

	Planning and Zoning Commission STAFF REPORT	AGENDA # _____
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TO: CASA GRANDE PLANNING AND ZONING COMMISSION

FROM: Laura Blakeman, City Planner

MEETING DATE: November 3, 2016

REQUEST

Request by the City of Casa Grande for the following zoning text amendment:

1. **DSA-16-00053:** AN ORDINANCE OF THE CITY OF CASA GRANDE, ARIZONA AMENDING SECTION 17.62 AND 17.08 OF THE CITY OF CASA GRANDE MUNICIPAL CODE PERTAINING TO HISTORIC PRESERVATION.

HISTORY

- August 5, 1991: Ordinance No. 1398: City Council adopted by reference the Historic Preservation Ordinance.
- August 5, 1991: Resolution No. 1940: relating to Historic Preservation and to the establishment of Landmarks and Historic Districts.
- March 16, 1992: Ordinance 1398.1: Amending the Historic Preservation Ordinance.
- April 19, 2004: Ordinance No. 1397.17.32: Repealing city code section 17.62.010; repealing Resolution no. 1940 and Ordinances 1398 and 1398.1; re-adopting historic preservation regulations and incorporating them into the casa Grande Municipal code as Chapter 17.62; establishing an effective date; preserving rights and duties that have already matured and proceedings that have already commenced thereunder; establishing severability of components or ordinance; and establishing a penalty.
- August 2, 2004: The City Council approved Resolution #3461 establishing the Evergreen First Addition Historic District.

Background

The current historic preservation regulations were adopted in 2004. These regulations established rules applicable to properties located within the Evergreen First Addition Historic District (approximately 195 properties) and to properties that are classified as local historical landmarks (approximately 50 properties).

One of the items on the Historic Preservation Commission's Work Program is an Ordinance update. On January 27, 2014, the Historic Preservation Commission voted (6-0) that the Ordinance be a "high" priority and initiated Staff to start the process. Based on the feedback received from the Commission, the historic property owners, and problematic sections of the existing code; Staff, has initiated a revision of the current historic preservation regulations (see Exhibit A) in order to:

- Make the regulations and review processes more clear, concise and understandable.
- Increase public participation in the decision-making process.
- Streamline the review process.
- Create incentives to encourage the adaptive reuse of historic landmarks.

Some of the major items addressed in the proposed revision include:

- Relocated the rules related to the establishment, membership and duties of the Historic Preservation Commission (HPC) to the section of the Zoning Code which includes similar information on the Planning Commission and Board of Adjustment.
- Broadened HPC membership qualifications to assist in recruiting new members.
- Removed meeting rules from code and placed them in a set of bylaws to be reviewed and adopted by the HPC.
- Refined public notice and review criteria for Certificate of Appropriateness applications
- Removed the "Hardship Request" process by merging economic considerations into the Certificate of Appropriateness application review.
- Added a process by which City Council can consider a request to eliminate a Historic District or change the classification of a historic landmark.
- Added a section where signs designated as landmarks shall not be considered in determining a site's allocation of permitted attached or detached signs.
- Added an Adaptive Reuse program which includes development incentives to encourage the continued economically feasible use of historic landmarks.

In reviewing the current Historic Preservation Ordinance, codified under Title 17 Zoning, Staff noticed that there was an "Administration" section for other Boards and Commissions; however the code was missing the "Administration" section for Historic Preservation. As part of the Ordinance changes, Staff has included an "Administration" section for Historic Preservation (See Exhibit B).

PUBLIC NOTIFICATION/COMMENTS

Aside from various Historic Preservation Commission meetings discussing the “Draft” Ordinance, the following public notification is as follows:

April 20, 2016 – The “Draft” Ordinance was sent to the Evergreen First Addition Historic District property owners and the historic property owners outside of the district. In addition, the Ordinance was posted on the City’s web site for review.

October 5, 2016 – The “Draft” Ordinance was sent to the Evergreen First Addition Historic District property owners and the historic property owners outside of the district. In addition, the Ordinance was posted on the City’s web site for review.

October 19, 2016 - A display ad was published in the Casa Grande Dispatch providing Public Notice of the public hearing on the proposed Zoning Code Amendments pertaining to Historic Preservation for the Planning and Zoning Commission’s November 3rd 2016 meeting.

Inquiries/Comment

City Staff has received several general inquiries about the Historic Preservation Ordinance and how it applies to their properties.

Staff received a letter from the Dremler’s, 401 E. 10th Street, for their property to be removed from the Evergreen Historic District (See Exhibit C). The letter references, “there are no legally binding documents linking this property to the Historical District per our purchase agreement”.

Since the time that the Evergreen District was established (2004); and in early 2015, Staff initiated the process of correcting an error that was discovered with Pinal County Recorder’s Office. It was discovered, that the title reports were not referencing/recognizing historic properties, as there was no “restriction verbiage” included in the prior documents recorded with the Pinal County Recorder’s Office that tied the historic designation to each individual property. Staff corrected this problem on May 2, 2015 with a newly recorded document that referenced the “restriction verbiage” and listed all the properties that are located in the Evergreen Historic District (See Exhibit D). Staff also recorded additional documentation for the historic properties outside of the district (See Exhibit E).

Staff believes the correction has addressed the issue mentioned in the letter. In regards to removing a property out of the Evergreen Historic District, the new ordinance states how a historic district can be eliminated, however no individual properties can be removed from the district. The Historic District elimination is the basically the same process as establishing a district and therefore treated as a “whole” rather than “fragmenting” the neighborhood.

At the time of this writing the staff report, no additional public comments were received.

STAFF RECOMMENDATION

Staff recommends the Planning Commission forward a favorable recommendation for adoption of the proposed Historic Preservation Ordinance Amending Section 17.62 and adding a Historic Preservation Commission Administration Section to 17.08 regarding establishment of administration to the Mayor and City Council.

