ina Road and La Cholla Boulevard.

### 2. Average Daily Traffic

Development of the Specific Plan is expected to add approximately 19,500 new external vehicle trips per day. This estimate is based on the following assumptions:

- a. The total site trips generated by the proposed land uses is 39,810 vpd.
- b. The existing FHM generates about 14,160 vpd.
- c. The resultant number of new trips (25,650 vpd) is further reduced by assuming a 10 percent decrease associated with internal trips, a 5 percent reduction associated with trips made by other modes (transit, bike, pedestrian). The result of these reductions is further reduced by an assumption that 35 percent of the commercial trips are pass-by trips (trips that would already be on the roadway system).

Distributing these trips to the study area roadways based on existing traffic patterns and adding them to the future background volume for the years 2020, 2025 and 2040 results in the total daily volumes shown in *Table II.G.2: Average Daily Traffic & Level of Service*.

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**Table II.G.2: Average Daily Traffic & Level of Service**

Roadway Segment	2020 NP ADT	Site Trips	2020 WP ADT	2025 NP ADT	2025 WP ADT	2040 NP	2040 WP	LOS D Threshold (vpd)	LOS D Threshold Volume Exceeded (2025/2040) No Project	LOS D Threshold Volume Exceeded (2025/2040) With Project
Mona Lisa Road, North of Ina Road	5,365	220	5,585	5,924	6,144	7,433	7,652	15,930	No/No	No/No
Mona Lisa Road, South of Ina Road	2,980	499	3,479	3,290	3,789	4,128	4,627	15,930	No/No	No/No
La Cholla, Old Magee Trail to Magee Road	26,256	3,195	29,451	28,988	32,183	53,184	56,379	53,910	No/No	Approaches/Yes
La Cholla, Magee Road to Foothills Mall Signal	27,215	3,195	30,410	30,047	33,242	55,127	58,322	53,910	No/Yes	Yes/Yes
La Cholla, Foothills Mall Road to Ina Road	28,091	9,986	38,076	31,015	41,000	56,902	66,888	53,910	No/Yes	Yes/Yes
La Cholla, Ina Road to Orange Grove Road	24,805	3,395	28,200	27,387	30,782	50,246	53,641	53,910	No/No	Approaches/ Approaches
Old Magee Trail, East of La Cholla Boulevard	1,840	0	1,840	2,032	2,032	3,727	3,727	15,930	No/No	No/No
La Cholla to Magee Loop Road	1,847	1,199	3,046	2,039	3,238	3,742	4,940	N/A	N/A	N/A
Magee Road, West of La Cholla Boulevard	18,102	2,397	20,499	19,986	22,383	25,076	27,473	35,820	No/No	No/No
Magee Road, East of La Cholla Boulevard	18,971	2,596	21,567	20,945	23,541	26,280	28,876	35,820	No/No	No/No
Ina Road, Shannon Road to Mona Lisa Road	32,302	4,394	36,696	35,664	40,058	44,747	49,141	35,820	Approaches/Yes	Yes/Yes
Ina Road, Mona Lisa Road to La Cholla Boulevard	29,131	9,986	39,117	32,163	42,149	40,355	50,341	35,820	Approaches/Yes	Yes/Yes
Ina Road, La Cholla Boulevard to La Canada Drive	29,435	3,994	33,429	32,498	36,492	40,776	44,770	35,820	Approaches/Yes	Yes/Yes

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### 3. Level of Service and Transportation Improvements

The traffic impact study (*Appendix A*) is based on current conditions and assumptions of uses that could change as redevelopment occurs. When the trip generation of the Project exceeds the trips generated by the existing FHM at full occupancy, the Owner may be subject to providing the recommended mitigation discussed in the study. The trip generation of the existing FHM at full occupancy was calculated by applying 619,951 square feet of the existing buildings to the calculated shopping center trip rates based on actual driveway counts. The daily trip generation under full occupancy of the existing FHM is displayed in *Table II.G.3*.

**Table II.G.3: Full Occupancy Trip Generation**

Bldg Size	ITE Code	AM Peak		PM Peak		Weekday	
		In	Out	In	Out	In	Out
619,951 SF	820	Actual Driveway Counts		620		2,021	
		363	257	983	1,038	10,111	10,111

In situations where existing development/physical constraints exist, a modification will be requested. The Owner will work with the County to determine potential solutions when improvements are warranted.

