

City of Cottonwood
Historic Preservation Commission Regular Meeting Minutes
January 21, 2015 6:00 P.M.
Council Chambers 826 N. Main Street, Cottonwood, Arizona 86326

1. CALL TO ORDER

Chairman Elinski called the meeting to order at 6:04 p.m.

2. ROLL CALL

Historic Preservation Commission Members Present:

Tim Elinski, Chair Annabel Sclipa, Vice Chair
Glenda Farley Ryan Bigelow
Marie Palowoda Chris Vernosky

Historic Preservation Commission Members Absent:

Karen Leff

Staff Members Present:

Berrin Nejad, Community Development Director
Charlie Scully, Community Development Long Range Planner
Christina Papa, Community Development Senior Administrative Assistant,
Recorder

3. APPROVAL OF MINUTES FOR DECEMBER 15, 2014 MEETING

Motion: *To approve the minutes from 12/15/2014*

Made by: *Commissioner Sclipa*

Second: *Commissioner Farley*

Vote: *Unanimous*

4. CALL TO THE PUBLIC

No comments.

5. OLD BUSINESS

- a. REVIEW OF PROCESS TO IMPLEMENT PROJECT REVIEW-Staff

Chairman Elinski mentioned that Item F under Public Outreach, should try and do a direct mailing as well. Chairman Elinski also mentioned that once the commission establishes that district they can identify who to contact, it is hard to get people to show up to workshops, meetings, this way people are not hearing it for the first time once a decision is made. Staff mentioned that this process would take over the Design Review process for Historical buildings, now that is currently under Planning and Zoning Commission, HPC would be able to review the overlay district. Chairman Elinski thought that it is a direct strategy, just to add direct mailing. Commissioner Farley asked if there can be an overlay district if they do not have more than 50% of residents. Staff responded no, that there needs to be more than 50%. Chairman Elinski asked if there could be a potential overlay district map brought into one of the upcoming meetings. Commissioner Farley mentioned that having a packet to hand out to potential residents before the meeting, at the meeting, and after the meeting, may help residents to see the benefits. (The above mentioned document is at the end of the minutes as an attachment)

Motion: *Motion to approve the Process to Implement Project Review with the following stipulations, that they attempt to landmark as many properties as part of public outreach, that staff adds direct mailing to the public outreach section item F, skeleton design review draft, and to be put on the 1st meeting in July.*

Made by: *Commissioner Elinski*
Second: *Commissioner Farley*
Vote: *Unanimous*

b. DESIGN REVIEW PROGRAM UPDATE-Staff

Chairman Elinski asked the commission to think about page seven (7) number one (1), requirement that seems to be too much to submit. There is not a really clear line of Minor and Major certificate of appropriateness. Commissioner Vernosky mentioned making a list to add of exceptions. Chairman Elinski agreed, that will come as we see projects come in front of the commission. Commissioner Vernosky also mentioned that on page fourteen (14) number seven (7) it doesn't seem to go along with the Secretary of Interior, should be different not consistent, thinks that it has to be re-worded. Chairman Elinski should amend to be more consistent with the Secretary of Interior, National Standard of Rehabilitation should mirror. (The above mentioned page numbers and sections are located at the end of the minutes as attachments)

Motion: *Motion to change page fourteen (14) number seven (7) overall project to be complementary with National Standard. Page seven (7) number one (1) application requirement. List of exclusions of minor and major certificate of appropriateness.*

Made by: Commissioner Vernosky
Second: Commissioner Farley
Vote: Unanimous

6. NEW BUSINESS-NONE

7. INFORMATIONAL REPORTS AND UPDATES

- Civic Center Update: Scott Mangarpan
- Annual HPC Conference: Staff
- Building Preservation: Staff

8. ADJOURNMENT

Motion: To adjourn the meeting.

Made by: Commissioner Scippa
Second: Commissioner Bigelow
Vote: Unanimous

Chairman Elinski adjourned the meeting at 7:57 p.m.

APPROVED

Attachments:

Implementation of Project Review for Historic Properties:

These documents and/or procedures have been created:

1. Historic Preservation Ordinance.
2. Landmarking procedures.
3. Historic Overlay Zoning District - Zoning District classification approved.

