



**NOTICE OF A REGULAR MEETING OF THE HISTORIC PRESERVATION COMMISSION
OF THE TOWN OF CLARKDALE
TUESDAY, MARCH 7, 2023 AT 6:30 PM**

In Person: Clark Memorial Clubhouse, 19 N. Ninth St., Clarkdale AZ

OR

Join Zoom Meeting

<https://zoom.us/j/9554994085>

Meeting ID: 955 499 4085

Town of Clarkdale Vision

The Town of Clarkdale connects our unique history, proximity to the Verde River, and small-town charm to a future with a vibrant economy.

We cultivate an environment where residents and businesses can thrive; providing services and jobs for our residents and capitalizing upon tourism.

We sustainably enhance our infrastructure, support the arts and education, and develop recreational opportunities to create a bright future for our entire community.

PURSUANT TO A.R.S. §38-431.02, NOTICE IS HEREBY GIVEN that the Historic Preservation Commission will hold a Regular Meeting open to the public on Tuesday, March 7, 2023, at 6:30 PM at 19 N. Ninth Street, Clarkdale, Arizona, Clark Memorial Clubhouse, Men's Lounge. A quorum of Town Council members may be present at this meeting; however, they will not deliberate or take action on any items. All members of the public are welcome to attend.

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR DISCUSSION AND POSSIBLE ACTION, UNLESS OTHERWISE NOTED.

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

The Historic Preservation Commission invites the public to provide comments at this time. Members of the Historic Preservation Commission may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01, action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date. Persons interested in making comments on a specific agenda item are asked to complete a brief form and submit it to the Clerk or liaison during the meeting. Each Speaker is asked to limit their comments to five minutes.

4. MINUTES

A. Approval of Minutes

Discuss, consider and act upon the draft minutes from the regular meetings held on Jan. 3, 2023, and Feb. 7, 2023.

5. NEW BUSINESS

A. Selection of Chair for the Historic Preservation Commission

Discuss, consider and act upon the selection of a Chairperson for the Historic Preservation Commission to serve a term of one year.

B. Selection of Vice Chair for the Historic Preservation Commission

Discuss, consider and act upon the selection of a Vice Chairperson for the Historic Preservation Commission to serve a term of one year.

6. DISCUSSION ITEMS ONLY - NO ACTION TAKEN

A. Historic Preservation Ordinance Update

Jon Froke, of Froke Urban Planning LLC, will present the draft Historic Preservation Ordinance and zoning code amendments needed to incorporate the Ordinance.

B. Bandstand Update

Community Development Director Ruth Mayday will provide an update on the bandstand renovation.

7. FUTURE AGENDA ITEMS

Historic Preservation Commission may propose items to be placed on a future agenda. This item is for discussion only.

8. ADJOURNMENT

Values

Values are the guiding principles that provide an organization with purpose and direction. The Town of Clarkdale's organizational values are:

COPPER

Customer focused

Open, transparent and equitable

Preserving our history, charm, and environment

Planning for a sustainable future

Economic and social resiliency

Resourceful and innovative

Mission

The Town of Clarkdale serves the community by providing amenities, infrastructure, services, and public safety to enhance quality of life. We are stewards of our history while we sustainably and resiliently plan for the future with an emphasis on community engagement and transparency.

Persons with a disability may request reasonable accommodations by contacting the Town Hall at (928) 639-2400 (TTY: 1-800-367-8939) at least 72 hours in advance of the meeting.



Staff Report

Item Number: 4.A.

<u>Agenda Item:</u>	Approval of Minutes Discuss, consider and act upon the draft minutes from the regular meetings held on Jan. 3, 2023, and Feb. 7, 2023.
<u>Staff Contact:</u>	Tom Blanchard, Senior Planner
<u>Meeting Date:</u>	March 7, 2023
<u>Strategic Goal:</u>	Not applicable.
<u>Background:</u>	Review of the draft minutes from the regular meeting held on Jan. 3, 2023, and Feb. 7, 2023.
<u>Budget Impact:</u>	No budget impact.
<u>Recommendation:</u>	Staff recommends approval of the draft minutes from the meetings held on Jan. 3, 2023, and Feb. 7, 2023.



