



Current Planning Department

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Date: June 4, 2010
To: Planning Commission
From: Dan Symer, AICP, Senior Planner
Through: Tim Curtis, AICP, Acting Current Planning Director
Re: Downtown Infill Incentive District

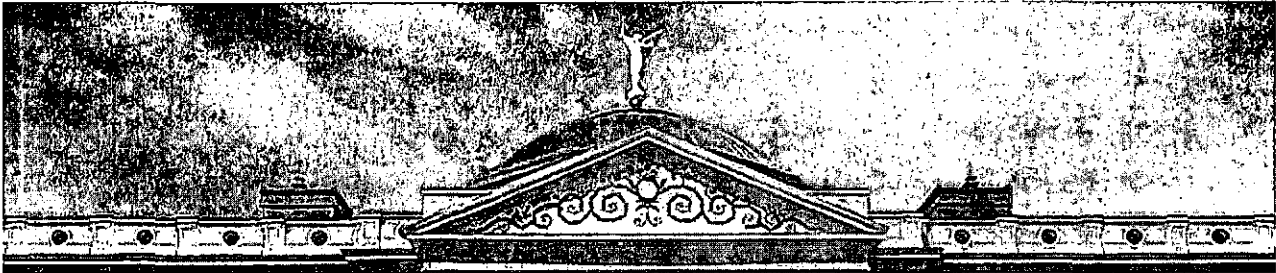
On May 26, 2010, staff introduced the concept of a Downtown Infill Incentive District as an additional tool that may assist in the implementation of the Downtown Plan. Several of the goals and policies of the Downtown Plan will align with the implementation of an Infill Incentive District. For your information, Arizona Revised Statute (ARS) §9-499.10 regarding Infill Incentive Districts is included as Attachment A. The city is required to adopt a plan with the primary objective to encourage redevelopment in the district. The Plan (Attachment #B) includes goals, objectives, development standards, and application process. As a tool that will be utilized with existing General Plan and the Downtown Plan, the Infill Incentive District Plan is intentionally brief. Based on the 2009 Downtown Task Force's comments at the May 17, 2010 meeting, staff has amended the proposed area to include all of Downtown.

Schedule.

May 17, 2010 – Downtown Taskforce
May 26, 2010 – Planning Commission
June 7, 2010 – Downtown Taskforce
June 9, 2010 – Planning Commission
June 16, 2010 – Public Open House
June 17, 2010 – Economic Subcommittee
July, 6 2010 – City Council (Tentative)

Attachments: A. Arizona Revised Statute §9-499.10
B. Draft Downtown Infill Incentive District Plan

Arizona State Legislature

Bill Number Search: 

Forty-ninth Legislature - Second Regular Session

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A. The governing body of a city or town may designate an infill incentive district in an area in the city or town that meets at least three of the following requirements:

1. There is a large number of vacant older or dilapidated buildings or structures.
2. There is a large number of vacant or underused parcels of property, obsolete or inappropriate lot or parcel sizes or environmentally contaminated sites.
3. There is a large number of buildings or other places where nuisances exist or occur.
4. There is an absence of development and investment activity compared to other areas in the city or town.
5. There is a high occurrence of crime.
6. There is a continuing decline in population.

B. If the governing body establishes an infill incentive district, it shall adopt an infill incentive plan to encourage redevelopment in the district. The plan may include:

1. Expedited zoning or rezoning procedures.
2. Expedited processing of plans and proposals.
3. Waivers of municipal fees for development activities as long as the waivers are not funded by other development fees.
4. Relief from development standards.

ATTACHMENT A

2010

Downtown Infill Incentive Plan



Draft

June 2, 2010

ATTACHMENT B



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I. Purpose.

One primary principle of the Downtown Character Area Plan (Downtown Plan) is the close coordination between the public and private sectors, coupled with development flexibility, will be necessary in order to carefully manage Downtown land use considerations in the future. The involvement of the private sector is pivotal to the successful implementation of the Downtown Plan, and flexible development standards may encourage the private sector to attain a high level of quality development while at the same time assisting in the provision of public amenities and benefits. Thus, establishing and utilizing a variety of tools for new development, redevelopment and infill development that strengthens Downtown's mix of land uses should be strongly encouraged.