This procedure been started with Landmarking of two City properties:

4. Application of Landmarking. (Civic Center and Old Cottonwood Jail)

These steps have not been initiated:

5. Application of HP Overlay District.
6. Preliminary Outreach to Property Owners in potential Overlay Zoning area:
Information and program outreach concerning potential Rezoning of property would be initiated and facilitated by Staff. The role of HPC would have to be determined, such as holding a special meeting to take input and have discussion.
 - a. Public Meetings. (special informational meeting or workshop format)
 - b. Printed Material (and website link) providing description of potential effects and benefits of Overlay Zoning, Landmarking and HP Program.
 - c. Presentations to Others: City Council, P&Z Commission, OTA.
 - d. Survey of Property owners. Focus meetings between key property representatives and staff.
7. Development of Design Guidelines or reference to standards. Review of projects in program need clear guidelines. This should be provided before outreach for either Overlay Zoning or Landmarking. Reference to Sec. Standards for Historic Preservation can also serve as basis. Detailed local guidelines provide an opportunity to address various unique local conditions.

Guidelines for diverse, multi-era and eclectic architectural styles found in Cottonwood should be helpful for everyone: property owner, architects, builders, staff, commission members.

City of Cottonwood



Historic Preservation Standards and Guidelines

December 2014

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APPROVED

HISTORIC PRESERVATION DESIGN GUIDELINES

A. INTRODUCTION

1. INTENT AND PURPOSE

The Historic Preservation Design Guidelines are intended to support preservation of the historic character and integrity of the historic district as a valued and meaningful resource for property owners, businesses, residents and the entire community. In addition, these guidelines serve as a resource for property owners, builders, architects, real estate professionals and others who may be involved with development in the area so as to support these goals.

The intent of the Historic Preservation Design Guidelines is to convey to the property owners and businesses within the Historic District the appropriate methods for any improvements, restoration activity or other alterations or new construction to their properties.

This document is intended to help people understand the reasons for, the proper methods of and the overall benefits of historic preservation both to the individual and the community as a whole.

2. APPLICABILITY

These guidelines shall apply to all properties, of whatever nature and wherever they are located, within the Landmarks Design Review Overlay District. For any structure or land hereafter constructed, located, extended, converted, or altered within the district, the work shall be designed and performed so as to recognize, preserve, enhance, and perpetuate heritage resources consistent with the preservation provisions of the City of Cottonwood zoning ordinances and these guidelines.

B. PROJECT REVIEW

1. PROJECTS SUBJECT TO REVIEW

The City of Cottonwood Historic Preservation Ordinance requires that any new structure or land hereafter constructed, located, extended, renovated externally, converted, or altered within the City of Cottonwood Historic District, whether or not another approval or permit is required, any change in an element of design, or other change that has an impact on the property or building, shall be approved by the Historic Preservation Commission.

- Any change in occupancy as classified by the Building Codes of City of Cottonwood
- Any expansion of existing building,
- Any remodeling of an existing use that alters at least 20 percent of the floor area or site area,

- Any remodeling or improvement valued 50 percent or more of the value of the existing improvements on the site,
- Proposed occupancy or use of any commercial or industrial building or site that has been vacant for 6 months or more;
- Any amendment to an approved Design Review plan;
- Demolition of a structure or a part of a structure within city of Cottonwood Historic District. Historic buildings can be demolished if unsafe as determined by the building official, if they lose their historic integrity, or if there is a proven economic hardship; and
- Construction or placement of signage in the city of Cottonwood Historic District.