**MINUTES OF A REGULAR MEETING OF THE HISTORIC PRESERVATION COMMISSION
OF THE TOWN OF CLARKDALE
TUESDAY, JANUARY 3, 2023 AT 6:30 PM**

Members Present: *Chair Terry Gibson, Michael Lindner, Ed Loesche, Cindy Emmett and Matthew Guebard*

Other Municipal Officials Present: *Community Development Director Ruth Mayday, Senior Planner Tom Blanchard, Planning Technician Guss Espolt*

Audience: *Nine members of the public present.*

- 1. CALL TO ORDER** - *Chair Gibson called the meeting to order at 6:30 p.m.*
- 2. ROLL CALL**- All members present.
- 3. PUBLIC COMMENT** – No public comment.
- 4. MINUTES**

A. Approval of Minutes

Considered and act upon the minutes from the regular meeting held on Nov. 1, 2022.

Motion by Lindner, second by Loesche to: *I make a motion to approve the minutes for the meeting held on Nov. 1, 2022.*

Approved: 5-0 Aye

Commissioner	Aye/Nay
Chair Gibson	Aye
Commissioner Emmett	Aye
Commissioner Lindner	Aye
Commissioner Loesche	Aye
Commissioner Guebard	Aye

5. STAFF REPORTS

A. BROADWAY ROAD IMPROVEMENT UPDATE

Community Development Director Ruth Mayday will provide updates on the Broadway Road project. *Phase 1 improvements are complete. Phase 2 includes a walking path and is currently in design and slightly delayed due to erosion and topography challenges.*

Michael Lindner stated that the Historic Preservation Commission has interest in being involved in the

planning and review process of future projects. He is concerned with the historic narrow roadway width.

Ruth Mayday stated that road widening is necessary to accommodate the sidewalk for pedestrian safety.

B. TAAWAKI INN UPDATE

Community Development Director Ruth Mayday will provide an update on the site plans and construction plan for the Taawaki Inn.

Site Plan is under review and should be complete next month, followed by civil construction and building plans. There is no estimated groundbreaking date at this time.

Cindy Emmett is concerned about impact to washes caused by the Taawaki project.

Ruth Mayday explains that the State requires engineering plans that control storm water runoff to not exceed predevelopment levels, so there should be no impact to surrounding washes.

C. NEWSTAND UPDATE

Community Development Director Ruth Mayday will provide an update on the construction drawings for the Newstand on Main Street.

Interior demolition is ongoing, and we expect to see construction plans in the near future.

D. PLATEAU UPDATE

Community Development Director Ruth Mayday will provide a progress update on the Plateau project.

The Final Plat will be approved at Town Council meeting on Jan. 24. The covenants, conditions, and restrictions (CCR's) include language we requested on short term rentals and homeowner associations maintenance of streets and common areas. Civil and building plans are under review. Groundbreaking possibly in April to move natural gas mainline, followed by civil construction, then building construction.

E. HPC JOINT MEETING WITH TOWN COUNCIL

Community Development Director Ruth Mayday will discuss the option of attending a joint meeting with the Town Council on Jan. 24, 2023.

The Commission prefers a Joint Meeting with Town Council on Feb. 14, 2023.

6. DISCUSSION ITEMS ONLY - NO ACTION TAKEN

A. HISTORIC PRESERVATION ORDINANCE UPDATE

Community Development Director Ruth Mayday will introduce the Historic Preservation Ordinance consultant, John Froke, of Froke Urban Planning LLC, to present a brief overview of the statement of work and timeline of the project.

