

# RINCON HEIGHTS PIE ALLEN



## NEIGHBORHOOD PRESERVATION DESIGN MANUAL

Adopted by the Mayor and Council: Date \_\_\_\_\_

Ordinance # \_\_\_\_\_



L O G A N S I M P S O N

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## Purpose of the Design Manual

The Neighborhood Preservation Zone (NPZ) is an overlay zone that imposes standards and procedures in addition to those required by the underlying zoning classification of a property, as specified by Unified Development Code (UDC) § 5.10.2.C.c. Where there is a conflict between the standards of a base and an overlay, the standards of the overlay shall apply. This manual contains compatibility review as well as privacy mitigation standards.

Public concerns over the construction of new residences that are architecturally and dimensionally incompatible with their surrounding historic neighborhoods prompted the City of Tucson to establish the NPZ ordinance in 2008, which allows certain National Register of Historic Places (NRHP)-designated neighborhoods to prepare design manuals that guide new construction to be more compatible with existing development. Mayor and Council initiated the Rincon Heights Pie Allen NPZ in April 2021. The purpose of the NPZ is to enhance the unique character and historical resources of established city neighborhoods and to provide for the creation of neighborhood-specific design manuals for each NPZ district.

## What types of projects are subject to the NPZ standards?

Projects meeting the following criteria are subject to the NPZ:

1. Located within an adopted NPZ;
2. Property is zoned residential (NRX-1, NRX-2, NR-1, NR-2, NR-3, NRH, NSR, and NSH);
3. Proposed development or expansion is visible from the right-of-way that is not classified as an alley, unless the PDSO makes a finding that a proposed development's visibility from the right-of-way is so minimal as to be immaterial for purposes of the application to the NPZ; and,
4. Requires a building permit.

## What do these guidelines do?

These guidelines define parameters for the construction of **new buildings, significant additions to existing buildings, and fences/walls over 6'** in order to be architecturally compatible with the defining characteristics of nearby contributing properties to the Rincon Heights Historic District and Pie Allen Historic District.<sup>1</sup> Construction that alters character-defining features of the historic district or of contributing buildings, can cause loss of historic integrity and risk loss of National Register eligibility.

Compliance with neighborhood-specific dimensional standards, such as building height, that differ from the underlying zoning, may be required if alternative standards are approved by the Mayor and Council at the time the neighborhood is included in the NPZ. A building permit is required for projects meeting NPZ applicability criteria specified in UDC § 5.10.3.A. The applicant is encouraged to ensure they are aware of all underlying zoning requirements.

## What does compatible mean?

Compatibility is a visual consistency of development, achieved by mirroring the prevailing design characteristics such as massing, volume, pattern, of the surrounding area. A building is considered compatible when it “blends in” with the buildings in the immediate area. Compatible does not mean “repetition,” “copy,” or “identical to” existing buildings within the neighborhood. Faux-historic construction can create a *false sense of history* and cause loss of integrity and eligible status for historic buildings and neighborhoods.

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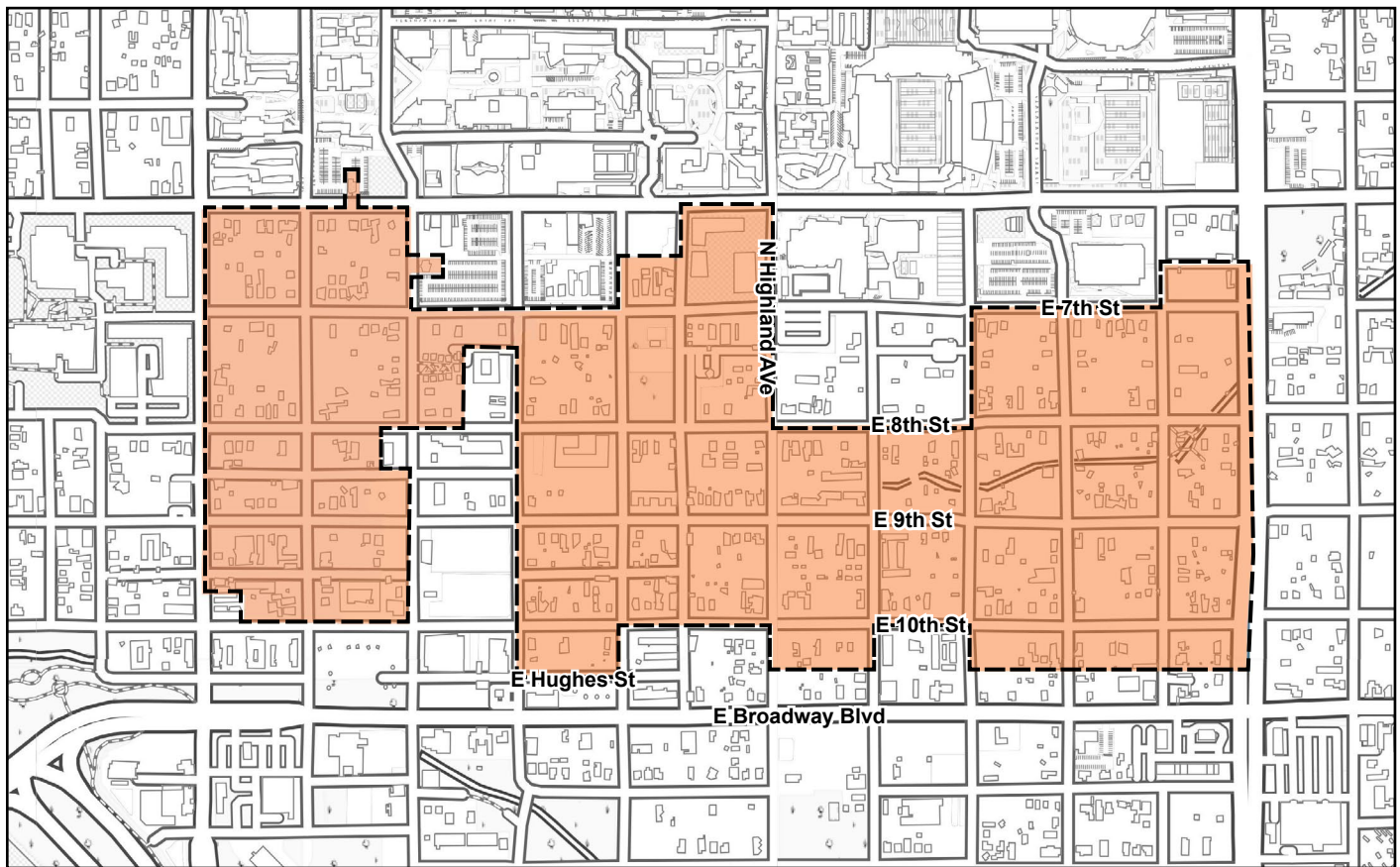
1. See Section 5 for definitions, including *character-defining* and *historic integrity*.

# What are the boundaries of the NPZ?

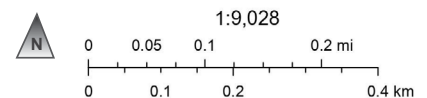
The Neighborhood Preservation Zone (NPZ) is comprised of the both Rincon Heights and Pie Allen Historic Districts. Portions of each neighborhood which overlap with the Sunshine Mile Overlay have been omitted from the NPZ. The following pages describe the designated boundaries and location of contributing properties in each respective historic district.

Please note: the map below is for reference only. For an up-to-date verification of zone boundaries in the historic district, please consult the City of Tucson Preservation Office or online at: <https://maps.tucsonaz.gov>

## Rincon Heights and Pie Allen Neighborhood Preservation Zone



Esri Community Maps Contributors, University of Arizona, EGIS, City of Tucson, BuildingFootprintUSA, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA





# RINCON HEIGHTS HISTORIC DISTRICT

## History of Rincon Heights

The Rincon Heights Historic District was listed in the NRHP in October 2012. The historic district is primarily a residential neighborhood encompassing five historic subdivisions: Buell's Addition (1881), Drake's Addition (1882), Rincon Heights Addition (1887), Altadina Heights Addition (1902), and the Bingham Addition (1905), which were built out between 1881 and 1962. The name of the neighborhood, Rincon Heights, was created in 1987 when the neighborhood association was established.

Within the Rincon Heights Historic District there are 442 properties, of which 288 (65%) are considered contributing properties, and 132 (30%) are considered non-contributing properties.

