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# MEMORANDUM

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Date: May 16, 2022

To: The Honorable Chair and Members  
Pima County Board of Supervisors

From: Jan Leshner   
County Administrator

Re: **Pima County Historical Commission Update**

As requested by the Board, this memo provides an update on County staff progress to create a Pima County Historical Commission separate from the City of Tucson.

Following the code audit that identified needed changes in Pima County Code Title 18 to establish a separate commission, staff from the Office of Sustainability & Conservation and Development Services held a virtual stakeholder meeting on April 7, 2022. Attachment 1 includes the letter to stakeholders introducing the topic and inviting them to participate, as well as the presentation. Any additional comments from stakeholders are expected by May 18, 2022.

To further stakeholder engagement, the same presentation was given to the current joint Tucson-Pima County Historical Commission (TPCHC) on April 13, 2022 that provided a detailed overview of this process for the County. However, recently at the May 11, 2022 TPCHC meeting, the Chair asked for a special study session to be scheduled with them so they can discuss this topic in detail.

This request for a special study session will shift bringing the Phase 1 proposed text amendments to the Pima County Planning & Zoning Commission public hearing by at least one month in order to schedule this and allow sufficient time for stakeholders and the current joint Tucson-Pima County Historical Commission to comment. While it is possible to bring this to the Planning & Zoning Commission in June, the July 2022 meeting is more likely.

If postponed to July, the establishment of a Pima County Historical Commission will still occur well before the City's schedule, which is likely to be in the October 2022.

The following is a summary key efforts by County staff to date:

- Pima County Office of Sustainability and Conservation (OSC) and Development Services Department (DSD) are working together with the City of Tucson (COT) to ensure a smooth separation with both communication and consistency in processes.
- The new Pima County Historical Commission will advise the Board of Supervisors and the Planning & Zoning Commission concerning various existing historic properties,

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structures, sites, areas, and districts in unincorporated Pima County and will include (at least):

- 5 members, with one each appointed by Supervisor District
  - 5 members appointed by majority vote of BOS that are qualified professionals (architectural historian, preservation planner, archaeologist, landscape architect, realtor or developer)
- Phase 1 involves only making those changes necessary to Pima County Code Title 18 to enable establishing the new commission.
  - OSC and DSD staff have drafted code text amendments to Title 18:
    - 18.99.030 DRC
    - 18.101.020 BOS
    - 18.73.050 Amenity Landscaping
    - 18.79.060 Non-conforming signs
    - 18.95.030 Enforcement
    - 18.63 Historic Zone
    - 18.99.060 Historical Commission
    - 18.101.020 Board of Supervisors – Appointments
  - Proposed code changes sent out to approximately 40 potential stakeholders prior to first meeting on April 7, 2022. One stakeholder provided written comments on the proposed text amendments.
  - Phase 2 will be underway once the new commission is established (end of summer) and stakeholders will continue to be part of that process, which will include additional changes to the Pima County Code.
  - Pima County staff are planning on going before the Planning & Zoning Commission public hearing likely in July.
  - Proposed text amendment includes:
    - Adding the Historical Commission under Code Section 18.99 - Review Committees
    - Replacing the Design Review Committee with Historical Commission in certain instances in the Code
    - Making minor changes in text related to department names and staff review to clarify the process.
  - The draft final code text amendments will be reviewed by the Pima County Attorney's Office, and a staff report will be prepared for a public hearing before the Planning and Zoning Commission.

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- The public advertisement for the Planning & Zoning Commission public hearing and the Staff Report for the public hearing will be provided once all comments are received from stakeholders and the TPCHC.
- We anticipate the creation of the County Historical Commission and related Code revisions to come before the Board in August 2022.

JKL/anc

Attachment

c: Carmine DeBonis, Jr., Deputy County Administrator for Public Works  
Francisco Garcia, MD, MPH, Deputy County Administrator & Chief Medical Officer,  
Health and Community Services  
Carla Blackwell, Director, Development Services Department  
Linda Mayro, Director, Office of Sustainability and Conservation

# ATTACHMENT 1

### **Creating a Separate Pima County Historical Commission—Spring/Summer 2022**

This letter is to inform you that the Pima County Zoning Code, Title 18 is being amended to create the Pima County Historical Commission. The attached document contains the proposed zoning code text amendments needed to create the County's historical commission. Stakeholders are invited to review the proposed changes in code for this initial phase of the process and to attend the first meeting on Thursday, April 7, from 1 – 2 pm via the Microsoft Teams online meeting platform.

In 1974, Pima County, the City of Tucson, and the City of South Tucson entered into an intergovernmental agreement (IGA) to form a joint historical commission for the purpose of protecting historical and cultural resources in Pima County. The most current version of the IGA was updated in 1995 and is still in effect today. In 2012, Pima County became the first County Certified Local Government (CLG) in Historic Preservation in Arizona and has been participating in a nationwide program of financial and technical assistance as authorized by the National Historic Preservation Act through the National Park Service. The CLG brings many benefits and opportunities under the Federal Historic Preservation Program. Recently, the National Park Service (NPS) and the State Historic Preservation Office (SHPO), who jointly administer the CLG Program in Arizona, brought to our attention that each CLG must have its own historical commission. To maintain its current CLG status, Pima County must meet federal requirements as codified in 36 CFR 61.6 to carry out the purposes of the National Historic Preservation Act including maintaining its own qualified preservation review commission.

The Pima County Board of Supervisors was notified in April 2021 of the need for two commissions. To this end, Pima County and the City of Tucson are working together on a parallel process to separate and establish its own jurisdictional commissions while ensuring as little disruption to the functions of the currently operating commission as possible. At present, both Pima County and the City of Tucson are planning on a collaborative and timely separation by July 1, 2022.

