



**NOTICE OF A SPECIAL MEETING OF THE HISTORIC PRESERVATION COMMISSION
OF THE TOWN OF CLARKDALE
TUESDAY, MAY 21, 2024 AT 4:30 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

Unless otherwise stated, the public will have physical access to the meeting place 15 minutes prior to the start of the meeting.

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 Special Meeting open to the public on Tuesday, May 21, 2024, at 4:30 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 meeting held on April 2, 2024.

5. NEW BUSINESS

A. Display Window Replacement for the Miller Building

Discuss, consider and act upon a request from Drake Meinke to replace the display windows in the Miller Building with tempered safety glass.

B. Revisions to the Historic Preservation Ordinance

Discuss, consider and act upon amending the text of the final draft of the Historic Preservation Ordinance and making a recommendation to Council.

6. FUTURE AGENDA ITEMS

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

7. 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.



**SUMMARIZED MINUTES OF A REGULAR MEETING OF THE
HISTORIC PRESERVATION COMMISSION
OF THE TOWN OF CLARKDALE**

TUESDAY, APRIL 2, 2024, AT 6:30 PM

(To listen to the full audio/video of the meeting,
please visit www.clarkdale.az.gov – agendas & minutes)

Members Present: *Chair Terry Gibson, Vice Chair Guebard, Commissioner Amy Stein, Commissioner Michael Lindner, and Commissioner Dan Biggins*

Members Absent: *None*

Other Municipal Officials Present: *Community Development Director Ruth Mayday; Community Development Admin Guss Espolt; Clerk Charity Brooks (Zoom)*

Audience: *Two members of the public were present.*

Zoom: *One member of the public was present.*

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

2. ROLL CALL - *All commission members present.*

3. PUBLIC COMMENT - *No public comment.*

4. MINUTES

A. Approval of Minutes

Discuss, consider and act upon the draft minutes from the regular meeting held on March 5, 2024.

Motion by Stein second by Guebard to: *Approve the draft minutes from the meeting held on March 5, 2024.*

Approved: 5-0 Aye

Commissioner	Aye/Nay
Chair Gibson	Aye
Vice Chair Guebard	Aye
Commissioner Lindner	Aye
Commissioner Biggins	Aye
Commissioner Stein	Aye

5. NEW BUSINESS

A. Replacement of Windows in the Public Works and Community Development Buildings

Discuss, consider and act upon the replacement of windows in the Public Works and Community Development Buildings.

Motion by Lindner second by Stein to: *Approve to recommend to Council the replacement of windows in the Public Works and Community Development buildings.*

Approved: 5-0 Aye

Commissioner	Aye/Nay
Chair Gibson	Aye
Vice Chair Guebard	Aye
Commissioner Lindner	Aye
Commissioner Biggins	Aye
Commissioner Stein	Aye

6. DISCUSSION ITEMS ONLY - NO ACTION TAKEN

A. 2024 Strategic Plan

Review and discussion only regarding the updated 2024 Strategic Plan to determine schedules for completion.

7. FUTURE AGENDA ITEMS

Historic Preservation Commission did propose items to be placed on a future agenda. Referenced the last future agenda items, Spirit of Clarkdale, HPO, and Planning Commission meeting on April 16th at 4:30 p.m.

8. ADJOURNMENT – 7:10 p.m.

Motion by Stein, second by Biggins to: *adjourn the meeting at 7:10 p.m.*

Approved: 5-0 Aye

Commissioner	Aye/Nay
Chair Gibson	Aye
Vice Chair Guebard	Aye
Commissioner Lindner	Aye
Commissioner Biggins	Aye
Commissioner Stein	Aye

Chairperson Terry Gibson
Historic Preservation Commission

Assistant Town Manager Ruth Mayday



Staff Report

Item Number: 5.A.

<u>Agenda Item:</u>	Display Window Replacement for the Miller Building Discuss, consider and act upon a request from Drake Meinke to replace the display windows in the Miller Building with tempered safety glass.
<u>Staff Contact:</u>	Ruth Mayday, Community Development Director
<u>Meeting Date:</u>	May 21, 2024
<u>Strategic Goal:</u>	This agenda item supports the following Clarkdale Strategic Goal Area: • Goal Area 1 - Preserve and celebrate Clarkdale's unique, complex history.
<u>Background:</u>	Drake Meinke, Arizona Copper Arts Museum, is seeking approval to replace the glass and framing for the display windows in the Miller Building. Previously, he had requested permission to remove the existing plate glass and board up the windows until new tempered safety glass could be installed. Since that time, he has been able to coordinate removal of the existing plate glass and replacement with tempered safety glass at the same time and no longer needs to board up the windows.
<u>Budget Impact:</u>	No budget impact.
<u>Recommendation:</u>	Staff recommends that the Historic Preservation Commission approve the request from Drake Meinke to replace the display windows in the Miller Building with tempered safety glass.



Staff Report

Item Number: 5.B.

Agenda Item:**Revisions to the Historic Preservation Ordinance**

Discuss, consider and act upon amending the text of the final draft of the Historic Preservation Ordinance and making a recommendation to Council.

Staff Contact:

Ruth Mayday, Community Development Director

Meeting Date:

May 21, 2024

Strategic Goal:

This agenda item supports the following Clarkdale Strategic Goal Area:

- Goal Area 1 - Preserve and celebrate Clarkdale's unique, complex history.
- Goal Area 2 - Enhance the quality of life for residents, businesses, and visitors to Clarkdale.
- Goal Area 3 - Enhance the quality and availability of parks, recreation and cultural opportunities.

Background:

Arizona Revised Statutes 9-462.04 sets forth the statutory process for amendments to a city or town's zoning ordinance. The first step in that process is a public hearing before the Planning Commission to take comments from those affected or having an interest in the proposed amendments.

The Planning Commission held the required public hearing on April 16, 2024. Staff received five (5) letters from the following property owners requesting that their property be exempted:

1. Clarkdale Minerals
2. Conlin Trusts/Glenarm/Su Casa
3. Verde Canyon Railroad
4. Selna & Mongini Investments/Ray Selna
5. Clarkdale RX LLC/Karen Mc Clanahan

Staff also received an email from Cliff Pollay on April 18 asking that his properties be exempt from the ordinance.

During the public comment portion of the meeting, several property owners spoke in opposition to the ordinance, stating that it is ambiguous with respect

to whether or not compliance with the ordinance is mandatory or opt-in. Commissioner Stein pointed to the language in Section 3-170-020 D, which states that "...properties electing to adhere to the requirements of the Historic Preservation Ordinance..." indicating that participation would be optional.

Additionally, there was confusion about the Hardship Waiver and whether the language in Section 3-170-060 constituted a mandate for participation rather than an option to participate.

Commissioner Johnson asked why the HPC would be serving as Design Review Board for the historic district rather than the Design Review Board.

The Planning Commission then voted unanimously to table the item and send it back to staff and the HPC to clarify the optional participation in the ordinance.

Recommendation: Staff recommends the following:

1) Adding a new subsection A to Section 3-170-020 Historic District Designation:

1. The provisions of this Section may be applied to properties within the Clarkdale Historic District identified in the map of the Clarkdale Historic District at the option of the property owner. If the owner opts to apply the standards of this Section, all applicable standards in this Section shall be applied. An opt-in form must be signed by the property owner and submitted to the Town prior to issuance of any building permits under the Historic Preservation Ordinance.
2. Those property owners that do not opt in are subject to the development standards for the underlying zoning classification of the Historic District.
3. Historic properties electing to adhere to the requirements of the Historic Preservation Ordinance (HPO) shall inure to the following benefits:
 1. Accelerated review of historic preservation projects
 2. Accelerated permitting of historic preservation projects
 3. Waived application fees for historic preservation projects

This language is unambiguous with respect to the implementation of the ordinance as a voluntary, opt-in ordinance and should provide enough clarity to assuage concerns expressed at the public hearing.

2) Deleting subsection D of Section 3-170-020 Historic District Designation as that language is now part of the new subsection A.

3) Deleting subsection D from Section 3-170-060 Certificate of Hardship:
D. This section does not supersede an applicant's right to pursue a

diminution of value claim as provided for in law.

This language is no longer necessary as the ordinance is optional; property owners that opt in would not have a basis for a diminution of value claim.

4) Remove the industrial area from the Historic District Map.

Motion:

1. I move to **approve the proposed amendments to the Historic Preservation Ordinance as proposed by staff.**
2. I move to **approve the proposed amendments to the Historic Preservation Ordinance as proposed by staff with the following stipulations** and forward this item to the Town Council with a recommendation of the same.
3. I move to **send the proposed amendments to the Historic Preservation Ordinance back to staff** for additional work.
4. I move to **not amend the Historic Preservation Ordinance** as proposed and forward the item to the Planning Commission for further consideration and action.

Budget Impact: No budget impact.

Recommendation: Staff recommends that the Historic Preservation Commission amend the text of the final draft of the Historic Preservation Ordinance and make a recommendation to Council.