Exhibit A

Chapter 17.62 HISTORIC PRESERVATION

Sections:

17.62.010	Purpose
17.62.020	Applicability
17.62.030	Historic Preservation Commission
17.62.040	Definitions
17.62.050	Recommendation on Designation of Landmarks or Historic Districts by the Historic Preservation Commission
17.62.060	Historic Designation Procedures
17.62.070	Public Hearing and Decision on Landmarks or Historic Designation by the City Council
17.62.080	De-listing of Landmarks or Elimination of Historic District Designation
17.62.090	Modification of Contributing/Non-contributing Properties or Landmark Designation
17.62.100	Certificate of No Effect or Certificate of Appropriateness Required
17.62.110	Certificate of No Effect Application Procedure
17.62.120	Criteria for Approval of a Certificate of No Effect
17.62.130	Certificate of Appropriateness Application Procedure
17.62.140	Criteria for Approval of a Certificate of Appropriateness
17.62.150	Appeal Procedure
17.62.160	Maintenance and Repair Required
17.62.170	Adaptive Reuse
17.62.180	Effective Date
17.62.190	Penalty

17.62.010 Purpose

In accordance with the General Plan, the Historic Preservation Ordinance and the Casa Grande Historic Preservation Design Guidelines, the City Council may from time to time initiate the process to designate a Historic District, local Landmarks, or initiate de-listing within the municipality. The historic classification changes are for the purpose of meeting the land use needs of the residents of the city in conformance with the City's General Plan.

- A. It is hereby declared as a matter of public policy that the protection, enhancement and perpetuation of Landmarks and Historic Districts is necessary to promote the economic, cultural, educational and general welfare of the public.
- B. Inasmuch as the identity of a people is founded on its past, and inasmuch as Casa Grande has many significant historic, architectural and cultural resources that constitute its heritage, this act is intended to:
 1. Protect and enhance the Landmarks and Historic Districts that represent distinctive elements of the City's historic, architectural and cultural heritage;
 2. Foster civic pride in accomplishments of the past;
 3. Protect and enhance the City's attractiveness to visitors and the support and stimulus to the economy thereby provided; and
 4. Ensure the harmonious, orderly and efficient growth and development of the City.

17.62.020 Applicability

This section applies to properties located within an area designated as a Historic District and properties designated as individual local Landmarks. The enforcement of, amendments to, and the administration of this chapter shall be accomplished in accordance with the recommendations contained in the City's General Plan and the Casa Grande Historic Preservation Design Guidelines.

17.62.030 Historic Preservation Commission

There is hereby established a Historic Preservation Commission with duties and responsibilities as set forth in 17.08.140 and 17.08.150.

17.62.040 Definitions

The following definitions shall apply specifically and exclusively to this chapter.

“Adaptive reuse” means the re-purposing of historic buildings to new economically viable uses.

“Alteration” means any construction or change of the exterior of a building, object, site or structure designated as a Landmark, or located within an Historic District. For buildings, objects or structures, “alteration” shall include, but is not limited to, the changing of roofing or siding materials; changing, eliminating or adding doors, door frames, windows, window frames, shutters, fences, railings, porches, balconies, swings or other ornamentation, and the changing of paint color. “Alteration” shall not include ordinary maintenance and repair as defined below.

“Building” means a structure created to shelter any form of human activity, such as a house, barn, church, hotel or similar structure. “Building” may refer to a historically-related complex, such as a courthouse and jail or a house and barn.

“Cemetery” means any site that contains at least one burial, marked or previously marked, considered a dedicated cemetery under Arizona State Statutes, even though suffering neglect or abuse.

“Construction” means the act of adding an addition to a structure or the erection of a new principal or accessory structure on a lot or property.

“Contributing” means a classification applied to a building, site, structure or object signifying the individual contribution the resource brings to the community in representation of the qualities that give the community cultural, historic, architectural or archeological distinction. A “contributing” classification can be applied to either a Landmark or to those properties within a Historic District that are of individual importance.

“De-listing” means removing a Landmark status from a building, site, structure or object, removing properties from inclusion within the boundaries of an Historic District.

“Demolition” means any act or process that partially or totally destroys a Landmark or a structure within a Historic District.

“Design guideline” means a specific type of design criteria approved by the Historic Preservation Commission at the time of designation of a Landmark, Historic District, historic landscape district or urban conservation district, and to be used in conjunction with other design criteria in the chapter in reviewing alteration, construction, removal or demolition.

“Director” means the Planning and Development Director of the Casa Grande Planning Department or their designee.

“Exterior architectural appearance” means the architectural character and general composition of the exterior of a structure, including, but not limited to, the kind, color and texture of the

building material and the type, design and character of all architectural details and elements, including, but not limited to, windows, doors, walls, roofs, overhangs, signs and yards and/or open spaces.

“Historic District” means an area with definable boundaries designated as a “Historic District” by the City Council, and in which a substantial number of the properties, sites, structures or objects have a high degree of cultural, historic, architectural or archeological significance and integrity.

“HPC” means Historic Preservation Commission appointed by the Mayor and City Council to provide recommendations and other actions on historic preservation matters.

“Landmark” means a property, site, sign, structure or object that is individually designated by the City Council to be worthy of rehabilitation, restoration and preservation because of its cultural, historic, architectural or archeological exceptional significance to the City.

“New Floor Area” refers to any change in use to an existing eligible building proposed for adaptive reuse, located within the confines of the existing interior portion of the exterior walls and roof.

“Non-contributing” means a designation applied to a site, structure or object within a Historic District, indicating that it is not a representation of the qualities that give the Historic District cultural, historic, architectural or archeological significance as embodied in the criteria for designating a Historic District.

“Ordinary maintenance and repair” means regular, customary or usual care, reconstruction or renewal of any part of an existing building, structure or object, for the purposes of preserving the property and maintaining it in safe and sanitary condition.