### Rincon Heights Historic District Map of Contributing and Non-Contributing Properties

University of Arizona, Jeffery et al 2012

Please note: this map is for reference only. For an up-to-date verification of property status in the historic district, please consult the City of Tucson Preservation Office at <https://www.tucsonaz.gov/historic-preservation>



# PIE ALLEN HISTORIC DISTRICT

## History of Pie Allen

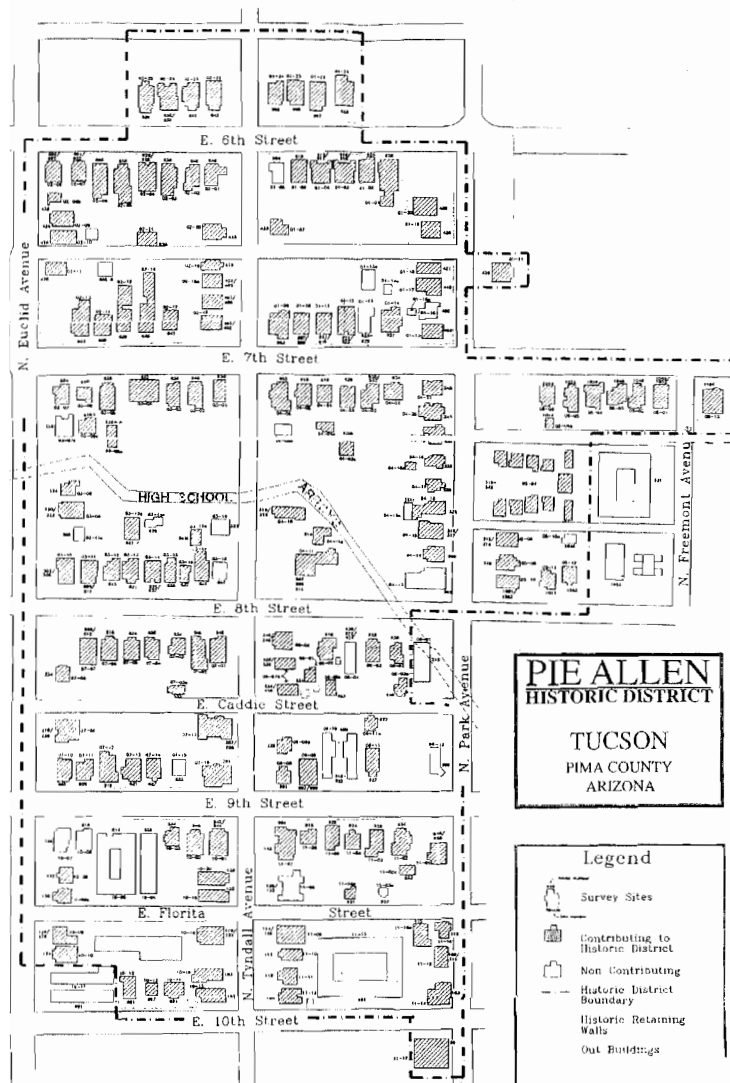
The Pie Allen Historic District was listed in the NRHP in April 1996. The historic district is primarily a residential neighborhood whose tenants were predominantly Southern Pacific Railroad employees and their families, as well as University of Arizona students and faculty. The contributing properties in the neighborhood were built out between 1870 and 1936, with the majority of contributing properties built between 1905 and 1925. The name of the historic district, Pie Allen, is derived from John Brackett, "Pie Allen" "General" Allen (b.1818-d.1899), a prominent Tucsonan entrepreneur and developer-builder who served terms as mayor from 1876 to 1878. Around the late 1870's, Allen made a homestead claim on 160 acres which included all of the historic district south of 8th Street.

Within the Pie Allen Historic District there are 242 properties, of which 201 (83%) are considered contributing properties, and 41 (17%) are considered non-contributing properties.

### Pie Allen Historic District Map of Contributing and Non-Contributing Properties

Pie Allen Neighborhood Organization 1996

Please note: this map is for reference only. For an up-to-date verification of property status in the historic district, please consult the City of Tucson Preservation Office at <https://www.tucsonaz.gov/historic-preservation>





### 3. Establish the Development Zone

Use the following instructions to determine the Development Zone for your project

A Development Zone is a certain designated area adjacent to the lot slated for proposed development. Contributing properties in a project's Development Zone are used as a design reference points when evaluating a project's compatibility. Compatibility is achieved when a development is designed in a manner that blends in with the character of structures in the Development Zone .

See Step #4 on the next page for description of a Contributing Property.

*Exception:* If there are no contributing properties of similar size to the proposed project in the Development Zone, the applicant may extend boundaries of the Development Zone to include the closest contributor(s).

#### Development Zone for an Interior Lot (Illustration A).

Where the project site is an interior lot, the Development Zone includes that lot, all lots on either side, and fronting on the same street in the same block, and all those lots on the opposite side of that street, except such portions of the Development Zone which fall outside the boundary of the NPZ district.

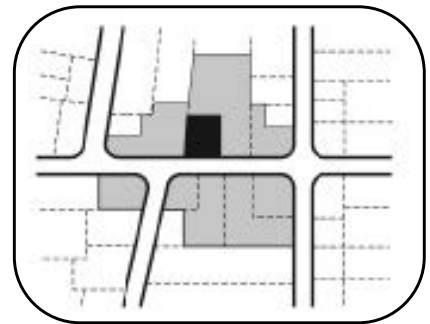


Illustration A

#### Development Zone for a Corner Lot (Illustration B).

Where the project site is a corner lot, the Development Zone includes that lot, the corner lot diagonally opposite that lot, all lots fronting on the same two (2) streets in the same block, and all lots on the opposite sides of those streets, except such portions of the Development Zone which fall outside the boundary of the NPZ district.



Illustration B

#### Development Zone for a Boundary Lot (Illustration C).

Where the project site is located adjacent to a historic district zone boundary, the Development Zone includes that lot, all lots located within the same block, and those lots facing the same street as the subject lot within one block in either direction, except such portions of the zone which fall outside the boundary of the NPZ district.

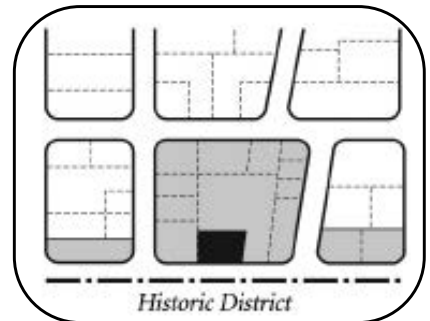
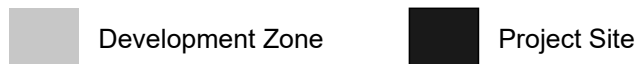


Illustration C





## 4. Identify Contributing Properties Within a Project's Development Zone

A Contributing Property is a building, object, site, or structure that contributes to the historic significance and visual character of a National Register Historic District, and has sufficient integrity to convey that significance through visual character defining features expressed by their location, setting, design, materials, workmanship, feeling, and association.

Contributing properties are listed in their respective NRHP nomination documents and available online at Historic Map Tucson: <https://maps.tucsonaz.gov/HistProp/>

- 1. The defining characteristics of contributing properties within a project's Development Zone shall be used as design references when evaluating a project's compliance or noncompliance with the Rincon Heights and Pie Allen NPZ.**
- 2. Identify the contributing properties that will be used as design references using the map. The City's Historic Preservation Officer has the most up-to-date inventory of contributing properties.**
- 3. Conduct a field survey of the contributing properties chosen as design references. The addresses and photographs of the referenced contributing properties will be required at the pre-submittal conference with the Design Professional and as part of the application.**

## 5. Design the Project

Design the project using the information gathered to this point.

*Consider the following when designing your project:*

- A.** Compatibility is the visual consistency of development by referencing prevailing dimensions, spatial relationships, and architectural and design characteristics of the neighborhood overall and the contributing properties used as design references.
- B.** Compatible does not mean "repetition or copy of" or "identical to" existing buildings within the neighborhood.
- C.** Compatibility is achieved when a development is designed in a manner that blends in with the character of the surrounding area.
- D.** Projects may be developed using modern materials.
- E.** Property owners may develop using the standards permitted by the underlying zoning, but may have to make accommodations in the design of the project for purposes of achieving compatibility.

## 6. Pre-Application Conference with a Design Professional

The Design Professional (DP) is an architect with historic preservation experience and is responsible for 1) assisting the applicant in submitting a complete application; and, 2) submitting a report with findings and recommendations to the Director of Planning and Development Services Department for consideration of approval.

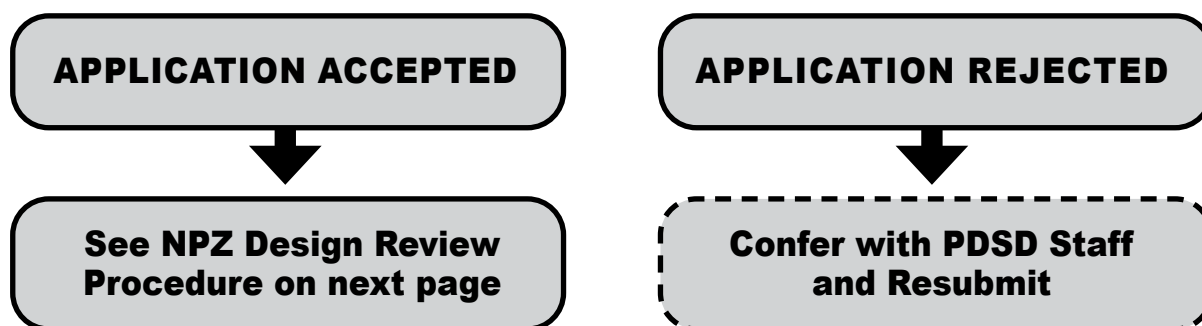
1. Upon completion of Step #4, contact the Planning and Development Services Department at (520) 791-5550 to schedule a pre-application conference.
2. Provide the addresses and photographs of the referenced contributing properties and any other support materials to the Design Professional prior to the pre-application conference.
3. At the conference, the Design Professional will discuss the project with the applicant, answer questions, and suggest ways of achieving compliance with the Design Manual.