Section 3-170 HISTORIC DISTRICT (HD)

Section 3-170-010 Purpose

The purpose of this ordinance is to: support the preservation of buildings, structures, and sites identified in the Historic Resource Survey of Clarkdale (Ryden, 1989) and the National Register of Historic Places Designation (January 1, 1988), **and to** 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:

1. Protecting, preserving, and enhancing the significant elements of the historical, architectural, cultural, and archaeological heritage of the Town;
2. Encouraging the identification and recognition of significant historic resources;
3. Encouraging the sensitive adaptation of historic properties to modern uses;
4. Ensuring that new construction, additions, alterations, and demolitions to both historic and non-historic properties within the Clarkdale Historic District are carried out in a manner which is not detrimental to the historic integrity of the district;
5. Encouraging the identification and protection of prehistoric and historic archaeological resources and enhancing the value of the historic district and properties;
6. Protecting and preserving those properties within the Town which are valuable to the preservation of the community character and identity;
7. Preserving and enhancing the attractiveness of the Town to potential home buyers, and business interests; **and**
8. Supporting historic tourism and promoting commercial development and economic benefit to the Town.

Section 3-170-020 Historic District Designation

The Historic District is an overlay zone. Overlay zones ~~build upon~~ **supplement** the existing zoning by establishing additional requirements that are applied to the underlying zoning district.

A. Historic District Boundaries

The Historic Preservation District, which is subject to the regulations set forth herein, is designated by the boundaries **identified in Exhibit 1: Historic Preservation District**.

1) The provisions of this Section may be applied to properties within the Clarkdale Historic District identified in the map of the Clarkdale Historic

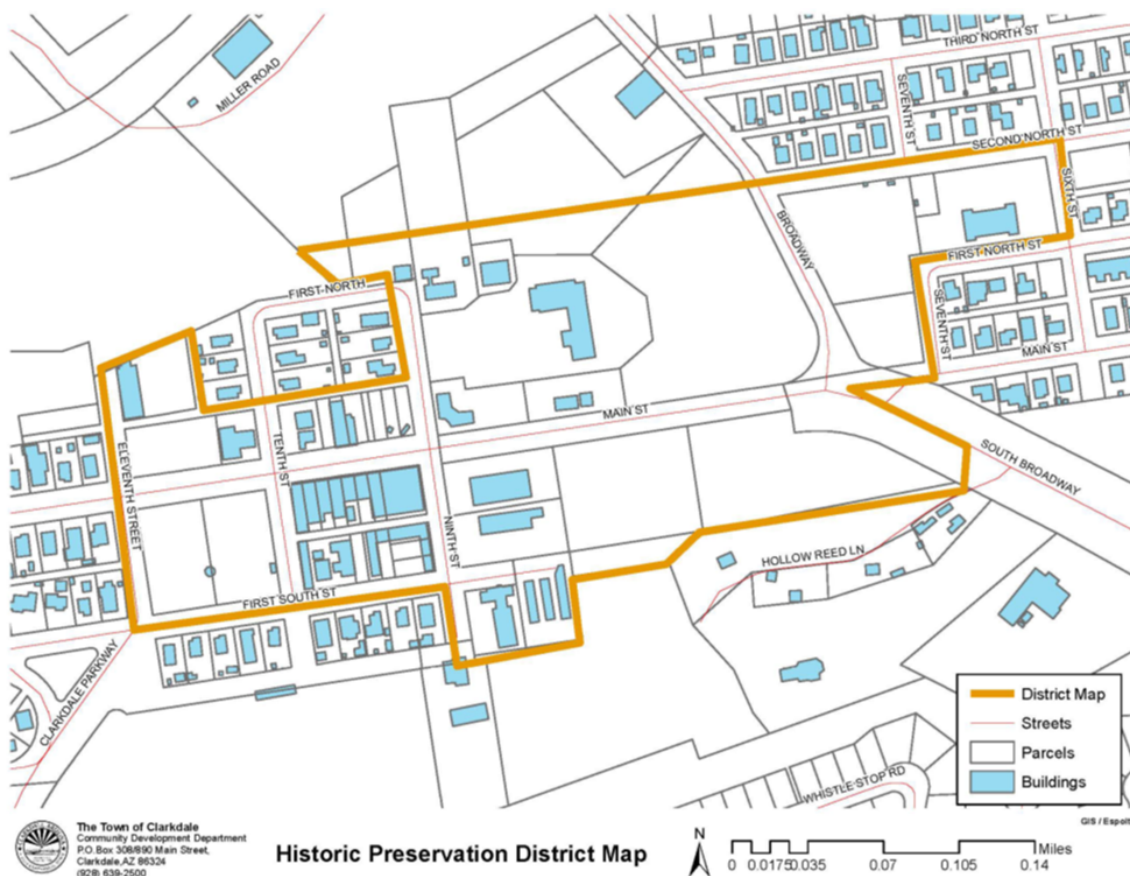
District at the option of the property owner. If the owner opts to apply the standards of this Section, all applicable standards in this Section shall be applied. An opt-in form must be signed by the property owner and submitted to the Town prior to issuance of any building permits under the Historic Preservation Ordinance.

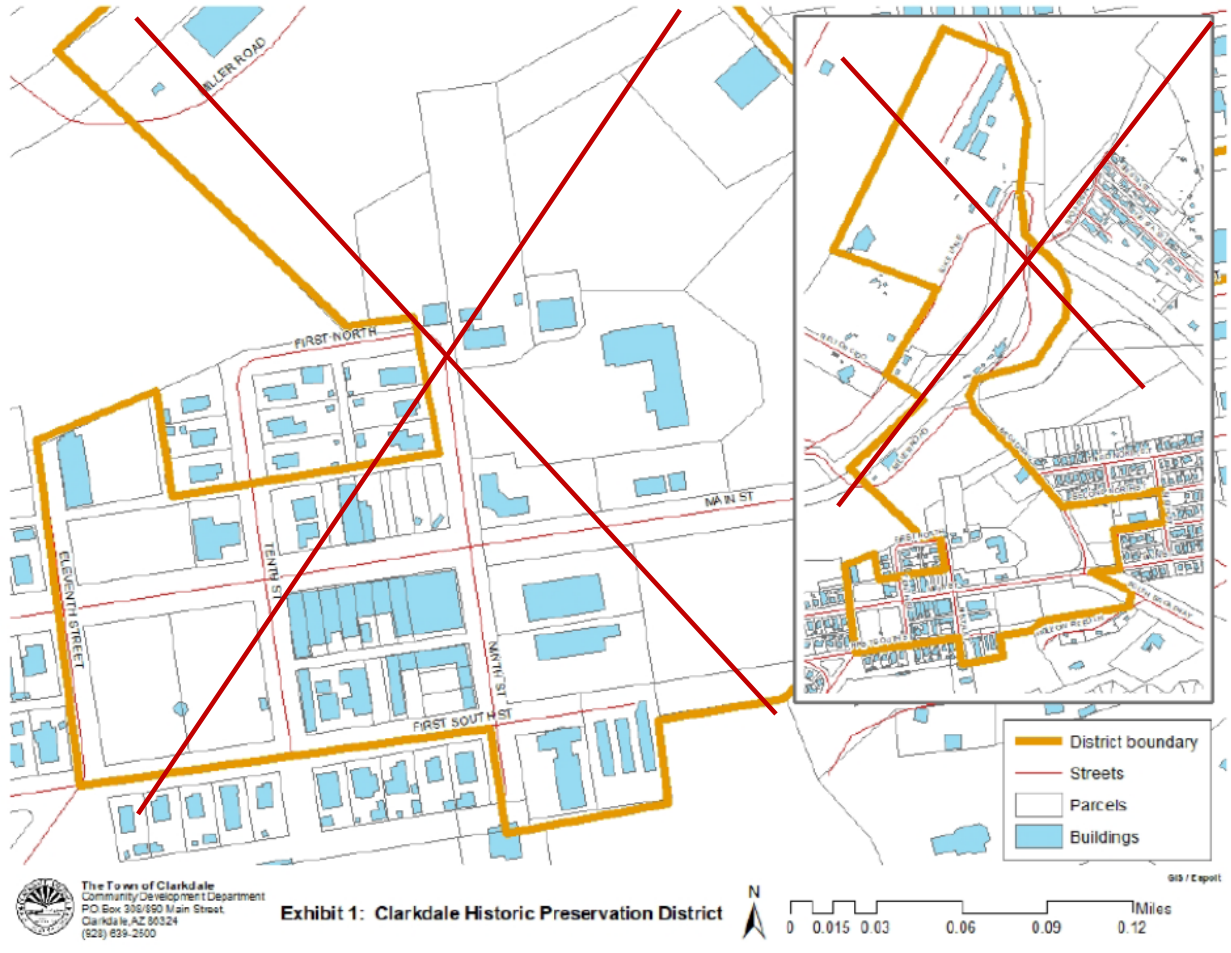
2) Those property owners that do not opt in are subject to the development standards for the underlying zoning classification of the Historic District.

3) Historic properties electing to adhere to the requirements of the Historic Preservation Ordinance (HPO) shall inure to the following benefits:

- 1) Accelerated review of historic preservation projects
- 2) Accelerated permitting of historic preservation projects
- 3) Waived application fees for historic preservation projects

B. The regulations set forth herein apply to all existing structures and to all new construction within the Historic District, and to all new construction in the district.





C. The Historic Preservation Commission shall serve as the Design Review Board for the **Historic** District.

D. Properties electing to adhere to the requirements of the Historic Preservation Ordinance (HPO) shall **receive** the following benefits:

1. Accelerated review of historic preservation projects
2. Accelerated permitting of historic preservation projects
3. Waived application fees for historic preservation projects

Section 3-170-030 Development Standards

Properties within the Clarkdale Historic District shall consider the **surrounding** context of the **surrounding and** existing structures with respect to; architectural style, building form, and building massing. Projects shall honor the Secretary of the Interior's *Standards for the Treatment of Rehabilitation of Historic Buildings-Properties*.