“Owner” means the property owner of record or their designated representative.

“Property” means land and improvements identified as a separate lot for purposes of City subdivision and zoning regulations.

“Repair” means any change that is not alteration, construction, removal or demolition.

“Structure” means anything constructed or erected, the use of which requires a permanent or semi-permanent location on or in the ground, including, without limitation, buildings, garages, fences, gazebos, advertising signs, billboards, antennas, satellite sending or receiving dishes, and swimming pools.

17.62.050 Recommendation on Designation of Landmarks or Historic Districts by the Historic Preservation Commission

- A. The HPC may recommend to City Council that an individual property, site, sign, structure or object be designated as a Landmark if it:
 1. Possesses special character or historic or aesthetic interest or value as part of the cultural, political, economic or social history of the locality, region, state or nation; or
 2. Is identified with historic personages; or
 3. Embodies the distinguishing characteristics of an architectural style; or
 4. Is the work of a designer whose work has significantly influenced an age; or
 5. Because of a unique location or singular physical characteristic, represents an established and familiar visual feature of a neighborhood.
 6. The owner of the property, site, sign, structure or object concurs with the designation.
- B. The HPC may recommend to the City Council that a group of properties be designated as an Historic District if it:

1. Contains several properties that meet one or more of the criteria for designation of a Landmark; and
2. By reason of possessing such qualities, it constitutes a district section of the City; and
3. The owners of more than 50 percent of the properties within the boundary of the proposed Historic District concur with the designation.

17.62.060 Historic Designation Procedures

- A. The HPC shall hold a public hearing prior to modification of a Landmark or Historic District designation.
 1. Notice.
 - a. The HPC shall mail a notice of any proposed modification to a Landmark or Historic District designation to the owner(s) of the proposed Landmark, or owners of real property within the applicable Historic District, as well as all property owners within 300 feet of said Landmark or district boundary. Said notice shall describe the proposed designation and the date, time and location of the public hearing to be held by the HPC.
 - b. Notice shall be published at least once in a newspaper of general circulation at least 15 days prior to the date of public hearing.
 2. The HPC shall hold a public hearing on the application, at which time an opportunity will be provided for proponents of the application to present their views. The testimony or documentary evidence at the hearing will become part of a record regarding the historic, architectural or cultural importance of the proposed Landmark or Historic District. The public hearing record may also contain staff reports, public comments or other evidence offered outside of the hearing.
- B. The HPC shall recommend to City Council that the application be approved, approved with conditions, postpone, or recommend denial of the application. Any postponement shall be limited to a maximum of 60 days.
- C. All decisions of the HPC shall be in writing and specify how the criteria complies or does not comply with the applicable review criteria.
- D. A copy of the decision shall be communicated in writing to the applicant.

17.62.070 Public Hearing and Decision on Landmarks or Historic Designation by the City Council

- A. The City Council shall, after receipt of the report and recommendation of the HPC, consider the proposed changes to the Landmark or Historic District designation.
- B. Notice of the time and place of the hearing shall be given in the time and manner as specified in Section 17.62.060.A. of this chapter. During any public hearing on the matter, the City Council shall consider oral or written statements from the applicant, city staff, the public and its own members.
- C. The City Council may approve, approved with conditions, postpone, or recommend denial of the application. Any postponement shall be limited to a maximum of 60 days.
- D. If approved, the City Council shall adopt an ordinance which results in the revision of the Historic District or Landmark map, and said Ordinance shall be recorded with Pinal County Recorder's Office.

- E. Signs designated as landmarks shall not be considered in determining a site's allocation of permitted attached or detached signs.

17.62.080 De-listing of Landmarks or Elimination of Historic District Designation

A. Initiation process

- 1. De-listing of a Landmark.

The HPC, the City Council or the Property Owner may initiate the de-listing process for an individual Landmark property when the property has ceased to meet the criteria for a "Landmark".

- 2. Elimination of a District.

The HPC or the City Council may initiate elimination of an existing Historic District. Property owners of more than 50 percent of the area of an existing Historic District may initiate the elimination of a Historic District with the submittal of a petition.

B. Application

An application shall be filed with the Director for the de-listing or district elimination which will be forwarded to the HPC for consideration.

C. Review Criteria

The HPC shall hold a public hearing on all properly filed de-listing or district elimination applications and make a recommendation in accordance with one or more of the following review criteria:

- 1. District elimination: The district has lost its special characteristics or historic features so that it no longer contributes to the historic character of the community;
- 2. Landmark de-listing:
 - a. The Landmark has lost its special characteristics or historic features to the extent that it no longer contributes to the historic character of the community.
 - b. The building, structure, object, or site has been substantially damaged or destroyed by a catastrophic event such that it no longer meets the criteria for being designated as a local Landmark or placement on the state or national historic register.

D. HPC Public Hearing and Notification Requirements

The public hearing shall be in accordance with 17.62.060.

E. City Council Consideration

City Council shall hold a public hearing and make a decision on all requests to eliminate a Historic District, or the de-listing of a Landmark in accordance with the procedures set forth in 17.62.070.

17.62.090 Modification of Contributing/Non-contributing Property or Landmark Designation

Upon complete destruction or demolition of a Contributing Property it shall be automatically reclassified as a Non-contributing Property and its designation shall be automatically removed.

17.62.100 Certificate of No Effect or Certificate of Appropriateness Required

No person shall carry out any exterior alteration, restoration, reconstruction, demolition, new construction, or moving of a Landmark, or property within a Historic District, nor shall any person make any material change in the appearance of such a property including windows, doors, security doors, roofs, light fixtures, signs, sidewalks, fences, steps, paving, landscaping or other

exterior elements visible from a public street or alley that affect the appearance and cohesiveness of the historic Landmark or Historic District, without first obtaining a Certificate of No Effect from the Department or a Certificate of Appropriateness from the HPC.

