

DRAFT

Mixed Use Development

2002

Pima County, Arizona
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County Administrator
Chuck Huckelberry



MEMORANDUM

Date: February 25, 2002

To: The Honorable Chair and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator 

Re: **Mixed Use Development and Affordable Housing**

Introduction

Upon adoption of the Comprehensive Plan the Board directed staff to bring forward program proposals to implement the policies of the Plan at sixty-day intervals, beginning with mixed use and affordable housing programs. The attached study on *Mixed Use Development* combined with the studies issued previously on the topics of housing and affordability in Pima County provide the information and options necessary to establish mixed use and affordable housing programs within Pima County.

Comprehensive Plan Policies

Adopted mixed use and affordable housing policies are described as follows: "In order to accommodate future population growth and carry out the compact form development goals of Growing Smarter Plus, mixed use designations and affordable housing programs are a part of Pima County's Updated Comprehensive Land Use Plan. Regional Plan Policies include:

1. Establishing a Mixed Use Compact Development (MUCD) Designation -- A combination of two of the current land use designations - High Intensity Urban (HIU) and Multifunctional Corridor (MFC) - to create a mixed use designation is expected to best fulfill the needs of promoting and creating mixed use, compact development. The Mixed Use Compact Development (MUCD) designation could contain guidelines that facilitate the prescribed types of mixed use development to occur in parcels of all sizes. The Mixed Use Compact Development designation will be tested through the planning process, including potential annual plan amendments to the MUCD designation, where applicable. The success of developments within this designation will depend on incentive programs, among other factors.
2. Establishing the following housing policies and programs -- (a) inclusionary or mixed income subdivision programs; (b) homebuyer education programs; (c) enhancing opportunities for placement of manufactured housing; (d) a strategy to ensure housing availability for population groups with special needs; and (e) a program to develop a strategy to provide affordable housing for families with incomes at median, low and very low levels as determined by HUD criteria, as this is the greatest need in the region."

Mixed Use Program Proposals

Allocation of Uses -- Mixed use development includes residential, commercial and public uses and it should also include mixed income housing. Some of the guiding principles found in the writings of the modern planners suggest that in urban and neighborhood settings, mixed uses should be allocated along these lines:

<u>Allocation of Uses in Urban Settings</u>	
Residential Uses	20 to 60 percent
Commercial Uses	30 to 70 percent
Public Space	5 to 15 percent

<u>Allocation of Uses in Neighborhood Settings</u>	
Residential Uses	50 to 80 percent
Commercial Uses	10 to 40 percent
Public Space	10 to 15 percent

Application -- Mixed use overlays could be appropriate in settings that are designated as Growth Areas or that have been up-planned and are on potential transit corridors. The specific plan also provides a vehicle that would work in the Pima County setting to effectively promote this new use in a flexible manner with incentives and potential partnerships. County planning staff have been directed to bring forward overlay and specific plan proposals as opportunities arise through the planning process. Furthermore, long-range, comprehensive land use planning will be strengthened by increasing the role of professional planning staff in the Development Services Department to not only react by commenting on private land use proposals, but to pro-actively provide alternative design concepts that promote natural and cultural resource protection and quality urban design, as well as minimize resource consumption, particularly in the designated Growth Areas and areas that are favorable to mixed use development.

Affordable Housing Proposals

In two areas of housing policy the County has made some progress. We have homebuyer education programs, which will be strengthened through the staff of the Office of Youth, Families, and Neighborhood Reinvestment along with Community Services staff, and we now have the inclusive home design ordinance which will assist in fulfilling strategies to ensure housing availability for population groups with special needs. Other program areas are the inclusionary or mixed income subdivision programs which should provide more affordable housing for families with incomes at median, low and very low levels. As proposed during the planning process of 2001, I support the implementation of the following Affordable Housing development review standard.

A. Purpose -- The purpose of the standard is to ensure that new rezonings, specific plans, Comprehensive Plan amendments and conditional use permits approved conform with the Affordable Housing development guidelines.

B. Applicability -- The standard governs applications for development approval where the proposed development would increase the number of permitted dwelling units by 10 or more over that permitted prior to approval, including new rezoning and specific plan requests; time extension requests for rezonings; requests for modifications or waivers of rezoning or specific

plan conditions, including substantial changes; requests for Comprehensive Plan amendments; and requests for waivers of the subdivision plat requirement of a zoning plan.

C. Guidelines -- Under this standard new applications are subject to evaluation against the following criteria to determine their appropriateness:

1. Required percent of affordable homes: 20 percent of all dwelling units shall be affordable units; however, if 35 percent of the market rate units are affordable to families earning 115 percent of the median income for Pima County, only 15 percent of the units need be dedicated as affordable units. An affordable unit is an owner-occupied unit that is affordable by a household with very low, low or moderate income. Very low income is defined as less than 50 percent of the median income for Pima County; Low income is defined as 50 to 80 percent of the median income for Pima County; and Moderate income is defined as 80 to 100 percent of the median income for Pima County.
2. Period of affordability: Units shall remain affordable units for a period of at least 30 years. The price of the unit may increase at the same rate as the median income plus additional permanent improvements made to the unit.
3. Cost of Dwelling Units: For low and very low income households, mortgage payments shall not exceed 25 percent of the gross income of the household. For moderate income households, mortgage payments shall not exceed 28 percent of the gross income. Mortgage payments shall include principle, interest, taxes and insurance.
4. Design and Distribution: The size or interior amenities of the affordable units may be reduced and the design amended as long as there are not significant identifiable differences and design is reasonably consistent. Distribution shall avoid over-concentration of affordable units.
5. In-Lieu Fees and Off-Site Units: At the discretion of the Board, units may be built at another site, or an in-lieu fee may be paid to satisfy the Affordable Housing development standard. A formula shall be used to determine the in-lieu fee, for example: Number of affordable units that would have been required x .2 (average price of unit in project - cost of affordable unit for moderate income family) = amount of payment in-lieu. Payment is required at the time the building permit is issued. Fees shall be reserved for affordable housing program uses only.
6. Incentives: At the discretion of the Board, density bonuses may be granted and fees, including impact fees, may be waived for affordable units.

D. Phasing Requirements -- Phasing requirement criteria shall be established that state the percentage of affordable units that must be constructed before a particular percentage of market rate units can be constructed.

