



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: April 17, 2018

Title: P17TA00006 HISTORIC LANDMARK ZONE/HISTORIC ZONE

Introduction/Background:

Chapter 18.63 Historic Zone of the zoning code currently has one historic overlay zone that applies to large historic areas. This text amendment would add a new type of historic overlay zone called "Historic Landmark Zone (HLZ)" which would typically apply to individual lots with unique historic significance.

Discussion:

The text amendment provides the processes to designate a new HLZ and to make alterations or demolish within a designated Historic Landmark Zone (HLZ). The text amendment also includes revisions for clarification and organization purposes, and amends the related cross-referenced chapters.

Conclusion:

The text amendment supports goals and policies of the Pima County Comprehensive Plan relating to protecting unique historic resources in the community (Land Use Element 3.1, Cultural Resources Element 3.6).

Recommendation:

Staff and Planning and Zoning Commission recommend approval of the zoning code text amendment by ordinance.

Fiscal Impact:


N/A

Board of Supervisor District:


1 2 3 4 5 All

Department: Development Services - Planning Division Telephone: 724-8800

Contact: Chris Poirier, Planning Official Telephone: 724-6596

Department Director Signature/Date:  3/22/18

Deputy County Administrator Signature/Date:  3/29/18

County Administrator Signature/Date:  3/29/18



PIMA COUNTY
DEVELOPMENT SERVICES

TO: Honorable Board of Supervisors

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

DATE: March 26, 2018

SUBJECT: P17TA00006 HISTORIC LANDMARK ZONE/HISTORIC ZONE

The above referenced Zoning Code Text Amendment is scheduled for the Board of Supervisors' **TUESDAY, APRIL 17, 2018** hearing.

REQUEST: Proposal for a **text amendment of the Pima County Zoning Code**. Chapter 18.63 Historic Zone of the zoning code currently has one historic overlay zone that applies to large historic areas. This text amendment would add a new type of historic overlay zone called "Historic Landmark Zone (HLZ)" which would typically apply to individual lots with unique historic significance.

OWNER: N/A

APPLICANT: Pima County Development Services Department

DISTRICTS: ALL

STAFF CONTACT: Chris Poirier / Janet Emel

PUBLIC COMMENT TO DATE: As of March 26, 2018, staff has received no public comments.

PLANNING AND ZONING COMMISSION RECOMMENDATION: **APPROVAL** (6 – 0, Commissioners Bain, Becker, Gungle and Matter were absent).

STAFF RECOMMENDATION: **APPROVAL.**

TD/JE/ar
Attachments



PIMA COUNTY

DEVELOPMENT SERVICES

BOARD OF SUPERVISORS MEMORANDUM

Subject: P17TA00006

Page 1 of 2

FOR APRIL 17, 2018 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

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

DATE: March 26, 2017

ADVERTISED ITEM FOR PUBLIC HEARING

ZONING CODE TEXT AMENDMENT

P17TA00006 HISTORIC LANDMARK ZONE/HISTORIC ZONE

An ordinance of the Pima County Board of Supervisors relating to zoning; amending Chapter 18.05 (Zones, Maps, and Boundaries) Section 18.05.010 (Zones) to add the Historic Landmark Zone (HL) and to rename "Historic Zone H-1" and "Historic Zone H-2" to "Historic District Zone H-1" and "Historic District Zone H-2"; amending Chapter 18.63 (Historic Zone) Section 18.63.010 (Purpose and intent) to clarify the purpose and intent of the chapter and to encourage the preservation and rehabilitation of designated historic resources; amending Section 18.63.020 (Use and special exception) to add the "Historic Landmark Zone" as a new overlay zone to protect individual historic sites; amending Section 18.63.030 (Definitions) to define "Historic Zone" and "Historic Landmark Zone (HL)" and amend the definition of "Historic District Zone (H)"; amending Section 18.63.040 (Criteria) to add criteria for the designation of a "Historic Landmark Zone"; amending Section 18.63.050 (Establishment) to add the process for applying for, initiating and establishing a "Historic Landmark Zone" and renumbering the existing "Historic District Zone" establishment process; amending Section 18.63.060 (Historic district advisory boards) to specify the existing advisory board process applies only to the "Historic District Zone"; amending Section 18.63.070 (Development zone/criteria for new construction or alterations) to specify that the existing "development zone" requirements apply to the "Historic District Zone"; amending 18.63.070(B) to state that there is no separate "development zone" for the "Historic Landmark Zone", and moving Historic District Zone criteria for "new construction or alterations" from Section 18.63.070(B) to Section 18.63.080(A), and renumbering accordingly; amending Section 18.63.080 (Design plan requirements and review procedures) to combine the criteria, submittal, and review processes for "new construction or alterations" for both the "Historic District Zone"

and the "Historic Landmark Zone" into one section by moving Historic District Zone criteria for "new construction or alterations" to Section 18.63.080(A) and renumbering accordingly, and adding criteria for Historic Landmark Zone for "new construction and alterations"; amending Section 18.63.090 (Demolition of historic structures) to add a new application and review process for the demolition of designated "Historic Landmark Zone" historic resources and renumbering accordingly; and, amending Chapter 18.101 (Administrators) Section 18.101.030 (Planning and zoning commission) to add the establishment, alteration, and demolition processes for the "Historic Landmark Zone" to the powers and duties of the commission. On motion, the Planning and Zoning Commission voted 6-0 to recommend **APPROVAL** (Commissioners Bain, Becker, Gungle, and Matter were absent). Staff recommends **APPROVAL**.
(ALL DISTRICTS)

Planning and Zoning Commission Public Hearing Summary (February 28, 2018)

The Planning Official provided a summary of the staff report to the commission with a recommendation of approval of the text amendment.

The commission had no questions.

The public hearing was closed.

Commissioner Hook made a motion to **APPROVE** the text amendment. Commissioner Tronsdal gave second to the motion.

The commission voted to **APPROVE** the text amendment (6 – 0, Commissioners Bain, Becker, Gungle and Matter were absent).

TD/JE/ar
Attachments

cc: Tom Drzazgowski, Principal Planner
P17TA00006 File



PIMA COUNTY

DEVELOPMENT SERVICES

DATE: February 12, 2018
TO: Chair and Members of the Planning and Zoning Commission
FROM: Chris Poirier, Planning Official
SUBJECT: Request for Zoning Code Text Amendment Initiation #2

Staff requests that the Planning and Zoning Commission initiate nine additional revisions to Chapter 18.63 Historic Zone of the Pima County Zoning Code. These revisions are in addition to the original initiation approved by the Commission on August 30, 2017 (see attached memorandum and initiation summary).

The additional revisions are:

1. Add the proposed "Historic Landmark Zone" (renamed from the previous initiation) to Chapter 18.63 Historic Zone;
2. Rename the existing "Historic Zone" to "Historic District Zone";
3. Revise the "Purpose" and "Intent" statements applicable to both the existing "Historic District Zone" and the proposed "Historic Landmark Zone";
4. Add the processes and criteria for requesting to designate, alter, or demolish within a Historic Landmark Zone;
5. Specify the existing advisory board process applies only to the existing "Historic District Zone";
6. Specify the existing "development zone" effectively applies only to the "Historic District Zone";
7. Amend the related Chapter 18.05 Zones, Maps, and Boundaries to add the "Historic Landmark Zone" as a new zone;
8. Amend the related Chapter 18.101 Administrators to add the review and designation of a "Historic Landmark Zone" to the role of the Planning and Zoning Commission;
9. Reorganize the chapter and renumber as necessary.

On August 30, 2017 the Planning and Zoning Commission initiated revisions to Ch. 18.63 Historic Zone to add a new type of historic overlay zone "Historic Landmark Zone" which would apply to an individual site with historic resources. An example of a potential "Historic Landmark Zone" would be an individual residence with unique historical architectural value. The current "Historic Zone" is an overlay zone that applies to larger areas of contiguous properties or a district. The two types of zones would also differ in their processes. Designating a "Historic Landmark Zone" would be voluntary by the property owner and would not include surrounding properties.

The zoning code states the Board of Supervisors or the Planning and Zoning Commission is responsible for the initiation of code amendments. If the Commission votes to initiate the text amendment, staff is prepared to present an ordinance for review at this same hearing.

CODE TEXT AMENDMENT FOR INITIATION

INITIATION OF ZONING CODE TEXT AMENDMENT – CHAPTER 18.63 HISTORIC ZONE (#2)

STAFF REQUESTS THAT THE PLANNING AND ZONING COMMISSION AUTHORIZE AND INITIATE REVISIONS TO THE PIMA COUNTY ZONING CODE CHAPTER 18.63 HISTORIC ZONE TO ADD THE "HISTORIC LANDMARK ZONE"; TO REVISE THE PURPOSE AND INTENT STATEMENTS APPLICABLE TO BOTH THE "HISTORIC DISTRICT ZONE" AND THE "HISTORIC LANDMARK ZONE"; TO ADD THE "HISTORIC LANDMARK ZONE" AS A NEW ZONE TO CHAPTER 18.05 ZONES, MAPS, AND BOUNDARIES; TO RENAME THE "HISTORIC ZONE" TO "HISTORIC DISTRICT ZONE"; TO ADD THE PROCESSES, INCLUDING CRITERIA, FOR REQUESTING TO DESIGNATE, ALTER, OR DEMOLISH WITHIN A "HISTORIC LANDMARK ZONE"; TO REORGANIZE THE CHAPTER AND RENUMBER AS NECESSARY; TO SPECIFY THE EXISTING ADVISORY BOARD PROCESS APPLIES ONLY TO THE "HISTORIC DISTRICT ZONE"; TO SPECIFY THE EXISTING DEVELOPMENT ZONE EFFECTIVELY APPLIES ONLY TO THE "HISTORIC DISTRICT ZONE"; AND TO AMEND THE RELATED CHAPTER 18.101 ADMINISTRATORS TO ADD THE REVIEW AND DESIGNATION OF A "HISTORIC LANDMARK ZONE" TO THE DUTIES OF THE PLANNING AND ZONING COMMISSION. SECTION 18.01.070(B)(1) OF THE PIMA COUNTY ZONING CODE STATES THE BOARD OF SUPERVISORS OR THE PLANNING AND ZONING COMMISSION IS RESPONSIBLE FOR THE INITIATION OF CODE AMENDMENTS.

**PIMA COUNTY**

DEVELOPMENT SERVICES

DATE: August 9, 2017

TO: Chair and Members of the Planning and Zoning Commission

FROM: Chris Poirier, Planning Official

SUBJECT: Request for Zoning Code Text Amendment Initiation

Staff requests that the Planning and Zoning Commission initiate revisions to the Pima County Zoning Code Chapter 18.63 Historic Zone to add provisions allowing the category of "Individual Historic Zone" for a single property or combination of limited adjacent properties that are historically connected which contain a historic building(s), site(s), structure(s), object(s), landscape(s), or space(s) in their original setting.

Background:

The Historic Zone chapter of the zoning code is an overlay zone currently set-up to regulate an area of the county with distinct historic characteristics, i.e. an *historic district zone*. An historic district advisory board is established for each proposed district. A development zone is also established that can include non-historic areas in the environs for which development criteria for new construction or alterations apply. For example, the San Xavier Historic District Zone pertains to the historic San Xavier Mission which for which an area within 1.5 miles is subject to specific zoning regulations dependent on concentric proximity to the mission site.

The proposed *individual historic zone* would only apply to the site(s) of historic designation and would not apply development criteria for new construction or alterations beyond the historic designated area. An example of an *individual historic zone* site could typically be a building that would qualify for historic designation for which the owner desires to be preserved through time. The building may be a fine example of a type of architecture as is the San Xavier Mission, but may not otherwise have other historic associations, unlike the mission, which would justify the need for sensitive development regulation beyond the site of the building. Also, the neighborhood in which the building exists may not otherwise feature buildings of historic quality. The building in question may be a "one-off". There would be no need for an advisory board for the site; and the historic nature of the building would not warrant imposition of development criteria beyond its site.

The zoning code states the Board of Supervisors or the Planning and Zoning Commission is responsible for the initiation of code amendments. If the Commission votes to initiate the text amendment, staff shall present an ordinance for review at an upcoming hearing.