17.62.110 Certificate of No Effect Application Procedure

- A. Prior to the commencement of any work requiring a Certificate of No Effect, the owner shall file an application for such a certificate with the Director.
- B. No permit shall be issued for such proposed work until a Certificate of No Effect has first been issued by the Department. The Certificate of No Effect required by this act shall be in addition to, and not in lieu of, any permit that may be required by any other City ordinance.
- C. The Director shall approve, approve with modifications, request additional information, or deny the Certificate of No Effect within 30 days after submission of a complete application.
 1. A copy of any decision shall be communicated in writing to the applicant.
 2. If the decision is to request additional information, modify or deny the application, a written explanation setting for the basis of said decision shall be communicated in writing to the applicant.
 3. If a Certificate of No Effect is denied the applicant may apply for a Certificate of Appropriateness.

17.62.120 Criteria for Approval of a Certificate of No Effect

The Director shall issue a Certificate of No Effect if:

- A. The property has been designated within the historic survey as “non-contributing” to the Historic District and the proposed work is determined to be compatible with the historic character of the surrounding district.
- B. For “contributing” properties or Landmarks, it is determined the proposed work is minor and it is determined to be compatible with its historic character. Any proposed work to existing “contributing” properties within a Historic District shall be compatible with its historic character as well as with the historic character of the surrounding district; and
- C. In any case the proposed work will not diminish, eliminate or adversely affect the historic character of the Landmark, subject property or district.
- D. Prior unapproved exterior alterations shall not be used as a basis for Certificate of No Effect approval.

17.62.130 Certificate of Appropriateness Application Procedure

- A. Prior to the commencement of any work requiring a Certificate of Appropriateness, the owner shall file an application for such a certificate with the HPC. Certificate of Appropriateness applications for demolition of unsafe structures as defined by ARS 9-499.A, may be initiated by the Director or property owner. Notices of proposed Certificate of Appropriateness applications shall be mailed to surrounding property owners informing them of the opportunity to review and comment on the application.
- B. No permit shall be issued for such proposed work until a Certificate of Appropriateness has first been issued by the HPC. The Certificate of Appropriateness shall be in addition to, and not in lieu of, any permit that may be required by any other City ordinance.

- C. The HPC shall notice and hold a public hearing on the application in accordance with the procedures set forth in 17.62.060.A.
- D. The HPC shall approve, approve with conditions, postpone, request additional information, or deny the Certification of Appropriateness. Any postponement shall be limited to a maximum of 60 days.
- E. All decisions of the HPC shall be communicated to the applicant in writing and specify whether the application was found to be in compliance with the relevant Certificate of Appropriateness review criteria. All decisions shall be communicated in writing to the City Council.

17.62.140 Criteria for Approval of a Certificate of Appropriateness

- A. In their review of a Certificate of Appropriateness application, the HPC decision shall be based upon the following principles of compatibility:
 - 1. Properties that contribute to the character of the Historic District shall be retained, with their historic features altered as little as possible.
 - 2. New exterior construction shall be compatible with the district in which it is located.
 - 3. Any exterior alteration of existing historic Landmark properties shall be compatible with their historic character.
- B. In applying the principles of compatibility, the HPC shall consider the following factors:
 - 1. The general design, character and appropriateness of the proposed alteration or new construction;
 - 2. The scale of proposed alteration or new construction in relation to the property itself, surrounding properties and the neighborhood;
 - 3. Texture, materials and color, and their relation to similar features of other properties in the neighborhood;
 - 4. Visual compatibility with surrounding properties, including proportion of the property's front facade, proportion and arrangement of windows and other openings with the facade, roof shape, and the rhythm of spacing of properties on streets, including setback;
 - 5. The importance of historic, architectural or other features to the significance of the property.
 - 6. Compliance with the Historic Preservation Design Guidelines and/or the current edition of the Secretary of the Interior's Standards for Rehabilitation.
- C. In considering an application for a Certificate of Appropriateness, the HPC shall consider the following criteria and economic conditions:
 - 1. For applications involving alterations to the exterior of the building, signs or landscaping the following shall apply:
 - a. The cost of the required modifications to the materials, product or design proposed by the applicant. Said cost shall include materials, labor, maintenance, water and energy.
 - b. Historic Landmark Signs located on the premises does not count toward the maximum total sign area.**
 - 2. For applications involving the demolition of a structure the following shall apply:
 - a. The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;

- b. The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which could result in a reasonable return; and
 - c. Efforts have been made to find a purchaser interested in preserving the property.
 - d. The applicant shall consult in good faith with the HPC, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property.
- D. Prior unapproved exterior alterations shall not be used as a basis for Certificate of Appropriateness approval.
 - E. In reviewing an application for a Certificate of Appropriateness, the HPC shall not consider changes to interior spaces, but shall encourage property owner(s) to maintain any interior features that may have historical interest.

17.62.150 Appeal Procedure

- A. The applicant may appeal a decision by the HPC to the City Council.
- B. Said appeal application shall be filed within 30 days after the HPC decision.
- C. No building permit or demolition permit shall be issued unless the City Council has made a final decision to approve the appeal.
- D. The City Council shall hold a public hearing on the appeal application within 30 days of filing an appeal application that has been determined to be administratively complete. The notice and procedures for said hearing shall be in accordance with the provisions of 17.60.060.A.
 - 1. The City Council’s decision shall state the reasons for granting or denying the application.
 - 2. A copy of any decision shall be communicated in writing sent to the applicant.
 - 3. If the applicant is dissatisfied with any decision of the City Council, the applicant may file an appeal to Superior Court within 30 days of the City Council’s decision.

