



# PLANNING COMMISSION

Planning & Development Services Department • 201 N. Stone Ave. • Tucson, AZ 85701

**DATE:** January 15, 2014

**TO:** Planning Commission

**FROM:** Ernie Duarte  
Executive Secretary

**SUBJECT:** Unified Development Code Text Amendment, Article 5, Overlay Zones, Section 5.8 “H” Historic Preservation Zone (HPZ) (City Wide)

**Issue:** This item is scheduled for a public hearing.

This is a public hearing item presented to the Planning Commission recommending a text amendment to the Unified Development Code (UDC), Article 5: Overlay Zones, Section 5.8 “H” Historic Preservation Zones (HPZ), more specifically amending the City Historic Landmark designation and review processes.

**Background:** On May 21, 2013, Mayor and Council directed staff to prepare a text amendment that simplifies the landmark designation process. The current process is considered overly complicated and hinders the designation of likely candidate properties.

**Description of Proposed Amendment:** The goal of the text amendment is to streamline the process for the designation and establishment of Historic Landmarks by:

Creating a simpler format for designating Historic Preservation Zones and Historic Landmarks

Currently the HL and HPZ designation processes have formatting issues with overlapping provisions that cause confusion and make both processes seem redundant. HL and HPZ processes have different requirements and should be explained independently. The proposed amendment will separate the two processes to clarify requirements and make designations more accessible.

Defining eligibility criteria and design guidelines for Historic Landmarks

Currently the City’s eligibility criteria is that any property 50 years or older may be eligible for designation as a historic landmark. By linking the eligibility to the criteria of the National Register of Historic Places it increases the merit of the City’s designations by requiring historic landmarks to be of “exceptional value or quality in illustrating or interpreting the heritage of Tucson.” The rationale for the linkage of local to national criteria for historic designation of individual properties includes consistency, objectivity, as well as financial incentives and benefits.

Emphasizing process simplicity and efficiency

Currently the HL designation requires a Preliminary Assessment to begin the process and if Mayor and Council decide to initiate the designation a Cultural Inventory and Survey is also required. The proposed amendment consolidates these two requirements into one step called the Nomination Proposal.

The Nomination Proposal streamlines the process by combining multiple steps and eliminating redundant requirements. The Nomination Proposal also ensures that the landmark's historical significance and eligibility has been vetted with the City of Tucson's Preservation Officer and the Tucson-Pima County Historical Commission prior to it arriving at the Mayor and Council for the Initiation step.

The proposed revisions provide clarity to designation criteria and steps in the Historic Landmark process. This amendment will promote a wider community understanding of the individual significance of the designation and promotes efficiency.

**Planning Commission Action:** On November 20, 2013, the Planning Commission held a study session on the text amendment. The Planning Commission set this item for public hearing on January 15, 2014. The Planning Commission requested that prior to the public hearing in January 2014, staff: notify local Historic Preservation Zone Advisory Boards about the proposed text amendment; clarify how the designation process is being streamlined; clarify the benefit of linking eligibility to the National Register and better explain the proposed fee schedule for HL and HPZ designations.

**Additional Information:** A summary of additional information requested by the Planning Commission is provided below:

**1.) Have the local HPZ Advisory Boards been notified of the proposed text amendment?**

Yes - all five local HPZ Advisory Boards have been notified and provided with copies of the proposed revisions (December 12, 2013). To date there have been no comments regarding the proposed text amendment. Note that since the November 20, 2013 Planning Commission meeting the Barrio Historico Advisory Board has been reactivated.

**2.) What is the benefit of linking Historic Landmark Eligibility to the Criteria of the National Register of Historic Places?**

Linking the eligibility criteria for local historic landmark designation to the eligibility criteria for individual listing in the National Register of Historic Places is based on comparative research, "Best Practices" of cities in Arizona and elsewhere in the United States, i.e. Phoenix, Tempe, Austin, and San Antonio, each of which links their landmark criteria to National Register listing or eligibility. Because local historic landmarks in these cities are individual buildings, structures, or sites rather than

contributing properties in districts, landmarks must be individually listed or eligible for individual listing in the National Register.