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E. Eligibility and Program Enforcement -- Eligibility criteria shall be established for program participation by qualified buyers. Program Enforcement criteria shall also be established.

Conclusion

To prepare for future Board consideration of program adoption in the areas of mixed use and affordable housing, I am directing Development Services staff and the Office of Youth, Families, and Neighborhood Reinvestment along with Community Services staff to anticipate implementation costs and staffing as part of their budget preparations for next fiscal year.

Attachment



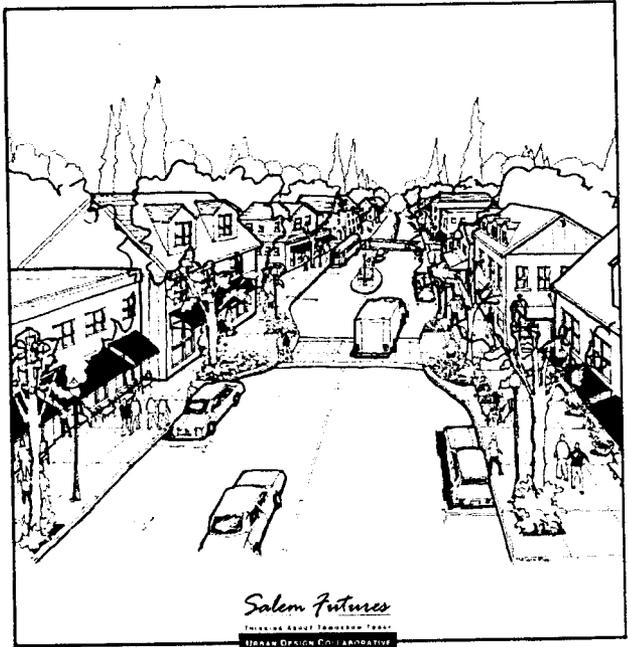
Mixed Land Use Study

I. Introduction

Mixed use development is the integration of a mix of compatible land uses. This can occur on a small scale, such as a corner store within a residential neighborhood or apartments above a small offices. Mixed use villages are a larger example. These villages can include a mix of apartments and single family houses within short walking distance of shops, restaurants, offices, public services, and transit stops. Mixed use development typically occurs at higher densities than development in conventional subdivisions, therefore making more efficient use of the land and infrastructure, providing an opportunity for a variety of housing choices, and creating the population base needed to support multiple modes of transportation.

Certain communities across the country have come to recognize the benefits of mixed use development, and are taking steps to encourage such development patterns. But mixed use development is not a new concept. Before the adoption of traditional zoning regulations, many cities were developed with multiple land uses within walking distance of each other.

This report discusses: (1) the concept of mixed use development; (2) how local governments can encourage the development of a mix of land use types; (3) how other communities encourage mixed use; (4) mixed use development in Pima County; and (5) Pima County regulations that permit mixed use development.



A Mixed use neighborhood center design.
City of Salem, Oregon. Salem Futures 2001.

II. Traditional Zoning: A Separation of Uses

Traditional zoning originated as a land use planning tool to separate non-compatible uses. Zoning was used to protect, for example, residential development from the noise and pollution of industrial uses. Traditional zoning generally has been used to isolate the single family detached house from other uses. The priority given to the single family detached house is emphasized in the famous 1926 zoning case, *Village of Euclid V. Ambler Realty Co.*, in which an apartment building in a single family residential district was described by the Supreme Court as a "mere parasite".

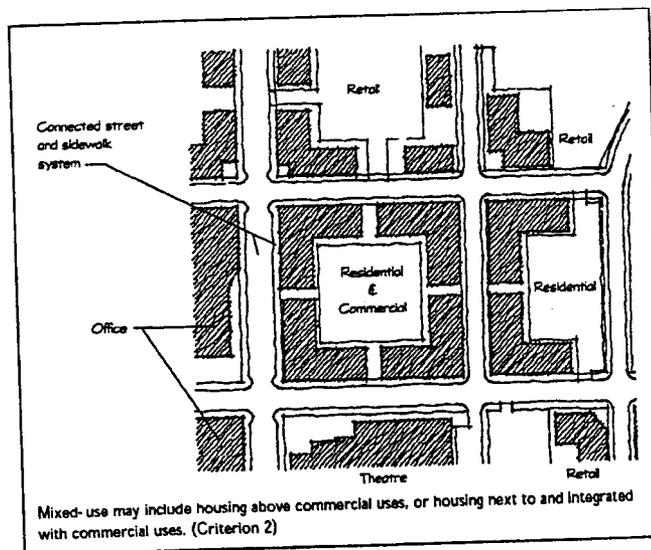
Zoning regulations have typically separated uses into four categories: residential, commercial, industrial, and agriculture. The intention of traditional zoning was to separate uses so as to protect them from non-compatible uses, but traditional zoning has also led to the separation of compatible uses. While residential areas benefit from the exclusion of heavy industrial uses and large commercial projects, uses such as corner stores, small restaurants, and small offices may be highly compatible and desirable.

This separation of uses has also contributed to a dependence on the automobile. When residential areas are located behind commercial strips, the two uses are often separated in such a way that it can be impractical for a person to walk from their house to a shop in the strip. In some locations, a quarter of all trips made are one mile or less, but a car is used to make three-quarters of these trips (Getting to Smart Growth). Design regulations in mixed use zoning codes typically seek to encourage development that is pedestrian and human orientated, versus car orientated. One way this is achieved is by requiring the interconnection of roads and sidewalks.

III. Definitions of Mixed Use Development

Typically mixed use development occurs when residential uses are combined with other uses, such as commercial or office. A mix of uses can occur at different scales: within one building, on one lot, on a group of lots under single ownership, or among separately owned lots within a block or neighborhood. Because of this, mixed use development can be defined in two ways: (1) a single development project that contains more than one use (i.e. within one building, within one lot, or within a group of lots developed under single ownership); and (2) separate development projects that contribute to a mix of uses within a block, neighborhood or district.

An example of the first type is found in the City of Vancouver, Washington's Mixed Use District code. Mixed-use development is defined as "a group of densely-configured structures planned and developed as a single entity and containing within and/or among them a variety of complementary, integrated, or mutually supporting uses (such as housing, offices, manufacturing, retail, public service, or entertainment)" (Vancouver Municipal Code, Section 20.21.306). An example of both types is found in the State of Oregon's model commercial and mixed use development code "The proposal is a 'mixed-use' development or contributes to a mixed-use district."