17.62.160 Maintenance and Repair Required

- A. Nothing in this chapter shall be construed to prevent the ordinary maintenance and repair of any exterior architectural feature of a Landmark or property within a Historic District, which does not involve a change in design, material, color or outward appearance.
- B. No owner or person with an interest in real property designated as a Landmark or included within a Historic District shall permit the property to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature that would, in the judgment of the HPC, produce a detrimental effect upon the character of the Historic District as a whole, or the life and character of the property itself.

Examples of such deterioration include:

 - 1. Deterioration of exterior walls or other vertical supports;
 - 2. Deterioration of roofs or other horizontal members;
 - 3. Deterioration of exterior chimneys;
 - 4. Deterioration or crumbling of exterior stucco or mortar;
 - 5. Ineffective waterproofing of exterior walls, roofs or foundations, including broken windows or doors;
 - 6. Deterioration of any feature so as to create a hazardous condition that could lead to the claim that demolition is necessary for the public safety.

17.62.170 Adaptive Reuse

A. Purpose

The purpose of adaptive reuse is to provide flexibility in the development standards applicable to expansion proposals for Landmarks, or commercially zoned properties located within a Historic District. This process is intended to provide incentives that allow a Landmark to be modified so that it can remain as an economically viable use while preserving its historical integrity.

B. Adaptive reuse proposals shall either be considered a Minor or Major Adaptive Reuse, as determined by the following:

1. Minor Adaptive Reuse

Adaptive reuse of the Landmark shall be a Minor if the adaptive reuse proposal increases the Landmark square footage, or height, by no more than 25% of the square footage of the structure existing as of the effective date of this ordinance.

2. Major Adaptive Reuse

Any adaptive reuse proposal which does not qualify as a Minor Adaptive Reuse shall be processed as a Major Adaptive Reuse.

C. Development Standards

1. Minor Adaptive Reuse

a. Setbacks and height

- i. Structural additions shall be allowed encroach into the minimum setbacks and exceed the maximum height of the zone district in which they are located without the need for a variance as long as said additions do not encroach into the required setbacks nor exceed the maximum building height more than the existing structure.
- ii. Structural additions proposed to be located closer to the property boundaries than the existing structure and/or have a height exceeding the height of the existing structure may encroach into the minimum setbacks and exceed the maximum building height subject to approval of Administrative Allowance in accordance with 17.62.170.C.3.

b. Parking

- i. New parking spaces shall not be required, provided that all existing on – site spaces are maintained and not reduced.
- ii. The location and construction of new parking areas must be designed and located in accordance with the requirements of the Zoning Ordinance except that both tandem parking spaces and those that back directly out into the street may be approved if found to be safe and appropriate by the Director.

c. Access and Driveways

Existing access and driveways shall be permitted to remain, provided that the proposed development site is not located within a City capital improvement project or Arizona Department of Transportation (ADOT) proposed project area that may require altering the location of the existing access or drive.

d. Open Space and Landscaping

The amount of open space and landscaping required may be reduced or an alternative compliance approach, which may be approved when it is determined that all reasonable attempts to fulfill the requirements have been

exhausted and the development is not able to accommodate the landscape/open space requirements due to the urban infill or historic characteristic of the development site.

- e. Non-conforming Uses or Structures
Minor Adaptive Reuse buildings or structures which are classified as legal non-conforming uses may be continued, expanded, modified or relocated in accordance with 17.62.170.C.1.

2. Major Adaptive Reuse

- a. Setbacks and height
 - i. May be granted up to 20 percent reduction in minimum required setbacks subject to approval of Administrative Allowance in accordance with 17.62.170.C.3.
 - ii. May be granted up to 10 percent increase in maximum building height subject to approval of Administrative Allowance in accordance with 17.62.170.C.3.
- b. Parking
Parking requirements may be reduced by up to 20 percent by the Director subject to approval of Administrative Allowance in accordance with 17.62.170.C.3.
- c. Open Space and Landscaping
Open space and landscaping requirements may be reduced, or modified, in accordance with 17.62.170.C.1.d.

3. Administrative Allowance Procedures

Relief from specific setback and parking requirements as well as limited height increases may be granted by the Historic Preservation Commission in conjunction with the review of a Certificate of Appropriateness upon finding the following criteria are met:

- a. Relief from the requirements is necessary to make the adaptive reuse project economically viable.
- b. Said modification is necessary and appropriate to achieve compatibility with the surrounding development.
- c. The proposed relief will allow the new construction to complement the historical character of the development.
- d. Said allowance will not result in adverse impact to surrounding properties.

D. Construction Standards

All structures proposed for adaptive reuse require a Building Permit and comply with the city's current adopted building codes.

E. Minor Site Plan Required

All applications for adaptive reuse, except for single-family uses, shall be accompanied by a Minor Site Plan. Said Minor Site Plan shall be considered by the Historic Preservation Commission concurrent with the Certificate of Appropriateness application.

17.62.180 Effective Date

The provisions of this chapter shall be effective on _____, 2017.

17.62.190 Penalty

- A. Any person found guilty of violating any provision of this chapter shall be guilty of a misdemeanor and shall be punished in accordance with Section 1.08.010 of this code.
- B. Any person who demolishes, alters, constructs or permits a designated property to fall into a serious state of disrepair in violation of this chapter shall be required to restore the property and its site to its appearance prior to the violation.
 - 1. Any action to enforce this subsection shall be brought by the City Attorney.
 - 2. This civil remedy shall be in addition to, and not in lieu of, any criminal prosecution and penalty.

Exhibit B

Title 17 Zoning

17.08 Administration

Article IV. Historic Preservation Commission

17.08.140 Established

There is created a Historic Preservation Commission of the city which serves to protect, enhance and perpetuate the City's landmarks and historic districts for the economic, cultural, educational, and general welfare of the public.

17.08.150 Membership

- A. The Commission shall consist of seven (7) members appointed by the Mayor with the consent of City Council.