7. FUTURE AGENDA ITEMS

Historic Preservation Commission proposed election of officers as a future agenda item.

8. ADJOURNMENT – 7:05 p.m.

Chairperson Terry Gibson
Historic Preservation Commission

Community Development Director Ruth Mayday



**MINUTES OF A REGULAR MEETING OF THE HISTORIC PRESERVATION COMMISSION
OF THE TOWN OF CLARKDALE
TUESDAY, FEBRUARY 7, 2023 AT 6:30 PM**

In Person: Clark Memorial Clubhouse, 19 N. Ninth St., Clarkdale AZ

OR

Join Zoom Meeting

<https://zoom.us/j/9554994085>

Meeting ID: 955 499 4085

Members Present: *Chair Terry Gibson, Michael Lindner, Ed Loesche, and Matthew Guebard*

Members Absent: *Cindy Emmett*

Other Municipal Officials Present: *Community Development Director Ruth Mayday,
Senior Planner Tom Blanchard, Planning Technician Guss Espolt*

Audience: *11 members of the public present*

1. CALL TO ORDER - *Chair Gibson called the meeting to order at 6:30 p.m.*

2. ROLL CALL- All members present.

3. PUBLIC COMMENT—

Town Council Member, O'Neil: *Will the ordinance apply to interior renovations/repairs to the Main Street Café?*

Community Development Director (CDD) Mayday: *No, the proposed Historic Preservation Ordinance (HPO) would only apply to the exterior of buildings and our existing building code would apply to the building's interior renovations.*

Mayor, Prud'homme-Bauer: *The ordinance should be clear and understandable, prevent over-reach of government into private property and prevent overly costly expenses to the property owners. Build positive relationships that value our history and its place in our community and value our future. Balance cultural and historical understanding, economic development, and long-term sustainability of our community. Should be voluntary.*

Planning Commission Member, Taylor: *I live in a historical home on Main Street, and I am a retired developer, and a member of the Clarkdale Historical Society and Museum and love the town for its history. No HOA-style over-reach. Ability to opt-out. Our priorities should be the life-safety issues in Patio Park, Centerville and providing and safer streets. Irrevocable exclusion of single-family housing from the HPO. Private developers may be deterred from investing in the historic downtown due to over-restrictive HPO requirements.*

Historic Downtown Property Owner, Drake Meinke: *Clarkdale is one of the largest historic districts in the USA and is worth preserving. The HPO may impose economic hardship on some. Will funding for repairs may be available? Will penalties be imposed by the HPO? The goal to preserve and restore, what does that mean? Will the metal ornamental fencing throughout the town, be included in the HPO? I think it should be. Preservation easements are available without an HPO, are optional and would help to preserve the historic facades with guidance from the historic preservation commission (HPC). Bitter Creek Bridge should be included in the ordinance, if not, we should put a 'sundowner clause' to retire the HPO.*

Town Council Member, Marney Babbitt-Pierce: *The HPO will give you the guidance to the HPC and to the past and future of Clarkdale and honor the past to build a better future.*

Design Review Board Chair, Kerrie Snyder: *I am a historic downtown property owner and concerned of over-reach of government into private property. As we grow and develop, we need guidelines without being overbearing.*

Historic Downtown Property Owner, Phillip Tavasci: *The Historical Society helped us locate historical front doors and windows that closely replicate the original doors and windows for our renovation of the historical downtown Newstand building.*

4. MINUTES

A. Approval of Minutes

Consider and act upon the draft minutes from the regular meeting held on Jan. 3, 2022.

This item was not discussed and tabled to next meeting.

5. DISCUSSION ITEMS ONLY - NO ACTION TAKEN

A. Historic Preservation Ordinance Update

Jon and Adam Froke, of Froke Urban Planning LLC, presented elements of the proposed HPO:

- 1. HPO will focus on the historic downtown (approx. 30 commercial sites).*
- 2. HPO boundary will create a new overlay district.*
- 3. Will include design and preservation criteria and process for approving projects.*

Next Steps: Prepare 'draft' HPO from input of property owners, business owners and stakeholders from the HPO open house and HPC meeting, both held on Feb. 7, 2023, and present 'draft' HPO at next HPC meeting.