Below are recommendations in the traffic impact study:

- a. Two of the Specific Plan's driveways currently experience peak hour delays resulting in LOS E or F conditions for left turn movements out of the Property. These are Ina Road/Driveway 1 and La Cholla Boulevard/Driveway 5. (See *Exhibit II.G.3: Driveway Identification*.) Left turns out experience high delays during the weekday (and possibly weekend) peak periods, and these delays will increase in future years. Options to mitigate the left-turn delays could include:
  - Access restriction to right-in, right-out only. Exiting drivers wishing to head north on La Cholla Boulevard must exit at La Cholla Boulevard/Foothills Mall Drive to the north at the signalized intersection;
  - In addition to right-in, right-out, also allow left-in movements;
  - Full signalization at the driveways; or

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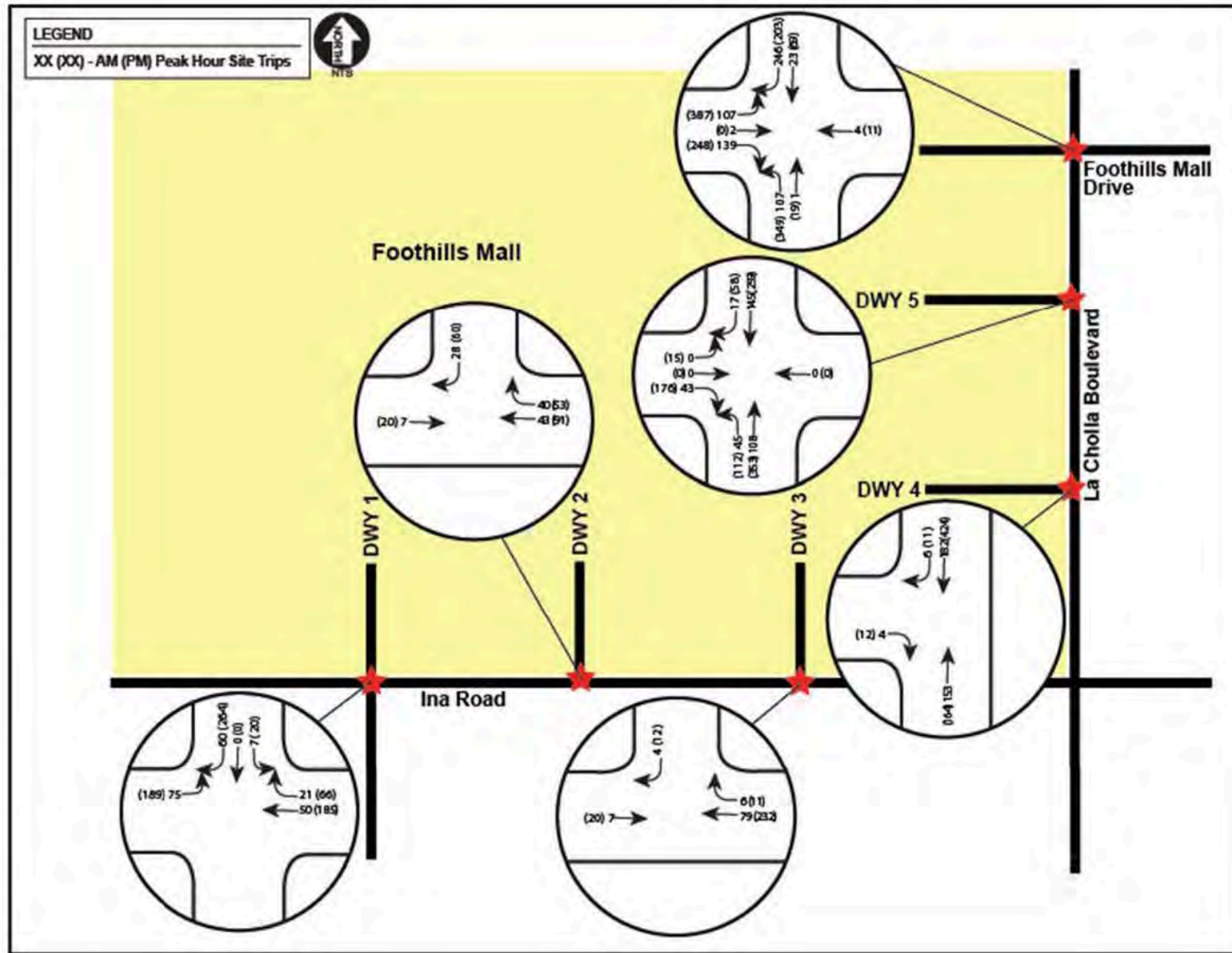
- Directional signalized intersection, such as a "Florida T" intersection. A Florida T intersection allows for free-flow through traffic in one direction (northbound at the La Cholla intersection) while providing traffic control for other movements.
- b. Both La Cholla Boulevard and Ina Road will exceed their LOS D daily capacities by the year 2040 *without* the redevelopment of this Property. Ina Road will approach its LOS D capacity by 2025 *without* the redevelopment of this Property and will exceed it soon afterwards, if the growth rate interpolated from year 2018 and PAG's 2040 travel demand model projections are constant. The additional traffic associated with the redevelopment will increase traffic on all study area roadways as expected. Once the existing square footage of the Specific Plan is exceeded, development impact fees may be applied to improving these roadway capacities.