- B. It is intended that the Commission consist of members who demonstrate an interest in historic preservation, architecture and development within the City, to be appointed, to the extent possible as follows:
 1. At least one shall be a licensed real estate broker or agent, or a licensed contractor;
 2. At least one shall be an owner or resident of a designated historic property, or a property listed on the National Register of Historic Places;
 3. At least one shall have demonstrated significant interest in, and commitment to, the field of historic preservation, evidenced either by involvement in a local history museum, historic preservation group, employment or volunteer activity in the field of historic preservation, or other serious interest in the field;
 4. At least one shall be current or former Planning and Zoning Commission, Arts and Humanities Commission, or Casa Grande Main Street Board member; or a former City Council member.

17.08.160 Term of Office

- A. Commission members shall serve for a term of three years, with the exception of the initial term when:
 1. Two of the five members shall serve for one year;
 2. Two others shall serve for two years; and
 3. One member shall serve a full three-year term.
- B. Commission members may be reappointed to serve consecutive terms following their initial term.
- C. The Chairman and Vice Chairman of the Commission shall be elected by and from among the members of the Commission.

17.08.170 Duties

- A. The duties of the Commission shall include:

1. Promulgation of rules and regulations necessary for the conduct of its business.
 2. Review of criteria for the identification of significant historic, architectural and cultural landmarks, and for the delineation of historic districts.
 3. Review existing surveys of significant historic, architectural and cultural landmarks and historic districts within the City, and periodically update the survey.
 4. Recommendations to the City Council concerning the designation of identified structures or resources as landmarks and historic districts.
 5. Recommendations to the City Council concerning the acquisition of facade easements, development rights or other interests in real property as necessary to carry out the purposes of this chapter.
 6. Increasing public awareness of the value of historic, cultural and architectural preservation by developing and participating in public education programs.
 7. Making recommendations to the City Council concerning the utilization of state, federal or private funds to promote the preservation of landmarks and historic districts within the City.
 8. Recommending acquisition of any landmark structure by the City where its preservation is essential to the purposes of this chapter, and where private preservation is not feasible.
 9. Approval or disapproval of applications for certificates of appropriateness pursuant to this chapter.
- B. No member of the HPC shall advise or express an opinion about a proposed Certificate of Appropriateness outside of a regular meeting.

Exhibit C

May 15, 2016

City of Casa Grande
Historic Preservation
510 E. Florence Blvd.
Casa Grande, AZ 85122



Re: Removal of 401 E. 10th Street from Historic Preservation

Dear Sirs:

This is our formal request to be removed from the City of Casa Grande Historic properties as a contributor. There are no legally binding documents linking this property to the Historical District per our purchase agreement.

Please advise what documents/procedures we must complete to be removed from the historic designation. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that appears to read "John Dremler".

John Dremler

Debbie Dremler

Exhibit D

62.

When recorded mail to:
CITY OF CASA GRANDE
Planning & Development Department
Attn: Laura Blakeman, Planner
510 E. Florence Boulevard
Casa Grande AZ 85122



**OFFICIAL RECORDS OF
PINAL COUNTY RECORDER
VIRGINIA ROSS**

DATE/TIME: 05/12/2015 1045
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FEE NUMBER: 2015-030751



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NOTICE OF HISTORIC DISTRICT RESTRICTIONS

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City of Casa Grande

NOTICE OF HISTORIC DISTRICT RESTRICTIONS

The following properties are located within the Evergreen First Addition Historic District, as recorded in Pinal County Recorder's Office, Fee Number 2004-059079. All exterior changes to properties located in the Evergreen First Addition Historic District are required to comply with the provision of the Casa Grande City Code pertaining to Historic Preservation.

LEGAL DESCRIPTION

That portion of Section 20, Township 6 South, Range 6 East of the Gila & Salt River Meridian, Pinal County, Arizona, described as follows:

All of Blocks 9, 10, 15, 16, 19, 20, 21, 22, 23, 24, 25, 26, 29, 30, 31, 32;

Lots 1 and 12 in Block 17;

Lots 7 and 12 in Block 18;

Lot 12 in Block 27;

AND Lot 1 in Block 28 of the recorded Evergreen Addition Subdivision (Bk. 2, PG 36).

Parcel Number	Address
506080590	601 E 8TH ST
506080470	602 E 8TH ST
506080460	606 E 8TH ST
506080450	608 E 8TH ST
506080500	615 E 8TH ST
506080440	618 E 8TH ST
506080650	701 E 8TH ST
506080600	715 E 8TH ST
506080690	716 E 8TH ST
506090540	801 E 8TH ST
50609045B	812 E 8TH ST
50609045A	816 E 8TH ST
506090630	904 E 8TH ST
50609055A	913 E 8TH ST
50608008A	400 E 9TH ST
506080070	414 E 9TH ST
50608072C	703 E 9TH ST
50608072A	709 E 9TH ST
506090340	800 E 9TH ST
506090500	801 E 9TH ST
506090330	812 E 9TH ST
506080150	401 E 10TH ST
506080410	601 E 10TH ST
506080910	700 E 10TH ST
506080900	714 E 10TH ST
506080730	715 E 10TH ST
506090060	816 E 11TH ST
506090950	914 E 11TH ST
506080920	1008 N BROWN AVE
506080930	1012 N BROWN AVE
506080940	1016 N BROWN AVE
506080950	1022 N BROWN AVE
506080960	1028 N BROWN AVE

Telephone: 520/421-8600 - Telefacsimile: 520/421-8602 - TDD: 520/421-8623
City Hall: 510 East Florence Boulevard - Casa Grande, Arizona 85122