## 7. Prepare Application

- Refer to the current application and required attachments.
- Building Permit: Applicants should prepare and submit a building permit application at the same time as the NPZ application
- Neighborhood Outreach: While a formal neighborhood meeting is not required, it is recommended to contact the neighborhood association to make them aware of the project and offer to discuss it.

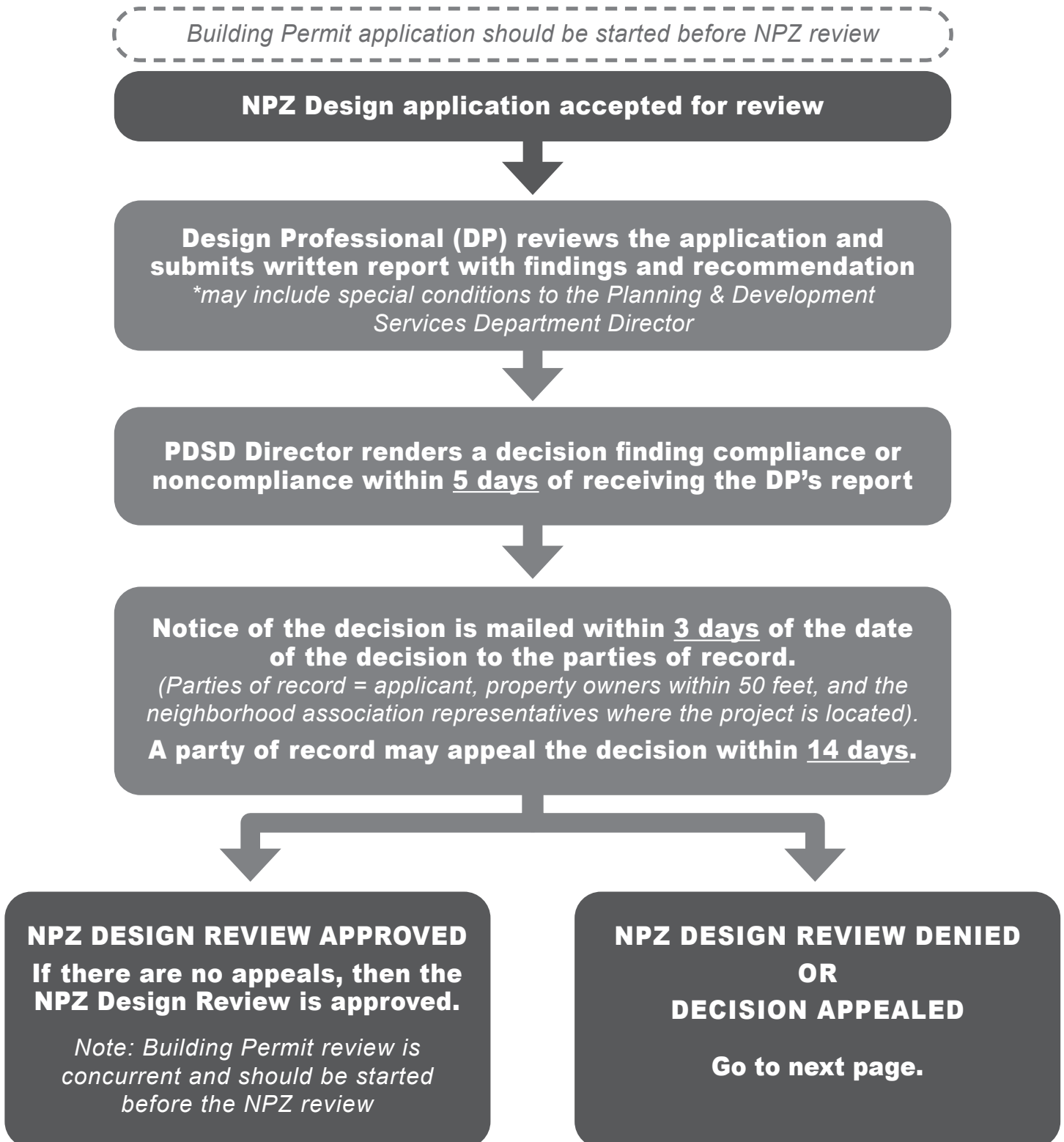
## 8. Submit Application

Staff will review the application for completeness. The application shall be accepted or rejected within five (5) days.



## NPZ Design Review Procedure

Applications are reviewed and considered for approval in accordance with UDC § 5.10.3 (NPZ Design Review Procedure) as shown in the following diagram.



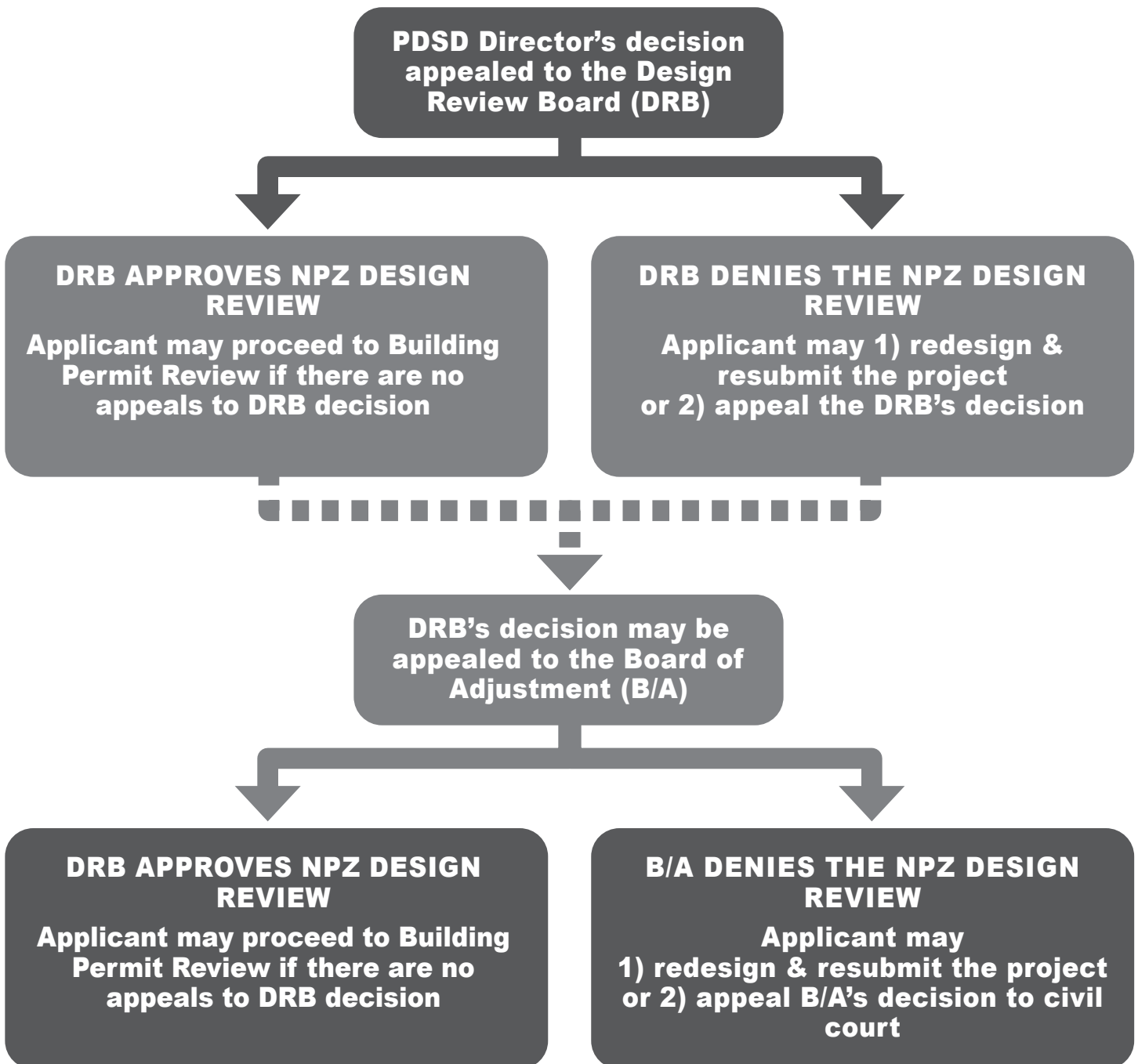
## NPZ Design Review Denied – Applicant Options

**Option #1:** Redesign and Resubmit the Project for NPZ Design Review. Applicants may redesign their projects addressing the PDSO Director’s findings and resubmit their projects for reconsideration. The application will follow the review and approval procedure.

**Option #2:** Appeal the PDSO Director’s Decision.

### Appeal Procedure

Applicants, property owners within fifty (50) feet of the project, and designated neighborhood association representatives where the project is located may appeal decisions of the NPZ Design Review as follows.





