



CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION

Meeting Date: 01/28/2020
Agenda Item: 5

ACTION: Hold a public hearing for a Code Text Amendment in the Zoning and Development Code for new regulations to assist in the implementation of the URBAN CORE MASTER PLAN, consisting of a new Section 5A-107, "Development Bonus Program" and a new Part 5A, Chapter 2, for the "Transfer of Development Rights Program". The applicant is the City of Tempe.

FISCAL IMPACT: N/A

RECOMMENDATION: Approve

BACKGROUND INFORMATION: URBAN CORE MASTERPLAN AND TOD (PL190112) is a request for a Code Text Amendment to add a new Section 5A-107, "Development Bonus Program" and a new Part 5A, Chapter 2, for the "Transfer of Development Rights Program" to assist in the implementation of the Urban Core Master Plan

ZOA200001 A Code Text Amendment to add a new Section 5A-107, "Development Bonus Program" and a new Part 5A, Chapter 2, for the "Transfer of Development Rights Program"

ATTACHMENTS: Public Comments, Ordinance for Code text

STAFF CONTACT(S): Ambika Adhikari, Principal Planner (480) 350-8367

Department Director: Chad Weaver, Community Development Director

Legal review by: N/A

Prepared by: Robbie Aaron, Planner II

Reviewed by: Ryan Levesque, Deputy Community Development Director - Planning

COMMENTS:

Tempe's Development Bonus Program is a voluntary program available within the proposed Urban Code District that would allow development to achieve additional building heights and densities in exchange for a defined set of community benefits (Bonus Elements), including affordable and workforce housing, sustainability elements, historic preservation assurance (when applicable), and/or outdoor public gathering space and connections. The program requires developers to provide at least one category of community benefits or connectivity onsite. Developers can then use an Affordable Housing In-Lieu Fee to make up any gap required to achieve the designated points required to obtain a development bonus.

The DBP also provides reference for calculating and negotiating recommended building heights and densities when developers apply for UCMP heights through a Development Agreement process.

PUBLIC INPUT

A neighborhood meeting is not required. However, staff advertised and held two public meetings on December 3, 2019. The first meeting was at 11a.m. at the Tempe Transportation Center, Don Cassano Community Room, and the second meeting was held at 6 p.m. at the Escalante Community Center. In addition to Community Development staff, approximately 22 members from the public attended the meetings. Some of the questions raised by the public at the meetings included concerns about growth in general and clarifications about the Transfer of Development Rights program.

In addition to the public meeting, Community Development staff is holding two Open House style meetings on January 23, 2020, at 11 a.m. and 4 p.m. at the Tempe Transportation Center, Don Cassano Community Room.

An online survey was conducted between December 3, 2019 and December 17, 2019. 41 responses to the survey were received (34 online and 7 at the meetings), which largely support the idea of the bonus program.

Community Development staff also met with several individual stakeholders throughout this effort.

Documents with the summaries of major public input on the Development Bonus Program are available at the link below: <https://www.tempe.gov/government/community-development/urban-core-masterplan>

PROJECT ANALYSIS

The UCMP has been developed as a policy document to recommend the most suitable areas to accommodate the projected growth in the Urban Core, and provide design and planning guidelines for such developments. The Urban Code District is an opt-in zoning district designed to support the development of a transit friendly environment along the transit corridors created by the upcoming street car, and light rail transit and other transit amenities. The UCMP planning and design guidelines, and the UCD regulatory standards provide planning and design norms to protect neighborhood character and ensuring a balance of housing types while helping to accommodate the projected growth in the Urban Core area.

The Development Bonus Program (BDP) is integrated to the UCD as a voluntary opportunity for developers to attain greater development potential. It will also provide a yardstick to negotiate appropriate level of public benefits in the project which seek the higher UCMP heights and densities.

The BDP is designed as a voluntary program to achieve public benefits from the projects that seek additional heights and densities. To achieve this goal, the BDP creates incentives which encourage developers to include affordable housing, sustainability elements, and public amenities in projects throughout the areas covered by UCMP and UCD. The DBP also provides an important mechanism for historic preservation for the properties that are Historic Eligible, Historic Registered, and National Registered. The owners of these properties can choose to preserve the historic structures and in exchange earn additional development rights as a bonus. The development rights can be transferred to an appropriate location within the UCD through a "Transfer of Development Rights (TDR) program". Thus, the owners of historic properties can realize the financial value of the development potential in the historic site by committing to preserve the historic resources.