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### Exhibit II.G.3: Driveway Identification



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### 4. Concurrency

As the project develops, updated traffic statements will be conducted to supplement the recommendations contained within the study prepared for this Specific Plan. The studies, which will be submitted with each development package, will consider travel culture at the time of the development such as patron or employee travel modes and identify any improvements that may be warranted. The studies shall be based on industry best practices at the time of development, and shall utilize up-to-date research on trip generation, shared uses and parking needs for the mix of uses proposed within the Specific Plan.

### 5. Bicycle and/or Pedestrian

The Specific Plan will include facilities to encourage the safe use of alternative modes of transportation and will support current County efforts to reduce personal vehicle usage. Onsite circulation must be carefully managed to promote pedestrian and bicycle use. The provision of safe pedestrian linkages on La Cholla Boulevard and Ina Road to the Property and well-marked and signed pedestrian and bicycle routes within the Property will provide for safe and efficient movement associated with FHM patronage. These linkages will be implemented within each Development Area or sooner at the Owner's discretion.

Pedestrian linkages will be integrated between land uses throughout the Specific Plan. Clearly marked pathways from adjacent bike routes and pedestrian walkways will be separated from vehicular traffic access. Bike lanes may be provided adjacent to vehicular traffic. The existing primary FHM structure will be reconstructed to allow for spaces between buildings for pedestrian and bicycle access. There will be designated bicycle parking spaces provided at strategic locations.

The Loop is located approximately  $\frac{3}{4}$  mile northwest of the Property. There is potential to connect to the Loop system, and the Owner commits to working with the County to locate a point of connection onto the Property and ensure people on the Loop have safe access once on the Property. As such, the Owner shall enter into a Development Agreement with the County within 6 months of the Board of Supervisors approval of the Specific Plan that will establish the Owner and County working collaboratively to construct a connection between the Loop and the Property (the "Loop Connection"). The Development Agreement shall establish the location of the Loop Connection, which is currently contemplated along the Carmack Wash west of the Property, southwest to Mona Lisa, then north to the Northwest Community Park entrance and via a new

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pathway to the corner of Magee and Shannon. The Owners shall work with the County to coordinate the plan, design and construction of the Loop Connection to establish a Loop Connection in the most cost-efficient manner. The Owner shall contribute a proportional fair share to construct the Loop Connection, which fair share shall be contributed at the time that 100 residential or hospitality units, or a minimum of 125,000 square feet of office space are developed.

### 6. Onsite Vehicular Circulation

The onsite circulation system may be reconfigured to provide more direct access to the land uses. This may be accomplished by providing a new east-west access through a portion of the building area.

The onsite circulation system will primarily consist of two-way, two-lane access drives. The current main access from La Cholla Boulevard (second access north of Ina Road) will remain the primary access to the Property and will feature two ingress and two egress lanes. It may be recommended that ingress/egress be limited to right-in/left-in and right-out only to reduce the potential for long queues exiting the Property during peak land use hours.