6. FUTURE AGENDA ITEMS

- 1. Historic Preservation Ordinance update by Jon Froke.*
- 2. Approve Jan. 3, 2023, and Feb. 7, 2023, minutes.*

7. ADJOURNMENT – *Chair Gibson adjourned the meeting without objection at 7:20 p.m.*

Chairperson Terry Gibson
Historic Preservation Commission

Community Development Director Ruth Mayday



Staff Report

Item Number: 5.A.

Agenda Item: **Selection of Chair for the Historic Preservation Commission**
Discuss, consider and act upon the selection of a Chairperson for the Historic Preservation Commission to serve a term of one year.

Staff Contact: Ruth Mayday, Community Development Director

Meeting Date: March 7, 2023

Strategic Goal: This agenda item supports the following Clarkdale Strategic Goal:

- Goal Area 2 - Enhance the quality of life for residents, businesses, and visitors to Clarkdale.

Background: The role of the Chair and Vice Chair generally rotates each year. Frequently, the position is based on seniority, but that is not a mandatory criterion. The willingness and ability of an individual to serve as the Chair or Vice Chair should be taken into consideration. The additional responsibilities of serving as Chair and Vice Chair may take extra time.

Responsibilities of the Chair:

- Preside at all official meetings of the Commission.
- Consult with the staff liaison on drafting the meeting agenda.
- Attend Town Council meetings as needed to represent the Commission.
- Sign correspondence on behalf of the Commission.
- Make the public feel welcome at meetings.
- Keep discussions orderly, focused, efficient, impersonal, and fair.

Budget Impact: No budget impact.

Recommendation: Staff recommends the board select and vote to approve a Chair for the Historic Preservation Commission to serve a term of one year.



Staff Report

Item Number: 5.B.

Agenda Item: **Selection of Vice Chair for the Historic Preservation Commission**
Discuss, consider and act upon the selection of a Vice Chairperson for the Historic Preservation Commission to serve a term of one year.

Staff Contact: Tom Blanchard, Senior Planner

Meeting Date: March 7, 2023

Strategic Goal: This agenda item supports the following Clarkdale Strategic Goal Area:

- Goal Area 2 - Enhance the quality of life for residents, businesses, and visitors to Clarkdale.

Background: The role of the Chair and Vice Chair generally rotates each year. Frequently, the position is based on seniority, but that is not a mandatory criterion. The willingness and ability of an individual to serve as the Chair or Vice Chair should be taken into consideration. The additional responsibilities of serving as Chair and Vice Chair may take extra time.

The responsibilities of the Vice Chair are the substitute for the Chair as needed.

Responsibilities of the Chair:

- Preside at all official meetings of the Commission.
- Consult with the staff liaison on drafting the meeting agenda.
- Attend Town Council meetings as needed to represent the Commission.
- Sign correspondence on behalf of the Commission.
- Make the public feel welcome at meetings.
- Keep discussions orderly, focused, efficient, impersonal, and fair.

Budget Impact: No budget impact.

Recommendation: Staff recommends the board select and vote on a Vice Chair to act on behalf of the Chair in their absence and serve a term of one year.



Staff Report

Item Number: 6.A.