2. REVIEW CRITERIA

The City of Cottonwood code directs the Historic Preservation Commission to consider the following criteria in the review of individual projects within the city of Cottonwood historic district;

- Height
- Setbacks
- Proportion
- Rhythm
- Site Utilization
- Façade style
- Roof type
- Materials
- Projections and recessions
- Details
- Building form

3. REVIEW STEPS

- **Pre-application:** Applicants are encouraged to have a pre-application meeting with staff prior to filing an official application for Design Review.
- **Application Filing:** An application must be filed and accepted with the department with all the required information as stated in submittal checklist. Incomplete applications will not be accepted or will delay the process.
- **Staff Reports:** After the formal acceptance of the application, staff will prepare the project for a public hearing and prepare a staff report describing and evaluating the proposal and will make recommendations to the Historic Preservation Commission. Copies of the staff report are made available to the applicant and the public prior to the public hearing.
- **HPC:** The Historic Preservation Commission meets every month, on the second Wednesdays at Council Chambers at 6:00 pm. The applicant and/or project representatives must be present at the hearing. After the hearing, the Commission will recommend approval, approval with conditions, or denial of

the proposed design review application.

- **Appeal process:** The applicant may appeal the decision of the HPC to the City of Cottonwood City Council. The appeal letter must be received by the City within 10 working days of the meeting and letter must describe the reasoning for the appeal and design solutions.
- **Inactive Cases:** All applications must be actively processed such that a final decision is made. If no activity has occurred on an application for 180 days, the application is determined to be inactive, deemed to be withdrawn and the file is closed. Thirty (30) days prior to that date, the staff will notify the applicant in writing of the 180 day limit. The applicant may submit a written request that the application remain active, with an explanation for the inactivity. The Planning Director may grant an extension for up to 180 days for good cause, if there is a reasonable belief that the application will be actively pursued during the extension period.

C. REVIEW PROCESS

Upon receipt of an application for any demolition, alteration or expansion of a landmark or a property within an historic district, the staff shall initiate a process to determine if such permitted action is appropriate. All applications, except for proposed demolition of a landmark or historic district property, shall be reviewed, issued, or denied in accordance with the process outlined herein.

1. Certificate of Appropriateness:

In order to determine the appropriateness, department staff shall prepare a certificate of appropriateness before any alteration or demolition permit may be issued for any landmark or historic district property. Certificates shall be classified as either a minor certificate of appropriateness or a major certificate of appropriateness. All certificates shall include the Director's landmark impact determination.

Administering Certificates of Appropriateness (COA) is another one of the many responsibilities of the Historic Preservation Commission (HPC). A Certificate of Appropriateness must be obtained from the Historic Preservation Commission before any exterior work is undertaken on a building. This includes the demolition or relocation of any structure within the District. A COA certifies that the proposed work is consistent with the Design Guidelines and is appropriate within the context of the City of Cottonwood Historic District. The COA is often a preliminary requirement to obtaining a building permit. A COA is not required for any interior improvements to the property. While the property owner need not consult the HPC prior to doing any interior project, a building permit is sometimes required.

a. Minor Certification of Appropriateness

COAs for Minor Work can be approved administratively by City Staff. Whenever a project does not alter the appearance and character of the property or will not recreate the property's original appearance, it is considered a Minor Work project. Minor Work projects include, but are not limited to tasks such as the repair or replacement of architectural features with the same materials and design, or the construction of fences or walls. If these projects meet the Historic Preservation Design Guidelines,

department director can approve the application in a matter of days. If the director or his/her appointee staff concludes that either the project does not fall under the Minor Work provision or that it is a conflict with these Historic Preservation Design Guidelines, the application shall be forwarded to the HPC for review.

Such certificates shall be authorized by the Director and will be reported monthly to the HPC Commission and the City Council.

b. Major Certificates of Appropriateness Work

Major certificates shall be subject to review and approval by the commission and may be authorized for the following types of permits: interior space rehabilitation when such space was an important component in approval of the landmark nomination; demolition of any contribution structure of a landmark property or within a historic district; and demolition or part or all of a landmark or building or structure in a historic district.