IV. Smart Growth and Mixed Use

The encouragement of a mix of land uses within designated areas is often part of a larger smart growth plan. Pima County's *Smart Growth Audit* report lists eight key principles of smart growth. A mix of land uses is one of these principles.

1. Support a region-wide green infrastructure
2. Use land efficiently
3. Use a mix of densities and types of land uses
4. Make full use of urban services
5. Support more than one transportation option
6. Support a responsible regionalism of growth
7. Design urban settings at a human rather than car orientated scale
8. Have a reasonable development review process

Smart growth planning often encourages a mix of land uses around transit stops and areas where multiple modes of transportation exist or are planned. King County, Oregon partners with private developers to create transit orientated developments around major bus centers and park-and-ride lots. These transit orientated developments are a mix of high-density residential, commercial, and office uses.

V. The Benefits of Mixed Use Development

There are several benefits to locating housing, stores, restaurants, offices, public services, and recreational areas within short distances of each other: (1) this places housing near jobs and services; (2) vehicle miles traveled are reduced; (3) incentives for walking, biking, and use of public transit are created; (4) opportunities exist for a variety of housing choices; and (5) efficient use of land and infrastructure results.

Housing near jobs and services: When compatible commercial and office uses are integrated or in close proximity to residential areas, the residential areas can provide employees for the businesses, and in turn, the businesses can provide jobs for the residents. The residential areas can also provide a consumer base for the businesses, and the businesses can provide services close to home.

Reduction in vehicle miles traveled: Reduction in automobile use is an important benefit of mixed use development. Mixed use developments are typically of a higher density than conventional subdivision. Car ownership declines as residential densities increase (Best Practices). It has been estimated that if the need for a second family car could be eliminated, a household could afford between \$14,000 and \$25,000 more in a home mortgage. Improved air quality is also benefit of decreased auto use.

Incentives for walking, biking and using public transit: Different types of uses in close proximity to each other and design standards that help to create pedestrian orientated development can provide opportunities for more people to walk and bike. Moreover, higher density development can provide the population base necessary to support mass transit.

Opportunities for a variety of housing choices: A shortage of housing for moderate to low income households is a nation wide problem. Low income households, the elderly, and those with disabilities can benefit from housing in mixed use projects or neighborhoods. Because of the increased densities, more multifamily housing units can be created. In addition, these households can benefit from close by amenities and services.

Efficient use of land and infrastructure: This benefit also comes from the increased densities associated with mixed use development.

According to a publication of the Smart Growth Network, *Getting to Smart Growth*, there are financial and economic benefits that come from integrating compatible land uses. Commercial uses close to residential uses tend to generate more tax revenues due to higher property values. Businesses benefit from the consumer base generated by having a mix of residential and office uses in proximity, too. Studies of the distribution of Pima County's fiscal resources confirm that density and commercial uses lead to greater tax base benefits.

VI. Consumer Demand for Mixed Use Development

There is a demand for mixed use type developments in some areas of the United States. The following survey results were cited in a National Governors Association report entitled *New Community Design to the Rescue*:

- In Atlanta, Georgia, 57 percent of respondents wanted future development in the form of neighborhoods with a mix of residential, commercial, and civic uses within walking distance of each other (p.19).
- In San Antonio, Texas, 91.2 percent of respondents agreed that development should focus on a pattern of traditional neighborhoods, which have a center, a variety of housing types, and retail and recreation within a five-minute walk (p.51).
- Also in San Antonio, Texas, 85 percent of respondents thought that building high quality and affordable housing within walking distance of a retail or commercial center and transit stop was important (p.51).
- Studies in Atlanta, Phoenix, Denver, Provo, Albuquerque, Boise, and Chattanooga suggested that 25 to 33 percent of respondents would seriously consider buying a home in a New Community Design type project (p.52). New Community Design is defined as, "neighborhoods of housing, parks, and schools within walking distance of shops, civic services, jobs, and transit" (p.9).

- In Fort Collins, Colorado, 65 percent of respondents agreed that neighborhoods should include a wide variety of housing (p.19).

Buyers in some areas of the country are willing to pay higher prices for homes in these types of neighborhoods, and homes in these types of settings are appreciating at a higher rate than homes in conventional subdivisions.

VII. Obstacles to Mixed Use Development

Given the benefits of -- and the potential demand for -- mixed use development, why are so few being developed? There are several possible reasons for the lack of mixed use development in many communities. First, many local governments still rely on traditional zoning, and traditional zoning often does not allow for a mix of uses. Second, some local governments do allow a mix of land uses in certain areas, but fail to provide incentives for developers and/or future owners. Third, development projects that include a mix of land uses are often difficult to finance when first introduced to a community.

VIII. Local Government and Mixed Use: Zoning Codes and Incentives

A mix of land uses can be encouraged by updating zoning codes and offering incentives. Local governments have encouraged a mix of land uses through: (1) zoning districts that allow or require a mix of uses, (2) mixed use overlay zones, (3) planned unit development, and (4) public/private partnerships.

1. Zoning districts that allow or require a mix of land uses: Many of the communities discussed below either allow residential uses within certain commercial districts or have specific mixed use zones. Clackamas County Oregon actually requires development in five designated areas to contain a specific percentage of each use. These zoning districts can apply to land being developed with a mix of uses on site, or to encourage a mix of uses within a neighborhood or block.
2. Overlay zones: An overlay zone is a special zone that is placed over an existing zoning district or districts. The overlay zone places additional requirements, or offers additional incentives, on the underlying base zone. San Diego and Redondo Beach, California use overlay zones to encourage mixed use development in certain areas of the cities.
3. Planned unit development: Local governments often offer a planned unit development option for those who want to develop land that is under single ownership and would like to create a development that requires flexibility from existing zoning requirements. This option can be used to include a mix of land use within one development project. A traditional neighborhood development ordinance is a type of planned unit development in which communities such as Austin, Texas, include specific requirements and design standards to achieve a mix of uses, housing types, open

space, and public areas with human scale design and multiple modes of transportation options. Phoenix also offers a version of the planned unit development.

4. Public/private partnerships: Because of the obstacles to developing mixed use projects, public agencies will sometimes partner with private developers to create mixed use developments. In Vancouver, Washington the housing authority is funding a portion of the development, while the private developer is funding the remainder.