## 2. NPZ DESIGN REVIEW CRITERIA

### 2.1 Introduction

The NPZ Design Review Criteria are the defining characteristics of the National Register Historic District as determined by the description of residential architectural styles and building types in the Rincon Heights and Pie Allen National Register of Historic Places Historic District nomination forms (Pie Allen Neighborhood Association 1996; Jeffery 2012). Defining elements of the Rincon Heights and Pie Allen Historic Districts are used when evaluating a project's compatibility.

Projects shall be reviewed in accordance with the NPZ Design Review Criteria as provided in this chapter. The Priority Review Criteria (i.e. front yards, scale, massing, articulation, rhythm) define key design principles which comprise the streetscape in the Rincon Heights and Pie Allen neighborhoods as identified through the stakeholder process. The Regular Review Criteria define specific design elements which are compatible with the architectural character of both historic districts.

Applicants are strongly encouraged to follow the Pre-Submittal Guidelines described in Chapter 1 of this manual prior to designing their projects.

### 2.2 Achieving Compliance with the NPZ Design Review Criteria

Compliance with the NPZ Design Review Criteria is achieved by demonstrating compliance with all applicable criteria. In an evaluation of a proposal, the Design Professional will base the findings and recommendation on the particular circumstances of a proposal and its compliance with all the Priority Review Criteria or a combination of the most applicable Priority and Regular Review Criteria. The requirements of each criterion are included in their respective section.

*3.3. Priority Review Criteria.* The three criteria listed in this section of the Design Manual are intended to identify the key features of the streetscape in the Rincon Heights and Pie Allen Neighborhood that would ensure compliance with the purpose of the Design Manual. Proposals that are consistent with these criteria are most likely to be in compliance with the Design Manual.

*3.4. Regular Review Criteria.* The remaining criteria listed in the NPZ Design Review Criteria section demonstrate historic features of the Rincon Heights and Pie Allen Neighborhoods. For review of a proposal, these criteria represent a secondary set of neighborhood characteristics. All proposals should be reviewed for consistency with these criteria, when they are applicable, in achieving overall compliance with the Design Manual.

## 2.3 PRIORITY REVIEW CRITERIA

### A. Front Yards

The predominant front yard style in Rincon Heights and Pie Allen is a uniform front setback with plantings and low retaining walls when necessary. Multi-family properties are typically single- and two-story, surrounding a pedestrian-friendly courtyard. Parking access and vehicle storage are typically found on the side of lots or the rear of lots via alleys.

#### Appropriate Treatment

- Uniform setback
  - Continuous sidewalk access
  - Pedestrian path connecting the sidewalk to front door
  - Visually permeable front fence
- Note: Walls and fences under 6' do not require a building permit*
- Pedestrian-oriented courtyard in multi-family residences

#### Inappropriate Treatment

- Non-uniform setback
- Predominant intrusion of driveway apron
- Front-facing parking
- Front yard pool
- Visually impermeable front fence
- Vehicle-oriented courtyard



*Uniform setback with continuous sidewalk access*



*Pedestrian oriented courtyard with continuous sidewalk access*



*Visually permeable fence, path to front door*



*Non-uniform setback, front-facing parking, predominant driveway apron*



*Vehicle-oriented courtyard, predominant driveway apron*

## 2.3 PRIORITY REVIEW CRITERIA

### B. Scale, Massing, and Articulation

The predominant scale in the Rincon Heights and Pie Allen is single-story, residential. Second-story additions to existing properties should be setback so as to retain the single-story residential character of the historic districts.

For most buildings in Rincon Heights and Pie Allen, the building mass is broken up by varying rooflines or parapet heights, and walls are offset to reduce wall surface area and to avoid a boxy appearance. Both historic neighborhoods are characterized by single-story residential architecture, and new construction should maintain the human scale of the streetscape when visible from the street.

For larger and taller structures such as multi-family developments, articulation techniques should be used to help break up building mass and the perceived length of the block face, add visual interest to the street, and promote human scale. Façades should also be broken up by windows so there are no long planes of a flat surface. Such articulation may consist of minor wall offsets, wall setbacks, height variations to break up long façades, change of building façade plane or material, and projections such as balconies, bays, awnings, pilasters, and other similar features.

#### Appropriate Treatment



- New construction preserves single-story scale of the streetscape
- Second-story additions to existing historic properties are set back
- Articulation: multi-story rooflines are varied, walls are offset in order avoid continuous wall surface

*Uniform spacing between buildings, upper story addition is setback*



*Second-story addition is setback from street, (visible behind left tree)*

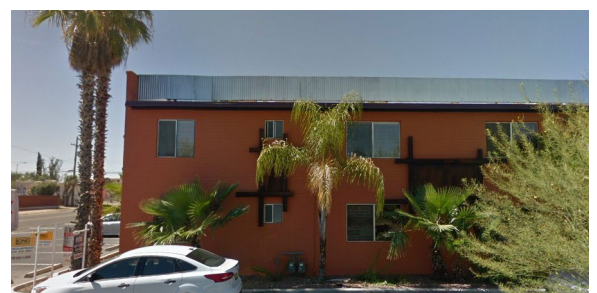
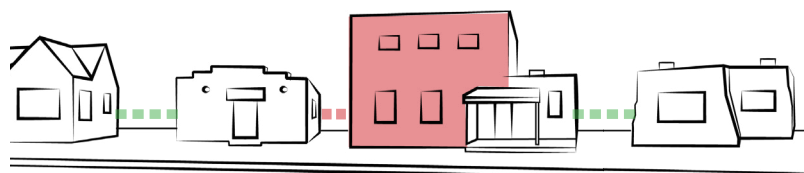


*Street-facing details (awnings, wall variations) are articulated to make the building human-scaled*

#### Inappropriate Treatment

- Flat, continuous (non-articulated) wall surface
- Front setback and/or side yard width is visibly different from neighboring lots
- Lack of setback in second-story additions to existing historic properties

*Lack of articulation, continuous wall surface, and non-uniform spacing between buildings*



*Continuous wall surface, no variation of roofline or wall*



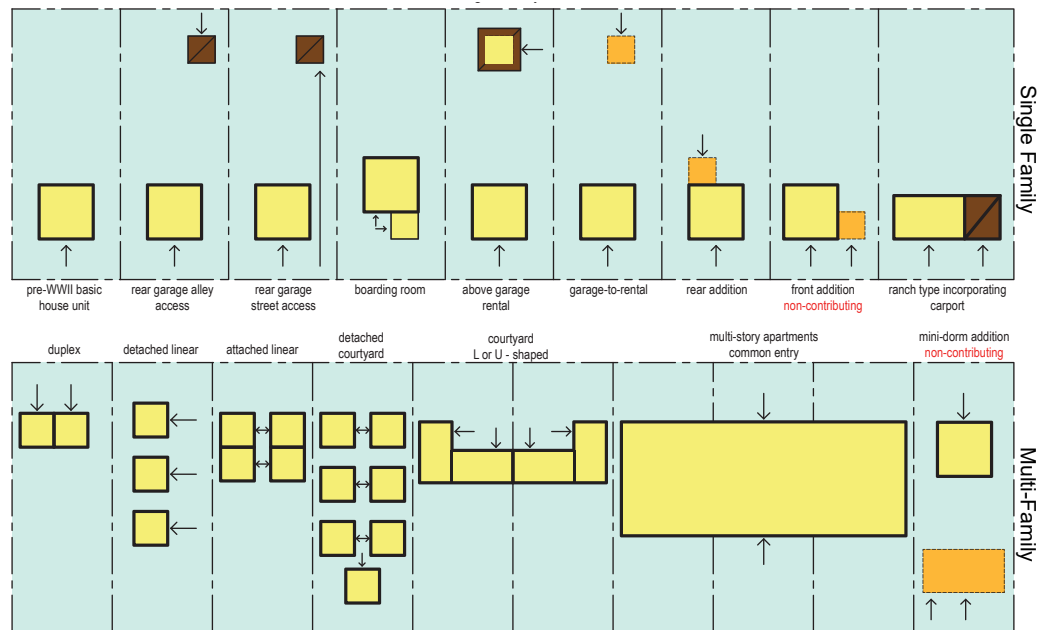
# 2.3 PRIORITY REVIEW CRITERIA

## C. Rhythm

The Rincon Heights and Pie Allen Historic Districts consist of similarly sized homes regularly spaced along the street. Side yards are generally similar in width, and the front setback is fairly uniform.

Typical house spacing also incorporates vehicle storage, out-buildings, and detached additions at the rear of lot, and street-side vehicle access is minimal.