When designing new or remodeled buildings or considering an adaptive reuse of an existing building, the following design features and elements shall be incorporated:

A. Siting

Please refer to Exhibit 2: Town of Clarkdale Streetscape for a graphic representation of the requirements of this subsection.

- 1) Establishment of a relationship to adjoining spaces. For new construction, one- and two-story buildings are encouraged.
- 2) A **strong pedestrian** connection to existing sidewalks or **an** extension of the sidewalk system.
- 3) Continuity of streetscape along Main Street.
- 4) A main entrance **shall be** from a public sidewalk
- 5) The front yard setback shall be reduced to zero if the main building abuts a public sidewalk.



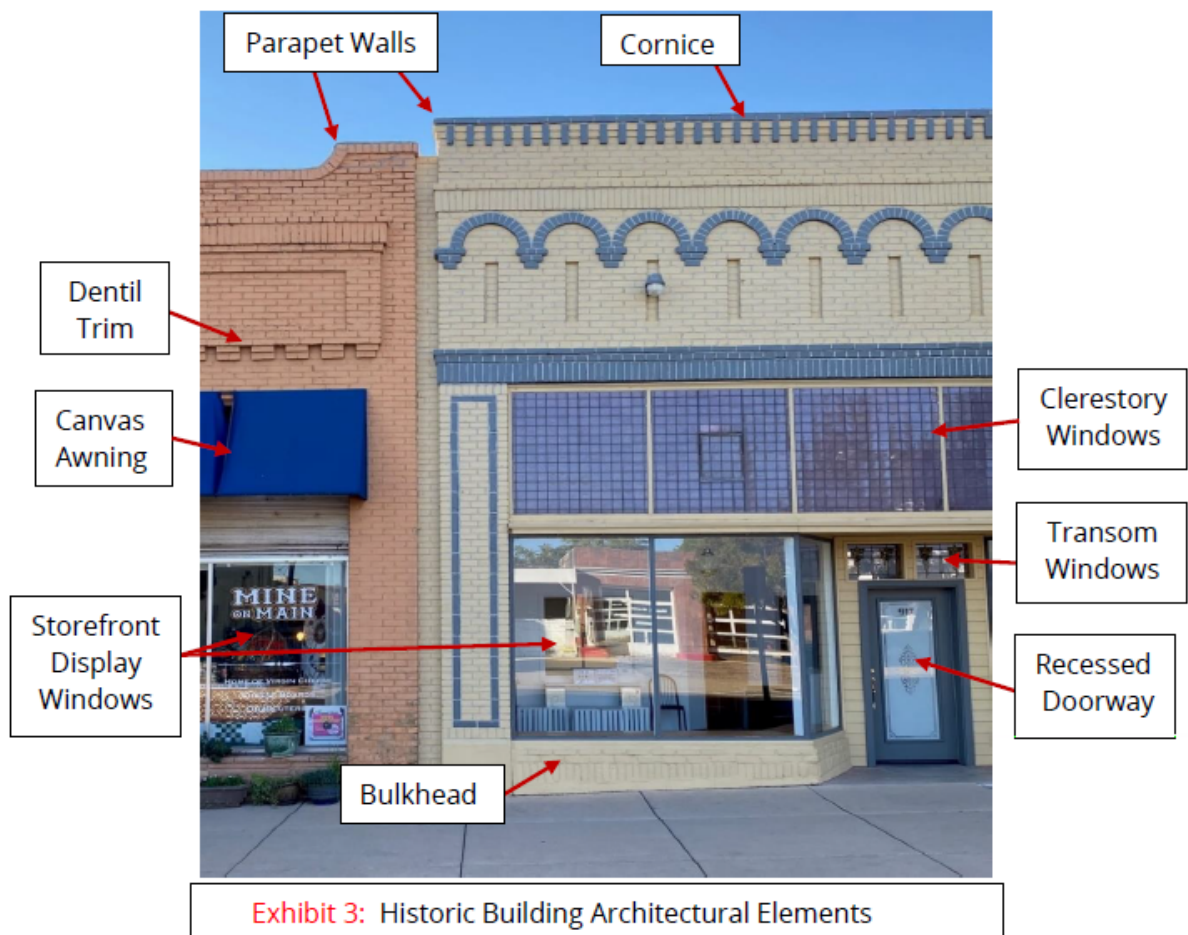
~~6) The main entrance shall be from a public sidewalk.~~

B. Exterior Wall Design, Materials & Finishes

Please refer to Exhibit 3: Historic Building Architectural Elements for a graphic representation of the requirements of this subsection.

- 1) Incorporation of design features such as; parapet walls, cornices, friezes, dentil trim, metal canopies, canvas awnings, clerestory windows, transom windows, storefront display windows, recessed doorways and bulkheads are required for new construction.
- 2) Preservation of these features is required for rehabilitation or repair of existing structures.

~~3) The use of brick is required.~~



- 4) Masonry may be structural or veneer. Brick façades and/or partial brick inlays are encouraged.
- 5) Painting of brick is discouraged, unless replicating historic signage or installation of murals.
- 6) Stucco, or wood, stone, limestone, metal and other materials may be used as an accent.

C. Roof and Parapet

Please refer to Exhibit 4: Rooflines and Parapet Walls for a graphic representation of the requirements of this subsection.

- 1) Varied roof lines and parapet walls are required for new construction.
- 2) Preservation and restoration of existing parapet walls are required.
- 3) Metal roofing is acceptable.
- 4) Rooftop mechanical equipment shall be screened from public view. For corner lots, equipment shall be screened from both front and side elevation for corner lots.



D. Storefronts, Doors, Windows & Awnings

Please refer to Exhibits 5A Wood Door Frame and 5B Entry Features for a graphic representation of the requirements of this subsection.

1. ~~Large storefront~~ display windows are required. ~~The use of wood is recommended for doors, trim, and accenting the doorway and entry.~~
2. ~~The use of wood~~ Wood is recommended for doors, trim and accenting the doorway and entry.
3. Windows shall be glass and shall be vertical in orientation and may be single, double hung, or fixed.
4. Steel may be used for doors and window frames if painted to match or anodized and compatible with the building.
5. Transom and clerestory windows are required for new construction and ~~their~~ restoration is required for existing buildings.
6. Rounded arches are encouraged when feasible in new construction and preserved or restored in existing structures.
7. The use of wood for doors is strongly encouraged.
8. The use of canopies and awnings is allowed.



Exhibit 5A: Wood Door Configuration

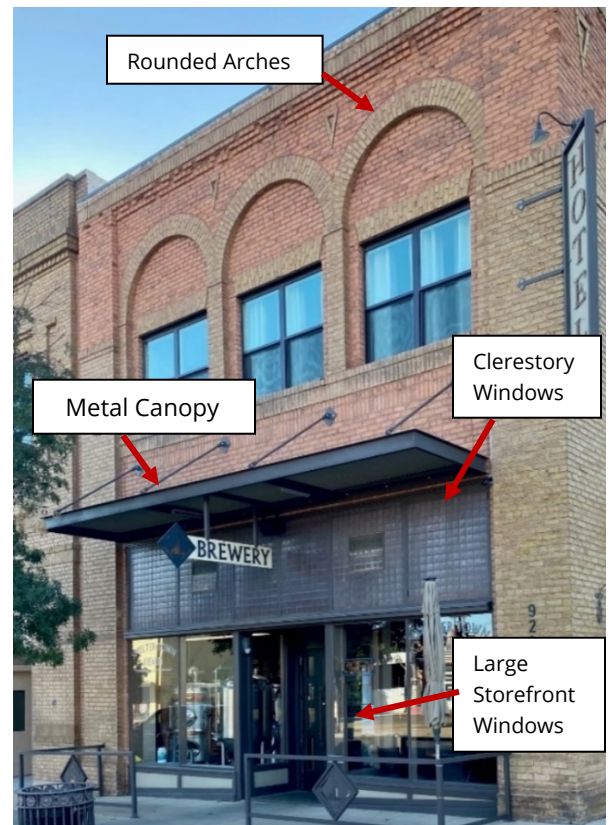


Exhibit 5B: Storefront Detail

E. Site Features:

1. The purpose of this section is to provide ~~guidance~~ instruction for site features so that they do not distract from the historic structures in the district, and ~~to~~ enhance new construction

and maintain continuity within the district. These features include but are not limited to walkways, benches, street lighting, paving materials, walls, stairs and landscaping. These features must be appropriate to the scale and character of the historic district as follows:

- a. Landscaping shall be drought tolerant. Building planter beds or containers are allowed and drip irrigation is recommended. The Property owner is responsible for maintaining plants in live condition.
 - b. Lighting shall not detract from the historic character of the structure and must comply with the Town of Clarkdale Zoning Code, Section 8-070.
 - c. Benches shall be of similar form and character with existing benches on Main Street and shall be securely fastened to concrete footings or sidewalk and shall not detract from the historic-character of the historic district.
 - d. Outdoor sidewalk cafes are allowed and regulated through a separate permit application and shall be compliant with the Town of Clarkdale Zoning Code, Section 4-160. The application can be submitted concurrent with the review process set forth in Section 3-170-030.
2. All other development and performance standards are as found in the underlying zoning district.

Section 3-170-040 Application Process

A. Prior to submitting a building permit application, in the Historic District, the applicant shall schedule a Pre-Application Review (PAR) meeting with the Community Development Department staff to review the required application submittals and review process.