Incentives can be use with each of the above techniques. These incentives include: (1) waivers for development impact fees; (2) waivers for concurrency requirements; (3) relaxed development standards; (4) density bonuses; (5) public funding of infrastructure; (6) expedited development review process; (7) a short planned unit development option; (8) block grants; and (9) public funding through public/private partnerships. In addition, to encourage residents to chose to live in mixed use developments, some communities have included free or discount transit passes, and property tax exemptions for a number of years.

IX. Mixed Use in Communities Around the United States

A review of mixed use ordinances and zoning codes showed that approaches used to foster mixed use development range from allowing residential uses in commercial districts, to requiring a certain percentage of each use within a specific location of the community.

A. City of Austin, Texas

The City of Austin has designated desired development zones. Within these zones, the City uses a tool called the Smart Grow Matrix in analyzing development proposals. The City has certain smart growth goals for the development zones, including: (1) location of development, (2) proximity to mass transit, (3) urban design characteristics, (4) increases in the tax base, and (5) compliance with nearby neighborhood plans. Development proposals are assigned scores based on the how much they meet the City's smart growth goals. Then, according to the scores, incentives are available. Incentives include waivers of development fees and public investment in infrastructure like roads, and water and sewer lines. Austin also has a Traditional Neighborhood Development district.

B. Clackamas County, Oregon

Clackamas County has a Planned Mixed Use District, which specifies sites in the County that are required to be developed at certain percentages of each uses.

Purpose: "This section is adopted to implement the policies of the Comprehensive Plan for Mixed Use areas. The purpose of these provisions is to create an area with a mix of land uses, both within the site itself (mix of uses) and within buildings (mixed uses)" (Section 1703, Clackamas Zoning and Development Ordinance).

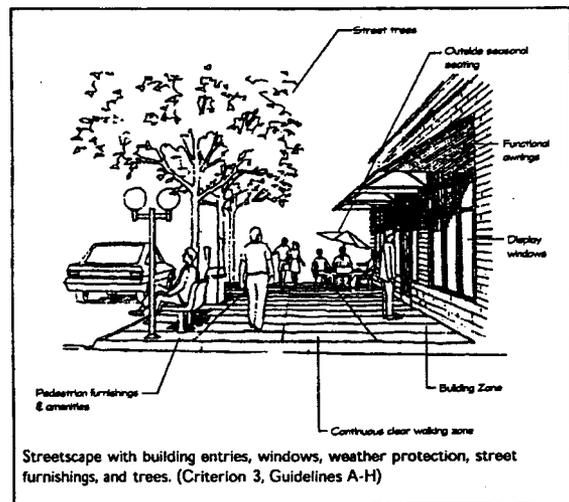
Major provisions include: (1) Five areas are designated in the County as Planned Mixed Use Sites; (2) the allowed and required primary land uses for each of these sites are identified; (3) dimensional requirements and development standards are detailed; and (4) the master planning review process required for the development of these five areas are described.

C. City of Corvallis, Oregon

Corvallis has at least two mixed use districts: the Mixed Use Employment District and the Mixed Use Commercial District. The Mixed Use Commercial District is discussed below. Because the code for the Mixed Use Employment District is so similar, it is not discussed here.

Purpose: Mixed Use Commercial District -- "This district introduces some residential and industrial uses into areas with commercial designations on the Comprehensive Plan Map. It is intended to provide areas for commercial uses, as well as civic and residential uses, and to provide basic services and amenities at a scale appropriate to surrounding developments. Other objectives of the Mixed Use Commercial District include: expanding housing opportunities; allowing businesses to locate in a variety of settings; providing options for living, working, and shopping environments; facilitating more intensive use of land while minimizing potentially adverse impacts; and providing options for pedestrian-orientated lifestyles." (Section 3.27.10 Land Development Code)

Major provisions include: (1) This district can be applied to commercially zoned areas, to land designated through the legislative process, or to land that is within a 1/4 mile of transit service or land determined to be necessary to provide mixed use opportunities or services to adjacent areas; (2) the Planned Development District Overlay shall be applied to areas greater than three acres; (3) Various types of residential, civic, and commercial uses are listed as permitted; (4) a minimum floor area ratio of .4 of commercial use is required for all property with a commercial Comprehensive Plan Map designation - to ensure that commercial land is preserved primarily for commercial uses; and (5) a number of pedestrian improvements are required to be provided for new structures.



Example of pedestrian improvements.
Oregon's model commercial and
mixed use development code.

Incentives: According to the Planning Division Manager, Corvallis does not offer incentives for development in its mixed use zones. The Manager stated that developers in Corvallis are interested in developing in these mixed use zones.

D. Fort Collins, Colorado

Fort Collins, Colorado has several districts that allow for a mixed of uses. One of these is the Medium Density Mixed-Use Neighborhood District.

Purpose: The purpose of the Medium Density Mixed-Use Neighborhood District is "to be a setting for concentrated housing within easy walking distance of transit and a commercial district. Secondly, a neighborhood may also contain other moderate-intensity complementary and supporting land uses that serve the neighborhood... Buildings, streets, bike and walking paths, open spaces and parks will be configured to create an inviting and convenient living environment." (Division 4.5, Fort Collins Land use Code)

This district allows various types of residential uses including single family detached, and less intensive commercial and civic uses. The district is intended to function together with a central commercial core, the Neighborhood Commercial District, which allows more intensive types of commercial uses along with multifamily dwellings.

Major provisions include: (1) A list of permitted residential, civic, and commercial uses; (2) land use standards specifying residential densities, requirements for a mix of at least two housing types for parcels 16 acres or larger, and a requirement that dwellings in development projects of two acres or larger be located within one-quarter mile of park or gathering place; (3) and development standards specifying that development occur in blocks of a maximum size of 7 acres, and be bound by streets of other physical features. Permitted uses are divided up by the type of review that they are subject to, such as the (1) building permit review with an approved site-specific development plan, (2) administrative review, (3) and Planning and Zoning Board Review.

