



MEMORANDUM

Date: December 3, 2021

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

From: Jan Leshar *Jan Leshar*
Chief Deputy County Administrator

Re: **Update on the Formation of a Pima County Historical Commission**

With decisions by the Board of Supervisors and the City of Tucson to create separate historical commissions in order for each jurisdiction to retain their Certified Local Government (CLG) status with the National Park Service, Pima County staff from Sustainability and Conservation and Development Services are proceeding with an internal code review and establishment of a new and separate County historical commission. The City of Tucson has hired Baker International to do the same.

To ensure the transition runs in parallel and the two commissions are established at approximately the same time, County staff joined the project kick-off meeting on September 20, 2021 with City staff and Baker International, and will continue to participate as a stakeholder in the process. A summary from the meeting with the City are provided as an Attachment to this memorandum.

We anticipate the two historical commissions will be created by May 1, 2022, following technical code audits to identify proposed changes leading to the future adoption of an updated ordinance and code revisions.

Next steps in the formation of a Pima County Historical Commission include:

1. Continue to participate with City and consultant as stakeholder to proceed in parallel in establishing two separate historical commissions.
2. County staff is currently completing a Code audit where likely changes will be made.
3. County staff will continue to identify and refine needed changes to sections of code and develop draft outline to proceed in collaboration with DSD and PCAO.
4. Very preliminary recommendations for the composition of Pima County Historical Commission to maintain status as a Certified Local Government in Historic Preservation include:
 - a. Ten (10) seats appointed as follows:

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- 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.
- b. In addition to establishing the member composition, draft recommendations will be developed for member selection, qualifications, quorum, attendance, vacancies, terms of office, expenditure of funds, Commission duties and functions, and Open Public Meeting Laws.

The Board of Supervisors will be provided monthly updates as the effort progresses.

JL/dym

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

Joint Meeting with City of Tucson and Pima County with Baker International

➤ **Summary of City of Tucson Historic Preservation Zoning: Tucson Historic Preservation Officer Jodie Brown:**

- A. Joint City-County Historical Commission created in 1974, as amended. Tucson Code, Sec. 1 OA-1 et. seq. (Also, Intergovernmental Agreement [IGA] between Pima County Board of Supervisors, the City of Tucson, and the Town of South Tucson, Resolution No. 17119.)
- B. Historic Preservation Zones (City Historic Districts)
 - a. Advisory Boards (neighborhoods)
 - b. National Register Historic Districts/ Neighborhood preservation zones
 - c. Each has their own design guidelines
 - d. Secretary of Interior Standards
- C. Historic Landmarks (City Single Historic Property Designation)
- D. Current Joint Tucson-Pima County Historical Commission
 - a. Meets monthly and composed of City, City of South Tucson, and Pima County appointees. Membership is 23 in total.
 - b. Many Subcommittees, but the one that meets most often is the Plans Review Subcommittee (composed of professionals).
- E. Historic Zone Advisory Boards
 - a. They meet 2 x months (6-8 members). Long process for major reviews. They also do minor reviews.
- F. COT Directive on COT property (impacts to cultural resources/ archaeological sites)
 - a. This includes Sensitivity Zones
 - b. May go through Plans Review Committee

➤ **City of Tucson/ Baker International SWOT analysis with City staff:**

Lengthy discussion followed among City Planning and Development Services Staff, which led to a facilitated SWOT analysis by Baker International in order to analyze the establishment of a separate commission. Basically an opportunity to look at strengths, weaknesses, opportunities, and threats both internal to COT and external.

Strengths:

- Great to have an Historical Commission
- Members appointed by Mayor/ Council
- Policies balance historic preservation with other City goals
- Helpful to have commission to get feedback/ recommendations
- Plans Review subcommittee professionals understand “real world” approaches and can be reasonable.

Weaknesses:

- Many meetings, long process for approvals
- Review process can be disjointed from other approvals and development review
- Looks only at historic aspects in a silo regardless of other values/ variables
- Advisory boards sometimes “vindictive to neighbors and projects they don’t like”
- “Hobbyists” on the full commission can sometimes derail or delay progress
- Increased cost of construction reduces affordability

Opportunities:

- Revise process to streamline
- Smaller commission more manageable
- Reduce number of committees a project must go through
- Smaller committee to conduct design review
- Establish guidelines and process tailored to the City
- Equity considerations
- Advisory boards are represented on single board
- Revise process to start earlier in the design review process
- De-weaponize historic review process
- Enrich local cultural heritage

Threats:

- Not accountable for decisions and process
- Not every historic building can be preserved but some preservationists believe otherwise.
- Must be concurrent with other reviews or delays can cause possible projects to fail before they begin.
- Because process is seen as onerous/ capricious, many property owners avoid and do work without permit.
- Historic districts surround downtown and streetcar route, and many future transit corridors - can be a barrier to infill based on how some advocates see compatibility
- Legislative changes may occur.

➤ **Summary Observations of City of Tucson Meeting & SWOT Analysis:**

1. That the COT process is inherently more complex than the County's.
2. The County's process will need to be extremely clear to highlight differences in procedures to City and County planning staff and the separated commissions and committees, outside agencies, neighborhoods, and applicants.
3. Both City and County staff agreed we need to work in parallel to the extent possible.
4. Balance is needed between applicant's desire to make improvements and the objective of retaining the defining historic characteristics to a zoned historic property. Review recommendations and decisions must be rational and fair.
5. Property owners who choose to take advantage of the State Historic Property Tax Incentive Program must understand this tax program requires that the historic property retain its historic integrity and be maintained appropriately.

➤ **City of Tucson Schedule to Establish Historical Commission**

- **Sep 2021:** Project kick-off and immersion kick-off summit, and a Strengths, Weakness, Opportunities, and Threats (SWOT) of current commission.
- **Oct 2021:** Technical code audit will identify proposed changes to the existing ordinance, leading to the future adoption of an updated ordinance.
- **Nov 2021:** Annotated outline will explicitly identify the intended changes and rationale for those changes. Focus group meetings to seek recommendations: 1)

Number of seats, qualifications, and term lengths; 2) Equitable representation and distribution of Commission members; 3) Equitable and defensible recommendations for integrating HPZ members onto new Commission; 4) Streamline minor review policies and procedures

- **Dec 2021:** Technical code revisions to institute a new historic commission, design review process, eliminate advisory boards, streamline minor review approvals, and eliminate development zones that relate to historic preservation.
- **Jan – Feb 2022:** Work Sessions work sessions for the Planning and Zoning Commission, the Tucson-Pima Historical Commission, and the City Council to provide a comprehensive overview of the most significant UDC text amendments and recommendations regarding representation and procedures for the newly created Historic Preservation Commission.
- **Feb – March 2022:** Public hearings to formally adopt the proposed code text amendments and create the Historic Preservation Commission. This includes attendance at one public hearing before the Planning & Zoning Commission and one public hearing before the City Mayor and Council.
- **April - May 2022:** New historical commissions established.