B. All building permit applications for ~~existing structures located in the Historic District~~, or proposed new construction, **located in the Historic District**, shall be reviewed by Community Development Director or designee ("Staff"), for classification as either a Minor or Major Certificate of Appropriateness as set forth in Section 3-170-040.

C. Plans showing the full scope of the proposed work shall be submitted at the time of application for a Major or Minor 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 after approval of temporary facilities by staff.

1. When a building permit is sought from the Town to demolish, alter, remodel, move, build, renovate or otherwise develop or landscape property in the Clarkdale Historic District, issuance of the permit shall be deferred until after a Certificate of Appropriateness is obtained.

2. Permits with special circumstances that ~~would generally~~ require a variance, including but 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 ~~s~~ may be recommended for approval through the Certificate of Appropriateness process. Such variances shall meet the following findings of fact:
 - a. Are not contrary to health, safety, or best interest of the public.
 - b. ~~Literal~~ Enforcement of the provision shall cause an unnecessary hardship that is neither economic or ~~a~~ self-imposed harm.
 - c. Condition unique to the property which was not created by the property owner.
 - d. ~~The variance has no~~ adverse effect on surrounding properties ~~or the general public.~~
 - e. ~~Variance is not contrary to the intent of the Historic Preservation Ordinance.~~
 - e. ~~The variance does not conflict with the characteristics that make the property eligible for the National Register of Historic Places.~~
 - f. ~~Practical difficulties or unnecessary hardship would result by having to comply strictly with the Zoning Ordinance.~~
 - g. No changes are made to underlying zoning districts or General Plan land use designations.
3. All other development and performance standards are as found in the underlying zoning district.
4. Nothing in this ordinance shall be construed to prevent ordinary maintenance, cleaning, or repair of any structure in the Historic District, which does not alter or modify the historic character of the structure.

Section 3-170-050 Certificate of Appropriateness

A. Applications for Certificates of Appropriateness shall be submitted to the Town of Clarkdale Community Development Department. Staff will review the application for completeness and provide review comments to the Commission.

Applications shall include the following items:

1. Site Plan: Shall include topography, vegetation, property lines, building, on-site circulation, and adjacent building footprints, streets, right of ways, curb cuts, driveways, sidewalks, signage, lighting, fences, and walls.

2. Exterior Elevations: Shall include doors, windows, architectural features, and elevation marks from finished grade to highest point of eaves, roof ridge, or parapet walls.
3. Rehabilitation, Remodel, or Restoration Plans: Shall ~~detail what is~~ **include identification of features proposed for preservation** preserved and ~~what is~~ **and propose for replaced replacement.**
4. Floor Plans: For reference only, to help understand the overall plan.
5. Materials and Colors: Shall **graphically** depict proposed building facade, materials and colors.
6. Historic Photographs: Shall provide project context, elements and compatibility with adjacent properties.
7. Color Renderings: Provide finished project illustrations to show post-improvement compatibility with adjacent properties.
8. Landscape Plan: May be required; Zoning Code Section 9, Landscape Design Standards will apply.
9. Other possible requirements, depending on scope of project **and at the discretion of the Community Development Director:**
 - a. Traffic impact analysis.
 - b. Preliminary **and Final** Plats or Development Plans.

B. Minor Certificate of Appropriateness

The Minor Certificate of Appropriateness (Minor COA) is subject to the review and approval of the Community Development Department and the Building Official. All proposed work will not diminish, eliminate, or adversely affect the historic character of the subject property or its effect on the Clarkdale Historic District as per the following Minor Certificate Standards:

1. The proposed work is clearly within the Development Standards
2. Limited to work that does not significantly alter the character and appearance of the property
3. Approval authorizes the issuance of permits required by the Building Official.
4. Approval of a Minor COA also serves as Design Review approval.
5. The public will be notified of approval, approval with stipulations, or denial of application at the next regular meeting **of the HPC** after approval by staff.
6. If a Minor COA is not issued, a Major Certificate of Appropriateness (MCOA) shall be required.

C. Major Certificate of Appropriateness

The Major Certificate of Appropriateness (Major COA) shall be subject to the review and approval of the Historic Preservation Commission ~~and the Building Official~~ for all major new construction, significant restoration, alteration, demolition, or other major construction activity in the Clarkdale Historic District. Interior space construction may require a Major COA when ~~specific interior features the space was an~~ **were an** important component in approval to the structure's historic designation.

1. All proposed work ~~will~~ **shall** not diminish, eliminate, or adversely affect the historic character of the ~~-subject~~ property or its effect on the Clarkdale Historic District.
2. **All work is subject to review and approval by the Building Official, Public Works Director, Town Engineer, and any other agency having jurisdiction over the project.**
3. The Major COA ~~includes anything that represents~~ **constitutes** substantial work including **but not limited to** alteration, restoration, new construction, demolition, or other significant activities.
4. The Major COA requires a public hearing before the Historic Preservation Commission. Notice shall be given in conformance with the notification process for public hearings before the Planning Commission.
4. The Historic Preservation Commission shall ~~either recommend approve~~ **approval of** the application, ~~approve approval~~ with stipulations, or ~~recommend deny~~ **denial of** the application. The Commission may also send the application back to staff for additional work.
5. The application shall then be forwarded to Town Council with a recommendation of approval, approval with stipulations, or denial.

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

1. Is compatible with the relevant historic, cultural, educational, or architectural qualities **and** characteristics of the property; and
2. Does not diminish or adversely impact the integrity of the Clarkdale Historic District; ~~or~~ **and**
3. Qualifies for a Certificate of Hardship.
4. Prior to forwarding the decision of the Historic Preservation Commission to the Town Council, the Historic Preservation Commission shall affirm whether the project conforms to the following findings of fact:

- a. ~~Substantially~~ Conforms to the Design Guidelines for the Historic District.
- ~~Meets the intent of the Secretary of Interior's Standards for Rehabilitation.~~

- c. Meets all applicable, adopted building codes of the Town of Clarkdale.
- d. ~~Is compatible with the relevant historic character of the property.~~
- e. Does not diminish or adversely impact the integrity of the Historic District.

E. 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 3-170-060 Certificate of Hardship

The purpose of a Certificate of Hardship is to grant leniency in applying standards or Historic Preservation Guidelines to a proposed rehabilitation project where a demonstrated economic hardship exists. A Certificate of Hardship may be recommended by the Historic Preservation Commission and granted by the Town Council. No Certificate of Hardship shall be issued to a new construction project.

~~The basis to establish hardship for an income producing property within the Historic Preservation District 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.~~ **The burden of proof for issuance of a Certificate of Hardship is that of the applicant, and the cause for the Certificate of Hardship shall be unique to the property and not self-imposed by the owner.**

A. Demonstration of a 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 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.

B. In order to properly assess a request for Certificate of Hardship, Staff shall request and receive from the applicant all information it deems necessary. This shall include, but is not limited to;

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, **and an estimate of rehabilitation costs;**
2. The assessed value of the land and improvements according to the two (2) most recent assessments;
3. All building and fire code violations which have been listed on the property for the last two (2) years;

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

C. The procedures for obtaining a Certificate of Hardship shall be the same for obtaining a Certificate of Appropriateness. If a Certificate of Hardship is issued, a Certificate of Appropriateness shall be granted.

~~D. This section does not supersede an applicant's rights to pursue a diminution of value claim as provided for in law.~~

Section 3-170-070 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:

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

B. Request for a demolition permit shall be exempt from these requirements if the Building Official determines, according to the criteria set forth in adopted codes, 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 Specialist in writing before issuing the demolition permit.

C. If demolition approval is not granted, then no demolition permit shall be issued for a period of one (1) year. 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.

D. If demolition approval is granted on any basis other than that of an imminent hazard, 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.

1. ~~Vacant land or non-use shall not be considered responsive to this requirement.~~ **The redevelopment or reuse plan cannot be comprised of vacant land or propose no use to replace the demolished structure.**

2. 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.
3. A redevelopment or reuse plan shall also meet the requirements for Site Plan Review as set forth in Chapter 11, Section 11-110 of the Zoning Code.
4. A demolition approval may be conditioned on stipulations which provide for rights of access to the property for the purposes of documentation, including photo documentation, or for agreed upon removal of artifacts.

E. Relocation of structures shall follow the process set forth in Section 3-170-070 (D), and also obtain a Certificate of Appropriateness as set forth in Section 3-170-050.