<u>Agenda Item:</u>	Historic Preservation Ordinance Update Jon Froke, of Froke Urban Planning LLC, will present the draft Historic Preservation Ordinance and zoning code amendments needed to incorporate the Ordinance.
<u>Staff Contact:</u>	Ruth Mayday, Community Development Director
<u>Meeting Date:</u>	March 7, 2023
<u>Strategic Goal:</u>	This agenda item supports the following Clarkdale Strategic Goal: • Goal Area 1 - Preserve and celebrate Clarkdale's unique, complex history.
<u>Background:</u>	On Feb. 7, 2023, the Town of Clarkdale hosted a Stakeholder Open House to gather feedback and answer questions regarding the Historic Preservation Ordinance. Jon Froke, of Froke Urban Planning LLC, will present the draft Historic Preservation Ordinance and zoning code amendments needed to incorporate the Ordinance.
<u>Budget Impact:</u>	No budget impact.
<u>Recommendation:</u>	Discussion only.

Section 1-050 Zoning Districts

A. Classifications: For the purpose of this Ordinance, the Town of Clarkdale is hereby divided into districts as follows:

1. [Single Family Residential \(R1\) District](#)
2. [Single Family Residential \(R-1A\) District](#)
3. [Single Family Residential Limited \(R-1L\) District](#)
4. [Suburban Residential \(RS3\) District](#)
5. [Single Family Residential and Multiple Dwelling Units \(R-2\) District](#)
6. [Multiple Family Residential \(R-3\) District](#)
7. [Manufactured Home Residential \(R-4\) District](#)
8. [Manufactured Home Residential Alternate \(R-4A\) District](#)
9. [Commercial \(C\) District](#)
10. [Central Business \(CB\) District](#)
11. [Industrial \(I\) Districts](#)

12. Historic District (HD)

B. Boundaries and areas:

1. The boundaries and areas of these districts are hereby established as indicated by means of lines, symbols, figures expressing distance in feet otherwise on the Zoning Map adopted in Section [4](#) hereof, and declared to be part of this Ordinance.
2. The indicated boundary lines are intended generally to follow existing property lines or street lines or as may be otherwise indicated on the Zoning Map.
3. Determination of doubtful lines: In case of doubt or disagreement concerning the exact location of a district boundary line, the determination shall be made by the Board of Adjustment, created by Ordinance No. 39, adopted October 6, 1975.

Section 2-010 Definitions

Building Official: Person appointed by the Town Manager that oversees the responsibility of issuing construction and demolition permits and generally enforcing the provisions of the Building Code.

Bulk Standards: Controls which establish the maximum size of buildings and structures on a lot or parcel and the build able area within which the structure may be places including lot coverage, height, floor area ratio, setbacks and yard area.

Community Development Director: Person appointed by the Town Manager that oversees the Community Development Department.

Hardship: A restriction on property so unreasonable that it results in an arbitrary and capricious interference with basic property rights. Hardship relates to the physical characteristics of the property, no the personal circumstances of the owner or user, and the property is rendered unusable without the granting of a variance.

Historic Preservation Officer: Person appointed by the Community Development Director that oversees the Historic Preservation Commission and the activities of the Clarkdale Historic Preservation Program.

Historic District: Includes areas of the Town which are recognized by either local historic preservation districts or the National Register of Historic Places, and/or a combination of both. A map of the Clarkdale Historic District is on file with the Community Development Department.

CHAPTER 3

ZONING DISTRICTS

Articles:

3-010	Single Family Residential (R1)
3-020	Single Family Residential (R1A)
3-030	Single Family Residential Limited (R1L)
3-040	Single Family and Limited Multiple Family Residential (R2)
3-050	Multiple Family Residential (R3)
3-060	Manufactured Home Residential (R4)
3-070	Manufactured Home Residential Alternate (R4A)
3-080	Suburban Residential (RS3)
3-090	Central Business District (CB)
3-100	Commercial (C)
3-110	Neighborhood Commercial District (NC)
3-120	Highway Commercial District (HC)
3-130	89A Corridor Commercial Overlay District <u>(89A)</u>
3-140	Industrial District (I)
3-150	Open Space District (OS)
3-160	Arts & Entertainment District <u>(AE)</u>
3-160-010	Purpose
3-160-020	District Boundaries
3-160-030	Design Guidelines
3-160-040	Exemptions
<u>3-170</u>	<u>Historic District (HD)</u>