One such tool is the Infill Incentive District, as provided for in the Arizona Revised Statute §9.499.10. Adopted as part of the Growing Smarter and Growing Smarter Plus legislation, the Infill Incentive District was added to the Arizona Revised Statutes to promote infill development in cities and towns. Acknowledging that the conditions to create an Infill Incentive District (Appendix A) exist, and that the strict application of the underlying zoning and overlay districts' standards and regulations of the City of Scottsdale's Basic Zoning Ordinance (Zoning Ordinance) may inhibit infill, revitalization, redevelopment, and preclude the provision of public amenities and benefits, the City Council has adopted a Infill Incentive District called the Downtown Infill Incentive District.

II. Downtown Infill Incentive District Boundary.

The Downtown Infill Incentive District is an irregular shape, located between North 68th Street and North Miller Road, and between East Earll Drive and East Chaparral Road. The Downtown Infill Incentive District is more precisely identified as the area depicted in Appendix B which includes a map of the Downtown Infill Incentive District.

III. Goals, and Objectives.

The primary guiding plans for the Downtown Infill Incentive District are the Scottsdale General Plan and the Downtown Plan, which are included as part of the Downtown Infill Incentive Plan by this reference. In addition, the goals and objectives contained within this Downtown Infill Incentive Plan are established to promote high quality development within the district through the use of flexible development standards.

a. *Goals and Objectives Specific to the Downtown Infill Incentive District.*

Goal 1: *Encourage infill development of vacant parcels, and the revitalization and/or redevelopment of existing buildings in Downtown Scottsdale.*

Objective 1.1: The provisions of the Downtown Infill Incentive District for a development shall be to implement the goals, approaches, and policies of the General Plan and Downtown Plan related to infill development of vacant parcels, and the revitalization and/or redevelopment of existing buildings and underutilized properties.

Goal 2: *Development shall be composed of complementary and supportive design relationships of the urban neighborhood in which the development is located, a neighborhood outside of the Downtown boundary that the development is adjacent to, and to be consistent with the Downtown Plan.*

Objective 2.1: New development within the Type I area, as designated by the Downtown Plan, shall promote a compact urban form and encourage sensitive/compatible infill development and redevelopment.

Objective 2.2: New development, infill development and redevelopment adjacent to the Type I area, shall incorporate contextually appropriate transitions between the new development and established development within the Type I area.

Objective 2.3: New development, infill development and redevelopment adjacent to the Downtown boundary shall incorporate contextually appropriate transitions between the new development and the established development outside of the Downtown boundary.

Goal 3: *Development shall be in compliance with the Downtown Plan Urban Design & Architectural Guidelines, and the Scottsdale Sensitive Design Principles.*

Objective 3.1: New Development in Old Town, Main Street, Fifth Avenue, and Marshall Way-Craftsman Court areas of Downtown shall strictly conform to the character of the area, and the Downtown Plan Urban Design & Architectural Guidelines for Special Districts.

IV. Application and Development Plan Requirements.

a. **Downtown Infill Incentive District Application Requirements.**

A property owner may request to develop under the provisions of the Downtown Infill Incentive District Plan, by submitting an application in accordance with the Zoning Ordinance's Section 1.300 - Development Applications, and subsections therein.

b. **Downtown Infill Incentive District Development Plan Requirements.**

An application for the Downtown Infill Incentive District shall be accompanied by a Development Plan. As required by the Zoning Administrator, or designee, the Development Plan shall include the indicated items on the Downtown Infill Incentive District Application checklist.

V. Citizen Review Process Requirements.

A property owner requesting to develop under the provisions of the Downtown Incentive Infill District Plan, shall conduct public outreach in accordance with Citizen Review Process of the Scottsdale Zoning Ordinance – Article I.

VI. Amendments.

To maintain the integrity and character of the City of Scottsdale and its built environment, only certain amendments may be requested. The allowed and prohibited amendments in the Downtown Incentive Infill District are identified in three categories, Allowed Minor Amendments, Allowed Major Amendments, and Prohibited Modifications.

a. Allowed Minor Amendments.