The popularity of on-demand transportation services such as Uber and Lyft provide an opportunity to reduce the parking demand within the Specific Plan. A dedicated pick-up/drop-off location for this service may be provided at a strategic location, preferably near the retail or entertainment components of the Specific Plan.

## H. Utility Infrastructure

### 1. Sewer

Pima County Regional Wastewater Reclamation Department ("PCRWRD") provides sanitary sewer service to the Property via an existing 12-inch sewer main located along the Property's western edge. This sewer main was constructed in 1981 and conveys waste flows to the south and ultimately to the west within existing public sewer infrastructure in the Ina Road right-of-way. A private sewer main that extends along the east and south sides of the Property and at least two other direct private sewer lateral connections along the west side of the building provide conveyance of flows from the existing mall building to the public main.

Redevelopment of the Property would require analysis of any impacts to the existing sewer infrastructure and could require relocation/realignment of portions of the existing

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private sewer main and/or laterals. The public sewer main will not be in jeopardy of any re-work due to its location along the west boundary. Currently the existing public sewer has capacity available for an increase of at least 17,000 gallons-per-day of flow, based on a recent capacity request made to PCRWRD. (See *Exhibit IV.F.1.a: Utilities* in the Site Analysis section of this Specific Plan.) This flow allocation was estimated based on a 17-acre mixed-use development and is above and beyond the flows already generated by the mall property. As redevelopment occurs, it will be necessary to obtain current capacity allocation responses from PCRWRD to ensure capacity within the existing system. No capacity issues are anticipated.

### 2. Water

Metropolitan Domestic Water Improvement District ("Metro Water") is currently serving the Property. The existing water system consists of a 12-inch water main accessing the Property from the east and south and carrying water along the east side of the existing building. Branching off this 12-inch main and connecting to offsite water mains to the north is an 8-inch main that carries water along the south, west and north sides of the building.

Redevelopment of the Property would require attention to the existing water system and could require relocations depending on where new development areas are proposed and what water infrastructure is needed. Based on discussions with Metro Water, the current system pressures in the existing mains are in the range of 90 psi, which provide ample pressure and fire flow for future development of the Property.

Additional Water Conservation Measures will be identified at the time of development.

### I. Sign Program

The purpose of this section is to establish a dynamic and creative sign program appropriate for a vibrant mixed-use project. The program helps establish a unique sense of place while also creating consistency, identity and integrity in the sign program. The FHM Specific Plan sign program:

- Supports the retention of businesses and furthers the economic development goals of the Specific Plan;
- Recognizes the need to communicate messages, provide identification and enable safe wayfinding throughout the Project;
- Facilitates the flow of traffic and the safety of pedestrians, bicyclists and motorists; and

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- Ensures conformance with the City of Tucson/Pima County Outdoor Lighting Code ("OLC").

Consistent with mixed-use developments in other cities, some areas within the Specific Plan will be highly promotional for businesses and events, and signs are designed to be conspicuous. Signs will engage the public at street level and from a distance with various types of signage consistent with the active nature of the Project and its many entertainment-based uses.

This section of the Specific Plan supersedes County Zoning Code Chapter 18.79 – Sign Standards in its entirety, except as expressly indicated in the standards below.

This section does not apply to Interior Signs or signs erected or maintained by a governmental body, including but not limited to, traffic signs, warning signs and signs of a noncommercial nature required by public laws, ordinances or statutes.

Interior Signs are defined as onsite signs designed and located so as not to be legible from any Specific Plan boundary adjacent to residential uses or arterial roadways. An Interior Sign may require a building permit and/or electrical permit from Pima County, and it is subject to all OLC regulations. Interior Signs are also subject to approval by the Owner.

For all signs subject to these regulations:

1. Sign Package Submittals

Plans for proposed signs or proposed modifications to existing signs shall be submitted to the County Development Services Department ("DSD") for review in accordance with process requirements in County Zoning Code Section 18.79.070.A.2, except for item b.4<sup>16</sup>. The applicant shall provide with the submittal a statement from the Owner indicating authorization and approval of the application.