Pima County's process of establishing a separate commission is occurring in two phases. Phase 1 is focused on the creation of the County Historical Commission to advise Pima County Board of Supervisors (BOS) and Planning and Zoning Commission (P&Z) concerning various existing historical structures, sites, areas, and districts in unincorporated Pima County and which will include:

- i. Five (5) members, one each appointed by Supervisor District.
- ii. Five (5) members appointed by a majority vote of Board of Supervisors that are qualified professionals such as an architect, or architectural historian; archaeologist; land use planner, urban planner, or landscape architect; and realtor, developer, or appraiser.

As part of Phase 1 of the process, Pima County has identified stakeholders who are invited to provide input to Pima County. Following the establishment of the Commission, Phase 2 will include a review of further code changes and continued stakeholder participation until the process is complete.

The stakeholder group may submit comments on the proposed Phase 1 zoning text code amendments until April 15, 2022. Upon completing the stakeholder process, the zoning code text amendment will be scheduled for a public hearing by the Planning and Zoning Commission. After that, the Pima County Board of Supervisors will hold a public hearing to consider the zoning code text amendment, the Planning and Zoning Commission's recommendation, and stakeholder input.

# **Pima County-Stakeholder Group Meeting #1**

## **Creating a Separate Pima County Historical Commission**

### **Agenda**

#### **1. Project Introduction**

- Introduce staff and stakeholder group
- Provide project introduction
- Describe process (phases 1 and 2)

#### **2. Text Code Technical Audit**

- Review text amendments needed to establish new commission

#### **3. Group Discussion**

#### **4. Next Steps**

# **Introduction**

## **Creating a Separate Pima County Historical Commission**

- Pima County became a Certified Local Government in 2012.
- Federal requirements codified in 36 CFR 61.6: Each CLG must have its own historical commission.
- The Tucson-Pima County Historical Commission will continue to function until the separation.
- The City of Tucson and Pima County are working in parallel on process of separation.
- Pima County is establishing its own historical commission in 2 phases.
- Phase 1 is to first establish the historical commission.
- Pima County revisions to the Historic Code under Title 18 will be necessary to establish commission.
- Phase 2 will include a review of additional text code amendments.

# Establishing the New Pima County Historical Commission

## Phase 1 of the process: Establishing the new Pima County Historical Commission

The Pima County Historical Commission will advise Pima County Board of Supervisors and Planning and Zoning Commission concerning various existing historical structures, sites, areas, and districts in unincorporated Pima County and will include:

- i. Five (5) members, one each appointed by Supervisor District.
- ii. Five (5) members appointed by a majority vote of Board of Supervisors that are qualified professionals such as an architect, or architectural historian; archaeologist; land use planner, urban planner, or landscape architect; and realtor, developer, or appraiser.

# **Phase 1 Proposed Text Code Amendments**

**1)18.63 Historic zone**

**2)18.73.050 Amenity landscape**

**3)18.79.060 Nonconforming signs**

**4)18.95.030 Enforcement**

**5)18.99.030 DRC**

**6)18.99.060 Historical commission**

**7)18.101.020 BOS**

# Current Historic Zone Application Process

## Historic District Zone (H) and Historic Landmark Zone (HL)

### Historic District Zone

#### 18.63.050 Establishment

- May be initiated by owners or the Planning and Zoning Commission
- Planning and Zoning holds a public hearing and forwards recommendations to the Board of Supervisors
- Board of Supervisors public hearing

#### 18.63.080 New construction or alterations

- Applicant may preliminarily consult with DSD staff and review with historic district Advisory Board.
- Application reviewed by zoning inspector and forwarded to OSC, Design Review Committee (DRC), and Advisory Board.
- Advisory Board submits recommendation to DRC.
- DRC reviews considering recommendation of the Advisory Board and sends recommendation to Zoning Inspector.

**At present the process for the Historic District Zone and Landmark Designation under 18.63 are currently not aligned and therefore require changes in phase 2 of the process.**

### Historic Landmark Zone

#### 18.63.050 Establishment

- May be initiated by owners or the Planning and Zoning Commission
- Applicant obtains recommendation from Plans Review Subcommittee, consults with staff, and then submits to County.
- Submittal reviewed by staff, who then gives notice of public hearings.
- Taking all recommendations into consideration, a staff report is prepared by Staff
- Planning and Zoning holds a public hearing and forwards recommendations to the Board of Supervisors
- Board of Supervisors public hearing

#### 18.63.080 New construction or alterations

- Prior to submittal, applicant obtains recommendation from PRS of historical commission that is submitted with application. May consult with staff.
- Submit to staff, who reviews application and gives public notice.
- DSD and OSC write staff report that will be transmitted to the Planning and Zoning Commission and Board of Supervisors.

# Proposed Text Code Amendments (phase 1)

*Historical Commission* to replace *Design Review Committee* in various Code sections

- *Design Review Committee* replaced by *Historical Commission* in 6 instances in the Code
  - The first 2 instances are under 18.63.080 New construction or alterations (A. Historic District Zone New Construction or Alterations; 3) Plan Submittal)
  - Under 18.73.050 Amenity landscape
  - Under 18.79.060 Non-conforming signs
  - Two instances under 18.95.030 Enforcement
- *Historical Commission* is added to 2 instances in the Code
  - Under 18.99 Review Committees, added 18.99.060 *Historical Commission*
  - Under BOS 18.101.020, added *Historical Commission* to 7. Appointments

## Next Steps

- **Identify and evaluate recommendations from Stakeholders**
- **Additional work sessions with Stakeholders if needed**
- **Finalize edits to the Code for phase 1 changes**
- **Staff report**
- **Public hearings**
  - Planning and Zoning Commission Hearing**
  - Board of Supervisors Public Hearing**

## Pima County Contacts

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