When a property owner is proposing any type of significant work such as new construction, alteration, significant restoration, demolition, or other significant activity in a Historic District, this activity is deemed a Major Work and shall require Major Certificate of Appropriateness and the review of the Historic Preservation Commission during a regular meeting.

c. Certificate Process

Applications for Certificates of Appropriateness are processed through the City of Cottonwood Planning Department. Staff will provide assistance with these design guidelines and specify which guidelines apply to the proposed project. Applications should include any relevant supplemental materials, such as accurate drawings, site or plot plans, samples of materials, color chips, and photographs. Upon receipt of a COA application, the staff liaison will issue comments on each application. When the proposed project is presented to the HPC by the applicant, comments from the public will be heard prior to any decision being made. Following the HPC rendering a decision, the applicant will receive written correspondence, including a COA, from the meeting and an explanation for the Commission's decision. At this point the application may apply for a building permit if necessary. A flow chart of the COA process is included in Appendix C.(XXX?) If the project involves new construction or extensive alterations, review by the HPC is required. City Staff meets with the property owner or representative at an early stage in the design process. City Staff will advise the applicant on the Historic Preservation Design Guidelines. This procedure will provide the applicant with input on the appropriateness of the proposed work.

2. APPLICATION REQUIREMENTS

The following documentation of work is required (All drawings shall be drawn to scale, be dimensioned, and shall clearly and accurately represent the project, including indicating existing, proposed to be demolished, and proposed new work).

- a. **Site Plan** – Include property lines; topography; existing trees; outlines of

neighboring buildings; public ways and improvements; building footprints with setback dimensions; garages and parking, driveways, and curb cuts; and locations of fences, walls, and other structures; signage; and exterior lighting. A professional survey is appropriate and may be required.

- b. **Floor Plans** – Not subject to review, Floor Plans aid in understanding proposals.
- c. **Exterior Elevations** - Elevations should indicate windows and doors, materials, railings, and other details and features. Height and elevation marks shall be indicated, including heights from grade to top of eaves, ridge, roof, parapet, etc.
- d. **Building Sections and Exterior Details** - As necessary to document proposed work.
- e. **Landscape Plan** - If required
- f. **Material and Color Board** - Depicting the textures and colors of the exterior.
- g. **Photographs** (of the project context) - Include the elements of basic design compatibility from the property itself, the surrounding properties, and the neighborhood as appropriate.

3. SECRETARY OF INTERIOR'S STANDARDS FOR REHABILITATION

All guidelines presented in this document are based on the Secretary of Interior's Standards for Rehabilitation. The National Park Service created these ten basic principles in 1977 to guide property owners in preserving the historic integrity of a building. As defined by the Secretary of Interior, "rehabilitation" is "the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values."

The Standards, amended in 1990, recognize the need for adapting historic structures to modern times and therefore allow for changes and new construction that are compatible with the building and/or the City of Cottonwood Historic District. The Standards for Rehabilitation are general enough that they apply to all architectural styles, periods, and building types. The ten standards are intended to be applied in a reasonable manner, taking into consideration economic and technical feasibility of the project.