2. Permitted Signs

Signage within the Specific Plan generally falls within one of four categories: Building Signs, Roof Signs, Project Identification Signs or Freestanding Arterial Signs.

- a. Building Signs

Building Signs are any signs applied to walls, rooftops or other building surfaces.

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<sup>16</sup> See Section II.E. Landscape Program for all landscape requirements pertaining to this Specific Plan.

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- The total sign area per building is limited to 4.5 square feet per each linear foot of the longest wall of the building. If there is a second story on the building, an additional 4.5 square feet per linear foot of the longest portion of the second-floor building wall shall be added to the calculation. Signage may be placed on any (or multiple) walls.
- Allocation of the allowable Building Sign area as between tenant(s) and/or project signage is per the Owner's discretion.
- Once the maximum building signage is calculated per building, the allocation of signage can be distributed amongst the buildings within the Specific Plan at the Owner's discretion.
- Internal tenants are permitted to have signage on a street-facing wall at the Owner's discretion.

### b. Project Identification Signs

Project Identification Signs display the Project name(s). They are located at prominent locations throughout the interior of the Specific Plan area and are designed to be viewed from the Property lines. Possible locations may include, but are not limited to, courtyard spaces, rooftops, along pedestrian walkways and adjacent to or attached to buildings. Project Identification Signs are subject to the following standards:

- Maximum height of 60 feet measured from adjacent grade.
- Maximum area of 120 square feet for Project identification per sign per sign elevation.
- Maximum of four (4) Project Identification Signs permitted in entire Specific Plan area.
- Must be located at least 100 feet from any Specific Plan boundary OR adjacent to the interior side of a building if within 100 feet of a Specific Plan boundary.
- Area limitations for Building Signs do not apply to Project Identification Signs.

### c. Roof Signs

Any sign erected, constructed or maintained wholly or partially upon or over the roof line of any building with the principal support on the roof or building structure.

- Roof Signs are permitted to identify either the Project or tenants, subject only to the size and number regulations, below.

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- Roof Signs are permitted to break above the plane of the roof line as long as any portion above the roof line consists of free-standing letters or characters, which are not applied or attached to any background structure, building or material, except those necessary for support.
- Roof Signs are limited to a maximum area of 400 square feet per sign.
- Roof Signs are limited to a maximum height of 10 feet above the roofline for buildings greater than two stories.
- Maximum six (6) Roof Signs permitted in entire Specific Plan area.

### d. Freestanding Arterial Signs

Project and Tenant Freestanding Arterial Signs are freestanding monument signs displaying the Project and/or tenant name(s). They are located along Ina Road and La Cholla Boulevard. Area limitations for Building Signs do not apply to Freestanding Arterial Signs. These signs are subject to the following standards:

- Project Freestanding Arterial Signs:
  - Maximum height of 15 feet measured from street grade.
  - Maximum area of 80 square feet for Project identification per sign per sign elevation.
- Tenant Freestanding Arterial Signs
  - Maximum height of 20 feet measured from street grade.
  - Maximum area of 100 square feet: 80 square feet for tenants plus 20 square feet for Project identification per sign per sign elevation.
- Maximum combined total of ten (10) Project and/or Tenant Freestanding Arterial Signs permitted in entire Specific Plan area.

### 3. General Signage Standards

#### a. Sign types permitted onsite include, but are not limited to:

- Awning Signs
- Blade Signs
- Directional Signs
- Fascia-Mounted Signs
- Full-Color Printed Media
- Kiosk Signs
- Marquee Signs
- Painted Wall Signs
- Projected Light
- Roof Signs

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- Sculptural Signs
- Signs with 3D Extensions
- Street Banner Signs
- Translucent/Mesh Material Signs
- Window Graphics

- b. All tenants are permitted signage on the exterior of the building in which they occupy, subject to the area limitations. At the Owner's discretion, a tenant of the Project may be permitted to place a sign on a different building from the one in which they occupy.
- c. All signs may contain changeable message displays, including computer-generated messages or other electric means of changing text or images. Changeable message displays/signs may use incandescent lamps, light emitting diode ("LEDs", including LED reader boards), liquid crystal displays ("LCDs"), flat-panel displays, fiber optics and other technologies.
- d. Illuminated signs may be lit by either internal or external means and shall be designed, located or screened to limit direct light sources onto residential units.
- e. Notwithstanding any provision in this Specific Plan, all signage must comply with the OLC.