CODE TEXT AMENDMENT FOR INITIATION

INITIATION OF ZONING CODE TEXT AMENDMENT – CHAPTER 18.63 HISTORIC ZONE

STAFF REQUESTS THAT THE PLANNING AND ZONING COMMISSION AUTHORIZE AND INITIATE REVISIONS TO THE PIMA COUNTY ZONING CODE CHAPTER 18.63 HISTORIC ZONE TO ADD PROVISIONS FOR "INDIVIDUAL HISTORIC ZONE" FOR A SINGLE PROPERTY OR COMBINATION OF LIMITED ADJACENT PROPERTIES THAT ARE HISTORICALLY CONNECTED WHICH CONTAIN A HISTORIC BUILDING(S), SITE(S), STRUCTURE(S), OBJECT(S), LANDSCAPE(S), OR SPACE(S) IN THEIR ORIGINAL SETTING. SECTION 18.01.070(B)(1) OF THE PIMA COUNTY ZONING CODE STATES THE BOARD OF SUPERVISORS OR THE PLANNING AND ZONING COMMISSION IS RESPONSIBLE FOR THE INITIATION OF CODE AMENDMENTS.

**PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION
STAFF REPORT TO THE PLANNING AND ZONING COMMISSION**

**PUBLIC HEARING
February 28, 2018**

P17TA00006 HISTORIC ZONE - ZONING CODE TEXT AMENDMENT

STATUS / AGENDA ITEMS Planning and Zoning Commission Public Hearing
Zoning Code Text Amendment

REQUEST Proposal by Pima County to amend Chapter 18.63 Historic Zone to add a new type of historic overlay zone called "Historic Landmark Zone" to preserve individual sites with historic value. To add a process for designating a site as a "Historic Landmark Zone". Designation would be voluntary by the property owner. To add processes to request to alter or demolish within a designated "Historic Landmark Zone". (All Districts)

INITIATION Planning and Zoning Commission (August 30, 2017 and February 28, 2018)

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the proposed revisions to Chapter 18.63 (Historic Zone) and to the related Chapter 18.05 (Zones, Maps, and Boundaries) and Chapter 18.101 (Administrators).

This text amendment would add a second type of historic overlay zone called a "Historic Landmark Zone" (HLZ) intended to protect individual historic sites. The purpose of the existing historic zone is to protect large areas of contiguous properties. An example of a HLZ could be a Joesler-designed home on an individual lot in the foothills. As proposed by this text amendment, requests to designate a site as a HLZ would be voluntary by the property owner, and if approved would run with the land for future owners. Designating an individual site as a HLZ would not affect the rights of surrounding properties.

A key criteria for HLZ designation would be historic resources that are individually listed or individually eligible for listing on the National Register of Historic Places at the local, state, or national level. This text amendment provides processes to request to designate a site as a HLZ, to request to make alterations, and to request to do demolition within a HLZ site. As proposed, throughout the processes, the Development Services Department and the Cultural Resources and Historic Preservation Division of the Office of Sustainability and Conservation would coordinate their reviews and recommendations. Since it would be an overlay zone, the public review and hearing processes for designating a HLZ site or making alterations or demolishing within a HLZ would be similar to a rezoning, except additional review by a historical commission is required.

The text amendment would also revise the related Sections 18.05.010 (Zones) and 18.101.030 (Planning and zoning commission) to add the new HLZ to the list of zone categories and to add the initiation and review of a HLZ to the powers and duties of the commission.

BACKGROUND

This text amendment is the first phase of a two-part effort to revise and update Chapter 18.63 Historic Zone. The idea for the text amendment was brought to staff by Demion Clinco - a local historical preservation expert and the text amendment is based on a similar concept used by the City of Tucson. Throughout the preparation of this text amendment, staff has been working with Mr. Clinco and with the Cultural Resources and Historic Preservation Division of the Pima County Office of Sustainability and Conservation.

With the exception of relatively minor revisions made in 2011 (correcting references to the Outdoor Lighting Code), Chapter 18.63 Historic Zone has not been amended since 1985. This text amendment, which is Phase 1, creates the "Historic Landmark Zone" (HLZ) and its related processes, mostly leaving the existing "Historic District Zone" as it is written. Phase 2 will be a larger, overall effort later this year to revise the remainder of the chapter (mainly the Historic District Zone) to be led primarily by the Cultural Resources and Historic Preservation Division of the Pima County Office of Sustainability and Conservation. Revisions approved in Phase 1 would be carried forward with the Phase 2 changes (although some fine tuning is possible).

As proposed, this text amendment (Phase 1) makes the following changes:

- Adds the new "Historic Landmark Zone" (HLZ), an overlay zone (meaning the underlying zone is not changed) which would apply to individual historic sites or resources. Designation of a property as a HLZ would be voluntary on the part of the owner.
- Enhances the purpose and intent statements applicable to both the HLZ and the existing "Historic District Zone".
- Adds the submittal, review, and public hearing processes for designating, altering, and demolishing within a HLZ. The processes require coordination between the Development Services Department and the Cultural Resources and Historic Preservation Division of the Pima County Office of Sustainability and Conservation. The processes generally follow the public hearing process for rezoning requests and include submission of a site plan, provision of evidence of historical value, and staff and public review processes.
- Revises terminology for consistency and standardizes processes for clarity. For example, the list of "a site, building, structure, object, man-made landscape, archaeological resources or space" (Section 18.63.040(A)) has been revised for consistency with the list found elsewhere in the chapter (Section 18.63.040 (B)(2)(b)). The formats of the three processes – designation of, alteration or demolition within a HLZ - have been standardized for clarity. Formatting and clarification revisions to the existing Historic District Zone will likely occur in Phase II. The necessary reformatting and renumbering of subsections for now has been done.
- Addresses most of the main features of the City of Tucson's historic landmark code. Review comments from City of Tucson historical preservation staff have been integrated into this text amendment. A few other issues addressed in the City's historic regulations are not appropriate for the County to amend due to limited state authority (i.e. special fines).

As proposed, certain features of the existing "Historic District Zone" such as "Advisory Boards" and "Development Zones" would not apply to the new HLZ. These elements will likely be further addressed in Phase 2. Deleting the Ft. Lowell Historic District Zone due to annexation will be addressed in Phase 2. The identity, parameters and departmental responsibilities of the added "historical commission" (referenced in Sections 18.63.050(B)(3), 18.63.090(B)(3), and 18.63.090(B)(5) and (6)) will be detailed before it is to be codified in Phase II. In the meantime in practice, however, the plans review subcommittee of the existing Tucson-Pima County Historical Commission will act in this role.

The proposed text amendment is consistent with several goals, policies, and implementation measures of the Pima County Comprehensive Plan including:

3.1 Land Use Element

3.2 Focused Development Investment Areas Element

Goal 1: Balance growth management strategies, economic development, conservation, community integrity and efficient use of services and infrastructure

Policy 1: Promote efficient growth in urban, suburban and rural areas compatible with each area's specific scale, character and identity in areas where infrastructure is planned or in place.

Goal 1 Implementation Measures:

a. In conjunction with stakeholders, update guidelines, standards and regulations to eliminate barriers and: 10) Support the unique regional identity, Sonoran Desert setting and the diverse arts, cultural, ethnic, geographic and historic characteristics that make Pima County a world destination...

Goal 2: Improve the quality of life of County residents through revitalization and redevelopment efforts

Policy 2: Encourage the reuse of historic or otherwise unique or significant buildings.

3.6 Cultural Resources Element

Goal 1: Conserve and protect cultural resources

Policy 1: Encourage the conservation, preservation and protection of the non-renewable and irreplaceable cultural resources that are significant to our region, our collective identity and our sense of place.

Policy 8: Avoid impacts to cultural resources...

Policy 9: Encourage in-place protection of cultural resources as a part of land use planning.

Policy 15: Continue to strengthen outreach partnerships with public agencies and volunteer organizations whose goals and objectives promote preservation of cultural resources.

Policy 17: Whenever possible, support adaptive use, or re-use, of historic resources, buildings, and structures over demolition or significant alteration of the resource.

4.3 Energy Element

Goal 2: Ensure that infrastructure, facilities and services planning is sensitive in character and location with historic resources and environment (*Staff note: The HLZ will help reveal existing historic resources*)

Policy 1: Coordinate with utility companies and other public service providers when planning infrastructure, facilities and services to facilitate that infrastructure and facility construction is sensitive in design and location to environmental and historic resources.

Goal 2 Implementation Measure: a. Coordinate with utility companies and infrastructure providers to facilitate design integrity with its surroundings.

6.6 Art Districts as Tools for Economic Development

Goal 2: Capitalize on the market potential of the region as a destination by supporting entertainment for residents and visitors

Policy 2: Support the digital, media, performing arts, and film industries which utilize existing community attributes: weather, population diversity, variety of architecture, urban, rural, and desert settings.

.....

Stakeholder and Consultant Review

Staff distributed the text amendment to the standard list of stakeholders who regularly review text amendments plus the Tucson-Pima County Historical Commission, the Tucson Preservation Foundation, and several major homeowners associations. To date, staff has received comments from the City of Tucson historic preservation staff and were able to incorporate those changes. No other comments have been received to date.

Public Comment

As of the writing of this report, staff has not received any comments.

Respectively Submitted,



Janet Emel, Development Services Department

Attachment A

Explanation of Text Amendment Changes below (Red)

SECTION 1. Pima County Zoning Code Chapter 18.05 – Zones, is amended as follows:

Chapter 18.05

ZONES, MAPS AND BOUNDARIESSections:

18.05.010 - Zones.

- A. Establishment. For the purpose of this code, the following types of zones are hereby established:

1. Rural:	IR	Institutional reserve zone;
	RH	Rural homestead zone;
	GR-1	Rural residential zone;
	SR	Suburban ranch zone;
	SR-2	Suburban ranch estate zone;
2. Residential:	SH	Suburban homestead zone;
	TH	Trailer homesite zone;
	ML	Mount Lemmon zone;
	CR-1	Single residence zone;
	CR-2	Single residence zone;
	CR-3	Single residence zone;
	CR-4	Mixed-dwelling type zone;
	CR-5	Multiple residence zone;
	TR	Transitional zone;
	CMH-1	County manufactured and mobile home-1 zone;
	CMH-2	County manufactured and mobile home-2 zone;
3. Businesses:	MR	Major resort zone;
	RVC	Rural village center zone;
	CB-1	Local business zone;
	CB-2	General business zone;
4. Industrial:	MU	Multiple use zone;
	CPI	Campus Park industrial zone;
	CI-1	Light industrial/ware-housing zone;
	CI-2	General industrial zone;
5. Overlay:	CI-3	Heavy industrial zone;
	AE	Airport environs and facilities;
	BZ	Buffer overlay zone;
	GC	Golf course zone;
	GZ-1	Gateway overlay zone — urban
	GZ-2	Gateway overlay zone — public preserve
	H-1	Historic <u>district</u> zone-1
H-2	Historic <u>district</u> zone-2;	
	<u>HL-</u>	<u>Historic landmark zone-</u>
	HD	Hillside development zone;
6. Specific plan zones.		

Corrected zone name & added new zone

B. Restrictiveness. The following zones are given the following values, from most to least restrictive:

IR	Institutional reserve zone;
GC SR	Golf course zone; Suburban ranch zone;
RH SR-2	Rural homestead zone; Suburban ranch estate zone;
CR-1 ML	Single residence zone; Mount Lemmon zone;
GR-1	Rural residential zone;
CR-2	Single residence zone;
CR-3	Single residence zone;

SH	Suburban homestead zone;
CR-4	Mixed-dwelling type zone;
CR-5	Multiple residence zone;
CMH-1	County manufactured and mobile home-1 zone;
CMH-2	County manufactured and mobile home-2 zone;
TR	Transitional zone;
TH	Trailer homesite zone;
MR	Major resort zone;
RVC	Rural village center zone;
CB-1	Local business zone;
CB-2	General business zone;
MU CPI	Multiple use zone; Campus Park industrial zone;
CI-1	Light industrial/warehousing zone;
CI-2	General industrial zone;
CI-3	Heavy industrial zone;
SP	Specific plan zones.

C. Zones Without Values of Restriction. The following zones are not given values of restrictiveness:

AE	Airport environs and facilities;
BZ	Buffer overlay zone;
H-1	Historic <u>district</u> zone-1;
H-2	Historic <u>district</u> zone-2;
<u>HL-</u>	<u>Historic landmark zone-</u>
HD	Hillside development zone.