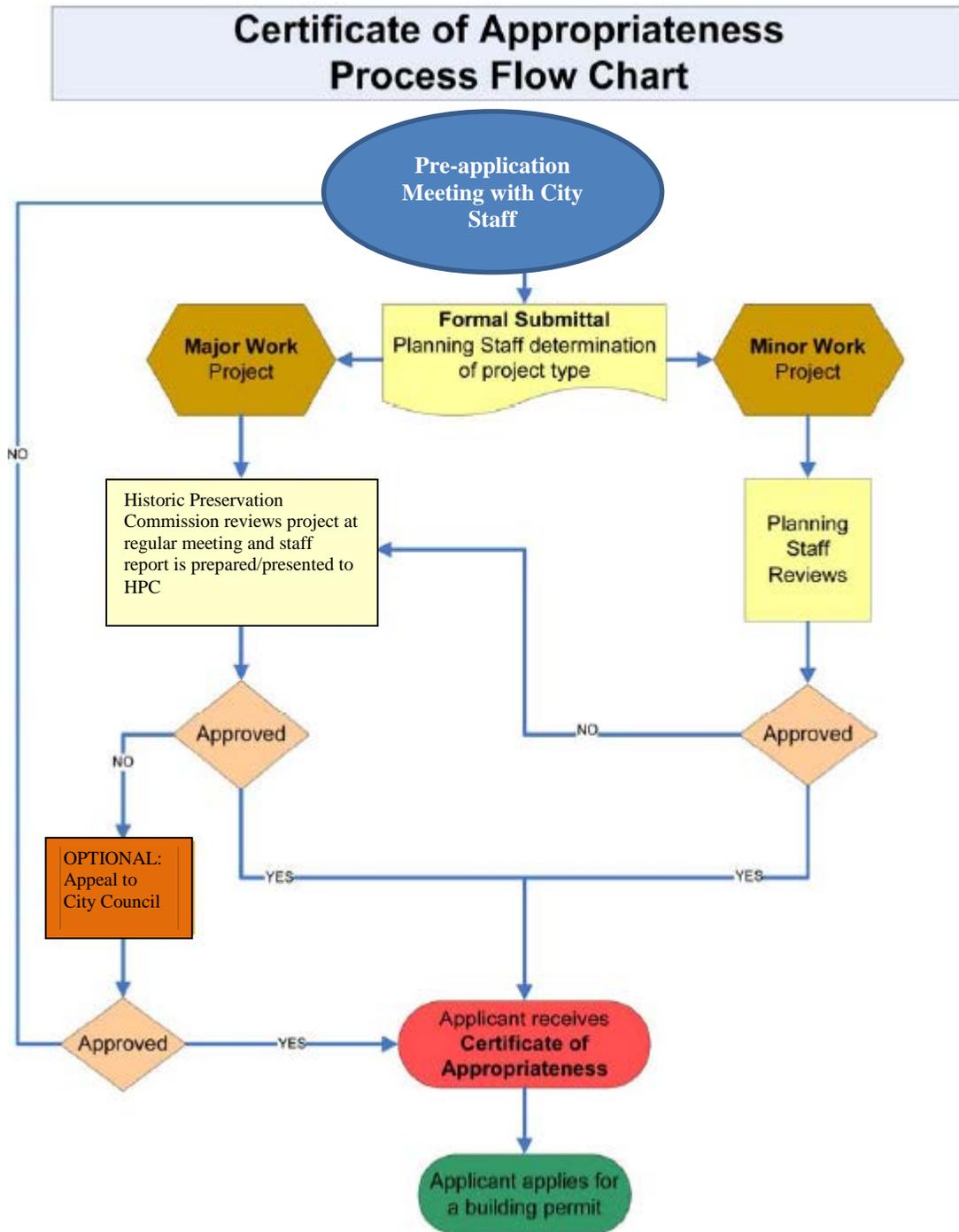
- a. A property shall be used for its historic purpose or be placed in a new use that requires minimal changes to the defining characteristics of the building and its site and environment.

- b. The historic character of property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
- d. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
- e. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
- f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
- g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- h. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be distributed, mitigation measures shall be undertaken.
- i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

4. FLOW CHART

City of Cottonwood Historic District Permit Process Flowchart



4. RESPONSIBILITIES OF THE HISTORIC PRESERVATION COMMISSION

One of the most important duties of the HPC is educating individual property owners and the general public as to the importance, benefits and proper methods of historic preservation. The Historic Preservation Design Guidelines set forth in this document are intended to be used first by property owners as a manual of best practices, and second as a guide for the HPC to make its decisions. An informed property owner will not only know the best treatment for his or her property, but also what to reasonably expect when applying for Design Review approval.