An application to utilize the provisions of the Downtown Infill Incentive District, may request amendment(s) to the following:

- The Scottsdale Zoning Ordinance, except as prohibited below, and in Section VI.c.
 - Projects within the Type 1 Old Town area may request amendments to the permitted building height to a height of forty (40) feet, inclusive of roof top apparatus.
 - Projects within the Type 1 area that are outside of the Old Town area may request amendments to the permitted building height to a height of forty (48) feet, inclusive of roof top apparatus.
 - Projects in the Type 2 area that do not have Downtown (D) District zoning may request amendments to the permitted building height to a height of forty (48) feet, inclusive of roof top apparatus.
 - Projects in the Type 2 area that have Downtown (D) District zoning may request amendments to the permitted building height to a height of sixty-five (65) feet, inclusive of roof top apparatus.

b. Allowed Major Amendments.

An application to utilize the provisions of the Downtown Infill Incentive District, may request amendment(s) provided a concurrent application is submitted to amend the following if the proposed amendment(s) affects:

- the General Plan,
 - requires a General Plan amendment application
- the Downtown Plan,
 - requires a General Plan amendment application
- a change from one zoning district to another zoning district
 - requires a Zoning Map amendment application
- existing zoning stipulations,
 - requires a Zoning Map amendment application
- existing amended development standards,
 - requires a Zoning Map amendment application
- existing Conditional Use Permit and/or related stipulations,
 - requires a Conditional Use Permit application

- a building height between sixty-five (65) feet and ninety (90) feet, inclusive of roof to apparatus, in the Downtown Multiple Use or Downtown Civic Center Type 2 areas, and/or
 - requires a Zoning Map amendment application
- a building height between sixty-five (65) feet and one-hundred fifty (150) feet, inclusive of roof to apparatus, in the Downtown Regional Multiple Use or Downtown Medical Type 2 areas.
 - requires a Zoning Map amendment application

c. *Prohibited Modifications.*

An application to utilize the provisions of the Downtown Infill Incentive District, shall not include modifications to:

- the Scottsdale Zoning Ordinance regulations and provisions of Article I. – Administration and Procedures;
- the Scottsdale Zoning Ordinance definitions of Article III. – Definitions, or any other definition that may be located in another article of the Zoning Ordinance;
- any property with the Historic Property zoning overlay district designations;
- reduce the minimum contribution of the Cultural improvements program of the Zoning Ordinance; and/or
- the Design Standards and Policies Manual.

VII. Fee Waivers.

A property owner’s application may include a request for a waiver of fees, partial waiver of fees, or deferment of fees. The approval of any application that includes a waiver of fees, partial waiver of fees, and/or deferment of fees shall be at the discretion of the City Council. The essentials of a waiver of fees, partial waiver of fees, and/or deferment of fees shall be contained in a binding agreement that is subject to the discretion of the City Council.

VIII. Expedited Zoning or Rezoning Procedures and Processing of Plans and Proposals.

The City of Scottsdale’s Planning, Neighborhood, and Transportation Division (PNT) staff is committed to reviewing and processing applications, plan, and proposals in an expeditious matter. A property owner’s application may request expedited zoning or rezoning procedures and processing of plans and proposals. The approval of any application that includes expedited zoning or rezoning procedures and processing of plans and proposals shall be at the discretion of the City Council. The essentials of expedited zoning or rezoning procedures and processing of plans and proposals shall be contained in a binding agreement that is subject to the discretion of the City Council.

IX. Considerations.

At the discretion of the City Council, a property owner's application for an amendment to the development standards, City fees, and the time frames to process zoning application(s), plans and proposals within the Downtown Infill Incentive District shall demonstrate the goals and policies of the General Plan, Downtown Plan, and the specific goals and policies herein specific to the Downtown Infill Incentive District.

X. Administration.

The Downtown Infill Incentive Plan shall be administered and interpreted by the City of Scottsdale's Zoning Administrator, or designee.

Recommendations regarding applications to utilize the Downtown Infill Incentive District will be made by city staff to the City Council, and to the appropriate board or commission based upon the merits of the proposals submitted under the Downtown Infill Incentive District and other City Policies and City Code regulations.

XI. Definitions.

The definitions of the Zoning Ordinance, General Plan, and Character Area Plans shall apply. Undefined terms shall be interpreted by the Zoning Administrator.

Downtown Infill District

Appendix A - Resolution No. #### (Place Holder)

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Appendix B - Downtown Infill Incentive District Map.

Downtown Infill Incentive District