**3.) How does the proposed text amendment streamline the current process?**

Currently the HL designation process requires applicants to provide a Preliminary Assessment and a Cultural Inventory and Survey at two different stages of the process. These two similar steps create a redundant and longer process. The proposed text amendment streamlines the process by consolidating these two procedural steps into one, and identifies the process for what it is – a Nomination Proposal. The Nomination Proposal consolidates both the Preliminary Assessment and Cultural Inventory and Survey into one step, allowing for a more comprehensive analysis of the proposed historic landmark. This consolidation streamlines the process. Thus the Nomination Proposal before the Mayor and Council Initiation hearing has already been reviewed for historical significance and eligibility. The Nomination Proposal step facilitates the requirement to provide proof of individual historical significance as mentioned in Question 2.

**4.) How is the HPZ designation process affected by the Nomination Proposal?**

There is no change to the HPZ designation process, with the exception that the preliminary assessment is now called the Nomination Proposal which requires additional information at the beginning. However, a Cultural Inventory and Survey and Design Standards will still be required later in the process due to the larger scope of historic resources in HPZ areas. The main change is in formatting, with the HPZ and HL designation processes both standing apart in the UDC to make it easier for applicants to understand the processes more clearly.

**5.) What is the current a fee schedule for HL designation?**

Currently the Rezoning Fee Schedule does not identify a fee for HL/HPZ designations. However both HPZ/HL designations are a change of zoning requiring payment of a fee which includes staff review, variable fees, and Zoning Examiner public hearing fee. An HL/HPZ fee is calculated using the existing underlying zone, i.e. R-1, R-2, C-1, I-1 etc. as the base fee plus a per acre fee. The proposed fee schedule have a base fee of \$330.00 regardless of the existing underlying zoning for both HL and HPZ designations, with a per acre fee of \$50.00 for the HPZ designations. Both HPZ and HL designations are subject to additional variable fees (i.e. mailings, archives, etc).

**Below is an example of an HL designation case:**

**Valley of the Moon – 2544 E. Allen Rd. Zone: R-1 Area: 2.1 Acres**

**Existing Fees:** Base: \$2200.00; Aerial Photo: \$165.00; Legal Advertisement: \$275.00; Notification of Property Owners: \$220.00; Ordinance Display Advertisement: \$126.50; Archive Fee: \$16.50 **Total: \$3003.00**

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**Proposed Fees:** Base: \$330.00; Aerial Photo: \$165.00; Legal Advertisement: \$275.00; Notification of Property Owners: \$220.00; Ordinance Display Advertisement: \$126.50; Archive Fee: \$16.50 **Total: \$1133.00**

**Public Contact:**

- The Tucson-Pima County Historic Plans Review Subcommittee, on September 12, 2013, unanimously approved the proposed changes to the Historic Landmark designation process in the UDC;
- All five local HPZ Advisory Boards: Fort Lowell, Barrio Historico, West University, El Presidio and Armory Park have received a copy of the proposed text amendment for review, as to date there have been no comments;
- Land Use Code Committee received a copy of the proposed text amendment for review, as to date there have been no comments;
- Southern Arizona Home Builders Alliance – Tech Committee, on June 18, 2013, received a presentation overview by PDS staff on the proposed changes to the Historic Landmark designation process in the UDC;
- Metropolitan Pima Alliance – Built Environment Committee, on November 4, 2013, received a presentation overview by PDS staff on the proposed changes to the Historic Landmark designation process in the UDC.

**Recommendation / Conclusion:** Staff Recommends that the Planning Commission forward the proposed text amendment to the Mayor and Council with a recommendation to revise the Unified Development Code, Article 5, Overlay Zones, Section 5.8 “H” Historic Preservation Zone.

**Attachments:**

- A: Redline version of proposed amendment
- B: Proposed fee schedule for Historic Landmark designation