...

SECTION 2. Pima County Zoning Code Chapter 18.63 Historic Zone is amended as follows:

**Chapter 18.63
HISTORIC ZONE**

Chapter 18.63 - HISTORIC ZONE

Sections:

18.63.010 - Purpose and intent.

A. Purpose. The purpose of this zone is to:

1. Promote the health, education, culture, and general welfare of the community;

Amended
"Purpose"

2. Insure the harmonious growth and development of Pima County, by encouraging the preservation and rehabilitation of historic sites, buildings, and structures, objects, districts, cultural and man-made landscapes, and archaeological sites located within historic zones; and
3. Protect and perpetuate the unique character of a geographic site or district where existing historic sites, objects, architecture, archaeological remains, or other tangible records of past eras can be of enduring value to the people of the county in advancing education, general welfare, civic pride, and appreciation of their cultural heritage.

Amended "Intent"

B. Intent.

1. This zone is intended to ensure the preservation of significant historic and archaeological resources, and to keep them in active use or managed and in their original historic appearances, settings, and locations; preserve property values, provide for future development, and promote an awareness of Pima County's rich historical, architectural, and archaeological landmarks among residents and visitors to the community.
2. It is also intended that all new or remodeled structures, located within historic zones, as well as new roadways or other topographical changes, either within or at the perimeter of an historic district zone, be designed and constructed to harmonize with the structures located within their immediate vicinity.

18.63.020 - Use and special exception.

A. Use.

1. The historic district zone and historic landmark zone ~~is~~ are superimposed over the existing zones.
2. ~~It does~~ The historic district zone and historic landmark zone do not modify the uses permitted in the underlying zones, but controls their implementation to:
 - a. Insure harmonious growth and development;
 - b. Prevent dilution of the ~~district's~~ zones' historic integrity; and
 - c. Encourage the retention of early structures in their original appearance and setting.

B. Special Exception. The provisions of this Chapter, with the exception of Section 18.63.100, shall not apply to the San Xavier environs historic district (H-1) zone.

18.63.030 - Definitions.

A. For purposes of this chapter, unless the context otherwise requires, the following words and phrases shall have the following meanings:

1. Historic Zone. An overlay zone that can be either a historic district zone or historic landmark zone established by this chapter.
42. Historic dDistrict Zone (H). A geographically definite defined area, formally designated by the board of supervisors, which contains related historic sites, buildings, structures, or objects, archaeological sites, man-made landscapes, or spaces in their original setting.
3. Historic Landmark Zone (HL). A single property or site, formally designated by the board of supervisors, which contains one or more historic sites, buildings, structures, objects, man-made landscapes, or spaces in their original setting.

Added new definition to reflect new "Historic Landmark Zone"

18.63.040 - Criteria.

A. Criteria for Historic Designation. A site, building, structure, object, man-made landscape, archaeological resource, or space is subject to designation as historic, if it can:

1. Be authenticated as dating from a particular significant period in Pima County's history; or
2. Be associated with the lives of outstanding historical personages; or
3. Be associated with significant events or occurrences; or
4. Be a good example of the architectural period in which it was built and have distinguishing characteristics of an architectural style, method of construction, or be the notable work of a master builder, designer or architect; or
5. Contribute information of archaeological, historical, cultural, or social importance relating to the heritage of the community; or
6. Relate to events, personages or architectural styles which are at least fifty years old. However, outstanding examples less than fifty years should be evaluated on their own merits.

Revised for consistency

B. Criteria for Establishing Historic District Zones.

1. In determining whether an area or district shall be established as an historic district zone, the criteria of this subsection shall be applied.
2. Not all of the criteria need to be satisfied; however, a sufficient number of the criteria should be satisfied to comply with the purpose and intent of this chapter:

- a. An historic district zone should include historic sites, buildings, structures, objects, man-made landscapes, or spaces.
- b. An historic district zone should include sites, buildings, structures, objects, man-made landscapes, or spaces in their original setting which contribute to an understanding of the heritage of the community.
- c. The sites, buildings, structures, objects, man-made landscapes, or spaces should provide the area with a sense of uniqueness, so that it is readily distinguishable from other areas of the community.
- d. The collection of sites, buildings, structures, objects, man-made landscapes, or spaces should possess integrity of location, design, setting, materials, workmanship, feeling, and association, thus constituting a recognizable entity.

Added criteria for designating a Historic Landmark Zone



C. Criteria for Establishing Historic Landmark Zones. In determining whether a single property or site shall be established as a historic landmark zone, the criteria shall include historic sites, historic buildings, or historic structures which are individually listed or individually eligible for listing in the National Register of Historic Places at the local, state, or national level of significance and meet one or more of the criteria of subsections 18.63.040(A) and (B).

18.63.050 - Establishment.

A. Historic District Zone.

Renumbering due to new zone



- A1. Initiation. An historic district zone may be initiated by:
 - 4a. Application of owners of not less than fifty-one percent of the area of the proposed zone; or
 - 2b. The planning and zoning commission.
- B2. Historic District Advisory Board. Advisory boards shall be created in accordance with Section 18.63.060.
- C3. Public Notice and Hearing Requirements.
 - 4a. Public notice of the hearing before the commission and the board of supervisors shall be given as required in Section 18.91.060B (Rezoning); ~~and~~
 - 2b. No site, building, structure, object, man-made landscape, or space shall be designated historic without notice to the owner and occupant of the premises; and

3c. At the public hearing for the establishment of an historic district zone, the residents and property owners of the subject area, the historic district advisory board, as well as interested citizens and organizations shall be heard.

D4. Public Hearing by the Planning and Zoning Commission.

4a. The planning and zoning commission shall hold a public hearing on the proposed boundaries of the historic district zone and its buffer zone, as well as the sites, buildings, structures, objects, man-made landscapes, and spaces that are to be designated historic.

2b. Within sixty days after the close of the hearing, the commission shall forward its recommendations for the proposed historic district zone to the board of supervisors with pertinent information, including a survey of all sites, buildings, structures, objects, man-made landscapes, and spaces designated as historic.

E5. Public Hearing by the board of supervisors. Within thirty days after receiving the commission's recommendation, the board of supervisors shall set a date for its public hearing on the proposed zone.

Added process for designating a "Historic Landmark Zone"



B. Historic Landmark Zone.

Submittal is voluntary by property owner



1. Initiation/application. An application for designation of a Historic Landmark Zone may be initiated by the owners of the property, or by the Planning and Zoning Commission with the consent of the owners, by submitting a Historic Landmark Zone application to the Development Services Department and complying with the provisions of this subsection.

2. Criteria. Refer to Section 18.63.040 (Criteria).

3. Preliminary review. Prior to submittal, the applicant shall obtain a recommendation from a plans review subcommittee of a historical commission which shall be submitted with their application. The applicant may consult with the staff of the Development Services Department and the Office of Sustainability and Conservation – Cultural Resources and Historic Preservation Division concerning submittal requirements.

4. Submittal requirements. The application shall include:

a. Legal description of the property;

b. A list by name and title, of all ownership interests in the property (e.g., individual, corporation, trust or limited partnership);

c. Letter of authorization for an agent;

Requires basic submittal

d. Site plan. The base site plan shall be drawn to scale and shall provide the following information where applicable:

- 1) The layout and elevation of all structures and other improvements, including where appropriate, driveways, and pedestrianways;
- 2) Existing significant landscape features and proposed landscaped areas, fences, walls;
- 3) The location of property lines and public rights-of-way;
- 4) Specifications as to type, color, and texture of exterior surfaces of structures;
- 5) If applicable, a sign plan, drawn to scale, showing the location, size, design, material, color, lettering and methods of attachment and illumination of all exterior signs; and,
- 6) Any additional information deemed necessary by the Development Services Department or the Cultural Resources and Historic Preservation Division of the Pima County Office of Sustainability and Conservation to properly review the site plan.

e. A completed National Register of Historic Places form, or National Register nomination, or a State of Arizona Historic Property Inventory Form;

f. Other evidence a property has historic significance meeting the purpose, intent, and criteria of this chapter which may include a description of the historic resources, a recommendation of approval from a plans review subcommittee of a historical commission, a statement of significance, photographs, site plans, and other forms of information; and,

g. Most recent (available) aerial and elevation photos.

5. Public notice, Planning and Zoning Commission and Board of Supervisors hearings. The submittal shall be reviewed by the Development Services Department and the Office of Sustainability and Conservation – Cultural Resources and Historic Preservation Division. Once determined complete, staff shall schedule the request for public hearing before the Planning and Zoning Commission and Board of Supervisors. The public review, notice and comments shall be consistent with Sections 18.91.060(B) and (C), 18.91.070, 18.91.080, as applicable, of the rezoning process except as modified by the requirements outlined in this chapter. Conditions are not required. The submittal materials, staff and historical commission

The Development Services Department will take the submittal in & guide the request through the process but the historic preservation staff from the Office of Sustainability and Conservation (OSC) will help review each submittal and make a recommendation

Review and hearing processes similar to rezonings

reviews, recommendations, and comments shall be transmitted to the Planning and Zoning Commission and the Board of Supervisors.

6. Staff report. The Development Services Department shall coordinate with the Cultural Resources and Historic Preservation Division of the Pima County Office of Sustainability and Conservation to provide a written review, analysis, and recommendation on the designation of the property as a Historic Landmark Zone based on the criteria established in this chapter. The staff report may include additional considerations such as land use impacts, as applicable.

18.63.060 - Historic district zone advisory boards.

A. Initiation and Establishment.

1. Applicants for each proposed historic district zone may submit to the planning and zoning commission a list of persons whom they recommend to be appointed to the historic district advisory board.
2. A separate advisory board shall be established for each proposed historic district zone.
3. The commission shall recommend to the board of supervisors for appointment at least six members from the list submitted by the applicants, and may recommend others.
4. The supervisors shall establish the advisory board and appoint its members.
5. Vacancies may be filled in the same manner.

B. Composition.

1. One-third of those recommended and appointed shall be residents of the district;
2. One-third shall be real property owners within the district; and
3. One-third shall have special qualifications in architecture, history archaeology, land use planning, landscape architecture, or related fields.

C. Rules and Regulations.

1. The members of the advisory board shall receive no compensation and shall serve at the will of the board of supervisors.
2. The advisory boards may adopt rules and regulations for carrying on their assigned duties.

Advisory boards do not apply to "Historic Landmark Zones" and will likely be addressed in Phase 2

D. Duties.

1. The historic district advisory board designated for a proposed historic district zone shall review the applications for that district and assist the planning and zoning commission in designating the boundaries of the proposed district and in selecting the sites, buildings, structures, objects, man-made landscapes, and spaces which are to be designated as historic.
2. The advisory board shall also review applications involving the erection or construction of a new building or structure, or the modification, addition, alteration, moving, or demolition of existing structures, objects, or landscapes located within the historic district zone.
3. It is intended that the advisory board continue to function after the establishment of the related historic district zone in order to:
 - a. Review applications for building permits therein;
 - b. Monitor the building process in order to assure that the external architectural character of the historic district is maintained as approved;
 - c. Maintain an inventory record of the historic district zone;
 - d. Formulate plans for the district's future; and
 - e. Keep the residents advised.

A separate section (18.63.080) created for the New Construction or Alterations process

18.63.070 – Development zones/~~criteria for new construction or alterations.~~

A. Historic District Development Zones. Development zone means a certain designated area around a lot, any part of which is being considered within an historic district zone, as follows:

1. Where a lot is located in a rural or semi-rural historic district zone in which structures are randomly and widely spaced and streets are few or nonexistent, the development zone shall be the entire historic district zone;
2. Where a lot is located adjacent to an historic district zone boundary, the development zone shall include that lot, all lots located within the same block not to exceed six hundred feet in either direction, and those lots located on the opposite side of any street adjoining the same block, as well as those lots located on the opposite corners, except such portions of the development zone which fall outside the boundary of the historic district zone;
3. Where a lot is an interior lot, the development zone includes that lot, plus those lots on either side thereof fronting on the same street in the same block not to exceed six hundred feet in either direction and all those lots on

Development zones which affect properties surrounding the historic site only apply to "Historic District Zones" not to "Historic Landmark Zones"

the opposite side of said street, except such portions of the development zone which fall outside the boundaries of the historic district zone;

4. Where a lot is a corner lot, the development zone includes that lot, plus the corner lot diagonally opposite thereto, plus all lots fronting on the same two streets in the same block not to exceed six hundred feet in either direction, and all lots on the opposite side of said street, except those portions of the development zone which fall outside the boundary of the historic district zone.