D. HISTORIC DISTRICT

1. DISTRICT BOUNDARIES

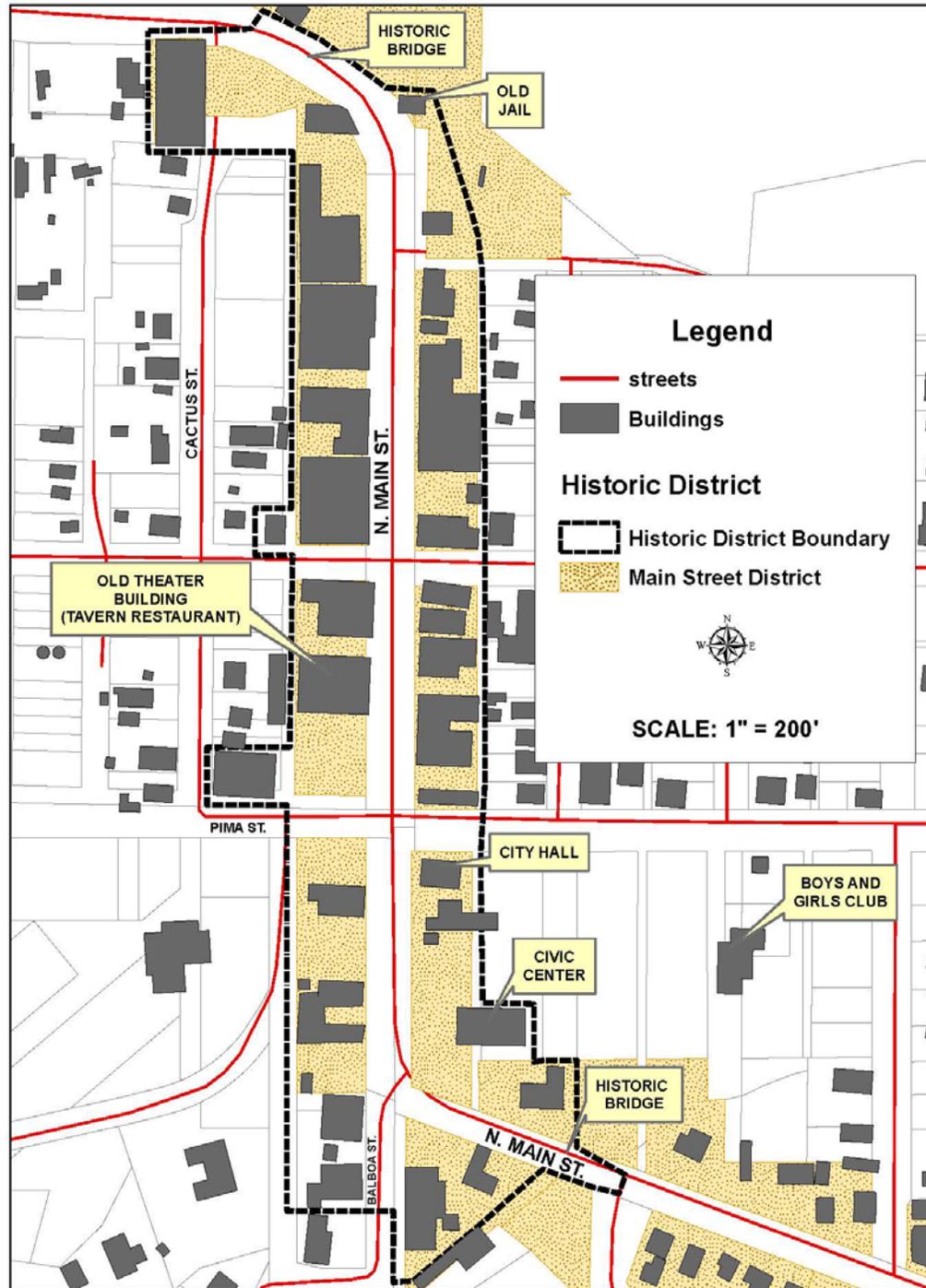
The Historic Overlay District will be expanded in the future by applying this overlay district zoning designation to other specific significant properties per the procedures of the Zoning Ordinance. As a “district” for individual landmark structures and sites, such appended parcels may or may not be contiguous and could be located anywhere within the City limits. Applying the Historic Preservation Overlay District zoning designation would have the effect of making these guidelines applicable to such appended properties. Properties within the Historic Preservation Overlay District shall be shown on the official Zoning Map with the designation “HP ? XXXX”.

2. RELATIONSHIP to UNDERLYING ZONING

An overlay zone is a special zoning district placed over an existing zoning district, part of a district, or a combination of districts. Overlay zones build on the underlying zoning, by establishing additional requirements which includes requirements that are applied to property within the overlay zone in addition to the requirements of the underlying zoning district. Lacking conflicting requirements, the most restrictive requirements of either zoning districts are applicable. If there is any conflict between the requirements of the Historic Preservation Overlay District and the requirements of the underlying zoning district, the requirements of the Historic Preservation Overlay District shall control.