E. City of Gresham, Oregon

The following zoning districts in Gresham allow a mix of uses: Office/Residential, Rockwood Town Center, Station Centers, Corridor Mixed Use, Community Commercial, Moderate Commercial, Central Urban Core, Downtown Transit, Downtown Moderate Density Residential, Downtown General Commercial-1, Downtown Moderate Commercial-2, Downtown Low-Density Residential, Transit Development Districts-Civic, High Density Residential-Civic, and Moderate Density Residential-Civic.

In zones such as the High and Medium Density Residential-Civic, retail and office uses are only allowed within a mixed use building. In contrast, the Corridor Mixed Use zone is applied to clusters of properties along transit routes, and allows for multifamily residential, stand-alone small scale commercial, and mixed use projects.

Incentives: Gresham provides a transit-orientated tax exemption for residential or mixed use development projects within three areas of the City. The exemption is an incentive for these types of development to occur in the vicinity of the light rail transit system. The tax exemption is for 10 years and is estimated to be in the amount of \$10 per \$1,000 of assessed value. To take advantage of the tax exemption, the new residential or mixed use development must: (1) include a minimum of 10 dwelling units and meet density requirements; (2) be financially accessible to a broad range of the general public; (3) incorporate a Gresham Police-endorsed crime prevention plan; (4) have an element that benefits the general public - could be park improvements, certain types of commercial, public daycare facilities, or transit or pedestrian access facilities; and (5) show that the tax exemption is needed to make the project feasible.

F. City of Hillsboro, Oregon -- Hillsboro allows mixed use development through the Planned Unit Overlay zone and through Station Community Planning Areas.

Planned Unit Development Overlay Zone: The Planned Unit Development Overlay zone permits mixed use development in areas that are zoned commercial or industrial. All tracks of land must be under single ownership and must be at least two acres. Connectivity must occur between the development and roads in adjacent neighborhoods, bike paths, and public transit.

Station Community Planning Areas: "Station Community Planning Areas are established to promote transit-supportive and pedestrian sensitive mixed use developments in areas near light rail stations... The land use districts are designed to work together to result in a lively, prosperous mixed-use neighborhood providing an attractive place to live, work, shop, and recreate with less reliance on the automobile than is typical elsewhere in the community." (Section 136 Hillsboro Zoning Ordinance)



A street in Orenco Station.

Example of a Mixed Use Project: Orenco Station: Orenco Station is a 190 acre mixed use village, located 15 miles west of Portland, adjacent to the West Side Light Rail Station (Durbin, 2002b). The village consists of detached houses, condos, lofts, apartments, shops, and offices. When completed, the village will have 1,824 housing units, 55 acres of office and retail uses and 10 acres of business park uses.

This public/private partnership between the City of Hillsboro and private developers is described as a financially successful mixed use residential project by an architect who worked on the project (Back, 2002). "All of the commercial space is leased, the restaurants and shops are doing very well, and houses at Orenco are selling for 20 percent or more above comparable houses in nearby subdivisions." The partnership began in the early 1990's when Hillsboro had to rezone property from commercial only to compact mixed-use development, around the proposed light-rail stop, in order to receive funding for the stop (Natural Resources Defense Council) . A developer who owned several of the parcels that were rezoned, decided that instead of challenging the rezoning, he would try to create a new innovative community. The project began with a series of meetings with the City, the regional planning authority, and the regional public transit agency.

G. King County, Washington

In King County, mixed use development is incorporated into Transit Orientated Developments. The goal of these transit orientated developments is to locate people near transit stops to decrease dependence on the car.

Developments include transit centers, park and ride lots, residential, civic, retail, office, hotel, and entertainment uses. To date, King County has completed these types of developments in Renton and Seattle, and is in the planning stages for several more.



Apartments over top of retail and an under ground parking garage. Renton, Washington

In the Renton development, one free metro bus pass is allocated per apartment. The developments are created through partnerships between King County, private developers, and a city government if the project lies in an incorporated area.

H. Los Angeles County, California

Los Angeles County has at least five zones that allow for some type of mix of land uses. The Mixed Use Development zone is for planned mixed use developments. The Residential-Professional Office zone introduces professional office uses into residential areas, and the Commercial-Residential zone introduces residential uses into commercial areas. Other mixed use zones include the Transit Oriented District and the West Altadena Community Redevelopment Area.

Mixed Use Development Zone: The purpose of the Mixed Use Development zone is, "to provide for planned mixed-use developments which may contain residential, commercial, industrial, and other such uses. By allowing greater flexibility in design and encouraging innovative and creative planning, Zone MXD provides the opportunity to combine various land uses in well-planned developments which may contain multi-use buildings or single-purpose buildings each containing a different use." (Section 22.40.510, LA County Code)

Planned developments within the Mixed Use Development Zone can include uses permitted in a five other zones, subject to the planning director's review, and hearing officers approval.

Residential-Professional Office Zone: This zone is used in conjunction with a base zone. The purpose of the Residential-Professional Office zone is, "to encourage low-intensity professional offices in conjunction with residential structures to augment specialized or large-scale commercial and institutional uses located in proximity thereto. The combination of employment and housing within one projects is intended to reduce transportation costs, energy consumption and air pollution." (Section 22.40.600, LA County Code)

Any use that is permitted in the base zone is permitted in this zone. In addition any professional office use is permitted by obtaining a conditional use permit.

Commercial-Residential Zone: This zone is used in conjunction with a commercial base zone. The purpose of the Commercial-Residential Zone is "to provide for combining commercial and residential uses subject to specific development standards and director's review. It is the intent of this zone to encourage combining these uses in order to provide additional opportunities for housing development and to reduce transportation costs, energy consumption and air pollution." (Section 22.40.530, LA County Code)

All uses allowed in the base zone are allowed in this zone. In addition, the following uses are allowed, subject to director's review: (1) any single-family residence, two-family residence or apartment house; and (2) commercial developments with residential uses. Development in this zone is subject to development standards including the requirement that no commercial uses be on the same floor as residential uses unless the commercial use is professional office.

Transit Orientated Districts and the West Altadena Community Redevelopment Area: Mixed use development in transit orientated districts is subject to specified development standards including an emphasis on pedestrian character (Section 22.40.410). Mixed use development in the West Altadena Community Redevelopment Area, is subject to specified uses and development standards to protect existing residential uses (Section 22.40.127 2).

Incentives: According to staff from LA County's Land Development Coordinating Center, no additional incentives are offered for mixed use development (Hartman).

I. Orange County, California

Orange County has a Residential-Professional district.