Historic District Certificate of Appropriateness Flow Chart

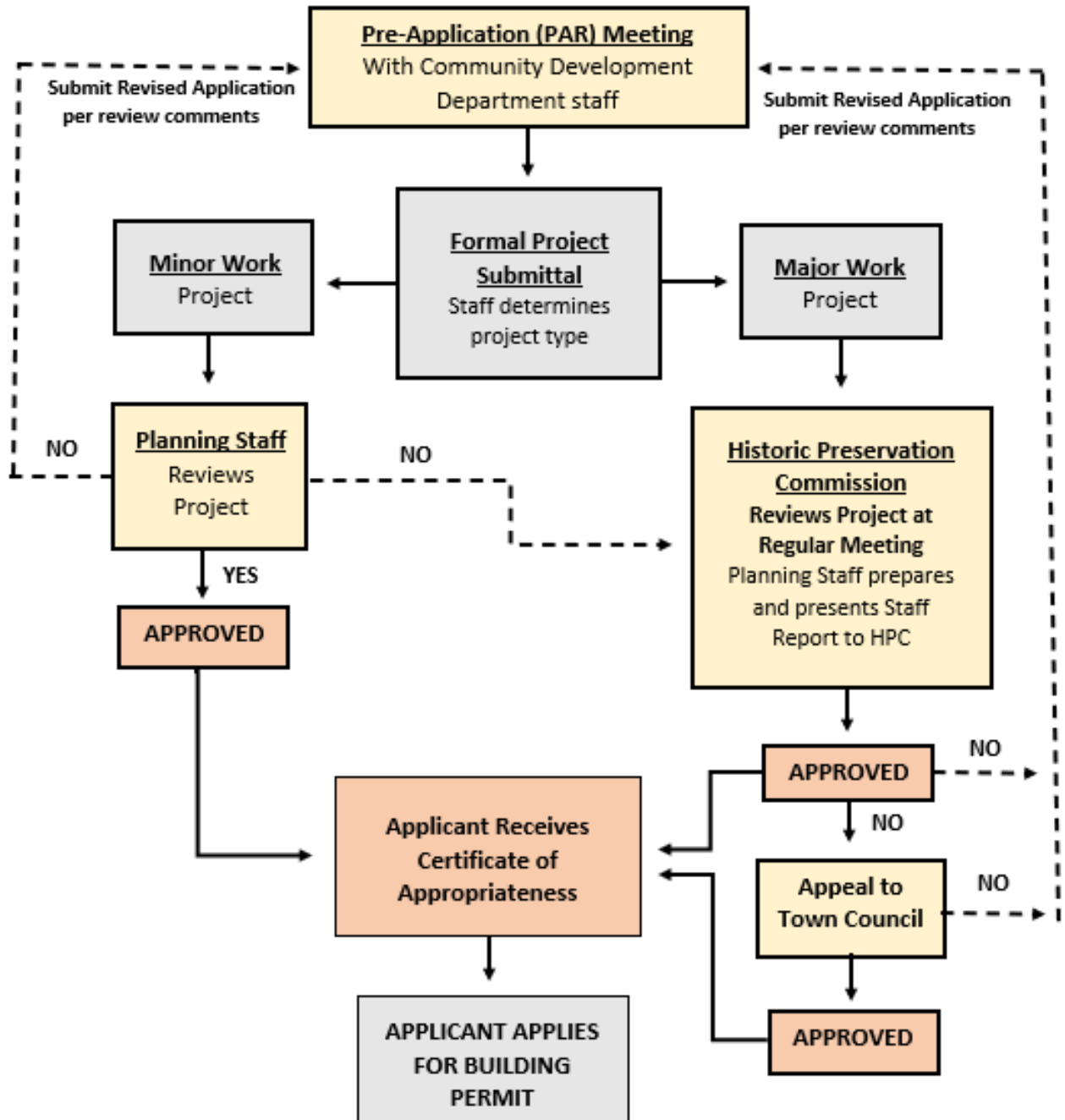


EXHIBIT 6: CERTIFICATE OF APPROPRIATENESS PROCESS

Historic Main Street

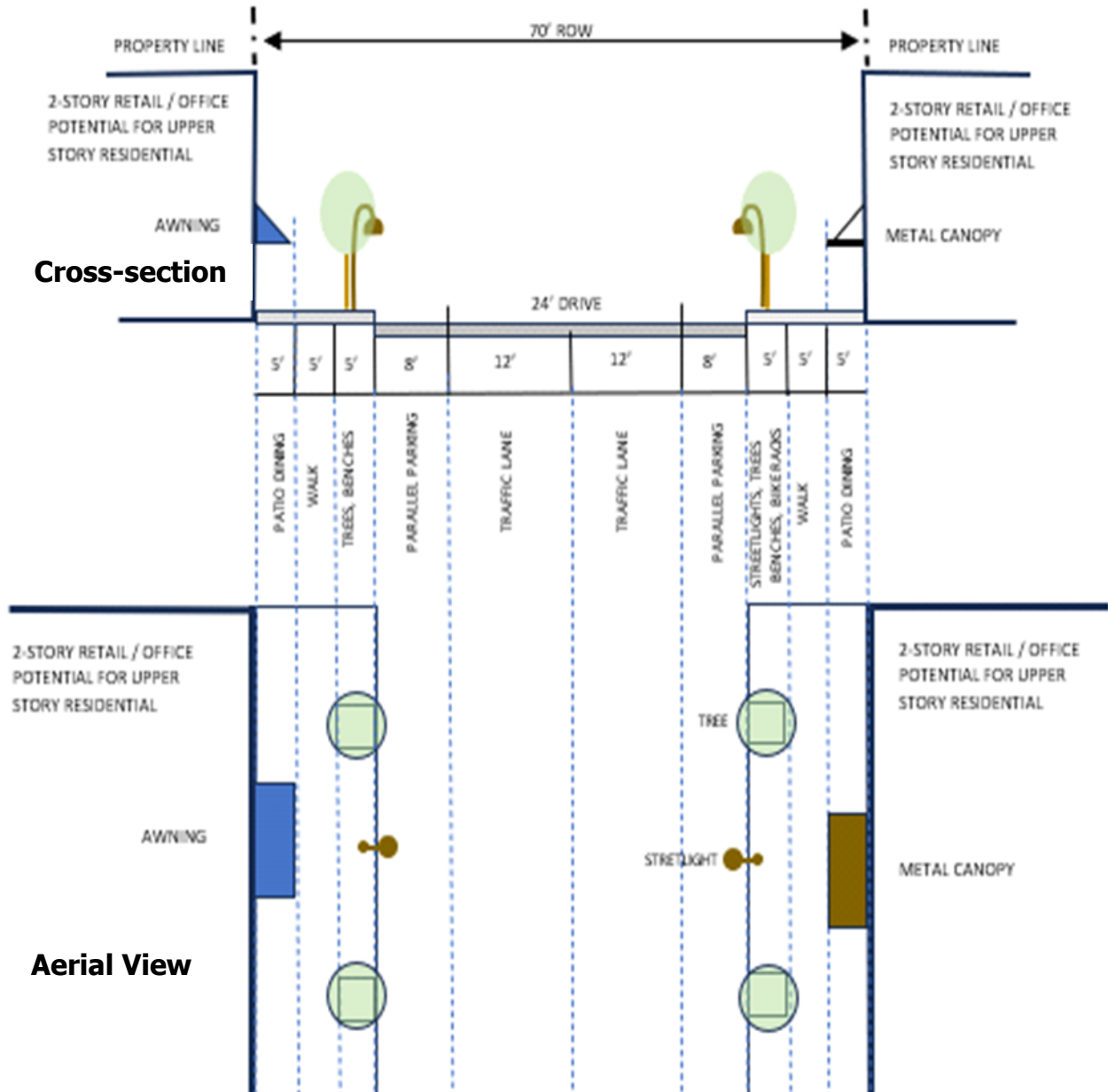


EXHIBIT 3 – Historic Main Street Configuration

Section 3-170 HISTORIC DISTRICT (HD)

Section 3-170-010 Purpose

The purpose of this ordinance is to: support the preservation of buildings, structures, and sites identified in the Historic Resource Survey of Clarkdale (Ryden, 1989) and the National Register of Historic Places Designation (January 1, 1988), and to 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:

1. Protecting, preserving, and enhancing the significant elements of the historical, architectural, cultural, and archaeological heritage of the Town;
2. Encouraging the identification and recognition of significant historic resources;
3. Encouraging the sensitive adaptation of historic properties to modern uses;
4. Ensuring that new construction, additions, alterations, and demolitions to both historic and non-historic properties within the Clarkdale Historic District are carried out in a manner which is not detrimental to the historic integrity of the district;
5. Encouraging the identification and protection of prehistoric and historic archaeological resources and enhancing the value of the historic district and properties;
6. Protecting and preserving those properties within the Town which are valuable to the preservation of the community character and identity;
7. Preserving and enhancing the attractiveness of the Town to potential home buyers, and business interests; and
8. Supporting historic tourism and promoting commercial development and economic benefit to the Town.

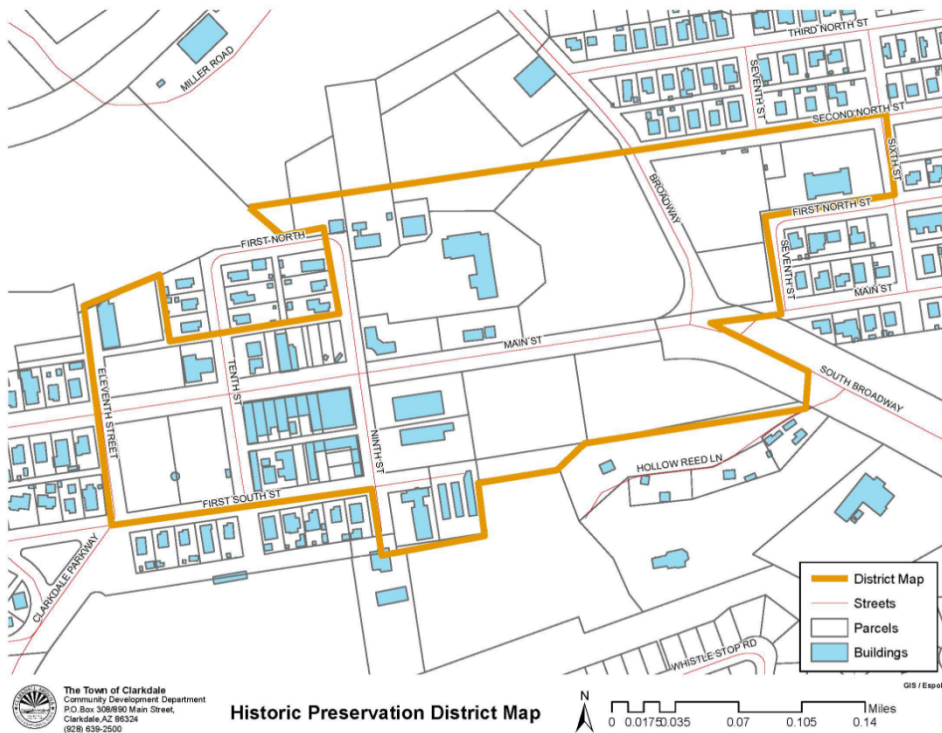
Section 3-170-020 Historic District Designation

The Historic District is an overlay zone. Overlay zones supplement the existing zoning by establishing additional requirements that are applied to the underlying zoning district.