City of Casa Grande

506080970	1036 N BROWN AVE
506081080	1100 N BROWN AVE
506081090	1104 N BROWN AVE
50608110A	1108 N BROWN AVE
50608110B	1112 N BROWN AVE
506081120	1118 N BROWN AVE
506081130	1126 N BROWN AVE
506081140	1128 N BROWN AVE
506081150	1132 N BROWN AVE
50608116A	1136 N BROWN AVE
506080700	800 N BROWN AVE
506080430	805 N BROWN AVE
506080710	806 N BROWN AVE
50608042C	815 N BROWN AVE
506080800	900 N BROWN AVE
50608035A	901 N BROWN AVE
506080810	908 N BROWN AVE
50608034A	909 N BROWN AVE
50608033A	913 N BROWN AVE
50608033B	915 N BROWN AVE
506080820	916 N BROWN AVE
506080320	917 N BROWN AVE
506080830	920 N BROWN AVE
506080310	925 N BROWN AVE
506080840	928 N BROWN AVE
506080300	929 N BROWN AVE
506080230	900 N CAMERON AVE
506080240	904 N CAMERON AVE
506080060	905 N CAMERON AVE
506080250	908 N CAMERON AVE
506080050	913 N CAMERON AVE
506080260	914 N CAMERON AVE
506080270	916 N CAMERON AVE
506080040	917 N CAMERON AVE
506080030	921 N CAMERON AVE
506080280	924 N CAMERON AVE
506080020	925 N CAMERON AVE
506080290	928 N CAMERON AVE
506080010	929 N CAMERON AVE
506080100	904 N CASA GRANDE AVE
506080110	908 N CASA GRANDE AVE
506080120	912 N CASA GRANDE AVE
506080130	916 N CASA GRANDE AVE
506080140	920 N CASA GRANDE AVE
506090800	1001 N GILBERT AVE
506090790	1007 N GILBERT AVE
506090780	1015 N GILBERT AVE
506090770	1021 N GILBERT AVE

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City of Casa Grande

506090740	1027 N GILBERT AVE
506090940	1105 N GILBERT AVE
506090930	1115 N GILBERT AVE
506090920	1121 N GILBERT AVE
506090900	1125 N GILBERT AVE
506090620	801 N GILBERT AVE
50609060B	809 N GILBERT AVE
50609060A	811 N GILBERT AVE
506090590	813 N GILBERT AVE
50609068B	901 N GILBERT AVE
50609068A	905 N GILBERT AVE
506090670	913 N GILBERT AVE
50609066A	919 N GILBERT AVE
50609066C	921 N GILBERT AVE
506090650	925 N GILBERT AVE
506090220	1000 N KADOTA AVE
506090220	1004 N KADOTA AVE
506080890	1009 N KADOTA AVE
506090240	1014 N KADOTA AVE
506080880	1015 N KADOTA AVE
506080870	1017 N KADOTA AVE
506090250	1020 N KADOTA AVE
506090260	1024 N KADOTA AVE
506080860	1025 N KADOTA AVE
506090270	1026 N KADOTA AVE
506090280	1032 N KADOTA AVE
506080850	1035 N KADOTA AVE
506090070	1100 N KADOTA AVE
506081070	1101 N KADOTA AVE
50609008B	1104 N KADOTA AVE
506081060	1105 N KADOTA AVE
50609008A	1108 N KADOTA AVE
506081050	1109 N KADOTA AVE
50609008C	1112 N KADOTA AVE
506081040	1113 N KADOTA AVE
506081030	1117 N KADOTA AVE
506090090	1118 N KADOTA AVE
506090100	1120 N KADOTA AVE
506081020	1121 N KADOTA AVE
506090110	1124 N KADOTA AVE
506081010	1125 N KADOTA AVE
506090120	1128 N KADOTA AVE
506081000	1129 N KADOTA AVE
506080990	1133 N KADOTA AVE
506090130	1136 N KADOTA AVE
506080980	1137 N KADOTA AVE
506090470	800 N KADOTA AVE
506090480	806 N KADOTA AVE

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City Hall: 510 East Florence Boulevard - Casa Grande, Arizona 85122



City of Casa Grande

506080680	807 N KADOTA AVE
506090490	810 N KADOTA AVE
506080670	811 N KADOTA AVE
506080670	813 N KADOTA AVE
506080660	815 N KADOTA AVE
506080660	817 N KADOTA AVE
506080790	901 N KADOTA AVE
506090350	904 N KADOTA AVE
506080780	905 N KADOTA AVE
506090360	908 N KADOTA AVE
506080770	909 N KADOTA AVE
506090370	912 N KADOTA AVE
506080760	913 N KADOTA AVE
506090380	916 N KADOTA AVE
506080750	917 N KADOTA AVE
506080740	923 N KADOTA AVE
50609039A	924 N KADOTA AVE
506090410	928 N KADOTA AVE
506090810	1000 N LEHMBERG AVE
506090210	1001 N LEHMBERG AVE
506090820	1004 N LEHMBERG AVE
506090200	1005 N LEHMBERG AVE
506090190	1009 N LEHMBERG AVE
50609083C	1010 N LEHMBERG AVE
506090180	1015 N LEHMBERG AVE
506090170	1017 N LEHMBERG AVE
50609085A	1018 N LEHMBERG AVE
506090160	1025 N LEHMBERG AVE
506090860	1028 N LEHMBERG AVE
506090150	1029 N LEHMBERG AVE
506090870	1032 N LEHMBERG AVE
506090140	1035 N LEHMBERG AVE
506090880	1038 N LEHMBERG AVE
506090960	1100 N LEHMBERG AVE
506090050	1105 N LEHMBERG AVE
506090970	1112 N LEHMBERG AVE
506090040	1119 N LEHMBERG AVE
506090990	1124 N LEHMBERG AVE
506090030	1125 N LEHMBERG AVE
506091000	1128 N LEHMBERG AVE
506090020	1129 N LEHMBERG AVE
506091010	1132 N LEHMBERG AVE
506090010	1137 N LEHMBERG AVE
506090440	809 N LEHMBERG AVE
506090430	811 N LEHMBERG AVE
506090640	814 N LEHMBERG AVE
506090420	817 N LEHMBERG AVE
506090690	900 N LEHMBERG AVE