### 4. Temporary Signs

- Temporary Signs are not permanently mounted and are intended to be displayed at the Property for a limited period of time, up to a maximum of 30 days with one 30-day extension.
- Examples of temporary signs include, but are not limited to, construction signs, grand opening banners, future facility signs and inflatable signs.

### 5. Prohibited Signs

The following shall be prohibited within the FHM Specific Plan:

- Billboards
- Odor-producing signs
- Projecting signs lower than 8 feet above grade
- Kinetic signs



# Foothills Mall Specific Plan

## II. Land Use Proposal

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### 6. Exceptions

The following signs shall be exempt from all provisions of this section, including, but not limited to:

- Interior Sign;
- Barber pole, provided it is attached to a wall and is not more than 3 feet in length nor more than 8 feet in height;
- Six or fewer flags with poles no greater than 20 feet in height;
- Governmental sign;
- Professional nameplate and home occupation sign (maximum area of 2 square feet);
- Apartment numbers and addresses with numbers or letters no more than 6 inches high;
- Memorial sign, tablet or cornerstone, not exceeding 8 square feet in area; and
- Sign attached to a service station pump.

Note: Pima County may require an electrical permit for certain sign types listed above.

# Foothills Mall Specific Plan

## III. Implementation and Administration

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### Implementation and Administration

#### A. Administration and Interpretation

The Specific Plan shall be administered by the Pima County Planning Official, and all implementation decisions shall be based on the purpose of the Specific Plan. If a conflict arises between the Specific Plan and the PCZC, the Specific Plan shall control. If the Specific Plan is silent on any issue, and the PCZC is consulted, the purpose and intent of the Specific Plan shall control the Planning Official's decision whether and how to apply the PCZC. Appeals of any Planning Official interpretation of this Specific Plan may be made to the Board of Supervisors within 30 days of the date of the interpretation. A fee in accordance with adopted Pima County Development Services Department Fee schedule for an "Appeal of an Interpretation" and an "Advertised Public Hearing" must accompany any such appeal. The Specific Plan will not result in the modification or change of any existing County-adopted building codes.

#### B. Phasing and Procedures for Development Review

Redevelopment of FHM will likely begin immediately and occur in phases over a 15 to 20-year period as the market dictates. This Specific Plan provides the regulatory framework for the redevelopment, and the following procedures shall apply to administer and approve the individual phases of redevelopment:

- Within 60 days of the effective date of this Specific Plan, the Owner will work with the County's Development Services Department to submit a baseline site plan for the Property with baseline parking calculations. Each subsequent development package will update the baseline plan and parking calculations in conformance with this Specific Plan.
- As the Project develops, individual development packages will be submitted that define the relevant Development Area. Each development package and defined Development Area shall be reviewed for conformance to this Specific Plan.
  - At that time, traffic and hydrology reports, if required, will be submitted for only that Development Area.
  - Each development plan/development package will show the entire Specific Plan area in a context map (e.g. on a cover page). Improvements are required only for the defined Development Area with the following exceptions:

# Foothills Mall Specific Plan

## III. Implementation and Administration

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- Vehicular parking must be adequate to serve the entire Specific Plan area, based on the provisions contained within the Specific Plan; and
  - Infrastructure improvements, such as those required for utility capacity, drainage or traffic improvements, will be installed when warranted by engineering analyses.
- The Owner serves as the Master Association and Property Manager for the Specific Plan. Through a self-certification process, the Owner shall review and approve all development packages/Project design features, signage applications, and architectural/building plans proposed for the Property prior to County submittal. As part of any required County submittal for redevelopment, the Owner shall provide a statement indicating approval of the application.

### C. Amendments

#### 1. Minor

The County Planning Official may administratively approve minor (or insubstantial) changes, as defined below, to the Specific Plan, provided such changes are in conformance with the overall intent, goals and objectives of the Specific Plan as presented herein.