A. Historic District Boundaries

The Historic Preservation District, which is subject to the regulations set forth herein, is designated by the boundaries identified in Exhibit 1: Historic Preservation District.

- 1) The provisions of this Section may be applied to properties within the Clarkdale Historic District identified in the map of the Clarkdale Historic District at the option of the property owner. If the owner opts to apply the standards of this Section, all applicable standards in



this Section shall be applied. An opt-in form must be signed by the property owner and submitted to the Town prior to issuance of any building permits under the Historic Preservation Ordinance.

2) Those property owners that do not opt in are subject to the development standards for the underlying zoning classification of the Historic District.

3) Historic properties electing to adhere to the requirements of the Historic Preservation Ordinance (HPO) shall inure to the following benefits:

- 1) Accelerated review of historic preservation projects
- 2) Accelerated permitting of historic preservation projects
- 3) Waived application fees for historic preservation projects

B. The regulations set forth herein apply to all existing structures and to all new construction within the Historic District, and to all new construction in the district.

C. The Historic Preservation Commission shall serve as the Design Review Board for the Historic District.

Section 3-170-030 Development Standards

Properties within the Clarkdale Historic District shall consider the context of the surrounding and existing structures with respect to; architectural style, building form, and building massing. Projects shall honor the Secretary of the Interior's *Standards for the Treatment of Historic Properties*.

When designing new or remodeled buildings or considering an adaptive reuse of an existing building, the following design features and elements shall be incorporated:

A. Siting

Please refer to Exhibit 2: Town of Clarkdale Streetscape for a graphic representation of the requirements of this subsection.

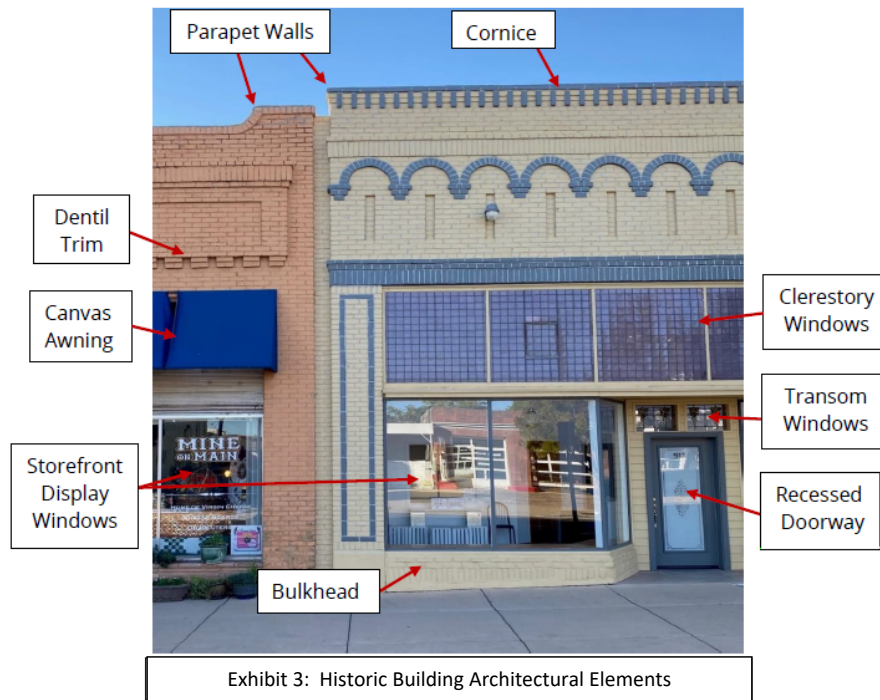
- 1) Establishment of a relationship to adjoining spaces. For new construction, one- and two-story buildings are encouraged.
- 2) A connection to existing sidewalks or an extension of the sidewalk system.
- 3) Continuity of streetscape along Main Street.
- 4) A main entrance shall be from a public sidewalk.
- 5) The front yard setback shall be reduced to zero if the main building abuts a public sidewalk

B. Exterior Wall Design, Materials & Finishes



Please refer to Exhibit 3: Historic Building Architectural Elements for a graphic representation of the requirements of this subsection.

- 1) Incorporation of design features such as; parapet walls, cornices, friezes, dentil trim, metal canopies, canvas awnings, clerestory windows, transom windows, storefront display windows, recessed doorways and bulkheads are required for new construction.
- 2) Preservation of these features is required for rehabilitation or repair of existing structures.



- 4) Masonry may be structural or veneer. Brick façades and/or partial brick inlays are encouraged.
- 5) Painting of brick is discouraged, unless replicating historic signage or installation of murals.
- 6) Stucco, wood, stone, limestone, metal, and other materials may be used as accents.

C. Roof and Parapet

Please refer to Exhibit 4: Rooflines and Parapet Walls for a graphic representation of the requirements of this subsection.

- 1) Varied roof lines and parapet walls are required for new construction.
- 2) Preservation and restoration of existing parapet walls are required.
- 3) Metal roofing is acceptable.

Commented [AS1]: Is this even necessary as the public will not see the material and the roofing codes are established elsewhere.

- 4) Rooftop mechanical equipment shall be screened from public view. For corner lots, equipment shall be screened from both front and side elevation for corner lots.



Exhibit 4: Rooflines and Parapet Walls

D. Storefronts, Doors, Windows & Awnings

Please refer to Exhibits 5A: Wood Door Frame and 5B: Entry Features for a graphic representation of the requirements of this subsection.

1. Large storefront display windows are required.
2. Wood is recommended for doors, trim and accenting the doorway and entry.
3. Windows shall be glass and shall be vertical in orientation and may be single, double hung, or fixed.
4. Steel may be used for doors and window frames if painted to match or anodized and compatible with the building.
5. Transom and clerestory windows are required for new construction and their restoration is required for existing buildings.
6. Rounded arches are encouraged when feasible in new construction and preserved or restored in existing structures.
7. The use of wood for doors is strongly encouraged.
8. The use of canopies and awnings is allowed.

Commented [AS2]: Continuity of Storefront display window . . . ? Rather than the subjective Large

Commented [AS3]: Specify which windows as clerestory and transom are horizontal

Commented [AS4]: This was discussed in HP why the focus on arches not something like, continuity or inclusion of existing façade details are encouraged.

Commented [AS5]: Again, the appearance or continuity precedes in importance to material, no?



Exhibit 5A: Wood Door Configuration

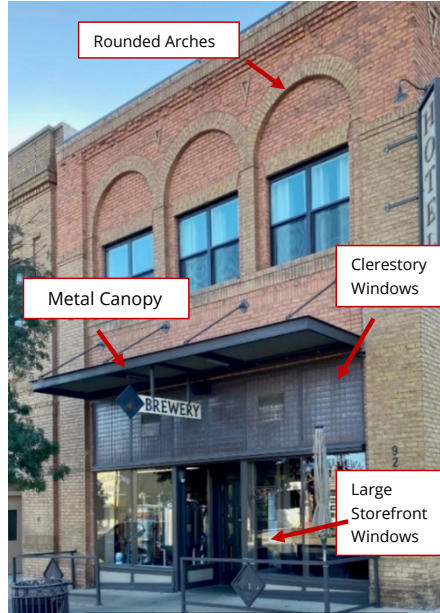


Exhibit 5B: Storefront Detail

E. Site Features:

1. The purpose of this section is to provide instruction for site features to enhance new construction within the district and maintain continuity within the Historic District. These features include but are not limited to; walkways, benches, street lighting, paving materials, walls, stairs and landscaping. These features must be appropriate to the scale and character of the historic district as follows:

1. Landscaping shall be drought tolerant. Building planter beds or containers are allowed and drip irrigation is recommended. The Property owner is responsible for maintaining plants in live condition.
2. Lighting shall not detract from the historic character of the structure and must comply with the Town of Clarkdale Zoning Code, Section 8-070.
3. Benches shall be of similar form and character to existing benches on Main Street and shall be securely fastened to concrete footings or sidewalk and shall not detract from the character of the historic district.

Commented [A56]: Suggested reworking

Commented [A57]: Is this already part of the underlying zoning, or is this unique to HP

Commented [A58]: Is this not inherit in the underlying zoning.

4. Outdoor sidewalk cafes are allowed and regulated through a separate permit application and shall be compliant with the Town of Clarkdale Zoning Code, Section 4-160. The application can be submitted concurrent with the review process set forth in Section 3-170-030.
5. All other development and performance standards are as found in the underlying zoning district.