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City of Casa Grande

506090320	905 N LEHMBERG AVE
506090700	908 N LEHMBERG AVE
506090310	909 N LEHMBERG AVE
506090710	918 N LEHMBERG AVE
506090300	919 N LEHMBERG AVE
506090720	922 N LEHMBERG AVE
506090290	929 N LEHMBERG AVE
506090730	930 N LEHMBERG AVE
50609089A	915 E MCMURRAY BLVD
50608048B	806 N MORRISON AVE
50608048A	810 N MORRISON AVE
506080490	814 N MORRISON AVE
50608036A	900 N MORRISON AVE
506080220	901 N MORRISON AVE
506080210	905 N MORRISON AVE
506080200	907 N MORRISON AVE
506080380	908 N MORRISON AVE
506080190	913 N MORRISON AVE
506080390	914 N MORRISON AVE
506080180	917 N MORRISON AVE
506080400	920 N MORRISON AVE
506080170	925 N MORRISON AVE
506080160	929 N MORRISON AVE

Laura Blakeman

Laura Blakeman, Planner
City of Casa Grande

Telephone: 520/421-8600 - Telefacsimile: 520/421-8602 - TDD: 520/421-8623
City Hall: 510 East Florence Boulevard - Casa Grande, Arizona 85122

Exhibit E

3P

When recorded mail to:
CITY OF CASA GRANDE
Planning and Development Department
Attn: Laura Blakeman, Planner
510 E. Florence Boulevard
Casa Grande, AZ 85122



**OFFICIAL RECORDS OF
PINAL COUNTY RECORDER
VIRGINIA ROSS**

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NOTICE OF HISTORIC PROPERTY RESTRICTIONS

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H:\PLANNING\Historic Preservation\Historic Properties\Notice of Historic District Restrictions_Historic Properties.doc6/24/2015



City of Casa Grande

NOTICE OF HISTORIC PROPERTY RESTRICTIONS

The following properties are listed on the local historic register or the local and national historic registers. All exterior changes to historic properties are required to comply with the provisions of the Casa Grande City Code pertaining to Historic Preservation.

Address	Parcel No.	Historic Name
139 W 1st St	507-07-069	VW Kilcrease Building
200 W 1st St	507-07-058D	Meehan/Gaar House
208 W 1st St	507-07-057A	Bien/McNatt House
306 W 1st St	507-07-031A	Wm T Day House
403 W 2nd Ave	507-13-056	Kochsmeier House
109 E 2nd St	507-07-144	Casa Grande Dispatch
400 E 3rd St	507-07-220B	Church of Christ
515 E 3rd St	507-07-349	Stone Bungalow
319 W 3rd St	507-07-032	Gus Kratzka House
305 E 4th St	507-07-187A	Church of Nazarene
222 E 8th St	506-07-098	First Baptist Church
300 E 8th St	506-07-340	Fisher Memorial Home
321 E 8th St	506-07-342	Art Moderne House
904 E 8th St	506-09-063	Walter Wilbur House
320 W 8th St	506-07-062	Fieldstone Bungalow
323 W 8th St	506-07-051A	Craftsman Bungalow
222 W 9th St	506-07-134	Craftsman Residence
223 W 10th St	506-07-133	Wilson/Galloway House
59 N Brown Ave	507-06-094	Fieldstone House
112 N Brown Ave	507-04-098	Lincoln Hospital
211 N Cameron Ave	507-06-028	Earl Bayless House
221 N Cameron Ave	507-06-027	Bayless/Grasty House
601 N Cameron Ave	507-03-131	Casa Grande Hospital
736 N Center Ave	506-07-013	Craftsman Bungalow
923 N Center Ave	506-07-129	Benjamin Templeton House
110 W Florence Blvd	506-07-027A	Stone Church
110 W Florence Blvd	506-07-027A	Rebecca Dallis Sch House
114 E Florence Blvd	506-07-023	Vasquez House
510 E Florence Blvd	506-07-348A	CGUHS Old Main
117 N Florence St	507-07-072A	Pioneer Market
119 N Florence St	507-07-072A	Stone Warehouse
121 N Florence St	507-07-072A	Commercial Front
211 N Florence St	507-07-088	Mandell & Meyer

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City of Casa Grande

221 N Florence St	507-07-087	Valley National Bank
420 N Florence St	507-07-133A	Paramount Theatre
501 S Florence St	507-12-012	Southside Elem School
465 W Gila Bend Hwy	504-23-106B	SS Blinky Jr Building
905 N Lehmberg Ave	506-09-032	Period Revival House
929 N Lehmberg Ave	506-09-029	HB Lehmberg House
1105 N Lehmberg Ave	506-09-005	Spanish Eclectic House
115 W Main Ave	507-07-242	Shonessy House
201 W Main Ave	507-07-241	Casa Grande Hotel
108 W Main St	507-07-082	Briggs Jewelers
110 W Main St	507-07-081	Pettyman's Market
200 W Main St	507-07-068	Cruz Trading Post
501 N Marshall St	507-07-127	William Cox Building
901 N Morrison Ave	506-08-022	White House
800 N Park Ave	506-07-076	BeDillon's Hse/museum
201 N Picacho St	507-07-163	St Anthony's Rectory
215 N Picacho St	507-07-163	St Anthony's Church
301 N Picacho St	507-07-198	Johnson's Grocery
117 N Sacaton St	507-07-022	Casa Grande Garage
118 N Sacaton St	507-07-0590	Central Credit Assoc
112 N Sacaton St	507-07-059	Ward's Variety Store
407 N Sacaton St	507-07-041	CG Woman's Club

Laura Blakeman, Planner
City of Casa Grande

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