This same text moved to pg. 14
Section 18.63.080

~~B. Design Criteria.~~

- ~~1. The creation or construction of new buildings or structures, or the redesigning, remodeling or modification, addition, alteration, moving or demolition of existing structures in historic district zones shall comply with the provisions of this subsection.~~

~~2. Criteria.~~

- ~~a. The historical and architectural characteristics of an historic structure, object, or man-made landscape which make it unique shall be properly preserved and any changes shall generally conform to the character of the structures, objects, and man-made landscapes located within its development zone.~~
- ~~b. No specific architectural style shall be required for the design of a new building or other structures that have not been designated as historic. However, such buildings and structures are subject to the following:~~
 - ~~1) The design of the structure shall generally conform to the character of the buildings and structures located within its development zone;~~
 - ~~2) If demolished and the area left vacant, the area shall be maintained in a clean and inoffensive manner;~~
 - ~~3) If demolished and the area converted to another use not requiring buildings (such as a parking lot), the area shall be buffered by landscaping or have walls or fences that conform to the character of the other buildings and structures located within its development zone;~~
 - ~~4) If demolished and new structures erected, they shall generally conform to the character of the buildings located within their development zone.~~

B. Historic Landmark Development Zones. The development zone is equivalent to the designated Historic Landmark Zone.

Meaning there is no "development zone" outside of the actual "Historic Landmark Zone" property

~~C. Building Permit Criteria.~~

- ~~1. The criteria of this subsection (which are exemplified in the report, Tucson's Historic Districts: Criteria for Preservation and Development, latest edition) shall be used as a guide in approving a building permit and determining if the design of a proposed structure~~

This section moved to pg. 14 Section 18.63.080

~~is compatible with the collective characteristics of the buildings or structures located within its development zone.~~

~~2. Criteria.~~

- ~~a. Height. New structures may be constructed no higher than the tallest conforming building located within their development zone at the time of the establishment of the historic district zone;~~
- ~~b. Setbacks. New structures must maintain the prevailing setback existing within its development zone at the time of the establishment of the historic zone;~~
- ~~c. Proportion. The relationship between the height and width of the front elevation of the building;~~
- ~~d. Recurrent alteration of solids to voids in the front facade;~~
- ~~e. Roof types;~~
- ~~f. Surface texture of buildings;~~
- ~~g. Color of buildings, trim, roof, etc.;~~
- ~~h. Site utilization. The width of side yards as it affects the spacing between individual buildings and structures;~~
- ~~i. Projections and recessions. Such as but not limited to the presence or absence of porches, steps, awnings, and overhangs;~~
- ~~j. Architectural details. Such as but not limited to cornices, lintels, arches, grill work, and shutters.~~

~~3. Other pertinent factors generally affecting the appearance, harmony and efficient functioning of the historic district zone may be used.~~

~~D. Additional Criteria.~~

~~1. The protection of the quality of uniqueness inherent in each historic district may require additional provisions and criteria.~~

Section 18.63.080 for New Construction or Alterations process

~~Such provisions and criteria may be adopted by the board of supervisors, on recommendation by the planning and zoning commission, following public hearings as set forth in Section 18.63.050C through E. 18.63.080 – Design plan requirements and review procedures. New construction or alterations.~~

A. Historic District Zone new construction or alterations.

1. The creation or construction of new buildings or structures, or the redesigning, remodeling or modification, addition, alteration, moving or

This is existing text, just moved

demolition of existing structures in historic district zones shall comply with the provisions of this subsection.

2. Design criteria.

a. The historical and architectural characteristics of an historic structure, object, or man-made landscape which make it unique shall be properly preserved and any changes shall generally conform to the character of the structures, objects, and man-made landscapes located within its development zone.

b. No specific architectural style shall be required for the design of a new building or other structures that have not been designated as historic. However, such buildings and structures are subject to the following:

1) The design of the structure shall generally conform to the character of the buildings and structures located within its development zone;

2) If demolished and the area left vacant, the area shall be maintained in a clean and inoffensive manner;

3) If demolished and the area converted to another use not requiring buildings (such as a parking lot), the area shall be buffered by landscaping or have walls or fences that conform to the character of the other buildings and structures located within its development zone;

4) If demolished and new structures erected, they shall generally conform to the character of the buildings located within their development zone.

3. Building Permit Criteria.

a. The criteria of this subsection (which are exemplified in the report, Tucson's Historic Districts: Criteria for Preservation and Development, latest edition) shall be used as a guide in approving a building permit and determining if the design of a proposed structure is compatible with the collective characteristics of the buildings or structures located within its development zone.

b. Height. New structures may be constructed no higher than the tallest conforming building located within their development zone at the time of the establishment of the historic district zone;

c. Setbacks. New structures must maintain the prevailing setback existing within its development zone at the time of the establishment of the historic zone;

- d. Proportion. The relationship between the height and width of the front elevation of the building;
- e. Recurrent alteration of solids to voids in the front facade;
- f. Roof types;
- g. Surface texture of buildings;
- h. Color of buildings, trim, roof, etc.;
- i. Site utilization. The width of side yards as it affects the spacing between individual buildings and structures;
- j. Projections and recessions. Such as but not limited to the presence or absence of porches, steps, awnings, and overhangs;
- k. Architectural details. Such as but not limited to cornices, lintels, arches, grill work, and shutters.
- l. Other pertinent factors generally affecting the appearance, harmony and efficient functioning of the historic district zone may be used.

4. Additional Criteria.

- a. The protection of the quality of uniqueness inherent in each historic district may require additional provisions and criteria.
- b. Such provisions and criteria may be adopted by the board of supervisors, on recommendation by the planning and zoning commission, following public hearings as set forth in Section 18.63.050G(A)(3) through E(A)(5).

5. Submittal requirements and review procedures.

- Aa. Design Plan Requirements. The design plan shall be drawn to scale and shall provide the following information where applicable:
 - 1-1) The proposed layout of all structures and other improvements, including where appropriate, driveways, and pedestrianways;
 - 2-2) Existing significant landscape features and proposed landscaped areas, fences, walls;
 - 3-3) Off-street parking;

- ~~4.4)~~ The location of property lines and public rights-of-way;
- ~~5.5)~~ Entrances and exits and the direction of traffic flow in and out of off-street parking areas;
- ~~6.6)~~ The location of each parking space and areas for turning and maneuvering vehicles;
- ~~7.7)~~ Architectural drawings or sketches, drawn to scale, including drainage plans, in sufficient detail to permit computation of yard requirements and showing all elevations of the proposed structures or other improvements as they will appear on completion of construction;
- ~~8.8)~~ Specifications as to type, color, and texture of exterior surfaces of proposed structures;
- ~~9.9)~~ A sign plan, drawn to scale, showing the location, size, design, material, color, lettering and methods of attachment and illumination of all exterior signs;
- ~~10.10)~~ Any additional information deemed necessary by the zoning inspector to properly review the design plan.

The existing text for the "Historic District Zone" will be reviewed as part of Phase 2 effort to revise Ch. 18.63

~~Bb.~~ Design Plan Review Procedures.

~~1.1)~~ Preliminary Review.

- ~~a.a)~~ Prior to the submittal of a design plan, the applicant may consult with the staff of the planning and development services department concerning submission requirements.
- ~~b.b)~~ It is also recommended that the applicant review the proposed design plan with the applicable historic district advisory board.

~~2.2)~~ Application and Compliance Review.

- ~~a.a)~~ Application for historic district design review shall be made on forms provided by the planning and development services director and shall be accompanied by five copies of a design plan.
- ~~b.b)~~ The zoning inspector shall review each design plan for compliance with established application requirements and shall formally accept or reject the application within two working days.

- ~~3.3)~~ Plan Transmittal. The zoning inspector shall, within one working day, transmit a copy of the accepted design plan to the design review committee (refer to Section 18.99.030 Design Review Committee) and one copy to the appropriate advisory board for their review and recommendation.
- ~~4.4)~~ Advisory Board Recommendation.
- ~~a.a)~~ The advisory board shall submit its recommendation to the design review committee within fifteen working days.
- ~~b.b)~~ If no recommendation is received in that time, it shall be considered approved.
- ~~5.5)~~ Review and Decision by the Design Review Committee.
- ~~a.a)~~ The committee shall notify the applicant and the appropriate advisory board as to the time and place of the preliminary review and the applicant shall be heard.
- ~~b.b)~~ The committee shall review the proposed design plan for its compliance with the purpose and intent of the historic district zone and applicable standards and criteria and shall approve, approves subject to conditions, or disapprove the design plan.
- ~~c.c)~~ In no event shall the committee act on the proposed design without having considered the recommendations of the applicable advisory board.
- ~~d.d)~~ If at the preliminary review the committee and the advisory board are in agreement, the committee shall forward the application to the zoning inspector for processing.
- ~~e.e)~~ The committee may require additional information from the applicant or it may require modifications of the proposed design plan to comply with the requirements of this chapter, in which case a second hearing shall be held.
- ~~f.f)~~ The applicant and appropriate advisory board shall be notified of the time and place thereof and shall be heard.
- ~~6.6)~~ Appeals Procedure.

~~a.a)~~ The decision of the committee may be appealed to the board of supervisors by:

1)~~i.~~ The applicant; or

2)~~ii.~~ A member of the applicable advisory board; or

3)~~iii.~~ Any real property owners of the applicable historic district zone; or

4)~~iv.~~ Any resident of the applicable historic district zone.

~~b.b)~~ Filing. The appeal shall be filed in writing with the clerk of the board of supervisors within thirty days or the action shall be final.

~~c.c)~~ Notice. Notice shall be sent to the applicant, to the advisory board, and to all interested parties, for the time and place for appeal hearing and the applicant shall be heard.

~~d.d)~~ Decision by the Supervisors. The supervisors, upon considering the appeal, the recommendations of the committee and the advisory board, shall uphold, modify, or reverse the decision.

~~7.7)~~ Issuance of Permits.

~~a.a)~~ The central permitting office shall not issue a building permit for:

1)~~i.~~ The erection or construction of new structures;

2)~~ii.~~ The modification, addition, alteration, moving or demolition of existing structures; or

3)~~iii.~~ The installation of a sign within an historic district zone,

without the written certification of the planning and development services director, stating that the application for such a permit has complied with all the requirements of this chapter.

- b.b) The zoning inspector shall authorize the issuance of a building permit only upon approval of a design plan in accordance with the procedures of this section.

B. Historic Landmark Zone new construction or alterations.

1. Additional construction or alterations. An application for the creation or construction of new buildings or structures, or the redesigning, remodeling or modification, addition, alteration, or moving of existing buildings, structures, or objects, man-made landscapes, or spaces in historic landmark zones may be initiated by the owners of the property and submitted to the Development Services Department, and shall comply with the provisions of this subsection.

2. Criteria.

a. The historical and architectural characteristics of a historic building, structure, object, or man-made landscape or space which make it unique shall be properly preserved and any changes shall generally conform to the intrinsic and unique character of the existing Historic Landmark Zone.

b. Height. No higher than the tallest existing and conforming building taking into account similar types and styles of buildings such as a main or accessory structure;

c. The following features shall be generally consistent with the existing structure(s), with the prevailing existing structural proportions, and with the historic period in which the existing structure was built: front setbacks; roof types regarding architectural configuration, mass, and materials; building surface texture; site utilization; projections and recessions such as but not limited to porches, steps, awnings, overhangs, entrances, and windows; architectural details such as but not limited to cornices, lintels, arches, grillwork, and shutters, window and door trim, and canals; building form regarding size, mass, and scale; and rhythm regarding proportion and pattern;

d. To provide flexibility in the review of applications, other pertinent factors generally affecting the appearance, harmony, and efficient functioning of the Historic Landmark Zone may be considered as appropriate such as: color and landscaping consistent with structure style and historic period; enclosures compatible with architectural style and not blocking views of the primary façade from public viewpoints; utilities located underground where possible and the use of utility boxes on front façades reviewed for appropriateness and compatibility; and compatibility of the appearance, color, size, position, method of attachment, texture of materials, and design of signs.