Section 3-010 Single Family Residential (R1)

A. Principal Use Permitted: (Not requiring a use permit).

1. Single family dwellings, excluding mobile or manufactured homes.

Section 3-170 Historic District (HD)

Section 3-170-010 Purpose

The purpose of this ordinance is to support the Historic Resource Survey of Clarkdale (Ryden, 1989) and identify, preserve, and enhance the Town's significant historical, architectural, cultural, and archaeological resources in the interest of the welfare of the citizens of Clarkdale by:

- Protecting, preserving, and enhancing the significant elements of the historical, architectural, cultural, and archaeological heritage of the Town;
- Encouraging the identification and recognition of significant historic resources;
- Encouraging the sensitive adaptation of historic properties to modern uses;
- Ensuring that new construction, additions, alterations, and demolitions to both historic and non-historic properties within the Clarkdale Historic District is carried out in a manner which is not detrimental to the historic integrity of the district;
- Encouraging the identification and protection of prehistoric and historic archaeological resources;
- Encourage tourism and visitors to the Town;
- Protecting and preserving those properties within the Town which may not be a contributing property, but is valuable to the community in terms of tourism, education, neighborhood character and identity, and economic development; and
- Preserving and enhancing the attractiveness of the Town to potential home buyers, and business interests, thereby supporting and promoting commercial development and economic benefit to the Town.

Section 3-170-020 Effect of Historic District Designation

The Historic District is an overlay zone. Permitted land uses and development standards shall be regulated by the underlying zoning district.

- The development standards for the underlying zoning district may be superseded by the design guidelines adopted at the time of the district designation. This includes, but is not limited to, the size, height, locations and number of signs, the location of off-street parking, required screening and landscaping, the height of fences and walls, and the number of required off-street parking and loading spaces.
- When a building permit is sought from the Town to demolish, alter, remodel, move, build, or otherwise develop or landscape property in the Clarkdale Historic District,

issuance of the permit shall be deferred until after a Certificate of No Effect is issued by the Historic Preservation Officer or a Certificate of Appropriateness is obtained from the Historic Preservation Commission.

- Plans showing the scope of the proposed work shall be submitted at the time of application for a Certificate of No Effect or a Certificate of Appropriateness. An approved plan shall be binding upon the applicant and their successors and assignees. No building permit shall be issued for any building or structure not in accordance with the plan, except that temporary facilities shall be permitted in conjunction with construction.
- Nothing in this ordinance shall be construed to prevent ordinary maintenance, cleaning, repair, including painting, of any structure in the Historic District, which does not alter or modify the historic character of the structure.

Section 3-170-030 Certificate of No Effect

All requests for building permits located within the Clarkdale Historic District shall be referred to the Historic Preservation Officer.

The Historic Preservation Officer shall issue a Certificate of No Effect if it is determined that:

1. The proposed work is minor and clearly within the design guidelines; and
2. The proposed work will not diminish, eliminate, or adversely impact the historic character of the subject property or its effect on the Clarkdale Historic District.

Approval of a Certificate of No Effect authorizes the issuance of permits required by the Building Official.

If a Certificate of No Effect is not issued, a Certificate of Appropriateness shall be required.

Section 3-170-040 Certificate of Appropriateness

The Historic Preservation Commission shall review the application and shall conduct a public hearing within sixty (60) days of the filing of an application for a building permit.

Notice of the application shall be posted on the property at least fifteen (15) days before the date set for the public hearing.

The Historic Preservation Commission shall either grant or deny the application or grant it with stipulations. This application shall be deemed approved if the initial hearing is not held within sixty (60) days of the date of application.