Housing types in Rincon Heights Historic District  
(Jeffery et al 2012)



### Appropriate Treatment

- Front setback is uniform with neighborhood
- Side yards are similar in width
- Vehicle storage at rear of lot; street-side driveway is single lane
- New development concentrated at rear of lot



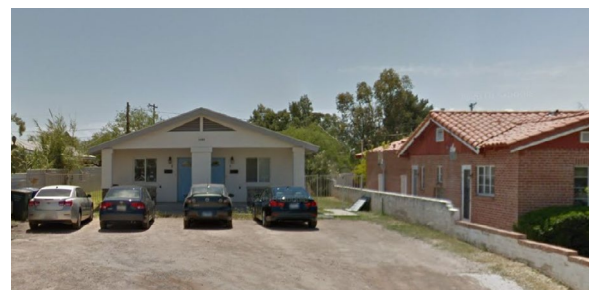
Uniform setback, lot placement, and side yard width, street-side vehicle access is minimal

### Inappropriate Treatment

- Front setback is visibly different from neighborhood
- Side yards are visibly different width than neighboring lots
- Prominent front-facing vehicle storage
- New development concentrated at front of lot



Second-story addition placed at rear of lot; vehicle access via back alley



Significant difference of setback, prominent front vehicle access and storage



## 2.4. REGULAR REVIEW CRITERIA

### A. Architectural Style

Architectural style is an amalgamation of individual design components (or defining characteristics), which for purposes of this design manual, are represented by the exterior building wall materials, porches and balconies, roofs, and windows.

The predominant architectural styles in Rincon Heights and Pie Allen are Spanish Colonial Revival/Spanish Eclectic, Western Colonial Revival, Vernacular, Tudor Revival, Bungalow/Craftsman, Ranch, and Commercial Panel Brick. These architectural styles are listed below along with a summary of individual design components. In addition to these common styles, there are also properties in the historic districts that are hybrids and incorporate influences from other styles such as Queen Anne, International, and Art Moderne.

Important note: Architectural styles are included in this manual not to encourage replication of them, but rather as references for the designer of new development in Rincon Heights and Pie Allen National Register Historic Districts. Elements, details, proportions, etc. from contributing properties in the DZ can be borrowed and paraphrased in order to for a new development to be architecturally compatible with its historic surroundings.

#### General Recommendations:

**1. For additions to existing buildings, the project should use an architectural style that is compatible with the existing building's style.** Complete guidance on rehabilitating or adding on to historic buildings can be found at the Secretary of the Interior's website: <https://www.nps.gov/tps/standards/rehabilitation/rehab/stand.htm>.

Preservation Briefs are also available as a reference for preserving, rehabilitating and restoring historic components: <https://www.nps.gov/tps/how-to-preserve/briefs.htm>

**2. For new construction, the project should incorporate elements of any one of the predominant architectural styles used by a contributing property in the project's Development Zone.** New construction should not repeat, copy, or be identical to the architectural style of a contributing property, but rather use it as a design reference.

### PUEBLO REVIVAL

19th / 20th Century

- Flat roof with stepped parapet and rounded corners
- Stucco covered exterior walls, rounded corners
- Projecting roof beams and *vigas* and *canales* applied ornamentation
- Square or rectilinear window openings with wood lintels, or double-hung or steel casement windows



Single Family



Multi-family complex



Triplex

## SPANISH COLONIAL REVIVAL

*19th / 20th Century*

- Red tiled gabled roofs or flat roofs with parapets.
- Parapets capped with red tiled or battlements
- Stucco over brick (some half relief is present)
- Arcades
- Limited overhang of eaves
- Porches supported by heavy piers arched at top
- Small red tile shed roofs over portal



*Multi-family Attached*



*Single Family*



*Duplex*

## AMERICAN VICTORIAN

*Late 19th / 20th Century*

- Hipped or gabled roofs, often intersecting
- Pronounced front porch and entrances
- Thin pilasters or columns
- Front doors with fan lights or side lights
- Pedimented windows
- Dormer windows



*Single Family*

## VERNACULAR

*19th / 20th Century*

- Sometimes referred to as National Folk
- Designed mostly for functionality
- Older examples are wood or adobe; more recent ones are stucco or concrete block



*Single Family*



## **TUDOR REVIVAL**

*19th / 20th Century*

- Steep gable roof with multiple ridges and dormers
- Constructed primarily of clay brick
- Decorative features including a variety of wooden window types



*Single Family*

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## **CRAFTSMAN / BUNGALOW**

*Late 19th / 20th Century*

- Wide, low proportions
- Low-pitched, shingled, roof with front-facing gable, dormers, and/or multiple ridges
- Large, covered front porch
- Exposed structural members, natural materials



*Single Family*



*Single Family*



*Duplex*

**RANCH** *Mid-to-late 19th / 20th Century*

- Long, asymmetrical façade facing street; horizontal emphasis
- Red brick walls; stucco on some examples
- Medium-pitch shingle gable roof, often with a front-facing gable perpendicular to the main roof
- Casement windows, usually a picture window, and often a corner window
- Often an attached carport to the side of the house



*Duplex*



*Multi-family complex*



*Single Family with Side Carport*

**COMMERCIAL PANEL BRICK**

*Mid-to-late 19th / 20th Century*

- Hard brick construction
- Definitions of detail by "brick set", corraling
- One or more rectangular panels
- Central or offset entries
- Large windows and entry door(s)



*Commercial*



## 2.4. REGULAR REVIEW CRITERIA

### B. Exterior Walls

Character-defining exterior wall materials in Rincon Heights and Pie Allen include adobe, brick, concrete block, and natural stone. Character-defining exterior finishes are predominantly stucco and paint. Unpainted concrete walls are also considered compatible. Many stucco walls use simple decorative trim at parapets, window sills, chimneys, and similar locations.

Wood siding is a rare exception, and aluminum or vinyl siding is not characteristic of the neighborhood.

#### ✓ Preferred:



*Stucco*



*Brick*



*Painted Brick*



*Natural Stone*

#### ✗ Avoid:



*Vinyl or aluminum siding*



*Wood siding*



## 2.4. REGULAR REVIEW CRITERIA

### C. Vehicular Use Areas

Vehicle storage (i.e. garages, carports, or open parking areas) within the Rincon Heights and Pie Allen Historic Districts is characteristically located at the rear of the lot and accessed either from an alley or from a single lane driveway from the street. Some Ranch style houses have a carport at the side of the house, while some Bungalows have a porte-cochere at the side of the house as an extension of the front porch roof.

Garages and parking areas which occupy the majority of a house's front elevation are not characteristic of the historic streetscape and character of either historic district and should be avoided.

#### ✓ Preferred:



*Parking on side of house; garage at back of lot*



*Carport behind house*



*Vehicle access and storage via back alley*



*Carport on side of house, single-lane driveway*

#### ✗ Avoid:



*Parking area spans entire front of building*



*Prominent front facing garage and driveway*



## 2.4. REGULAR REVIEW CRITERIA

### D. Landscaping

The landscape in Rincon Heights and Pie Allen was historically comprised of grassy lawns, the use of which is now recognized as an unsustainable practice. Therefore, these design guidelines promote landscaping that supports the Sonoran desert habitat, conserves water, creates shade, and enhances the neighborhood streetscapes. Native or drought-tolerant shade trees and foundational shrubs, decorative rocks and boulders, and mulch or gravel as top-dressing for planted areas are examples of landscaping and plant materials that are appropriate. Integration of basins and other rainwater harvesting elements into front yard landscapes is encouraged. Front yards composed predominantly of pavement, real or synthetic turf, or barren gravel should be avoided.

#### ✓ Preferred:



*Drought tolerant plant species*



*Mulch or gravel as top-dressing for planted areas*



*Limited use of turf/synthetic turf in combination with vegetation*

#### ✗ Avoid:



*Predominant pavement*



*Barren gravel*



*Predominant real or synthetic turf covering entire front yard*



## 2.4. REGULAR REVIEW CRITERIA

### E. Pedestrian Ways

Pedestrian ways in Rincon Heights and Pie Allen are characterized by the existence of continuous sidewalks and connective paths between sidewalks to the front porches of single-family homes. It is characteristic of multi-family residences within the districts to be set around a courtyard for pedestrian use.

Sidewalks that are interrupted by large driveways, and front entrances that lack a connection from the sidewalk are not characteristic of the historic streetscape and character of either historic district and should be avoided.

#### ✓ Preferred:



*Contiguous public sidewalk*



*Single-story units set around a courtyard*



*Minimal intrusion of sidewalk with driveway apron*



*Direct path from sidewalk to front door*

#### ✗ Avoid:



*Substantial intrusion on sidewalk with wide driveway apron*



*Absence of path from sidewalk to front door*



## 2.4. REGULAR REVIEW CRITERIA

### F. Porches

*Note: Porches are not as common in multi-family residences, and this criterion may not apply to multi-family applications.*

Front porches are characteristic of Bungalows and other Craftsman or Spanish Eclectic style residences within the neighborhood. Porches can vary between full-length porches that are integrated into the roof line across the entire street-facing wall or elevation, or smaller covered entryways that are supported by posts or piers. Character-defining materials are wood posts, plaster, stucco, or adobe.

Decorative elements and building materials other than plaster, stucco or adobe are not character-defining and should be avoided. For historic buildings with character-defining porches, enclosing the porch alters the visual character of the building and risks loss of historic integrity.