The following shall be considered minor changes that fall within the administrative purview of the Planning Official:

- Addition of new information to the Specific Plan, maps or text otherwise in compliance with the below standards.
- Changes to the public or private infrastructure as presented herein as necessary to properly serve the Specific Plan.
- Addition of permitted uses that may not be specifically listed in Section II.B of this Specific Plan, but which are determined to be sufficiently similar in type and nature to those listed as permitted.
- Adjustments to the Development Standards in Section II.C of this document that are not harmful to the interests of the larger community or adjacent neighborhoods, or which are not explicitly stated in the Specific Plan, but which are consistent with the guiding goals and objectives of the project and do not create any public health or safety issues.
- Adjustments to any aspect of Section II of this Specific Plan that is required to comply with changes in local, state or federal safety and/or health codes.

# Foothills Mall Specific Plan

## III. Implementation and Administration

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### 2. Major

Major (or substantial) amendments to the Specific Plan shall be those changes or modifications that materially alter the guiding goals and objectives as presented in the Specific Plan. Major amendments to the Specific Plan shall be processed in accordance with Section 18.90.080 of the PCZC.

### D. Development Impact Fees

In accordance with Pima County Ordinance No. 2009-95, Pima County Development Services Department ("PCDSD") shall assess and collect the Pima County Roadway Development Impact Fee ("Impact Fee"), which will be paid at the time building permits are issued. Fees are assessed based on cumulative additions to building square footage for FHM to be administered and calculated within each Development Area development package. The existing FHM building area under roof is 619,519 square feet.

### E. Specific Plan Definitions

**Artisan Residence:** a structure or portion of a structure used as both a residential dwelling for an artist and any artistic nonresidential use permitted in this Specific Plan. The residential use and the artistic nonresidential use must be conducted by the same artist. The dwelling unit may not be separately leased.

**Brewery:** operation that involves the brewing, sale, and distribution of beer, ale and other malt beverages. Includes:

- brewpubs (primarily an eating and drinking establishment/restaurant with a small brewery on the premises),
- craft production (a commercial use that involves onsite production and assembly of goods primarily involving the use of hand tools and/or small-scale equipment) and
- microbrewery (an establishment primarily engaged in the production and distribution of beer, ale, or other malt beverages, and which may include accessory uses such as tours of the microbrewery, retail sales, and/or onsite consumption).

**Commercial Recreation:** the provision of facilities, equipment, and/or programs designed for the enjoyment of leisure activities. Examples include rock climbing gyms, indoor skydiving simulation, video arcades, bowling alleys and entertainment complexes.

# Foothills Mall Specific Plan

## III. Implementation and Administration

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**Craftwork:** any business establishment that produces on the premises articles for sale of artistic quality or effect or handmade workmanship. Examples include candle making, glass blowing, weaving, pottery making, woodworking, sculpting, painting and other associated activities.

**Development Area:** the area included in each individual, phased development package submitted to the County. The Development Area only includes that portion of the Property subject to improvements and/or modifications at that point in time and does not encompass the entire Specific Plan area. Developer has complete discretion to define the Development Area for each development package during redevelopment of the Project.

**Distribution Center/Delivery Services:** a facility where goods or products are stored temporarily for the purpose of distribution to a retailer or final destination

**Entertainment Venue:** venue whose primary use is live entertainment, event, film, or other large audience programming, such as bands, cooking, craft demonstrations, and comedy or live performances by individuals or groups.

**Farmer's Market:** a public or privately operated open-air establishment that allows the selling of products such as fruits, vegetables, mushrooms, herbs, nuts, flowers, nursery stock, animal food products such as eggs, honey, meat, milk, cheese, other dairy products and fish, as well as handcrafted items.

**Instructional School:** provides domestic, recreational, and other types of instruction for all age groups. Typical uses include dance, cooking, music, martial arts and handicraft instruction.

**Light Manufacturing/Research and Product Development:** activities include administrative, research and specialized manufacturing at a low intensity and conducted within an entirely enclosed building, including the storage of all materials. Examples include a mix of light manufacturing (fabrication or assemblage of materials into finished or partially finished products) with professional office, office/showroom, office/warehouse and ancillary retail services.

**Site:** land consisting of the 51 acres subject to this Specific Plan, regardless of actual lot configuration.