The Historic Preservation Commission shall evaluate all proposals in accordance with the Secretary of the Interior Standards for Rehabilitation and the adopted design guidelines for the district. A Certificate of Appropriateness shall be granted if the Historic Preservation Commission determines that the proposed work is:

1. Is compatible with the relevant historic, cultural, educational, or architectural qualities characteristic of the property; and

2. Does not diminish or adversely impact the integrity of the Clarkdale Historic District; or

3. Qualifies for a Certificate of Economic Hardship.

Any person aggrieved by the decision of the Historic Preservation Commission may, within fifteen (15) working days of this action appeal to the Town Council. If appealed, the matter shall be set for a public hearing before the Town Council. Notice of the hearing shall be sent to the applicant at least fifteen (15) days prior to the hearing and shall be posted on the property fifteen (15) days prior to the hearing.

The Town Council shall limit its review of the case to the record of the Historic Preservation Commission, as established by the staff report, any exhibits, minutes and/or transcripts, and any audio/visual tape of the proceedings. New testimony will not be accepted for consideration, however, each side may make a limited presentation on the evidence in the record of the Historic Preservation Commission.

The Town Council must make its decision within sixty (60) days of the filing of an appeal, or the application is deemed approved. At this public hearing, the City Council may:

1. Affirm the decision of the Historic Preservation Commission.

2. Reverse the decision of the Historic Preservation Commission; or

3. Remand the application to the Historic Preservation Commission for reconsideration.

Approval of a Certificate of Appropriateness authorizes the issuance of permits required by the Building Official. A Certificate of Appropriateness expires one (1) year from the date of issuance if a building permit is not issued for the project.

Section 3-170-050 Certificate of Economic Hardship

A Certificate of Economic Hardship may be granted by the Historic Preservation Commission or by the Town Council on appeal. Separate standards for obtaining a Certificate of Economic Hardship are established for investment or income producing and non-income producing properties. Non-income producing properties shall consist of owner-occupied single-family dwellings and non-income producing properties.

The basis to establish economic hardship for an income producing property shall be the inability of a property taken as a whole to obtain a reasonable rate of return in its present condition or if rehabilitated.

Economic hardship regarding a non-income producing property shall be found when the property owner demonstrates that the property has no beneficial use as a single-family dwelling or for an institutional use in its present condition or if rehabilitated.

Demonstration of an economic hardship shall not be based on or include any of the following circumstances:

- _____ 1. Willful or negligent acts by the owner;**
- _____ 2. Purchase of the property for substantially more than market value;**
- _____ 3. Failure to perform normal maintenance and repairs;**
- _____ 4. Failure to diligently solicit and retain tenants; or**
- _____ 5. Failure to provide normal tenant improvements.**

Demonstration of an economic hardship may be considered including the ability and diligence of the property owner at the time of acquisition, to determine the potential historic significance of the subject property within the Clarkdale Historic District.

In order to properly assess a request for Certificate of Economic Hardship, the Commission shall request and receive from the applicant all information it deems necessary. This may include, but is not limited to, the following:

- _____ 1. A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of the building(s) on the property, their suitability for rehabilitation, and possible new uses for the property;**
- _____ 2. The assessed value of the land and improvements according to the two (2) most recent assessments;**

_____ 3.The real estate taxes paid during the previous two (2) years;

_____ 4.All appraisals obtained by the owner or applicant in connection with his purchase, financing, or ownership of the property;

_____ 5.Any listing of the property for sale or rent, price asked and offers received, if any;

_____ 6.All building and fire code violations which have been listed on the property for the last two (2) years.

_____ 7.Any federal, state, or local citation(s) which have determined the building to be a nuisance under applicable law; and

_____ 8.If the property is income-producing:

_____ a.Annual gross income from the property for the previous two (2) years;

_____ b.Itemized operating and maintenance expenses for the previous two (2) years; or

_____ c.Annual cash flow, if any, for the previous two (2) years.

The procedures for obtaining a Certificate of Economic Hardship shall be the same for obtaining a Certificate of Appropriateness.