3. DISTRICT MAP

Old Town Cottonwood



E. DESIGN GUIDELINES

These guidelines are designed to be used as a resource primarily by the property owners, builders, architects, and real estate agents to understand the reasons for individual and entire community needs for preserving the character of the past without impacting adversely current users /owners. Guidelines meant to be suggestions while still allowing individual creativity. The following list are the design elements each project will be reviewed for:

- a. Lighting
- b. Fences and Walls
- c. Utilities and Mechanical Equipment
- d. Facades and Building Form
- e. Windows
- f. Doors
- g. Roofs
- h. Walls
- i. Awnings
- j. Paint
- k. Fascia
- l. Building Materials
- m. Amenities

1. DESIGN GUIDELINES FOR OVERALL PROJECT

Whenever possible, design projects are to comply with the Secretary of the Interior's Standards for Rehabilitation of historic buildings. In general these guidelines recommend the following:

- a) Identify, retain and preserve the architectural features that establish the historic or architectural character of the building.
- b) Protect and maintain those architectural features.
- c) Repair, matching as closely as possible, the design and materials of the original feature. When repair is not possible, the replacement should use matching or compatible materials and duplicate the original design.
- d) Re-create missing historical features of a building. For example, if a historic window has been replaced by a contemporary design, the historic window should be re-created.
- e) Design alterations or additions in a manner that does not radically change, obscure, or destroy the historic character of the building.
- f) Work done to ensure code compliance should be completed in a manner that does not radically change, obscure, or destroy the historic character of the building.

- g) Design projects are to be consistent with the architectural style of the existing structure. For example, if the building was built in the Late Transitional style, then the proposed addition must be consistent with the City of Cottonwood Historic Preservation Design Guidelines for Late Transitional Structures.
- h) Whenever possible, alterations that detract from the original style of the structure shall be removed.
- i) All construction must meet the requirements of the City of Cottonwood Code.

a. Lighting

Direct all exterior site lighting so as not to disturb adjacent uses.

b. Fences and Walls

- a) Encourage the use of wood fencing, brick walls, stone walls or adobe walls.
- b) No fence erected, placed or located to serve as a perimeter fence if within four feet of a constructed of combustible materials, except that gates for the fences may be of a combustible material provided the gate is no wider than 12 feet.
- c) Discourage the use of cyclone and chain link fencing.
- d) Prohibit barbed wire fences
- e) Consider the impact of fencing and walls on adjacent property. If impact is negative, then the use must be discouraged and an alternative use considered.

3.4 Utilities and Mechanical Equipment

Whenever possible, relocate or screen outdoor utilities and mechanical equipment from public view.

3.5 Facades and Building Form

- a) Maintain the original proportions of the building. Of specific concern is the relationship between the height of the building and its width. For example, if the building's facade is 30 feet high and 45 feet wide, its proportion is 2:3. The ratio should be maintained in any new construction.
- b) Maintain the predominant difference between upper story openings and the storefront, or street level openings (windows and doors). For example, commercial structures usually have a greater amount of transparent or glazed area at the storefront level. The distinction between the first and second story should be maintained in any alteration or addition to the building.
- c) Maintain the horizontal rhythm of the building. For example, the height of windows and doors on the facade may all be the same. In this instance, new windows or doors should be on the same level as the existing openings.

- d) On new construction, extend the materials used on the front of the building to all sides of the building. Treatment of the front facade only is not acceptable.

3.6 WINDOWS

- a) Match replacement windows or new windows, as closely as possible, to the original windows.
- b) Ensure that replacement windows fill the entire opening.
- c) Original windows in upper facades shall not be covered or bricked-in.
- d) Ensure that replacement windows duplicate the glass and mullion patterns of the original windows.
- e) Permit the use of aluminum double hung windows in place of wood only if the aluminum is anodized or painted to match the original windows (bare aluminum shall be discouraged).
- f) Consider the use of flat pane roof skylights (bubble domes visible from the street shall be discouraged).
- g) Discourage the use of awning windows, jalousie windows and aluminum sliding windows.