Section 3-170-040 Application Process

A. Prior to submitting a building permit application, in the Historic District, the applicant shall schedule a Pre-Application Review (PAR) meeting with the Community Development Department **Staff** to review the required application submittals and review process.

Commented [AS9]: Do you want to specify the position title here. From the new definitions.

B. All building permit applications for existing or proposed new construction, located in the Historic District, shall be reviewed by Community Development Director or designee ("Staff"), for classification as either a Minor or Major Certificate of Appropriateness as set forth in Section 3-170-040.

C. Plans showing the full scope of the proposed work shall be submitted at the time of application for a Major or Minor 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 after approval of temporary facilities by staff.

1. When a building permit is sought from the Town to demolish, alter, remodel, move, build, renovate, or otherwise develop or landscape property in the Clarkdale Historic District, issuance of the permit shall be deferred until after a Certificate of Appropriateness is obtained.
2. Permits with special circumstances that require a variance, including but 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 may be recommended for approval through the Certificate of Appropriateness process. Such variances shall meet the following findings of fact:
 - a. Are not contrary to health, safety, or best interest of the public.
 - b. Enforcement of the provision shall cause an unnecessary hardship that is neither economic nor a self-imposed harm.
 - c. Condition unique to the property which was not created by the property owner.
 - d. The variance has no adverse effect on surrounding properties or the general public.

Commented [AS10]: This is arbitrary and subjective. Do we need clarity or to define more fully

- e. The variance does not conflict with the characteristics that make the property eligible for the National Register of Historic Places.
 - f. Practical difficulties or unnecessary hardship would result by having to comply strictly with the Zoning Ordinance.
 - g. No changes are made to underlying zoning districts or General Plan land use designations.
- 3. All other development and performance standards are as found in the underlying zoning district.
 - 4. Nothing in this ordinance shall be construed to prevent ordinary maintenance, cleaning, or repair of any structure in the Historic District, which does not alter or modify the historic character of the structure.

Commented [AS11]: I grabbed these variances off the internet as an example because a PZ commission brought up the format.

Section 3-170-050 Certificate of Appropriateness

A. Applications for Certificates of Appropriateness shall be submitted to the Town of Clarkdale Community Development Department. Staff will review the application for completeness and provide review comments to the Commission.

Commented [AS12]: Which Commission HP?

Applications shall include the following items:

- 1. Site Plan: Shall include topography, vegetation, property lines, building, on-site circulation, and adjacent building footprints, streets, right of ways, curb cuts, driveways, sidewalks, signage, lighting, fences, and walls.
- 2. Exterior Elevations: Shall include doors, windows, architectural features, and elevation marks from finished grade to highest point of eaves, roof ridge, or parapet walls.
- 3. Rehabilitation, Remodel, or Restoration Plans: Shall include identification of features proposed for preservation and propose for replacement.
- 4. Floor Plans: For reference only, to help understand the overall plan.
- 5. Materials and Colors: Shall depict proposed building facade, materials and colors.
- 6. Historic Photographs: Shall provide project context, elements, and compatibility with adjacent properties.
- 7. Color Renderings: Provide finished project illustrations to show post-improvement compatibility with adjacent properties.
- 8. Landscape Plan: May be required; Zoning Code Section 9, Landscape Design Standards will apply.
- 9. Other requirements, depending on scope of project and at the discretion of the Community Development Director:

- a. Traffic impact analysis.
- b. Preliminary and Final Plats or Development Plans.

B. Minor Certificate of Appropriateness

The Minor Certificate of Appropriateness (Minor COA) is subject to the review and approval of the Community Development Department and the Building Official. All proposed work will not diminish, eliminate, or adversely affect the historic character of the subject property or its effect on the Clarkdale Historic District as per the following Minor Certificate Standards:

1. The proposed work is clearly within the Development Standards
2. Limited to work that does not significantly alter the character and appearance of the property
3. Approval authorizes the issuance of permits required by the Building Official.
4. Approval of a Minor COA also serves as Design Review approval.
5. The public will be notified of approval, approval with stipulations, or denial of application at the next regular meeting after approval by staff.
6. If a Minor COA is not issued, a Major Certificate of Appropriateness (MCOA) shall be required.

Commented [AS13]: Specify position and title?

Commented [AS14]: Specify, are these the Clarkdale Development Standards?

Commented [AS15]: Would it not be prudent to have the support of the HPC on minor COA to avoid any potential conflict or misinterpretation of the ordinance.

Commented [AS16]: Next regular meeting of what or whom?

C. Major Certificate of Appropriateness

The Major Certificate of Appropriateness (Major COA) shall be subject to the review and approval of the Historic Preservation Commission for all major new construction, significant restoration, alteration, demolition, or other major construction activity in the Clarkdale Historic District. Interior space construction may require a Major COA when specific interior features were an important component in approval to the structure's historic designation.

Commented [RM17]: This sentence caused concern - the intent is to regulate exteriors and not interiors. This may be a SHPO problem and not an HPO problem.

1. All proposed work shall not diminish, eliminate, or adversely affect the historic character of the subject property or its effect on the Clarkdale Historic District.
2. All work is subject to review and approval by the Building Official, Public Works Director, Town Engineer, and any other agency having jurisdiction over the project.
3. The Major COA includes anything that represents substantial work including but not limited to alteration, restoration, new construction, demolition, or other significant activities.
4. The Major COA requires a public hearing before the Historic Preservation Commission. Notice shall be given in conformance with the notification process for public hearings before the Planning Commission.
4. The Historic Preservation Commission shall recommend approval of the application, approval with stipulations, or recommend denial of the application. The Commission may also send the application back to staff for additional work.

5. The application shall then be forwarded to Town Council with a recommendation of approval, approval with stipulations, or denial.

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

1. Is compatible with the relevant historic, cultural, educational, or architectural qualities and characteristics of the property; and
2. Does not diminish or adversely impact the integrity of the Clarkdale Historic District; and
3. Qualifies for a Certificate of Hardship.
4. Prior to forwarding the decision of the Historic Preservation Commission to the Town Council, the Historic Preservation Commission shall affirm whether **the project conforms to** the following findings of fact:
 - a. Conforms to the **Design Guidelines** for the Historic District.
 - b. Meets all applicable, adopted building codes of the Town of Clarkdale.
 - c. Does not diminish or adversely impact the integrity of the Historic District.

E. Approval of a Certificate of Appropriateness authorizes the issuance of permits required by the Building Official if all other permitting requirements have been met.

Section 3-170-060 Certificate of Hardship

The purpose of a Certificate of Hardship is to **grant leniency in applying standards or** Historic Preservation Guidelines to a proposed rehabilitation project where a demonstrated economic hardship exists. A Certificate of Hardship may be recommended by the Historic Preservation Commission and granted by the Town Council. No Certificate of Hardship shall be issued to a new construction project.

The burden of proof for issuance of a Certificate of Hardship is that of the applicant.

A. Demonstration of a 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 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.

Commented [AS18]: The Secretary of the Interior's Standards for the Treatment of Historic Properties.

Commented [RM19]: recommended

Commented [RM20]: Proposed text change

Commented [AS21]: Historic Preservation Ordinance and The Secretary of the Interior's Standards for the Treatment of Historic Properties.

Commented [RM22]: Concerns were expressed regarding Proposition 207 language not included in the Ordinance- language referring to it should be included.

Commented [AS23]: Provide exceptions to the HPOrdinance in a proposed project

Commented [RM24R23]: There are concerns about conflicts with statutory variance language.

Commented [AS25]: Negligence, be it willful or unintentional is negligence.

Commented [AS26]: This protects us from the established statute. "reduces the fair market value"

Commented [RM27]: Concerns expressed: Language needs to ensure that the basis for a C of H is unique to the property and the burden is on the applicant to demonstrate why they cannot comply.

Also need to address circumstances under which you could possibly be granted hardship.

Require an engineer's estimate of probably cost or contractor's estimate

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

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, possible new uses for the property, and an estimate of rehabilitation costs;
2. The assessed value of the land and improvements according to the two (2) most recent tax assessments;
3. All building and fire code violations which have been listed on the property for the last two (2) years;
4. Any federal, state, or local citation(s) which have determined the building to be a nuisance under applicable law.

C. The procedures for obtaining a Certificate of Hardship shall be the same for obtaining a Certificate of Appropriateness. If a Certificate of Hardship is issued, a Certificate of Appropriateness shall be granted.

Section 3-170-070 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 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 a hardship on its owners as follows:

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

B. Request for a demolition permit shall be exempt from these requirements if the Building Official determines, according to the criteria set forth in adopted codes, 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 Specialist in writing before issuing the demolition permit.

C. If demolition approval is not granted, then no demolition permit shall be issued for a period of one (1) year. 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.

Commented [AS28]: This is incomprehensible and I am not sure it reflects a reasonable intention of the ordinance.

Commented [RM29R28]: I think the intent here was for structures that are not historic (e.g., storage units) that could be demolished and not affect historic integrity.

Commented [AS30]: Would it not be prudent to have the support of the HPC on minor COA to avoid any potential conflict or misinterpretation of the ordinance.

D. If demolition approval is granted on any basis other than that of an imminent hazard, 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.

1. The redevelopment or reuse plan cannot be comprised of vacant land or propose no use to replace the demolished structure.
2. 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.
3. A redevelopment or reuse plan shall also meet the requirements for Site Plan Review as set forth in Chapter 11, Section 11-110 of the Zoning Code.
4. A demolition approval may be conditioned on stipulations which provide for rights of access to the property for the purposes of documentation, including photo documentation, or for agreed upon removal of artifacts.