#### ✓ Preferred:



*Covered entryway and extended porch with wood posts*



*Full-length porch in painted plaster*



*Wood and tile covered entryway, stucco side porch*

#### ✗ Avoid:



*Porch materials and texture are incompatible with the historic district character.*



*Enclosure has altered the character-defining porch and risks a loss of integrity.*



## 2.4. REGULAR REVIEW CRITERIA

### G. Roofs

Roofs should be visually compatible with existing forms among contributing properties in Rincon Heights and Pie Allen. Character-defining roof styles include parapet, gabled, and hip roof. Roofing materials characteristic of the historic districts include shingles, clay tile, prepared roll, and asphalt.

Alternative roofing materials such as metals or slate may be accepted as long as the proposed roof has materials and colors that are visually compatible with materials historically used in the neighborhood.

#### Preferred:



*Flat roof with stepped parapet and asphalt*



*Gabled roof with red shingles*



*Hip roof with gray shingles*



*Flat roof with rounded parapet and asphalt*



*Cross gable roof with prepared roll*



*Cross gable roof with clay tile*



## 2.4. REGULAR REVIEW CRITERIA

### H. Windows

Properties within the Rincon Heights and Pie Allen Historic Districts are characterized by a variety of window styles, which include single- or double-hung sash windows arranged singularly or in groupings, and multi-light steel casement windows, typically recessed within the wall plane. For new construction, historic formats such as these can be achieved using contemporary materials like fiberglass or aluminum.

Sliding sash, single-light fixed picture windows, glass block windows, and windows which are flush with the outer wall surface are not characteristic of the historic districts and should be avoided.

#### ✓ Preferred:



*Double-hung sash window with bar guard*



*Grouped double-hung sash windows with decorative wrought iron bar guards*



*Multi-light steel casement windows*



*Multi-light steel casement window*

#### ✗ Avoid:



*Sliding sash windows, flush with outer wall surface*



*Single-light fixed windows, flush with outer wall surface*

## 3. PRIVACY MITIGATION

### 3.1 Requirement

Applicants proposing multistory residences must design projects to limit visual and noise intrusion into adjacent properties. While all intrusions cannot be prevented, applicants are required to provide a reasonable level of privacy mitigation, which can be achieved by complying with the requirements of this chapter.

### 3.2 Applicability

**A. Privacy mitigation is required (NPZ Ordinance, Section 2.8.11.9.C.5) when the following types of development are proposed adjacent to existing single-story residences:**

- Construction of a multistory residence;
- Addition of a story to an existing residence; or,
- Additions to existing second floor or higher stories.

**B. Privacy mitigation is encouraged, but not required, of proposed single-story projects.**

**C. Where a two-story building is proposed adjacent to existing two story residences, privacy mitigation regarding location and screening of balconies is encouraged, but not required.**

### 3.3 How to Use this Section

Privacy mitigation is divided into four categories: windows, balconies, screening, and lighting. Each category has Requirements and Strategies. Applicable projects must comply with the Requirements of each applicable privacy mitigation section. The Strategies are recommended ways of accomplishing the requirement.

Applicants may propose strategies other than those provided if the objective is met. The PDSD Director will determine if the alternate strategy meets the requirement's intent.

The Design Professional may require a specific strategy or allow optional strategies when the applicant's design proposal does not comply with a reasonable level of privacy mitigation.

# 3. PRIVACY MITIGATION

## 3.4. Windows

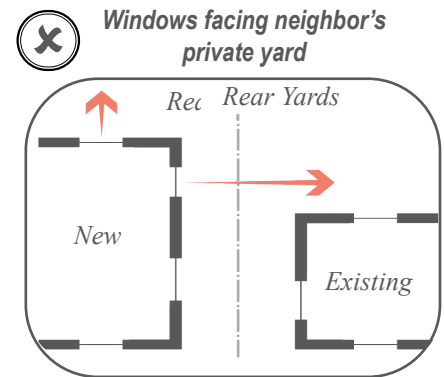
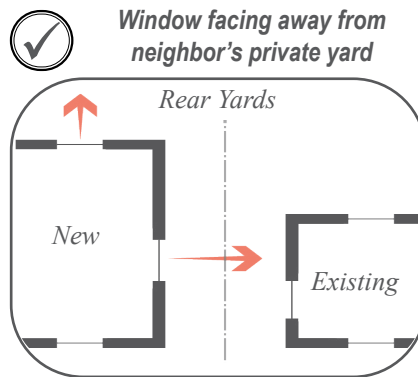
Windows can cause intrusion into the privacy of neighboring properties. This can occur in two ways: windows of neighboring properties directly facing each other, and windows of one building facing into the private yard of a neighboring property. Chances of the latter occurring are much greater and more difficult to mitigate in the case of upper floor windows. Types of privacy intrusion from windows and various ways to mitigate intrusions are outlined below.

### Requirement

Upper-floor windows must be designed, located, and/or treated to minimize direct views from upper story windows of new multistory development into windows and private outdoor living spaces of neighboring buildings. When the City's adopted Building Code requires an accessible window on an upper floor for safety reasons, the window must be translucent.

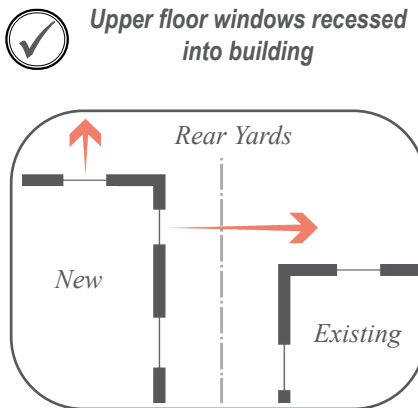
#### Strategy #1:

Orient windows away from neighbors' private yards and windows.



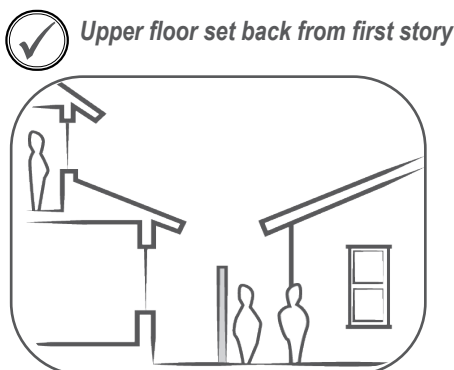
#### Strategy #2:

Where an existing single story residence exists, adjacent rear-facing, upper floor windows should be recessed into the building to avoid side views into neighbors' private yards.



#### Strategy #3:

Set the upper floors back from the first story to provide greater distance from upper floor windows into neighbors' private yards.



# 3. PRIVACY MITIGATION

## 3.5. Balconies

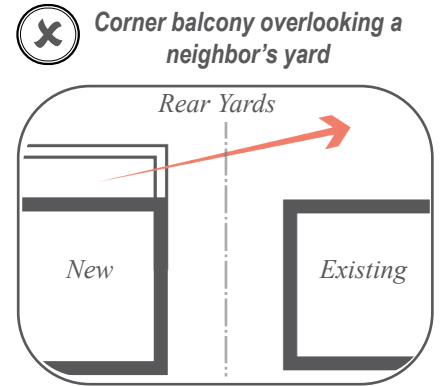
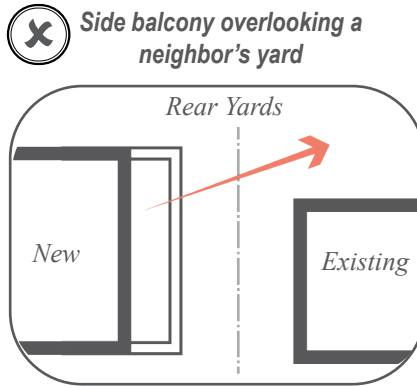
Poorly designed or improperly placed balconies can cause noise and visual intrusions into neighboring properties. This is particularly true in the Rincon Heights and Pie Allen Historic Districts, as they are comprised mainly of single-story houses which provide little protection from views from second-story balconies. Two requirements for balcony privacy mitigation and various ways to mitigate these intrusion are outlined below.

### Requirement #1

Balconies must be designed, located and/or screened to mitigate the visual intrusion into neighbor's windows and private outdoor living space.

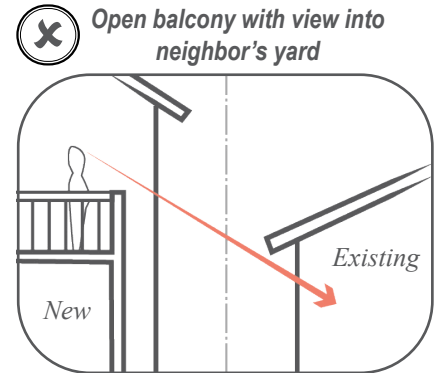
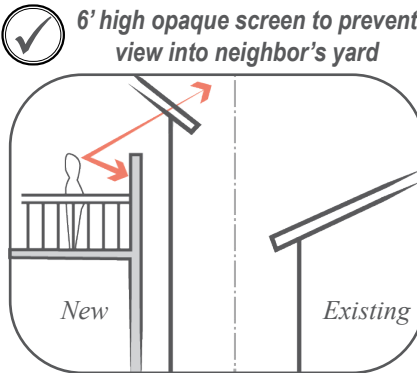
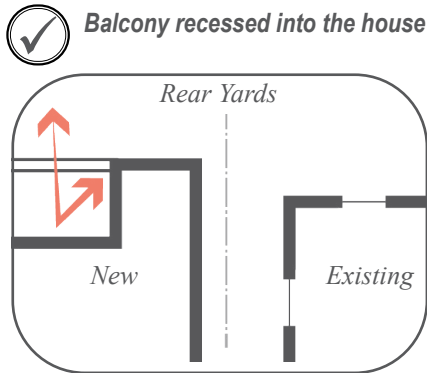
#### Strategy #1:

Prohibit balconies at the side or corner of a building to prevent views into a neighbor's private yard.