Purpose: "The Residential Professional District is established to provide for the development and maintenance of moderate density/intensity residential and office uses to produce an integrated mixed use neighborhood of superior quality." (Section 7-9-50, Code of Ordinances)

Major Provisions: Uses permitted outright, uses subject to a site development permit, and uses subject to a use permit are listed. Uses permitted outright include small community care facilities, parks, and single family dwellings and mobile homes. Use subject to a site development permit include places of worship, civic uses, libraries, professional offices, and utility buildings. Uses subject to a use permit include educational institutions and multifamily residences of less than four units. Other temporary and accessory uses are also listed. Site development standards are specified.

J. Placer County, California

Placer County allows residential uses in its General Commercial and Neighborhood Commercial zoning districts. Placer also has a Commercial Planned Development District that allows a mix of uses.

Purpose: "The Purpose of the commercial planned development (CPD) zone district is to designate areas appropriate for mixed-use community shopping centers, office parks, and other similar developments, where excellence in site planning and building design are important objectives" (Article 17.20, Placer County Zoning Code).

Major provisions: (1) A list of allowable uses is given, but most are subject to a conditional use permit; (2) allowable density for multifamily residential is one unit per 2,000 square feet of site area; (3) and various site development standards are given.

Incentives: According to Placer's Assistant Director of Planning, three types of incentives are provided to encourage mixed use: (1) developers are allowed double the floor area space if they provide residential over top of ground-level commercial space; (2) if residential and commercial uses share parking spaces, reductions in the number of required parking spaces may be made due to the use of the parking spaces at different times of the day; and (3) to encourage multiple residential uses in commercial zones, waivers of development fees and standards, block grants, and public-private partnerships may be available to the developer.

K. City of Redondo Beach, California

Redondo Beach has four zones that are specifically for allowing a mix of residential and commercial uses. The zoning code contains a list of allowable uses for each of the four zones, and performance standards for protecting residential uses. Redondo Beach also has a Mixed Use Overlay Zone.

Purpose of the Mixed Use Overlay Zone: "(a) Encourage residential uses in conjunction with commercial activities in order to create an active street life, enhance the vitality of businesses, and reduce vehicular traffic; (b) Provide opportunities for horizontal mixed-use developments by permitting existing residential zones to be combined into unified development sites; (c) Encourage compatibility between residential and commercial uses in areas where residential zones directly abut commercial zones, by permitting greater design flexibility across the existing boundaries of the two zones; (d) Ensure that the appearance and effect of the buildings and uses are harmonious with the character of the area in which they are located." (Zoning Districts, 10-2.1220)

Major provisions: (1) Where underlying commercial and residential zones abut each other, a commercial development can extend into the residential lot, and a residential development can extend into a commercial lot ; (2) residential uses can be developed above commercial uses if in an underlying commercial zone; and (3) performance standards are used to protect residential uses.

Incentives: Certain development standards may be varied to meet the purpose of the overlay zone.

L. San Clemente, California

San Clemente has two areas in the city that are specified as mixed use zones.

Purpose: The purpose of this zone is "to implement the General Plan's vision for distinct mixed-use zones through development regulations that allow for the mixture of retail, office and residential uses within the same zone, while achieving a high level of architectural quality and ensuring that residential uses are buffered from adjacent commercial uses" (Chapter 17.40, San Clemente Zoning Code).

Major provisions: (1) A list of permitted, conditionally permitted, and prohibited uses, (2) site development standards and special development standards, and (3) minimum contiguous use restrictions. The minimum contiguous use restriction deserves further explanation. This provision is applied to the development of a vacant site and the construction of a new primary structure, to maintain and enhance the compatibility of existing land uses. It affects whether residential or non-residential is allowed on a site. Basically, the provision requires that non-residential and residential development be clustered together at a minimum of 20,000 contiguous square feet of each use. If the site is a corner lot, either use is allowed.

Incentives: According to an Associate Planner for the City of San Clemente, the City offers relaxed development standards for mixed use development. These include allowing increased heights and floor area ratios (FAR) for mixed use development, and relaxed parking standards for any project in the mixed use zone.

M. City of San Diego, California

San Diego has an Urban Village Overlay Zone and at least two commercial districts that promote a mix of residential and commercial uses. The urban village overlay zone was used to create part of a mixed-use, pedestrian orientated development in the Hillcrest neighborhood (Getting to Smart Growth). The development includes shopping, restaurants, offices, and residences.

Purpose of the Urban Village Overlay Zone: "To provide regulations that will allow for greater variety of land uses, flexibility in site planning and development regulations, and intensity of land use than is generally permitted in other Citywide zones...to create a mix of land uses in a compact pattern that will reduce dependency on the automobile, improve air quality, and promote high quality, interactive neighborhoods." (San Diego Municipal Code, 132.11)

Major provisions: (1) Each village must contain a specific minimum percentage of mixed-use core, residential land use, and public land, and (2) phasing requirements for development.

Incentives: Incentives include height and density bonuses for development located within 2,000 feet of a transit station.

N. San Diego County, California

San Diego County has a Residential/Commercial Use Regulations (RC) zone to provide a mix of uses within a building, or on adjacent sites.

Purpose: "The Residential Commercial Use Regulations are intended to created and enhance neighborhoods where a mixture of residential, professional, and convenience commercial uses is desired.

Typically, the Residential Commercial Use Regulations would be one in which a few specific types of convenience commercial services would be permitted in a residential area.



Apartments above retail. An urban village in Hillcrest, San Diego

Commercial uses would be subordinate to the dominant residential character of the area and would be designated principally with a pedestrian orientation. Various applications of the RC Use Regulations with appropriate development designators could create single-family areas where professional and commercial uses are conducted on the ground floor with residential units in upper stories, or area where commercial uses would be conducted in separate structures built at the same scale as adjacent residential structures." (Section 2260)

Major provisions: The specific zoning code for Residential/Commercial Use Regulations only lists permitted uses, permitted uses subject to limitations, uses subject to a minor use permit, and uses subject to major use permit in certain planned developments. According to staff from San Diego's Planning and Land Use Department, no incentives are currently available for mixed use development (Vaughn).

O. City of Vancouver, Washington

Vancouver has a mixed use district, found under commercial zone classifications within its zoning code.