E. Relocation of structures shall follow the process set forth in Section 3-170-070 (D), and also obtain a Certificate of Appropriateness as set forth in Section 3-170-050.

Historic District Certificate of Appropriateness Flow Chart

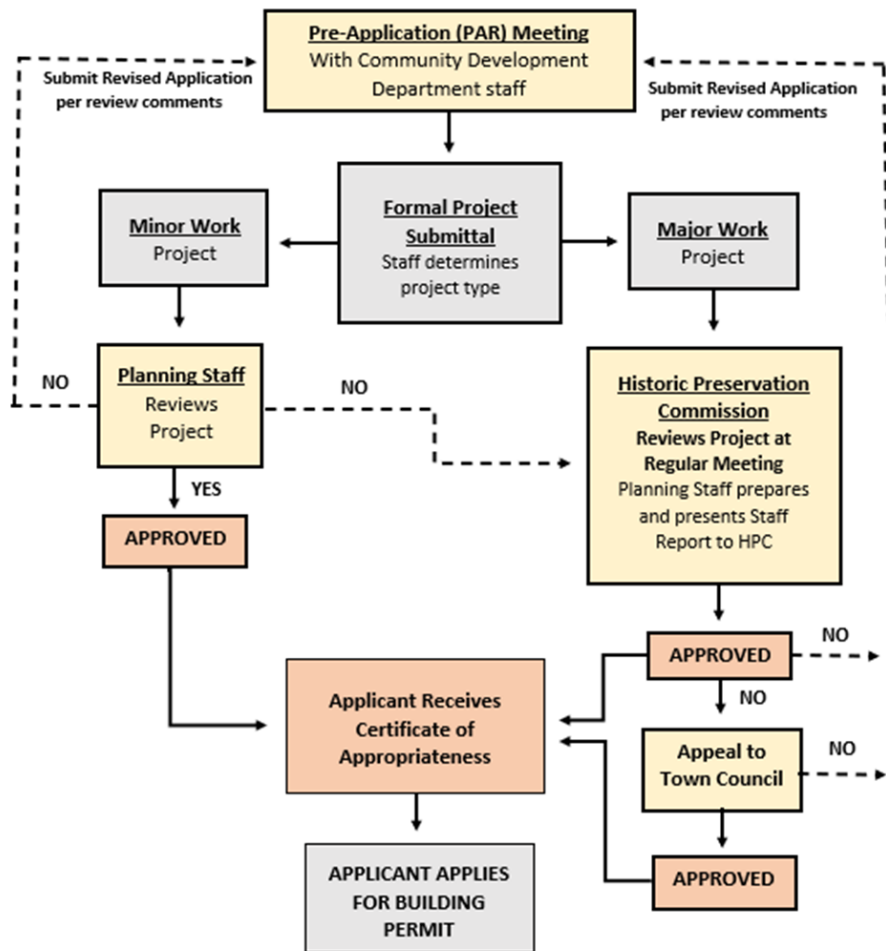


EXHIBIT 6: CERTIFICATE OF APPROPRIATENESS PROCESS

Commented [RM31]: Minor corrections to flowchart

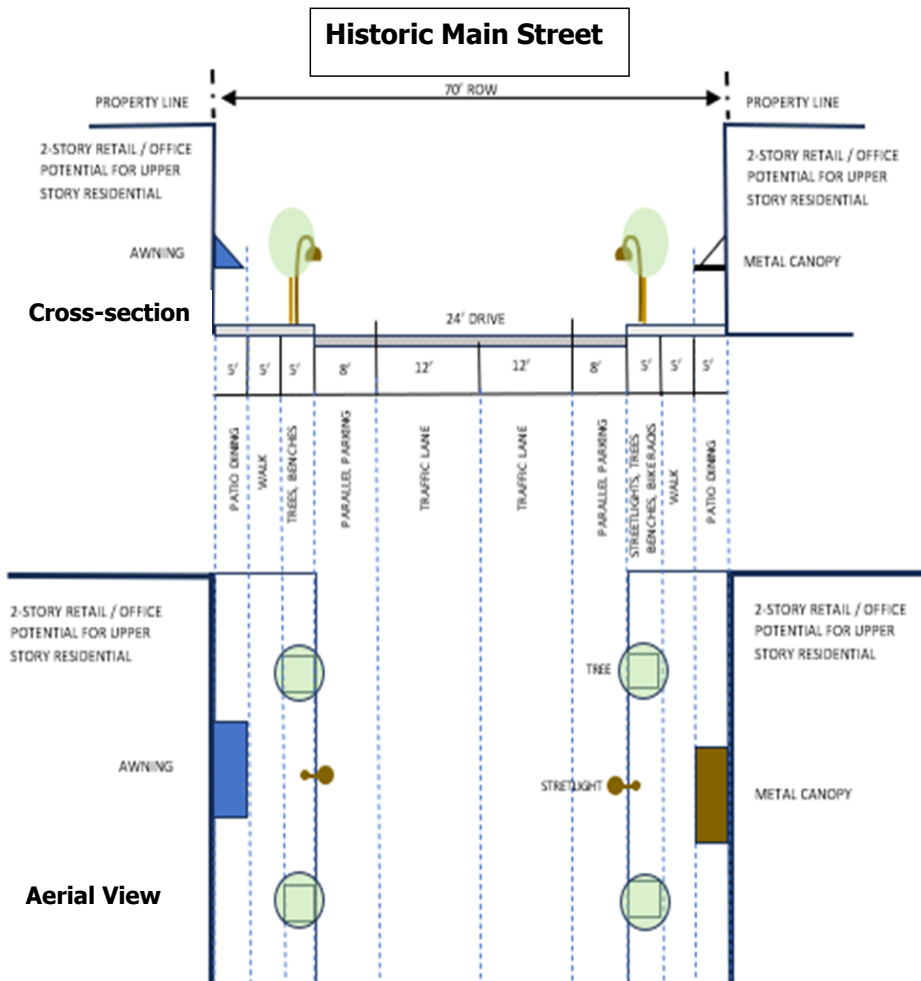


EXHIBIT 3 – Historic Main Street Configuration

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 ~~and Property Maintenance Codes~~.

Bulk Standards: ~~Controls~~ ~~Requirements~~ which establish the maximum size of buildings and structures on a lot or parcel and the buildable area within which the structure may be placed, 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 ~~a~~ property located in the Historic Preservation District so ~~unreasonable~~ that it results in an arbitrary and capricious interference with basic property rights. Hardship relates to the physical characteristics of the property, not the personal circumstances of the owner or user, and the property is rendered unusable without the granting of a variance.

Historic Preservation Specialist: ~~Person~~ ~~Town of Clarkdale Staff~~ 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 ~~within the boundary of the Historic Preservation District as identified in Exhibit 1, Historic Preservation District, in Section 3-170 Historic District, of the Town of Clarkdale Zoning Code.~~ ~~which are recognized by either local historic preservation districts of 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.

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 buildable area within which the structure may be placed, 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 located in the Historic Preservation District so unreasonable that it results in an arbitrary and capricious interference with basic property rights. Hardship relates to the physical characteristics of the property, not the personal circumstances of the owner or user, and the property is rendered unusable without the granting of a variance.

Historic Preservation Specialist: 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 of 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.

ORDINANCE NO. 424

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA, AMENDING THE ZONING CODE OF CLARKDALE, ARIZONA BY ADOPTING ARTICLE 3-170, HISTORIC PRESERVATION ORDINANCE RELATING TO THE ESTABLISHMENT OF AN HISTORIC PRESERVATION DISTRICT AND INCORPORATING THE RECITALS BY REFERENCE; ESTABLISHING A PURPOSE; SETTING FORTH DEFINITIONS; ESTABLISHING REGULATIONS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AMENDING ARTICLE 2-010 DEFINITIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, local governments may make, amend or repeal all ordinances necessary or proper for the carrying into effect of the powers vested in the corporation, or any department or officer thereof as set forth in Arizona Revised Statutes ("A.R.S.") § 9-240.28 (a);

WHEREAS the Town deems it beneficial to adopt an Historic Preservation Ordinance to protect and preserve the historic characteristics, structures, and properties in Clarkdale;

WHEREAS the Town deems historic preservation to be a vital component of economic development; and

NOW THEREFORE, BE IT ORDAINED by the Common Council of the Town of Clarkdale, Arizona, as follows:

SECTION 1. The recitals above are incorporated as if fully set forth herein.

SECTION 2. That certain document entitled "Ordinance #424 Historic Preservation Ordinance is hereby adopted as an amendment to the Town ZONING Code, dated this date, one paper copy and one electronic copy of which are on file in the office of the Town Clerk, and is hereby declared to be a public record and said copies are hereby ordered to remain on file with the Town Clerk.

SECTION 3. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

SECTION 4. This Ordinance does not affect the rights and duties that matured, penalties that were incurred, or proceedings that were begun before the effective date of this Ordinance.

PASSED AND ADOPTED by the Town Council of _____ this ____ day of _____, 202_.

ATTEST:

TOWN OF _____, an
Arizona municipal corporation

“ _____ ”
Town Clerk

“ _____ ”
Mayor

APPROVED AS TO FORM:

“ _____ ”
Town Attorney

I, _____, Town CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. _____ ADOPTED BY THE Town OF _____ ON THE ____ DAY OF _____, 202_, WAS POSTED IN THREE PLACES ON THE ____ DAY OF _____, 202_.
_____, Town Clerk.