Much of these criteria are similar to that used by the City of Tucson's historic landmark ordinance

3. Preliminary review. Prior to submittal, the applicant shall obtain a recommendation from a plans review subcommittee of a historical commission which shall be submitted with their application. The applicant may consult with the staff of the Development Services Department and the Office of Sustainability and Conservation – Cultural Resources and Historic Preservation Division concerning submittal requirements.

4. Submittal requirements. Based on the original or base site plan and highlighting the proposed amendments, an amended site plan shall be drawn to scale and shall provide the following information where applicable, plus the most recent aerial and elevation photos, and written reasons for the proposed changes:
 - a. Legal description of the property;

 - b. A list by name and title, of all ownership interest in the property (e.g., individual, corporation, trust or limited partnership);

 - c. Letter of authorization for an agent;

 - d. Site plan.
 - 1) The layout and elevation of all structures and other improvements with amended features highlighted, including where appropriate, driveways, and pedestrianways;

 - 2) Existing significant landscape features and proposed landscaped areas, fences, walls;

 - 3) The location of property lines and public rights-of-way;

 - 4) Architectural drawings or sketches, drawn to scale in sufficient detail to show all elevations of the proposed structures;

 - 5) Specifications as to type, color, and texture of exterior surfaces of proposed structures;

 - 6) If applicable, a sign plan, drawn to scale, showing the location, size, design, material, color, lettering and methods of attachment and illumination of all exterior signs;

 - 7) Any additional information deemed necessary by the Development Services Department or the Cultural Resources and Historic Preservation Division of the Pima County Office of Sustainability and Conservation to properly review the site plan.

- e. Written support for the proposed changes;
- f. Most recent (available) aerial and elevation photos.

5. Public notice, Planning and Zoning Commission and Board of Supervisors hearings. The submittal shall be reviewed by the Development Services Department and the Office of Sustainability and Conservation – Cultural Resources and Historic Preservation Division. Once determined complete, staff shall schedule the request for public hearing before the Planning and Zoning Commission and Board of Supervisors. The public review, notice and comments shall be consistent with Sections 18.91.060(B) and (C), 18.91.070, 18.91.080, as applicable, of the rezoning process except as modified by the requirements outlined in this chapter. The submittal materials, staff and historical commission reviews, recommendations, and comments shall be transmitted to the Planning and Zoning Commission and the Board of Supervisors.

Again review will be coordinated between DSD and OSC

6. Staff report. The Development Services Department shall coordinate with the Cultural Resources and Historic Preservation Division of the Pima County Office of Sustainability and Conservation to provide a written review, analysis, and recommendation on the requested additional construction or alteration of the Historic Landmark Zone based on the criteria established in this chapter.

Again this portion of the process is similar to the rezoning process

18.63.090 - Demolition of historic structures.

A. Historic District Zone.

1. Scope.

- 4a. No permit shall be issued by the building official for demolition of all or any significant part of a structure or building which has been designated as historic before approval by the planning and zoning commission.
- 2b. In making its decision, the commission shall determine if the applicant has shown that the preservation of the structure is physically and/or economically unfeasible.

Renumbering due to added "Historic Landmark Zone"

B2. Planning and Zoning Commission Action.

- 4a. If preservation is found to be physically and/or economically unfeasible, it shall notify the zoning inspector that the issuance of the demolition permit is approved by the commission. The site may be left vacant or a new building constructed in accordance with the provisions set forth in Section 18.63.070B and C.
- 2b. If the preservation of the structure is found to be feasible, the commission shall notify persons or groups interested in historic

preservation who may either attempt to convince the owner to preserve the building or structure or, if the owner does not agree, to attempt to have the property purchased by someone who will agree to preserve the building or structure in accordance with the provisions of this chapter.

3c. If the owner is not convinced to retain the building or structure and does not make an agreement to that effect and no one has agreed to purchase it within one hundred eighty days after public notification of the application for a demolition permit, the commission shall notify the building official that the issuance of a permit to demolish the building or structure is approved and the provisions set forth in Section 18.63.070B and C shall apply.

€3. Authority of the Building Official. Approval by the planning and zoning commission of the issuance of a permit does not mandate the granting of a permit by the building official if the official should find reasons and deny it under other provisions of the county building code (Title 15).

B. Historic Landmark Zone. Demolition of buildings, structures, or objects, man-made landscapes or space.

1. Demolition. An application for demolition on site may be initiated by the owners of the property and submitted to the Development Services Department, and shall comply with the provisions of this subsection. Applications shall not be considered on property denied a demolition request by the Board of Supervisors within the previous 36 months.

An application for demolition is not allowed within 3 years of a previous denial

2. Criteria. The intent of this section is to preserve the historic and architectural resources within a Historic Landmark Zone in their original appearance, setting, and placement. Demolition of a historic landmark can cause an irreplaceable loss to the quality and character of Pima County. However, it is recognized that there can be can be circumstances beyond the control of a property owner that may result in the necessary demolition of a structure within a Historic Landmark Zone.

The applicant shall submit evidence meeting one or more of the following criteria:

a. The structure or site is of no historic or architectural value or significance and does not contribute to the historic value of the property;

b. Loss of the structure would not adversely affect the integrity of the Historic Landmark Zone;

c. The owner will not have a reasonable economic use of the property if a demolition permit is not approved;

- d. Preservation is physically and/or economically unfeasible;
- e. Reasonable measures cannot be taken to save the site, building, structure, object, man-made landscape, or space in their original setting from further deterioration, collapse, arson, vandalism, or neglect; and,
- f. Adequate discussion regarding alternatives to demolition has occurred. If potential parties of interest in the historical preservation community such as the Tucson/Pima County Historical Commission have been contacted and incorporated into the discussion of alternatives.

3. Preliminary review. Prior to submittal, the applicant shall obtain a recommendation from a plans review subcommittee of a historical commission which shall be submitted with their application. The applicant may consult with the staff of the Development Services Department and the Office of Sustainability and Conservation – Cultural Resources and Historic Preservation Division concerning submittal requirements.

4. Submittal requirements. The Director, or a designated representative, of the Cultural Resources and Historic Preservation Division of the Pima County Office of Sustainability and Conservation shall determine the required evidence for a complete demolition submittal. Evidence may include and be submitted in the form of: most recent assessed values and appraisals of the land and improvements; title/title acquisitions; real estate taxes for the previous two years; any annual debt service documentation for the previous two years; sale or rent listings; any consideration by the owner as to profitable adaptive uses for the property; rehabilitation cost estimates; annual gross income from the property for the previous two years; itemized operating and maintenance expenses for the previous two years; annual cash flow for the previous two years; proof of effort toward attaining a reasonable return; and other applicable materials.

5. Public notice, Planning and Zoning Commission and Board of Supervisors hearings. Upon submittal of a complete request, staff shall schedule the request for public hearing by the Planning and Zoning Commission and by the Board of Supervisors consistent with Sections 18.91.060(B) and (C), 18.91.070, and 18.91.080 as applicable. A review and recommendation statement from the site plans review subcommittee of a historical commission and a review and recommendation statement from the Cultural Resources and Historic Preservation Division of the Pima County Office of Sustainability and Conservation and Development Services Department shall be transmitted to the Planning and Zoning Commission and Board of Supervisors.

6. Staff report. The Development Services Department shall coordinate with the Cultural Resources and Historic Preservation Division of the Pima County Office of Sustainability and Conservation to provide a written

Evidence used to argue for approval of demolition is site and circumstance specific so it is subject to determination by OSC

This portion of the process is also similar to the rezoning process

review, analysis, and recommendation on a requested demolition on the Historic Landmark Zone property based on the criteria established in this chapter.

...

SECTION 3. Pima County Zoning Code Chapter 18.101 Administrators, Section 18.101.030 – Planning and zoning commission, is amended as follows:

**Chapter 18.101
ADMINISTRATORS**

The review and recommendation by the Commission on the designation, alterations, or demolition for a historic landmark zone is added to the role of the Commission

Chapter 18.101 – ADMINISTRATORS

Sections:

18.101.030 - Planning and zoning commission.

- A. Scope: The planning and zoning commission primarily advises the board of supervisors on planning and zoning policies, plans, amendments and regulations, as authorized by A.R.S. Title 11, Chapter 6.
- B. Powers and duties: The commission performs the following duties:

...

5. Historic zones:

- a. The commission initiates the designation of property as a historic district zone or a historic landmark zone (refer to Section 18.63.050),
- b. The commission provides recommendations to the supervisors on a proposed historic district zone or a historic landmark zone, the associated preservation and development criteria, and historic district advisory board, as applicable,
- c. The commission determines if the preservation of a historic structure proposed for demolition is physically or economically unfeasible, in accordance with Section 18.63.090;

6. Subdivision and development plan regulations:

...

Proposed ordinance – underline/strikeout version

ORDINANCE 2018- _____

AN ORDINANCE OF THE PIMA COUNTY BOARD OF SUPERVISORS RELATING TO ZONING; AMENDING CHAPTER 18.05 (ZONES, MAPS, AND BOUNDARIES) SECTION 18.05.010 (ZONES) TO ADD THE HISTORIC LANDMARK ZONE (HL) AND TO RENAME "HISTORIC ZONE H-1" AND "HISTORIC ZONE H-2" TO "HISTORIC DISTRICT ZONE H-1" AND "HISTORIC DISTRICT ZONE H-2"; AMENDING CHAPTER 18.63 (HISTORIC ZONE) SECTION 18.63.010 (PURPOSE AND INTENT) TO CLARIFY THE PURPOSE AND INTENT OF THE CHAPTER AND TO ENCOURAGE THE PRESERVATION AND REHABILITATION OF DESIGNATED HISTORIC RESOURCES; AMENDING SECTION 18.63.020 (USE AND SPECIAL EXCEPTION) TO ADD THE "HISTORIC LANDMARK ZONE" AS A NEW OVERLAY ZONE TO PROTECT INDIVIDUAL HISTORIC SITES; AMENDING SECTION 18.63.030 (DEFINITIONS) TO DEFINE "HISTORIC ZONE" AND "HISTORIC LANDMARK ZONE (HL)" AND AMEND THE DEFINITION OF "HISTORIC DISTRICT ZONE (H)"; AMENDING SECTION 18.63.040 (CRITERIA) TO ADD CRITERIA FOR THE DESIGNATION OF A "HISTORIC LANDMARK ZONE"; AMENDING SECTION 18.63.050 (ESTABLISHMENT) TO ADD THE PROCESS FOR APPLYING FOR, INITIATING AND ESTABLISHING A "HISTORIC LANDMARK ZONE" AND RENUMBERING THE EXISTING "HISTORIC DISTRICT ZONE" ESTABLISHMENT PROCESS; AMENDING SECTION 18.63.060 (HISTORIC DISTRICT ADVISORY BOARDS) TO SPECIFY THE EXISTING ADVISORY BOARD PROCESS APPLIES ONLY TO THE "HISTORIC DISTRICT ZONE"; AMENDING SECTION 18.63.070 (DEVELOPMENT ZONE/CRITERIA FOR NEW CONSTRUCTION OR ALTERATIONS) TO SPECIFY THAT THE EXISTING "DEVELOPMENT ZONE" REQUIREMENTS APPLY TO THE "HISTORIC DISTRICT ZONE"; AMENDING 18.63.070(B) TO STATE THAT THERE IS NO SEPARATE "DEVELOPMENT ZONE" FOR THE "HISTORIC LANDMARK ZONE", AND MOVING HISTORIC DISTRICT ZONE CRITERIA FOR "NEW CONSTRUCTION OR ALTERATIONS" FROM SECTION 18.63.070(B) TO SECTION 18.63.080(A), AND RENUMBERING ACCORDINGLY; AMENDING SECTION 18.63.080 (DESIGN PLAN REQUIREMENTS AND REVIEW PROCEDURES) TO COMBINE THE CRITERIA, SUBMITTAL, AND REVIEW PROCESSES FOR "NEW CONSTRUCTION OR ALTERATIONS" FOR BOTH THE "HISTORIC DISTRICT ZONE" AND THE "HISTORIC LANDMARK ZONE" INTO ONE SECTION BY MOVING HISTORIC DISTRICT ZONE CRITERIA FOR "NEW CONSTRUCTION OR ALTERATIONS" TO SECTION 18.63.080(A) AND RENUMBERING ACCORDINGLY, AND ADDING CRITERIA FOR HISTORIC LANDMARK ZONE FOR "NEW CONSTRUCTION AND ALTERATIONS"; AMENDING SECTION 18.63.090 (DEMOLITION OF HISTORIC STRUCTURES) TO ADD A NEW APPLICATION AND REVIEW PROCESS FOR THE