By incentivizing public benefits in exchange for additional heights and densities, the DBP will support enhanced connectivity to transit, bicycles and pedestrians, encourage new outdoor public spaces, and promote the provision of affordable housing

and sustainability elements. The DBP will also help preserve historic resources for the enjoyment of generations to come.

REASONS FOR APPROVAL:

1. The Development Bonus Program will help further the goals of Tempe General Plan 2040, by encouraging developers to include affordable housing, sustainability elements, and public amenities in projects
2. The Transfer of Development Rights Program will encourage owners of historic assets to preserve consistent with the objectives of the General Plan 2040.

Based on the information provided and the above analysis, staff recommends approval of the Code Text Amendment

CONDITIONS OF APPROVAL:

NONE.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-304, Zoning Map Amendment and Code Text Amendments

HISTORY & FACTS

April 27, 2017	Council gives direction for staff to proceed with Urban Core Master Plan
September 28, 2017	Urban Core Master Plan contract approved by City Council
November 1-3, 2017	Urban Core Master Plan kick-off between City staff and Consultants
February 21, 2018	Staff presentation to the Citizens for a Vibrant Apache Corridor (CVAC)
February 26, 2018	Staff presentation to Tempe Neighborhoods Together (TNT)
February 28, 2018	Public Visioning workshop with stakeholders and consultants
May 9, 2018	UCMP & Rio Salado Masterplan joint public meeting
May 23, 2018	Staff presentation to the Citizens for a Vibrant Apache Corridor (CVAC)
June 25, 2018	Staff presentation to Tempe Neighborhoods Together (TNT)
June 27-28, 2018	Focus group meetings with affordable housing partners, ASU, neighborhood leaders, and private sector partners
September 20-22, 2018	Public meetings with property owners, business owners, and other interested parties
September 21, 2018	Urban Core Master Plan City Council update at Council Retreat
September 24, 2018	Staff presentation to DTA Board at Downtown Tempe Authority Board Retreat
September 25, 2018	Staff presentation to Tempe Chamber of Commerce
May 18-20, 2019	Public meetings with property owners, business owners, and other interested parties
May 21, 2019	Public meetings with private business owners and streetcar funding partners
May 28, 2019	Staff presentation to Tempe Chamber of Commerce

July 8 & 22, 2019	Neighborhood meetings with property owners, business owners, and other interested parties for the Major General Plan Amendment
August 13, 2019	Transportation Commission update for UCMP, TOD & Major General Plan Amendment
August 13, 2019	Development Review Commission first public hearing for UCMP, TOD & Major General Plan Amendment
August 15, 2019	Initial Development Bonus Program Discussion with Developers, Architects & Zoning Attorneys
August 26, 2019	Development Review Commission second public hearing for UCMP, TOD & Major General Plan Amendment
September 6, 2019	Staff presentation to Tempe Neighborhoods Together (TNT)
September 26, 2019	City Council introduction and first public hearing for UCMP, TOD & Major General Plan Amendment
October 17, 2019	City Council continued second and final public hearing for UCMP, TOD & Major GP Amendment
DEVELOPMENT BONUS PROGRAM timeline:	
November 25, 2019	Development Bonus Program draft released to public
December 3, 2019	Development Bonus Program Public Meetings – Two meetings (Don Cassano and Escalante Community Ctr.)
December 4, 2019	UCMP, UCD & Development Bonus Program Presentation to Tempe Women’s Club
December 10, 2019	Development Bonus Program Presentation at DRC Study Session
December 11, 2019	Meeting with key members of HPC & THPF to discuss Development Bonus Program and HP TDR
December 16, 2019	Development Bonus Program Presentation at Sustainability Commission
January 6, 2020	UCMP, UCD & Development Bonus Program presentation and Discussion with all City Departments
January 8, 2020	Development Bonus Program presentation to Tempe Chamber Commerce
January 8, 2020	Meeting with Stakeholders to Discuss Development Bonus Program
January 8, 2020	Memo sent to HPC regarding Development Bonus Program & TDR asking for feedback
January 8, 2020	Development Bonus Program Presentation to Joint Review Commission
January 10, 2020	Meeting with TNT president Ron Tapscott to Discuss Development Bonus Program
January 14, 2020	Presentation to City of Tempe Transportation Commission on Development Bonus Program
January 14, 2020	Presentation to Downtown Tempe Authority (DTA) on Development Bonus Program
January 23, 2020	UCMP, UCD & Development Bonus Program Open House
January 28, 2020	Public hearing with the Development Review Commission for this request.