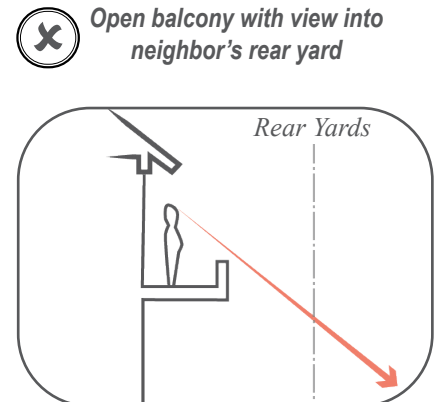
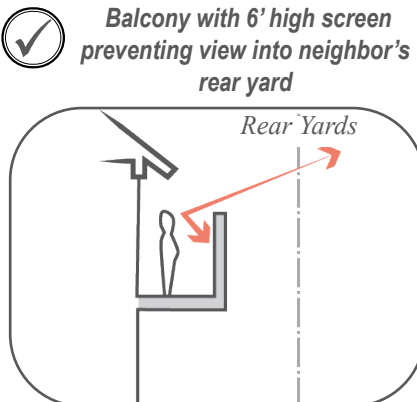
#### Strategy #2:

A rear-facing balcony should be recessed into the house or provide a six-foot high opaque or translucent screen at the side of the balcony to prevent views into the neighbor's private yard.



#### Strategy #3:

Where a rear-facing balcony overlooks a neighbor's rear yard and is less than 25 feet from the neighbor's rear property line, a six-foot high opaque screen should be provided on the balcony to prevent views into the rear neighbor's private yard.





# 3. PRIVACY MITIGATION

## Balcony Requirement #2

Large balconies can serve as noise-producing social gathering areas, and a balcony that faces another balcony across the street or across a property line may encourage balcony-to-balcony conversation, again producing noise. Balconies must be designed, located and/or screened to mitigate for noise levels unacceptable to residential neighbors.

### Strategy #1:

Limit the depth of exterior balconies to five feet, measured from the face of the building to the balcony railing.



Maximum 5' deep balcony



Room-sized balcony



### Strategy #2:

Balconies facing the street should be predominantly recessed into the building's façade and small in scale so as not to accommodate more than three persons.

### Strategy #3:

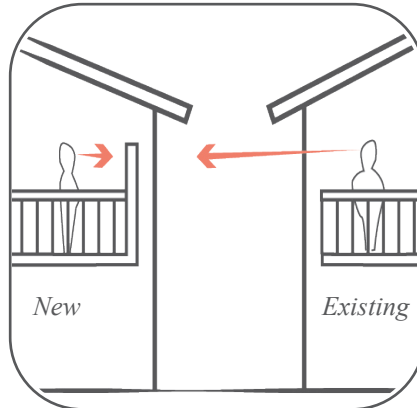
Avoid balconies on the front of the building, particularly when across the street from another balcony.

### Strategy #4:

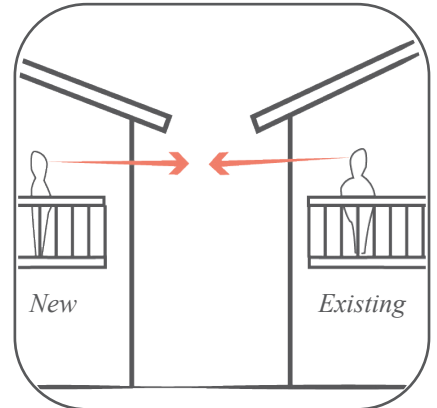
Where a balcony will face another balcony provide a six foot high opaque screen.



Balcony with 6' high opaque screen facing another balcony



Balcony facing another balcony with no visual screen between



# 3. PRIVACY MITIGATION

## 3.6. Screening of Front, Side and Rear Yards

Screening of yards with walls, fences and/or vegetation can be an effective method for property owners to avoid intrusions into their privacy. However, in order to preserve the historic character of the Rincon Heights and Pie Allen neighborhoods, such screening should be historically appropriate.

### Advisory Guidelines

Follow the guidelines below when providing privacy screening.

**1: Front yards in the Rincon Heights and Pie Allen Historic Districts have historically been left open to the street and are not considered private outdoor living spaces.**

*NOTE: For properties to maintain their status as contributing properties to the historic districts, screening in front yard must not exceed forty-eight inches (48") in height.*

**2: Side yards: Where screening is desired along property lines between buildings, a hedge or vegetative screen of low water use plants is the preferred method. Walls and fences are also allowed.**

See Chapter 4.A: Mitigation of Privacy Intrusions from Windows regarding opaque screening along property lines or in front of windows. In order to protect access to light and air, the Tucson Land Use Code limits the height of screening outside building setback lines to six feet above design grade.

**3: Rear yards may be screened by walls, fences or vegetation, with the latter being preferred. Screening is limited in height as described above.**

## 3.7. Exterior Lighting

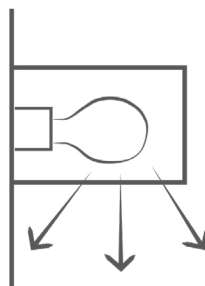
Light shining into windows and/or yards from a neighbor's exterior light fixtures presents an intrusion into the privacy of residential properties. The Tucson Lighting Code specifies that all exterior light fixtures must be of the "full cutoff" type. This type of fixture directs light downward and away from adjacent properties.

### Requirement #1

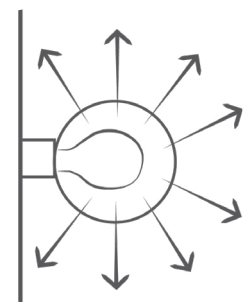
Use only full cutoff type light fixtures for exterior lighting.



Required: Full cutoff exterior lighting fixture



Prohibited: Exterior lighting fixture that allows light to shine out or up

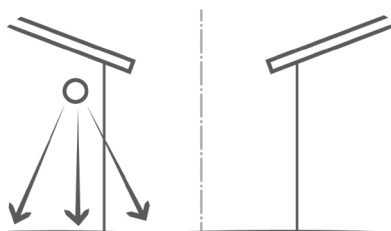


### Requirement #2

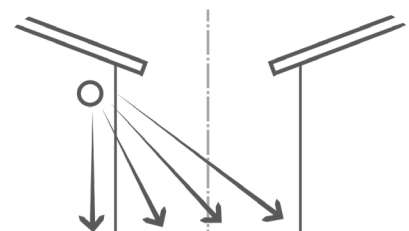
Locate and/or shield exterior light fixtures to prevent light spillage onto neighboring properties.



Required: Exterior fixture lighting only the yard where it's located



Prohibited: Exterior lighting fixtures that shines into a neighbor's yard



## 4. INCENTIVES

The following incentives are conditionally permitted within the Rincon Heights and Pie Allen NPZ for certain dimensional, spatial, and access standards currently applicable in the underlying zones. **In addition to complying with the incentive-specific conditions, the Tucson City Attorney's Office recommends a waiver be signed by the property owner whenever a zoning incentive is utilized.**

### **Private Property Rights Protection Act Waiver Required**

In exchange for processing applications requesting one or more incentives permitted by the Rincon Heights and Pie Allen NPZ, landowners must execute a waiver of any right or any potential claim(s) under the Private Property Rights Protection Act (A.R.S. §12-1134 et. seq.) arising from his/her development of the property as permitted by A.R.S. §12-1134 et. seq. The waiver must be executed prior to approval of the application and shall be in a form approved by the City Attorney. The waiver applies only to the action requested and does not diminish any other landowner rights that may exist prior to the request.

#### **4.1: Alley access**

##### **Incentive:**

1. Alleys historically providing access to rear parking areas for residential development may continue to be used for access
2. Access to residential properties from alleys less than 16' wide is permitted.
3. Alleys may be used for access and maneuvering

##### **Condition:**

Surfacing may be required when it is determined that dust pollution will increase or be created by the proposed project. The Design Professional in consultation with the City's Department of Transportation and Mobility will make a recommendation on the extent to which surfacing should be required. They will take into consideration the type and intensity of the project and the project's proximity to the nearest roadway. At a minimum, surfacing will be required between the project's lot lines.

#### **4.2: Modification of Lot Coverage Requirement**

**Incentive:** Applicants may request one (1) of the following:

- To exclude driveways from the lot coverage calculation; or,
- To increase by up to ten percent (10%) the lot coverage permitted by the underlying zoning.