If a Certificate of Economic Hardship is issued, a Certificate of Appropriateness shall be granted.

Section 3-170-060 Demolition & Moving of Buildings & Structures

It is the intent of this ordinance to preserve the historic and architectural resources within the Historic District. However, it is recognized that there can be circumstances beyond the control of a property owner which may result in the necessary demolition of a structure within the Historic District. These circumstances include a building which constitutes an imminent safety hazard, which involves a resource whose loss does not diminish or adversely affect the integrity of the district, or which imposes an economic hardship on its owners as follows:

1. **No permit shall be issued to move or demolish all or any part of a house, building, or other structure in the Historic District without approval of a Certificate of Appropriateness as established in Section 3-170-040.**

2. A request for a demolition permit shall be exempt from these requirements if the Building Official determines, according to the criteria set forth in the Uniform Code for the Abatement of Dangerous Buildings, that the building is an imminent safety hazard to the public and that necessary repairs would be impractical. The Building Official shall first notify the Historic Preservation Officer in writing before issuing the demolition permit.
3. If demolition approval is not granted, then no demolition permit shall be issued for a period of one (1) year, unless a subsequent demolition approval has been requested and granted. A subsequent demolition application may be made and granted for a property which has previously been the subject of a one (1) year demolition permit denial if new facts or circumstances can be presented in support of the application.
4. Upon denial of a demolition approval, the Historic Preservation Officer shall contact the property owner to determine what assistance might be available to place the property into productive use. If a feasible rehabilitation or use is not found for the property, the Historic Preservation Officer shall investigate methods of private or public acquisition of the property.
5. If demolition approval is granted on any basis other than that of an imminent hazard, economic hardship, or upon expiration of a restraint of demolition, a demolition permit shall not be issued until a redevelopment or reuse plan for the property has received a Certificate of Appropriateness. Vacant land or non-use shall not be considered responsive to this requirement. A redevelopment or reuse plan shall consist of a site plan illustrating the location of building, parking, walls, and landscaping, as well as building elevations which depict roof lines, doors, windows, and other architectural details. A redevelopment or reuse plan shall also meet the requirements of Design Review as outlined in Chapter 11.
6. A demolition approval may be conditioned on stipulations which provide for rights of access to the property for the purposes of documentation or for agreed upon removal of artifacts.

Section 3-160-070 Design Guidelines

Per the 2012 Clarkdale General Plan: 'The context of a place considers its history as well as its future.'

Properties within the Clarkdale Historic District shall closely consider the surrounding context of the existing structures when designing new or remodeled buildings or considering an adaptive reuse of an existing building. Incorporation of the following features is recommended:

- Establishment of a relationship to adjoining spaces.**
- Continuity of streetscape along Main Street through inclusion of benches, decorative poles and banners and appropriate landscaping.**
- Brick façades and/or partial brick inlays.**
- Clerestory windows.**
- A strong pedestrian connection to existing sidewalks or extension of the sidewalk system.**
- A main entrance from a public sidewalk.**
- Rounded arches.**
- Large storefront windows.**
- Varied roof lines.**

Where feasible, as determined during the Site Plan Review process, new development in the Historic District shall conform to the following standards:

- Place public parking behind buildings or participate in the development of new central public parking areas.**
- The front yard setback shall be reduced to zero if the main building abuts a public sidewalk.**
- Landscaping shall include shade trees along the front boundary. These trees shall be from the approved plant list in Chapter Nine of the Zoning Code.**

All other development and performance standards are as found in the underlying zoning district. (Prior code § 3-16-3).

(Created by Ordinance #xxx; approved x/x/23; Effective x/x/23)

The Clarkdale Zoning Code is current through Ordinance #411, passed June 8, 2021.

Disclaimer: The Town Clerk has the official version of the Clarkdale Zoning Code. Users should contact the Town Clerk for ordinances passed subsequent to the ordinance cited above.

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