Purpose: "The Mixed-Use District is a floating zone intended to provide the community with a mix of mutually-supporting retail, service, office, light industrial, and residential uses. It promotes physically and functionally coordinated and cohesive site planning and design which maximizes land use. It also encourages development of a high-density, active, urban environment..." (Section 20.21.160 Mixed-Use District (MX))

A floating zone is described in the zoning code but does not exist on the zoning map until it is requested by an applicant. In the case of Vancouver's mixed-use district, a proposed development that lies in one of 15 specified base zones and meets the mixed-use district requirements, can be requested to have the mixed use floating zone classification.

Major provisions: (1) a master plan is required for projects that include more than one building, or will be developed in phases; (2) a lengthy table of permitted, conditional, and prohibited uses is included; (3) a mix of uses, one of which must be residential, is required within a single building or on a development site; (4) development standards including a minimum residential density of 12 units per acre; (5) and a periodic review of development trends within the mixed-use district.

Incentives: Incentives for mixed-use development include: (1) the number of required parking spaces can be reduced by 10 percent to allow a structure built before 1995 to be expanded; (2) an expedited review process; (3) and a traffic impact fee reduction.

Example of a Mixed Use Project: Uptown Village: A 1.5 acre mixed use project, which includes 22 owner-occupied townhouses, 58 affordable apartments, a combination of retail and office spaces, a public plaza, and an underground parking garage, is expected to be completed by January 2003 in Vancouver, Washington (Durbin, 2002a). Uptown Village is a partnership between the Vancouver Housing Authority and a private developer. The Housing Authority is building the 58 apartments, the public plaza, and the underground parking garage. A \$150,000 Community Development Block Grant will be used, and the apartments will only be available to residents with incomes at or below 60 percent of the median area income. The private developer will build the 22 town houses and the retail buildings. Because of the financial risks involved in building a mixed use project, the City of Vancouver approved a 10 year property tax exemption for the owner-occupied townhouse.

X. Arizona Cities

A. City of Phoenix, Arizona

Phoenix has three zoning districts that encourage the development of a mix of uses: (1) the Urban Residential District, (2) the Planned Community District, and (3) the Mixed Use Agricultural District (Sheridan).

Urban Residential District: This district encourages high density, pedestrian orientated, multi-family development, in conjunction with high level amenities. Ground level retail and office development may also be included in this district. The district is available to sites at or larger than two acres. One mixed use project was recently approved in this district, and another phased mixed use development is currently being constructed. Both projects are on the light rail alignment.

Planned Community District: This district is to be used for large projects that achieve a variety of land uses. Projects developed in the planned community district are usually constructed in phases, over several years.

Mixed Use Agricultural District: This district is intended to preserve the agricultural character of an area, while permitting appropriate development. In some cases, retail was sited near the arterial and the residential was clustered to the rear of the property.

B. City of Tucson, Arizona

According to the City of Tucson's planning office, the City allows a mix of uses in many of its zoning districts. For example, residential and office use are permitted in all commercial zones. Residential is permitted in office zones. The City also has three zones that specifically allow mixed uses:

- (1) OCR-1 Office / Commercial / Residential;
- (2) OCR-2 Office / Commercial / Residential; and
- (3) PAD Planned Area Development zone.

The City does not offer any incentives for mixed use development, and does not see many mixed use developments being proposed. However, a planned mixed use development is being proposed on a vacant site near the Tucson Mall. The site is in the C-3 zone, which allows for various uses.

XI. Mixed Use and Pima County

A. Zoning:

Below is a list of Pima County zoning designations that accommodate some form of mixed commercial and residential uses.

1. *CB-1 (Local Business)*: This zone permits both residential and commercial land uses. Commercial uses are restricted to primarily indoor retail. The residential uses tend to be apartments, townhomes, or small lot detached residential. Note CB-2 zoning has similar residential potential but the zone permits more intense commercial uses such as outdoor commercial and truck repair that are not compatible with residential settings.
2. *TR (Transitional)*: This zone permits professional offices but not indoor retail. It also permits single-family detached subdivisions and multi-family residential uses as noted in CB-1 above.
3. *SP (Specific Plan)*: The specific plan is a planning tool used to establish a versatile, orderly, cost effective and environmentally sound land development that may include a mix of commercial and residential uses. Specific plans typically are master planned communities that tend toward car-oriented mix of uses.
4. *CPI (Campus Park Industrial)* : The intent of this zone is to promote comprehensively planned compact industrial developments which are compatible with surrounding residential land uses. This type of nonresidential use can adjoin residential areas and potentially provide jobs near housing.
5. *GR-1 (Rural Residential)*: In rural settings this zone allows for small conditional commercial uses along with low density residential areas (one residence per acre). There is some potential for car-oriented rural activity centers.
6. *RH (Rural Homestead)*: RH has similar opportunities as GR-1 but the residential density is one residence per four acres.

B. Mixed Use in Unincorporated Pima County

Below are several examples of mixed uses resulting from a series of incremental rezonings over time. These areas are mainly dependent on the automobile, however there are several transportation options that have developed at a later stage as properties built out. The mix of commercial and residential uses occurred because of past land use plans focusing commercial development at intersections. Building in multiple transportation options appears to be more of an afterthought rather than integral part of the land use planning.

Examples of Incremental Rezoning Mixed Use in Unincorporated Pima County

Location and Area	Uses	Zoning Districts	Plan Designation	Transportation Options
La Cholla / Ina Rd. ½ mile radius measured from intersection.	Retail, Office, Restaurant, Multi-family, Single family	CB-1, CB-2 TR, CR-5	Regional Activity Center (REAC), Medium / High Intensity Urban (MHIU)	automobile, existing bus route, existing bike route
Swan / Sunrise ½ mile radius measured from intersection.	Retail, Office, Restaurant, Multi-family, Single family	CB-1, TR, CR-3	Community Activity Center (CAC), Medium / High Intensity Urban (MHIU)	automobile, existing bus route, existing bike route
Oracle / Orange Grove ½ mile radius measured from intersection.	Retail, Office, Restaurant, Multi-family, Single family	CB-1, CB-2 TR, CR-5, CR-4	Community Activity Center (CAC), Medium / High Intensity Urban (MHIU)	automobile, existing bus route, existing bike route

C. Pima County's Comprehensive Land Use Plan

Pima County's Comprehensive Land Use Plan Update, adopted in December 2001, contains several mixed use policies. Growing Smarter Plus calls for the designation of growth areas and compact form developments.