DEMOLITION OF DESIGNATED "HISTORIC LANDMARK ZONE" HISTORIC RESOURCES AND RENUMBERING ACCORDINGLY; AND, AMENDING CHAPTER 18.101 (ADMINISTRATORS) SECTION 18.101.030 (PLANNING AND ZONING COMMISSION) TO ADD THE ESTABLISHMENT, ALTERATION, AND DEMOLITION PROCESSES FOR THE "HISTORIC LANDMARK ZONE" TO THE POWERS AND DUTIES OF THE COMMISSION. (ALL DISTRICTS)

THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA FINDS THAT:

1. The Planning and Zoning Commission, at its August 30, 2017 and February 28, 2018 meetings initiated amendments to the Pima County Zoning Code.
2. This ordinance adds the "Historic Landmark Zone", an overlay zone voluntarily initiated by the property owner to protect individual historic resources, to Chapters 18.05 (Zones), 18.63 (Historic Zone), and to 18.101 (Administrators) as applicable; clarifies the purpose and intent of the chapter; adds criteria for the designation of a "Historic Landmark Zone"; adds the application, review, and designation processes for a "Historic Landmark Zone"; adds the process to request to alter a historic resource within a "Historic Landmark Zone", and adds the process to request to demolish within a Historic Landmark Zone. The ordinance, with some limited exceptions, leaves the existing "Historic District Zone" as it is written. A future Phase 2 review and amendment process, to be led primarily by the Cultural Resources and Historic Preservation Division of the Pima County Office of Sustainability and Conservation, is intended to update the remainder of the chapter.
3. This ordinance does not create new restrictions on the use of property, and this ordinance is not intended to, nor should it be construed to reduce any existing rights to use, divide, sell or possess private real property.

IT IS ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY AS FOLLOWS:

SECTION 1. Pima County Zoning Code Chapter 18.05 – Zones, is amended as follows:

Chapter 18.05

ZONES, MAPS AND BOUNDARIES Sections:

18.05.010 - Zones.

- A. Establishment. For the purpose of this code, the following types of zones are hereby established:

1. Rural:	IR	Institutional reserve zone;
	RH	Rural homestead zone;
	GR-1	Rural residential zone;
	SR	Suburban ranch zone;
	SR-2	Suburban ranch estate zone;
	SH	Suburban homestead zone;
2. Residential:	TH	Trailer homesite zone;
	ML	Mount Lemmon zone;
	CR-1	Single residence zone;
	CR-2	Single residence zone;
	CR-3	Single residence zone;
	CR-4	Mixed-dwelling type zone;
	CR-5	Multiple residence zone;
	TR	Transitional zone;
	CMH-1	County manufactured and mobile home-1 zone;
	CMH-2	County manufactured and mobile home-2 zone;
3. Businesses:	MR	Major resort zone;
	RVC	Rural village center zone;
	CB-1	Local business zone;
	CB-2	General business zone;
4. Industrial:	MU	Multiple use zone;
	CPI	Campus Park industrial zone;
	CI-1	Light industrial/ware-housing zone;
	CI-2	General industrial zone;
5. Overlay:	CI-3	Heavy industrial zone;
	AE	Airport environs and facilities;
	BZ	Buffer overlay zone;
	GC	Golf course zone;
	GZ-1	Gateway overlay zone — urban
	GZ-2	Gateway overlay zone — public preserve
	H-1	Historic district zone-1
	H-2	Historic district zone-2;
	HL	Historic landmark zone;
HD	Hillside development zone;	
6. Specific plan zones.		

B. Restrictiveness. The following zones are given the following values, from most to least restrictive:

IR	Institutional reserve zone;
GC SR	Golf course zone; Suburban ranch zone;
RH SR-2	Rural homestead zone; Suburban ranch estate zone;
CR-1 ML	Single residence zone; Mount Lemmon zone;
GR-1	Rural residential zone;
CR-2	Single residence zone;
CR-3	Single residence zone;

SH	Suburban homestead zone;
CR-4	Mixed-dwelling type zone;
CR-5	Multiple residence zone;
CMH-1	County manufactured and mobile home-1 zone;
CMH-2	County manufactured and mobile home-2 zone;
TR	Transitional zone;
TH	Trailer homesite zone;
MR	Major resort zone;
RVC	Rural village center zone;
CB-1	Local business zone;
CB-2	General business zone;
MU CPI	Multiple use zone; Campus Park industrial zone;
CI-1	Light industrial/warehousing zone;
CI-2	General industrial zone;
CI-3	Heavy industrial zone;
SP	Specific plan zones.

C. Zones Without Values of Restriction. The following zones are not given values of restrictiveness:

AE	Airport environs and facilities;
BZ	Buffer overlay zone;
H-1	Historic district zone-1;
H-2	Historic district zone-2;
HL	Historic landmark zone;
HD	Hillside development zone.

...

SECTION 2. Pima County Zoning Code Chapter 18.63 Historic Zone is amended as follows:

**Chapter 18.63
HISTORIC ZONE**

Chapter 18.63 - HISTORIC ZONE

Sections:

18.63.010 - Purpose and intent.

- A. Purpose. The purpose of this zone is to:
1. Promote the health, education, culture, and general welfare of the community;

2. Insure the harmonious growth and development of Pima County, by encouraging the preservation and rehabilitation of historic sites, buildings, and structures, objects, districts, cultural and man-made landscapes, and archaeological sites located within historic zones; and
3. Protect and perpetuate the unique character of a geographic site or district where existing historic sites, objects, architecture, archaeological remains, or other tangible records of past eras can be of enduring value to the people of the county in advancing education, general welfare, civic pride, and appreciation of their cultural heritage.

B. Intent.

1. This zone is intended to ensure the preservation of significant historic and archaeological resources, and to keep them in active use or managed and in their original historic appearances, settings, and locations; preserve property values, provide for future development, and promote an awareness of Pima County's rich historical, architectural, and archaeological landmarks among residents and visitors to the community.
2. It is also intended that all new or remodeled structures, located within historic zones, as well as new roadways or other topographical changes, either within or at the perimeter of an historic district zone, be designed and constructed to harmonize with the structures located within their immediate vicinity.

18.63.020 - Use and special exception.

A. Use.

1. The historic district zone and historic landmark zone ~~is~~ are superimposed over the existing zones.
2. ~~It does~~ The historic district zone and historic landmark zone do not modify the uses permitted in the underlying zones, but controls their implementation to:
 - a. Insure harmonious growth and development;
 - b. Prevent dilution of the ~~district's~~ zones' historic integrity; and
 - c. Encourage the retention of early structures in their original appearance and setting.

- B. Special Exception. The provisions of this Chapter, with the exception of Section 18.63.100, shall not apply to the San Xavier environs historic district (H-1) zone.

18.63.030 - Definitions.

A. For purposes of this chapter, unless the context otherwise requires, the following words and phrases shall have the following meanings:

1. Historic Zone. An overlay zone that can be either a historic district zone or historic landmark zone established by this chapter.
42. Historic dDistrict Zone (H). A geographically definite defined area, formally designated by the board of supervisors, which contains related historic sites, buildings, structures, or objects, archaeological sites, man-made landscapes, or spaces in their original setting.
3. Historic Landmark Zone (HL). A single property or site, formally designated by the board of supervisors, which contains one or more historic sites, buildings, structures, objects, man-made landscapes, or spaces in their original setting.

18.63.040 - Criteria.

A. Criteria for Historic Designation. A site, building, structure, object, man-made landscape, archaeological resource, or space is subject to designation as historic, if it can:

1. Be authenticated as dating from a particular significant period in Pima County's history; or
2. Be associated with the lives of outstanding historical personages; or
3. Be associated with significant events or occurrences; or
4. Be a good example of the architectural period in which it was built and have distinguishing characteristics of an architectural style, method of construction, or be the notable work of a master builder, designer or architect; or
5. Contribute information of archaeological, historical, cultural, or social importance relating to the heritage of the community; or
6. Relate to events, personages or architectural styles which are at least fifty years old. However, outstanding examples less than fifty years should be evaluated on their own merits.

B. Criteria for Establishing Historic District Zones.

1. In determining whether an area or district shall be established as an historic district zone, the criteria of this subsection shall be applied.
2. Not all of the criteria need to be satisfied; however, a sufficient number of the criteria should be satisfied to comply with the purpose and intent of this chapter.

- a. An historic district zone should include historic sites, buildings, structures, objects, man-made landscapes, or spaces.
- b. An historic district zone should include sites, buildings, structures, objects, man-made landscapes, or spaces in their original setting which contribute to an understanding of the heritage of the community.
- c. The sites, buildings, structures, objects, man-made landscapes, or spaces should provide the area with a sense of uniqueness, so that it is readily distinguishable from other areas of the community.
- d. The collection of sites, buildings, structures, objects, man-made landscapes, or spaces should possess integrity of location, design, setting, materials, workmanship, feeling, and association, thus constituting a recognizable entity.

C. Criteria for Establishing Historic Landmark Zones. In determining whether a single property or site shall be established as a historic landmark zone, the criteria shall include archaeological sites, historic sites, historic buildings, or historic structures which are individually listed or individually determined to be eligible for listing in the National Register of Historic Places at the local, state, or national level of significance and meet one or more of the criteria of subsections 18.63.040(A) and (B).

18.63.050 - Establishment.

A. Historic District Zone.

- A1. Initiation. An historic district zone may be initiated by:
 - 4a. Application of owners of not less than fifty-one percent of the area of the proposed zone; or
 - 2b. The planning and zoning commission.
- B2. Historic District Advisory Board. Advisory boards shall be created in accordance with Section 18.63.060.
- C3. Public Notice and Hearing Requirements.
 - 4a. Public notice of the hearing before the commission and the board of supervisors shall be given as required in Section 18.91.060B (Rezoning); ~~and~~
 - 2b. No site, building, structure, object, man-made landscape, or space shall be designated historic without notice to the owner and occupant of the premises; and

~~3c.~~ At the public hearing for the establishment of an historic district zone, the residents and property owners of the subject area, the historic district advisory board, as well as interested citizens and organizations shall be heard.

~~D4.~~ Public Hearing by the Planning and Zoning Commission.

~~4a.~~ The planning and zoning commission shall hold a public hearing on the proposed boundaries of the historic district zone and its buffer zone, as well as the sites, buildings, structures, objects, man-made landscapes, and spaces that are to be designated historic.

~~2b.~~ Within sixty days after the close of the hearing, the commission shall forward its recommendations for the proposed historic district zone to the board of supervisors with pertinent information, including a survey of all sites, buildings, structures, objects, man-made landscapes, and spaces designated as historic.

~~E5.~~ Public Hearing by the board of supervisors. Within thirty days after receiving the commission's recommendation, the board of supervisors shall set a date for its public hearing on the proposed zone.

B. Historic Landmark Zone.

1. Initiation/application. An application for designation of a Historic Landmark Zone may be initiated by the owners of the property, or by the Planning and Zoning Commission with the consent of the owners, by submitting a Historic Landmark Zone application to the Development Services Department and complying with the provisions of this subsection.

2. Criteria. Refer to Section 18.63.040 (Criteria).

3. Preliminary review. Prior to submittal, the applicant shall obtain a recommendation from a plans review subcommittee of a historical commission which shall be submitted with their application. The applicant may consult with the staff of the Development Services Department and the Office of Sustainability and Conservation – Cultural Resources and Historic Preservation Division concerning submittal requirements.