**Condition:** See below

#### **4.3: Modification of Side Perimeter Yard Setback Requirements**

**Incentive:** Applicants may request a reduced side perimeter yard setback to the extent permitted by the City's Building Code.

**Condition:** See below

## 4. INCENTIVES

### 4.4: Modification to Side Perimeter Yard Setback Requirement (as a Function of Building Height)

**Incentive:** Applicants may request a modification to the side perimeter yard setbacks without requiring the setback to be a proportion of building height.

**Condition:** See below

### **Conditions for Incentives 4.2 – 4.4**

A modification shall:

- Attempt to retain the contributing status of a building whenever practicable
- Not reduce compatibility with the Priority Review Criteria
- Comply with the Privacy Mitigation standards
- Not create a nuisance, such as excessive dust, noise, glare, vibration, or similar problem, for adjacent residents and property owners.

### 4.5: Modification of Parking Requirements

#### **Incentives:**

1. On-street parking located between the project's lot lines along the same side of the street may count toward meeting a project's parking requirements if it does not obstruct garbage pickup activity.

*Note: On-street parking requires a Neighborhood Parking Permit through City of Tucson Parking.*

2. Access and maneuvering for an on-site parking area may occur in the right-of-way if the Design Professional in consultation with the City's Department of Transportation determines it can safely occur.

### 4.6: Water Catchment Systems

**Incentive:** Side perimeter yard setback and separation requirements between dwelling units and accessory structures may be modified to accommodate water catchment systems.

**Condition:** The exterior surface of the catchment container shall be designed to not create a nuisance for the adjacent property owner, including having a non-glare treatment.

## 4. INCENTIVES

### 4.7: Rezoning Adjacent to Arterial & Collector Streets

It is recognized that private covenants by property owners to restrict future development and preserve historic character are a very important means to maintain the historic character of Rincon Heights and Pie Allen NPZ. It is further recognized that to maintain a balance in the future development of the area, new development of greater density or intensity should be along the arterial and collector streets rather than within the interior of the neighborhood in conformance with policies of the University Area Plan. Thus, the policies of this overlay zone and of the University Area Plan may be satisfied by the transfer of development rights from the interior to the surrounding arterial and collector streets properties or the recording of a covenant or similar instrument aimed at preserving contributing properties within the interior of the Rincon Heights and Pie Allen Neighborhoods.

Therefore, where a property owner wishes to rezone property within the Rincon Heights and Pie Allen NPZ that is immediately adjacent to one of the arterial/collector streets of Speedway Boulevard, Euclid Avenue, and Park Avenue the property owner may establish compliance with the University Area Plan by submitting to the PDSD certain documentation, as detailed below.

The documentation must show that the owner has, through binding private covenants, transferred development rights or similar instruments, permanently restricted the potential for development of a property or properties within the interior of the Rincon Heights and Pie Allen NPZ and ensured the retention of a maintained contributing property status in the National Register Historic District.

#### **Conditions:**

1. Where there is a recording of transfer of development rights, it shall secure a reduction of development rights affecting interior properties that approximates the increase in development rights that would be approved for the rezoning property adjacent to an arterial or collector street.

Where there is a recording or a covenant or similar instrument, the recording must preserve a contributing property of approximately the same status as the contributing property that is lost on the arterial or collector street.

2. The covenant, transfer of development rights or other instrument restricting the development of the interior property shall be in a form and quantity that is acceptable to the City.

3. The interior property and the rezoning property are subject to the design provisions of this manual except to the extent as may be approved by the Mayor and Council in an approved rezoning.



## 5. DEFINITIONS

**Alley:** Alleys are public ways used for the placement of utilities, refuse collection, or similar public services, and under certain circumstances as provided in the Unified Development Code, access to individual properties.

**Balcony:** A platform that projects from the wall of an upper floor of a building and is enclosed by a railing or parapet.

**Board of Adjustment:** A local body, appointed by the Mayor and Council, whose responsibility is to hear appeals from decisions of the Planning and Development Services Department Director (typically) to consider requests for variances to the City's Land Use Code. In relation to the Neighborhood Preservation Zone, the Board of Adjustment considers appeals from decisions of the Design Review Board.

**Character and Character-defining:** Character refers to all those visual aspects and physical features that comprise the unique identity and appearance of a historic building at the time of its period of significance (see definition of Period of Significance). Character-defining elements include the overall shape of the building, its materials, craftsmanship, decorative details, and can include aspects of its site and environment.

**Compatibility:** Visual consistency, achieved by referencing and blending with prevailing dimensions, spatial relationships, and architectural and design characteristics of the overall neighborhood and referencing the Contributing Properties within the Development Zone. The term "compatible" does not mean "repetition or copy of" or "identical to" existing structures within the neighborhood.

**Compatibility Review Criteria:** The defining characteristics of the historic district as determined by both Rincon Heights and Pie Allen National Register Historic District applications and are used when evaluating a project's compatibility.

**Contributing Property:** For the purposes of this document, a building, object, site, or structure that is listed as a contributing property in a designated National Register Historic District or in an Eligibility Assessment document for the district. Under the National Register definition, a contributing property adds to the historic and architectural significance of a district, and has sufficient integrity to convey that significance and those visual character defining features (see definition of Integrity).

*Complete guidance on rehabilitating or adding on to historic buildings can be found at the Secretary of the Interior's website: <https://www.nps.gov/tps/standards/rehabilitation/rehab/stand.htm>*

**Design Professional:** A registered architect with historic preservation experience employed by or under contract with the City. For projects located within adopted Neighborhood Preservation Zones (NPZ), the Design Professional reviews applications for compliance with the NPZ ordinance and the applicable neighborhood-specific design manual. The Design Profession forwards a recommendation to the Director of the Planning and Development Services Department for a decision.

**Design Review Board:** A local body, appointed by the Mayor and Council, established to review proposed buildings, structures, landscaping, architectural features, development plans, and site plans. In relation to the Neighborhood Preservation Zone, the Design Review Board hear appeals from decisions of the Planning and Development Services Department Director.

**Development Zone:** A certain designated area adjacent to the lot to be developed. Contributing historic properties within the Development Zone shall be considered when evaluating proposed development.

**Eave:** The portion of a roof that overhangs the exterior wall of a building.

**Historic District:** A district possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development, that is significant for historical, architectural, archaeological, engineering, or cultural values. Historic Districts are nominated and listed on the National Register of Historic Places (see definition of National Register of Historic Places).

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**Integrity:** The ability of a property to convey its historical significance and contribute to a historic district. A property must retain most if not all aspects of integrity to be eligible for listing in the National Register of Historic Places. There are seven recognized aspects of integrity: Location, Setting, Materials, Design, Workmanship, Association, and Feeling.

**Landscaping:** Improving the appearance of land by planting trees, shrubs, or grass, altering the contours of the ground and/or introducing benches, low walls, water features, areas of pavement, etc.

**Massing:** The arrangement of the elements of a building to compose its overall shape.

**Mitigate:** To lessen in force or intensity; to moderate to make less severe; to make milder or gentler.

**National Register of Historic Places:** The official list of the Nation's historic places worthy of preservation. Authorized by the National Historic Preservation Act of 1966, the National Park Service's National Register of Historic Places is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archaeological resources.

For more information, [visit www.nps.gov/nr/](http://www.nps.gov/nr/)

**Neighborhood Character:** The combination of various defining characteristics of Contributing Properties and existing development within a Development Zone that creates and conveys the historic significance and visual character of a neighborhood. These characteristics include scale and proportion, architectural style and detail, open spaces, spatial relationships, and landscaping.

**Parapet:** A wall extending vertically past the roofline of a building.

**Pedestrian Ways:** Public sidewalks along streets and private sidewalks that lead from the public sidewalks to building entrances.

**Period of Significance:** The length of time when a property was associated with important events, activities, or person, or attained the characteristics that qualify it for listing on the National Register of Historic Places.

**Perimeter Yards:** An area to separate buildings from adjacent property or streets.

**Porte-Cochere:** A porch roof built over a driveway at the entrance to a building to accommodate a vehicle, to provide shelter for those getting in or out of the vehicle.

**Privacy:** The state of being free from unsanctioned intrusion or disturbance in one's private life

**Privacy Mitigation:** Measures taken to prevent visual intrusion from a proposed project onto an adjacent property.

**Right-of-Way:** An area reserved for a public or private use, such as, but not limited to street or alley rights-of-way and utility easements.

**Rhythm:** The patterned, recurring alternations of contrasting elements; here, the alternation of houses and yards along a street.

**Scale:** The relative size of buildings along the street frontage.

**Setback:** The distance by which a structure or an addition to a structure must be separated from a parcel line, natural feature, other structure, road, right-of-way, or easement.

**Translucent:** Allowing light to pass through, but diffusing it, so that objects on the other side cannot be clearly distinguished.

**Vehicular Use Areas:** Any area of a site or structure used for the parking, storage, or standing of motor vehicles. The vehicular use area includes access drives, maneuvering areas, refuse collection locations, loading spaces, and any landscaping and screening within ten (10) feet of these areas.

**Neighborhood Preservation Zone Ordinance**