Pima County's growth areas were identified using criteria that included opportunities for mixed use, compact development.

The regional plan policies associated with these growth areas call for the encouragement of mixed use planning through the review of development proposals.

In addition, regional plan policies associated with the land use element include establishing a mixed use compact development land use designation.

XII. Conclusion

Mixed use development is the integration of different types of land uses either on site or within neighborhoods and districts. A number of communities across the country recognized the benefits of mixed used development, which include:

- (1) housing near jobs and services;
- (2) reduction in vehicle miles traveled;
- (3) incentives for walking , biking, and use of public transit;
- (4) opportunities for a variety of housing choices; and
- (5) efficient use of land and infrastructure.

Although there is potential demand for this type of development, several obstacles exist:

- (1) traditional zoning codes that separate uses;
- (2) a lack of incentives; and
- (3) financing difficulties.

Given the benefits, some communities are encouraging mixed use development through zoning districts that permit mixed use, overlay zones, planned unit development options, and public/private partnerships. Incentives include:

- (1) waivers for development impact fees;
- (2) waivers for concurrency requirements;
- (3) relaxed development standards;
- (4) density bonuses;
- (5) public funding of infrastructure;
- (6) expedited development review process;
- (7) a short planned unit development option;
- (8) block grants; and
- (9) public funding through public/private partnerships.

Pima County can accommodate a mix of land uses in several zoning districts. However, the development of mixed use in the unincorporated County is rare. If a mix of land uses do exist, these areas are usually auto dependent, occur at intersections, and only came about through incremental rezonings that occurred over time.

Pima County's recently adopted Comprehensive Land Use Plan Update includes policies to encourage the development of a mix of land uses, through the development review process and the establishment of a mixed use compact development land use designation.

References

- Austin, City of. *Smart Growth Incentives Page*. Accessed on January 23, 2002. <<http://www.ci.austin.tx.us/smartgrowth/sgmatrix.htm>>
- Back, Brian. (2000). "Advocates say mixed-use makes sense." *The Business Journal: Portland*. January 26, 2001.
- "Best Land Use Practices." *Best Development Practices*. Reid Ewing. Chicago. IL: Planners Press, 1996.
- Clackamas County. *Clackamas Zoning and Development Ordinance*. Accessed on January 9, 2002. <<http://www.co.clackamas.or.us/dtd/zoning/htmls/zdo/zdo.html>>
- Corvallis, City of. *City of Corvallis Land Development Code*. Accessed on January 8, 2002. <<http://www.ci.corvallis.or.us/cd/lcd/lcdintro.html>>
- Deutsch, Keith Alan. (1999). "Tough Deal Financing." Accessed on January 22, 2002. <<http://www.specialtyretail.net/issues/august99/toughdealfinance.htm>>
- Durbin, Kathie. (2002a). "The Costs of Growth, Quality of Life: A Village for Vancouver." *The Columbian*. January 7, 2002.
- Durbin, Kathie. (2002b). "The Village People." *The Columbian*. January 6, 2002.
- Fort Collins, City of. *Fort Collins Municipal Code*. Accessed on January 23, 2002. <http://bpc.iserver.net/codes/fortcoll_landuse/index.htm>
- Getting to Smart Growth*. The Smart Growth Network, International City/County Managers Association.
- Gresham, City of, Transit-Orientated Tax Exemption. Accessed web site on January, 9, 2002: <<http://www.ci.gresham.or.us/departments/cedd/bap/infoandincentives/tote.htm>>
- Hartman, John. A. LA County Land Development Coordinating Center. Email to the Author. January 24, 2002.
- Hillsboro, City of. Zoning Ordinance. Accessed on January 25, 2002. <http://www.ci.hillsboro.or.us/Planning_Department/Default.asp>
- King County, Washington. Transit Orientated Development. Accessed on January 24, 2002. <<http://www.metrokc.gov/kcdot/alts/tod/todindex.htm>>
- Leinberger, Christopher B. (May, 2001). "Financing Progressive Development." The Brookings Institution, Center on Urban and Metropolitan Policy.

- Los Angeles County. LA County Code. Accessed on January 11, 2002.
<<http://ordlink.com/codes/lacounty/maintoc.htm>>
- Model Commercial and Mixed Use Development Code. State of Oregon, Transportation and Growth Management Program. Accessed December 10, 2001.
<<http://www.lcd.state.or.us/tgm>>
- National Governors Association, Center for Best Practices. (2001). *New Community Design to the Rescue*.
- Natural Resources Defense Council. "Orenco Station: A compact Community with Diverse Housing Options." *Natural Resources Defense Council website*. Accessed on January 25, 2002. <<http://www.nrdc.org/cities/smartGrowth/solve/orenco.asp>>
- Orange County. *Code of Ordinances*. Accessed on January 11, 2002.
<http://fws.municode.com/CGI-BIN/om_isapi.dll?infobase=11378.NFO&softpage=mccdoc>
- Placer County. *Placer County Zoning Code*. Accessed on January 11, 2002.
<http://ordlink.com/codes/placer/_DATA/TITLE17/index.html>
- Redondo Beach, City of. *Zoning Districts*. Accessed on January 30, 2002.
<http://www.scag.org/homepages/redondo_beach/z2-10.htm>
- San Clemente, City of. *San Clemente Zoning Code*. Accessed on January 22, 2002.
<<http://www.bpcnet.com/codes/sanclemente/>>
- San Diego, City of. *San Diego Municipal Code*. Accessed on January 30, 2002.
<<http://clerkdoc.sannet.gov/Website/mc/MunicodeChapter13.html>>
- San Diego County. *The Zoning Ordinance*. Accessed on January 24.
<<http://www.co.san-diego.ca.us/cnty/cntydepts/landuse/planning/zoning/index.html>>
- Sheridan, Stella. City of Phoenix Planning Department. Email to the Author. January 24, 2002.
- Tucson, City of. City of Tucson Planning Department. Call to the Planning Department, February 1, 2002.
- Vancouver, City of. *Vancouver Municipal Code*. Accessed on January 15, 2002.
<<http://www.ci.vancouver.wa.us/vmc/default.shtm>>
- Vaughn, Susie. San Diego County Planning and Land Use Department. Email to the Author, January 24, 2002.