4. Submittal requirements. The application shall include:

a. Legal description of the property;

b. A list by name and title, of all ownership interests in the property (e.g., individual, corporation, trust or limited partnership);

c. Letter of authorization for an agent;

d. Site plan. The base site plan shall be drawn to scale and shall provide the following information where applicable:

- 1) The layout and elevation of all structures and other improvements, including where appropriate, driveways, and pedestrianways;
- 2) Existing significant landscape features and proposed landscaped areas, fences, walls;
- 3) The location of property lines and public rights-of-way;
- 4) Specifications as to type, color, and texture of exterior surfaces of structures;
- 5) If applicable, a sign plan, drawn to scale, showing the location, size, design, material, color, lettering and methods of attachment and illumination of all exterior signs; and,
- 6) Any additional information deemed necessary by the Development Services Department or the Cultural Resources and Historic Preservation Division of the Pima County Office of Sustainability and Conservation to properly review the site plan.

e. A completed National Register of Historic Places form or National Register nomination or other documentation from the State Historic Preservation Office that the property is listed in or eligible for listing in the National Register of Historic Places;

f. Other evidence a property has historic significance meeting the purpose, intent, and criteria of this chapter which may include a description of the historic resources, a recommendation of approval from a plans review subcommittee of a historical commission, a statement of significance, photographs, site plans, and other forms of information; and,

g. Most recent (available) aerial and elevation photos.

5. Public notice, Planning and Zoning Commission and Board of Supervisors hearings. The submittal shall be reviewed by the Development Services Department and the Office of Sustainability and Conservation – Cultural Resources and Historic Preservation Division. Once determined complete, staff shall schedule the request for public hearing before the Planning and Zoning Commission and Board of Supervisors. The public review, notice and comments shall be consistent with Sections 18.91.060(B) and (C), 18.91.070, 18.91.080, as applicable, of the rezoning process except as modified by the requirements outlined in this chapter. Conditions are not required. The submittal materials, staff and historical commission

reviews, recommendations, and comments shall be transmitted to the Planning and Zoning Commission and the Board of Supervisors.

6. Staff report. The Development Services Department shall coordinate with the Cultural Resources and Historic Preservation Division of the Pima County Office of Sustainability and Conservation to provide a written review, analysis, and recommendation on the designation of the property as a Historic Landmark Zone based on the criteria established in this chapter. The staff report may include additional considerations such as land use impacts, as applicable.

18.63.060 - Historic district zone advisory boards.

A. Initiation and Establishment.

1. Applicants for each proposed historic district zone may submit to the planning and zoning commission a list of persons whom they recommend to be appointed to the historic district advisory board.
2. A separate advisory board shall be established for each proposed historic district zone.
3. The commission shall recommend to the board of supervisors for appointment at least six members from the list submitted by the applicants, and may recommend others.
4. The supervisors shall establish the advisory board and appoint its members.
5. Vacancies may be filled in the same manner.

B. Composition.

1. One-third of those recommended and appointed shall be residents of the district;
2. One-third shall be real property owners within the district; and
3. One-third shall have special qualifications in architecture, history archaeology, land use planning, landscape architecture, or related fields.

C. Rules and Regulations.

1. The members of the advisory board shall receive no compensation and shall serve at the will of the board of supervisors.
2. The advisory boards may adopt rules and regulations for carrying on their assigned duties.

D. Duties.

1. The historic district advisory board designated for a proposed historic district zone shall review the applications for that district and assist the planning and zoning commission in designating the boundaries of the proposed district and in selecting the sites, buildings, structures, objects, man-made landscapes, and spaces which are to be designated as historic.
2. The advisory board shall also review applications involving the erection or construction of a new building or structure, or the modification, addition, alteration, moving, or demolition of existing structures, objects, or landscapes located within the historic district zone.
3. It is intended that the advisory board continue to function after the establishment of the related historic district zone in order to:
 - a. Review applications for building permits therein;
 - b. Monitor the building process in order to assure that the external architectural character of the historic district is maintained as approved;
 - c. Maintain an inventory record of the historic district zone;
 - d. Formulate plans for the district's future; and
 - e. Keep the residents advised.

18.63.070 – Development zones/~~criteria for new construction or alterations.~~

- A. Historic District Development Zones. Development zone means a certain designated area around a lot, any part of which is being considered within an historic district zone, as follows:
1. Where a lot is located in a rural or semi-rural historic district zone in which structures are randomly and widely spaced and streets are few or nonexistent, the development zone shall be the entire historic district zone;
 2. Where a lot is located adjacent to an historic district zone boundary, the development zone shall include that lot, all lots located within the same block not to exceed six hundred feet in either direction, and those lots located on the opposite side of any street adjoining the same block, as well as those lots located on the opposite corners, except such portions of the development zone which fall outside the boundary of the historic district zone;
 3. Where a lot is an interior lot, the development zone includes that lot, plus those lots on either side thereof fronting on the same street in the same block not to exceed six hundred feet in either direction and all those lots on

the opposite side of said street, except such portions of the development zone which fall outside the boundaries of the historic district zone;

4. ~~Where a lot is a corner lot, the development zone includes that lot, plus the corner lot diagonally opposite thereto, plus all lots fronting on the same two streets in the same block not to exceed six hundred feet in either direction, and all lots on the opposite side of said street, except those portions of the development zone which fall outside the boundary of the historic district zone.~~

~~B. Design Criteria.~~

1. ~~The creation or construction of new buildings or structures, or the redesigning, remodeling or modification, addition, alteration, moving or demolition of existing structures in historic district zones shall comply with the provisions of this subsection.~~

~~2. Criteria.~~

~~a. The historical and architectural characteristics of an historic structure, object, or man-made landscape which make it unique shall be properly preserved and any changes shall generally conform to the character of the structures, objects, and man-made landscapes located within its development zone.~~

~~b. No specific architectural style shall be required for the design of a new building or other structures that have not been designated as historic. However, such buildings and structures are subject to the following:~~

~~1) The design of the structure shall generally conform to the character of the buildings and structures located within its development zone;~~

~~2) If demolished and the area left vacant, the area shall be maintained in a clean and inoffensive manner;~~

~~3) If demolished and the area converted to another use not requiring buildings (such as a parking lot), the area shall be buffered by landscaping or have walls or fences that conform to the character of the other buildings and structures located within its development zone;~~

~~4) If demolished and new structures erected, they shall generally conform to the character of the buildings located within their development zone.~~

~~B. Historic Landmark Development Zones. The development zone is equivalent to the designated Historic Landmark Zone.~~

~~C. Building Permit Criteria.~~

1. ~~The criteria of this subsection (which are exemplified in the report, Tucson's Historic Districts: Criteria for Preservation and Development, latest edition) shall be used as a guide in approving a building permit and determining if the design of a proposed structure~~

~~is compatible with the collective characteristics of the buildings or structures located within its development zone.~~

~~2. Criteria.~~

- ~~a. Height. New structures may be constructed no higher than the tallest conforming building located within their development zone at the time of the establishment of the historic district zone;~~
- ~~b. Setbacks. New structures must maintain the prevailing setback existing within its development zone at the time of the establishment of the historic zone;~~
- ~~c. Proportion. The relationship between the height and width of the front elevation of the building;~~
- ~~d. Recurrent alteration of solids to voids in the front facade;~~
- ~~e. Roof types;~~
- ~~f. Surface texture of buildings;~~
- ~~g. Color of buildings, trim, roof, etc.;~~
- ~~h. Site utilization. The width of side yards as it affects the spacing between individual buildings and structures;~~
- ~~i. Projections and recessions. Such as but not limited to the presence or absence of porches, steps, awnings, and overhangs;~~
- ~~j. Architectural details. Such as but not limited to cornices, lintels, arches, grill work, and shutters.~~

~~3. Other pertinent factors generally affecting the appearance, harmony and efficient functioning of the historic district zone may be used.~~

~~D. Additional Criteria.~~

~~1. The protection of the quality of uniqueness inherent in each historic district may require additional provisions and criteria.~~

~~2. Such provisions and criteria may be adopted by the board of supervisors, on recommendation by the planning and zoning commission, following public hearings as set forth in Section 18.63.050C through E.~~

18.63.080 – Design plan requirements and review procedures. New construction or alterations.

A. Historic District Zone new construction or alterations.

1. The creation or construction of new buildings or structures, or the redesigning, remodeling or modification, addition, alteration, moving or demolition of existing structures in historic district zones shall comply with the provisions of this subsection.

2. Design criteria.

a. The historical and architectural characteristics of an historic structure, object, or man-made landscape which make it unique shall be properly preserved and any changes shall generally conform to the character of the structures, objects, and man-made landscapes located within its development zone.

b. No specific architectural style shall be required for the design of a new building or other structures that have not been designated as historic. However, such buildings and structures are subject to the following:

1) The design of the structure shall generally conform to the character of the buildings and structures located within its development zone;

2) If demolished and the area left vacant, the area shall be maintained in a clean and inoffensive manner;

3) If demolished and the area converted to another use not requiring buildings (such as a parking lot), the area shall be buffered by landscaping or have walls or fences that conform to the character of the other buildings and structures located within its development zone;

4) If demolished and new structures erected, they shall generally conform to the character of the buildings located within their development zone.

3. Building Permit Criteria.

a. The criteria of this subsection (which are exemplified in the report, Tucson's Historic Districts: Criteria for Preservation and Development, latest edition) shall be used as a guide in approving a building permit and determining if the design of a proposed structure is compatible with the collective characteristics of the buildings or structures located within its development zone.

b. Height. New structures may be constructed no higher than the tallest conforming building located within their development zone at the time of the establishment of the historic district zone;

- c. Setbacks. New structures must maintain the prevailing setback existing within its development zone at the time of the establishment of the historic zone;
- d. Proportion. The relationship between the height and width of the front elevation of the building;
- e. Recurrent alteration of solids to voids in the front facade;
- f. Roof types;
- g. Surface texture of buildings;
- h. Color of buildings, trim, roof, etc.;
- i. Site utilization. The width of side yards as it affects the spacing between individual buildings and structures;
- j. Projections and recessions. Such as but not limited to the presence or absence of porches, steps, awnings, and overhangs;
- k. Architectural details. Such as but not limited to cornices, lintels, arches, grill work, and shutters.
- l. Other pertinent factors generally affecting the appearance, harmony and efficient functioning of the historic district zone may be used.

4. Additional Criteria.

- a. The protection of the quality of uniqueness inherent in each historic district may require additional provisions and criteria.
- b. Such provisions and criteria may be adopted by the board of supervisors, on recommendation by the planning and zoning commission, following public hearings as set forth in Section 18.63.050C(A)(3) through E(A)(5).

5. Submittal requirements and review procedures.

- Aa. Design Plan Requirements. The design plan shall be drawn to scale and shall provide the following information where applicable:
 - 1.1) The proposed layout of all structures and other improvements, including where appropriate, driveways, and pedestrianways;
 - 2.2) Existing significant landscape features and proposed landscaped areas, fences, walls;

- ~~3.3)~~ Off-street parking;
- ~~4.4)~~ The location of property lines and public rights-of-way;
- ~~5.5)~~ Entrances and exits and the direction of traffic flow in and out of off-street parking areas;
- ~~6.6)~~ The location of each parking space and areas for turning and maneuvering vehicles;
- ~~7.7)~~ Architectural drawings or sketches, drawn to scale, including drainage plans, in sufficient detail to permit computation of yard requirements and showing all elevations of the proposed structures or other improvements as they will appear on completion of construction;
- ~~8.8)~~ Specifications as to type, color, and texture of exterior surfaces of proposed structures;
- ~~9.9)~~ A sign plan, drawn to scale, showing the location, size, design, material, color, lettering and methods of attachment and illumination of all exterior signs;
- ~~10.10)~~ Any additional information deemed necessary by the zoning inspector to properly review the design plan.

Bb. Design Plan Review Procedures.

- ~~4.1)~~ Preliminary Review.
 - ~~a.a)~~ Prior to the submittal of a design plan, the applicant may consult with the staff of the planning and development services department concerning submission requirements.
 - ~~b.b)~~ It is also recommended that the applicant review the proposed design plan with the applicable historic district advisory board.
- ~~2.2)~~ Application and Compliance Review.
 - ~~a.a)~~ Application for historic district design review shall be made on forms provided by the planning and development services director and shall be accompanied by five copies of a design plan.

- b-b) The zoning inspector shall review each design plan for compliance with established application requirements and shall formally accept or reject the application within two working days.
- 3-3) Plan Transmittal. The zoning inspector shall, within one working day, transmit a copy of the accepted design plan to the design review committee (refer to Section 18.99.030 Design Review Committee) and one copy to the appropriate advisory board for their review and recommendation.
- 4-4) Advisory Board Recommendation.
 - a-a) The advisory board shall submit its recommendation to the design review committee within fifteen working days.
 - b-b) If no recommendation is received in that time, it shall be considered approved.
- 5-5) Review and Decision by the Design Review Committee.
 - a-a) The committee shall notify the applicant and the appropriate advisory board as to the time and place of the preliminary review and the applicant shall be heard.
 - b-b) The committee shall review the proposed design plan for its compliance with the purpose and intent of the historic district zone and applicable standards and criteria and shall approve, approves subject to conditions, or disapprove the design plan.
 - c-c) In no event shall the committee act on the proposed design without having considered the recommendations of the applicable advisory board.
 - d-d) If at the preliminary review the committee and the advisory board are in agreement, the committee shall forward the application to the zoning inspector for processing.
 - e-e) The committee may require additional information from the applicant or it may require modifications of the proposed design plan to comply with the requirements of this chapter, in which case a second hearing shall be held.

f.f) The applicant and appropriate advisory board shall be notified of the time and place thereof and shall be heard.

6.6) Appeals Procedure.

a.a) The decision of the committee may be appealed to the board of supervisors by:

- 1)i. The applicant; or
- 2)ii. A member of the applicable advisory board; or
- 3)iii. Any real property owners of the applicable historic district zone; or
- 4)iv. Any resident of the applicable historic district zone.

b.b) Filing. The appeal shall be filed in writing with the clerk of the board of supervisors within thirty days or the action shall be final.

c.c) Notice. Notice shall be sent to the applicant, to the advisory board, and to all interested parties, for the time and place for appeal hearing and the applicant shall be heard.

d.d) Decision by the Supervisors. The supervisors, upon considering the appeal, the recommendations of the committee and the advisory board, shall uphold, modify, or reverse the decision.

7.7) Issuance of Permits.

a.a) The central permitting office shall not issue a building permit for:

- 1)i. The erection or construction of new structures;
- 2)ii. The modification, addition, alteration, moving or demolition of existing structures; or
- 3)iii. The installation of a sign within an historic district zone.

without the written certification of the planning and development services director, stating that the application for such a permit has complied with all the requirements of this chapter.

- b-b) The zoning inspector shall authorize the issuance of a building permit only upon approval of a design plan in accordance with the procedures of this section.

B. Historic Landmark Zone new construction or alterations.

1. Additional construction or alterations. An application for the creation or construction of new buildings or structures, or the redesigning, remodeling or modification, addition, alteration, or moving of existing buildings, structures, or objects, man-made landscapes, or spaces in historic landmark zones may be initiated by the owners of the property and submitted to the Development Services Department, and shall comply with the provisions of this subsection.

2. Criteria.

a. The historical and architectural characteristics of a historic building, structure, object, or man-made landscape or space which make it unique shall be properly preserved and any changes shall generally conform to the intrinsic and unique character of the existing Historic Landmark Zone.

b. Height. No higher than the tallest existing and conforming building taking into account similar types and styles of buildings such as a main or accessory structure;

c. The following features shall be generally consistent with the existing structure(s), with the prevailing existing structural proportions, and with the historic period in which the existing structure was built: front setbacks; roof types regarding architectural configuration, mass, and materials; building surface texture; site utilization; projections and recessions such as but not limited to porches, steps, awnings, overhangs, entrances, and windows; architectural details such as but not limited to cornices, lintels, arches, grillwork, and shutters, window and door trim, and canals; building form regarding size, mass, and scale; and rhythm regarding proportion and pattern;

d. To provide flexibility in the review of applications, other pertinent factors generally affecting the appearance, harmony, and efficient functioning of the Historic Landmark Zone may be considered as appropriate such as: color and landscaping consistent with structure style and historic period; enclosures compatible with architectural style and not blocking views of the primary façade from

public viewpoints; utilities located underground where possible and the use of utility boxes on front façades reviewed for appropriateness and compatibility; and compatibility of the appearance, color, size, position, method of attachment, texture of materials, and design of signs.

3. Preliminary review. Prior to submittal, the applicant shall obtain a recommendation from a plans review subcommittee of a historical commission which shall be submitted with their application. The applicant may consult with the staff of the Development Services Department and the Office of Sustainability and Conservation – Cultural Resources and Historic Preservation Division concerning submittal requirements.
4. Submittal requirements. Based on the original or base site plan and highlighting the proposed amendments, an amended site plan shall be drawn to scale and shall provide the following information where applicable, plus the most recent aerial and elevation photos, and written reasons for the proposed changes:
 - a. Legal description of the property;
 - b. A list by name and title, of all ownership interest in the property (e.g., individual, corporation, trust or limited partnership);
 - c. Letter of authorization for an agent;
 - d. Site plan.
 - 1) The layout and elevation of all structures and other improvements with amended features highlighted, including where appropriate, driveways, and pedestrianways;
 - 2) Existing significant landscape features and proposed landscaped areas, fences, walls;
 - 3) The location of property lines and public rights-of-way;
 - 4) Architectural drawings or sketches, drawn to scale in sufficient detail to show all elevations of the proposed structures;
 - 5) Specifications as to type, color, and texture of exterior surfaces of proposed structures;
 - 6) If applicable, a sign plan, drawn to scale, showing the location, size, design, material, color, lettering and methods of attachment and illumination of all exterior signs;

7) Any additional information deemed necessary by the Development Services Department or the Cultural Resources and Historic Preservation Division of the Pima County Office of Sustainability and Conservation to properly review the site plan.

e. Written support for the proposed changes:

f. Most recent (available) aerial and elevation photos.

5. Public notice, Planning and Zoning Commission and Board of Supervisors hearings. The submittal shall be reviewed by the Development Services Department and the Office of Sustainability and Conservation – Cultural Resources and Historic Preservation Division. Once determined complete, staff shall schedule the request for public hearing before the Planning and Zoning Commission and Board of Supervisors. The public review, notice and comments shall be consistent with Sections 18.91.060(B) and (C), 18.91.070, 18.91.080, as applicable, of the rezoning process except as modified by the requirements outlined in this chapter. The submittal materials, staff and historical commission reviews, recommendations, and comments shall be transmitted to the Planning and Zoning Commission and the Board of Supervisors.

6. Staff report. The Development Services Department shall coordinate with the Cultural Resources and Historic Preservation Division of the Pima County Office of Sustainability and Conservation to provide a written review, analysis, and recommendation on the requested additional construction or alteration of the Historic Landmark Zone based on the criteria established in this chapter.

18.63.090 - Demolition of historic structures.

A. Historic District Zone.

1. Scope.

4a. No permit shall be issued by the building official for demolition of all or any significant part of a structure or building which has been designated as historic before approval by the planning and zoning commission.

2b. In making its decision, the commission shall determine if the applicant has shown that the preservation of the structure is physically and/or economically unfeasible.

B2. Planning and Zoning Commission Action.

4a. If preservation is found to be physically and/or economically unfeasible, it shall notify the zoning inspector that the issuance of

the demolition permit is approved by the commission. The site may be left vacant or a new building constructed in accordance with the provisions set forth in Section 18.63.070B and C.

2b. If the preservation of the structure is found to be feasible, the commission shall notify persons or groups interested in historic preservation who may either attempt to convince the owner to preserve the building or structure or, if the owner does not agree, to attempt to have the property purchased by someone who will agree to preserve the building or structure in accordance with the provisions of this chapter.

3c. If the owner is not convinced to retain the building or structure and does not make an agreement to that effect and no one has agreed to purchase it within one hundred eighty days after public notification of the application for a demolition permit, the commission shall notify the building official that the issuance of a permit to demolish the building or structure is approved and the provisions set forth in Section 18.63.070B and C shall apply.

G3. Authority of the Building Official. Approval by the planning and zoning commission of the issuance of a permit does not mandate the granting of a permit by the building official if the official should find reasons and deny it under other provisions of the county building code (Title 15).

B. Historic Landmark Zone. Demolition of buildings, structures, or objects, man-made landscapes or space.

1. Demolition. An application for demolition on site may be initiated by the owners of the property and submitted to the Development Services Department, and shall comply with the provisions of this subsection. Applications shall not be considered on property denied a demolition request by the Board of Supervisors within the previous 36 months.

2. Criteria. The intent of this section is to preserve the historic and architectural resources within a Historic Landmark Zone in their original appearance, setting, and placement. Demolition of a historic landmark can cause an irreplaceable loss to the quality and character of Pima County. However, it is recognized that there can be circumstances beyond the control of a property owner that may result in the necessary demolition of a structure within a Historic Landmark Zone.

The applicant shall submit evidence meeting one or more of the following criteria:

a. The structure or site is of no historic or architectural value or significance and does not contribute to the historic value of the property;

- b. Loss of the structure would not adversely affect the integrity of the Historic Landmark Zone;
 - c. The owner will not have a reasonable economic use of the property if a demolition permit is not approved;
 - d. Preservation is physically and/or economically unfeasible;
 - e. Reasonable measures cannot be taken to save the site, building, structure, object, man-made landscape, or space in their original setting from further deterioration, collapse, arson, vandalism, or neglect; and,
 - f. Adequate discussion regarding alternatives to demolition has occurred. If potential parties of interest in the historical preservation community such as the Tucson/Pima County Historical Commission have been contacted and incorporated into the discussion of alternatives.
3. Preliminary review. Prior to submittal, the applicant shall obtain a recommendation from a plans review subcommittee of a historical commission which shall be submitted with their application. The applicant may consult with the staff of the Development Services Department and the Office of Sustainability and Conservation – Cultural Resources and Historic Preservation Division concerning submittal requirements.
4. Submittal requirements. The Director, or a designated representative, of the Cultural Resources and Historic Preservation Division of the Pima County Office of Sustainability and Conservation shall determine the required evidence for a complete demolition submittal. Evidence may include and be submitted in the form of: most recent assessed values and appraisals of the land and improvements; title/title acquisitions; real estate taxes for the previous two years; any annual debt service documentation for the previous two years; sale or rent listings; any consideration by the owner as to profitable adaptive uses for the property; rehabilitation cost estimates; annual gross income from the property for the previous two years; itemized operating and maintenance expenses for the previous two years; annual cash flow for the previous two years; proof of effort toward attaining a reasonable return; and other applicable materials.
5. Public notice, Planning and Zoning Commission and Board of Supervisors hearings. Upon submittal of a complete request, staff shall schedule the request for public hearing by the Planning and Zoning Commission and by the Board of Supervisors consistent with Sections 18.91.060(B) and (C), 18.91.070, and 18.91.080 as applicable. A review and recommendation statement from the site plans review subcommittee of a historical commission and a review and recommendation statement from the Cultural Resources and Historic Preservation Division of the Pima County Office of Sustainability and Conservation and Development Services Department

shall be transmitted to the Planning and Zoning Commission and Board of Supervisors.

6. Staff report. The Development Services Department shall coordinate with the Cultural Resources and Historic Preservation Division of the Pima County Office of Sustainability and Conservation to provide a written review, analysis, and recommendation on a requested demolition on the Historic Landmark Zone property based on the criteria established in this chapter.

SECTION 3. Pima County Zoning Code Chapter 18.101 Administrators, Section 18.101.030 – Planning and zoning commission, is amended as follows:

**Chapter 18.101
ADMINISTRATORS**

Chapter 18.101 – ADMINISTRATORS

Sections:

18.101.030 - Planning and zoning commission.

- A. Scope: The planning and zoning commission primarily advises the board of supervisors on planning and zoning policies, plans, amendments and regulations, as authorized by A.R.S. Title 11, Chapter 6.
- B. Powers and duties: The commission performs the following duties:

5. Historic zones:

- a. The commission initiates the designation of property as a historic district zone or a historic landmark zone (refer to Section 18.63.050),
- b. The commission provides recommendations to the supervisors on a proposed historic district zone or a historic landmark zone, the associated preservation and development criteria, and historic district advisory board, as applicable,
- c. The commission determines if the preservation of a historic structure proposed for demolition is physically or economically unfeasible, in accordance with Section 18.63.090;

6. Subdivision and development plan regulations:

...

SECTION 4. This ordinance is effective 30 days after its adoption.


PASSED AND ADOPTED by the Board of Supervisors of Pima County, Arizona,
this _____ day of _____, 2018.

Chairman, Pima County Board of Supervisors

ATTEST:

Clerk, Board of Supervisors

APPROVED AS TO FORM


Civil Deputy County Attorney
Lesley M. Lukach

Executive Secretary, Pima County
Planning and Zoning Commission