3.7 DOORS

- a) Match replacement doors or new doors, as closely as possible, to the original doors.
- b) Ensure that replacement doors fill the entire opening.
- c) Ensure that replacement doors duplicate the design of the original doors.
- d) The preferred material for storm and screen doors material is wood and shall meet the following standards:
- Simple and open in design.
 - Be of a finished material other than clear-anodized aluminum.
 - Be compatible with the design of the door behind.
 - Metal security doors are discouraged.

3.8 ROOFS

Discourage the use of out-of-character chalet style roofs.

3.9 BUILDING MATERIALS

Select building materials that are similar to the historic materials used and that promote the historic character of the neighborhood.

The following photographs represent examples of building materials that are appropriate in the City of Cottonwood Historic District.

3.10 AMENITIES

3.10.1 Seating, such as benches, may be used provided that a clear walkway of a minimum of 4 feet is maintained.

2. DESIGN GUIDELINES FOR SIGNS

Signs are essential element in the historic District. They are the initial image and also communication tool. All signs shall comply with the sign ordinance.

The director or her/his designee shall review and approve or deny all requests for signs to be located on a landmark or within an historic district in accordance with the following criteria:

- A. Signs shall be designed and placed to be an integral part of the property design, in proportion to the landmark and compatible with the environment in historic districts.
- B. Signs should be relative to the services and shall not block, obscure or distract from the landmark's or historic district's significant design elements.
- C. Wherever possible, actual historic signage should be maintained and restored to original significance regarding design, materials, craftsmanship, or placement.
- D. In Commercial Districts, illuminated signs shall be designed to reduce glare and shall not detract from the landmark's or district's historic character.
- E. Freestanding signs and monument placards explaining the landmark's or district's significance or age shall be compatible with the landmark or district, but are otherwise encouraged. Signs shall be regulated for a distance of not more than 300 feet from a landmark or historic district.
- F. Signs to be placed upon a National Register Landmark property shall not be subject to the public hearing process and may be approved as a minor certificate of appropriateness. Landmark signs which do not meet all of the stated terms shall be set for review by the Cottonwood Preservation Commission at its next regular meeting with appeal to the City Commission if denied.
- G. Signs within Commercial Districts shall not be subject to the public hearing process and may be processed as a minor certificate of appropriateness if the terms of Section 11.19 are met. Signs within Commercial Districts which do not meet all of the terms of this Section shall be set for review by the Cottonwood Preservation Commission at its next regular commission meeting with appeal to the City Council if denied.
- H. Signs within Residential Historic Districts shall be subject to the following procedure:
 1. Any sign larger than two square feet proposed to be located within a Residential Historic District or within 300 feet of such District shall require a review by the Cottonwood Preservation Commission prior to issuance of any sign permit.

2. The commission shall review the sign for compliance with the terms of and shall modify, approve or deny the permit following a scheduled informal hearing set for its next regular meeting. Such informal hearing shall be preceded by written notice to each of the properties within the affected historic district.

3. This is not a formal public hearing process as described elsewhere in this Code for appeals. No notice is required to be advertised. Letters shall be sent by regular mail. Failure to receive notice of such informal hearing shall in no way void the hearing process. The letter mail distribution shall be based upon the addresses of the properties within the district as filed with the nomination for the district in records kept and maintained by the Community Development Department, City of Cottonwood, Arizona. Such notice shall be mailed at least five workdays prior to the date set for the informal hearing. It shall state the date, time and place of the informal hearing and that the Cottonwood Preservation Commission will meet to discuss a sign permit request and shall give the address where the sign may be located.

4. Should a legal, non-historic commercial or industrial zoned property be located within 300 feet of a Residential Historic District, then the Cottonwood Sign Code shall be used to issue sign permits and no further Historic review shall be required.

5. During the informal hearing the chair may elect to hear public testimony in favor of or opposed to the sign as designed. The commission may encourage modification of the sign to assure historic integrity and compatibility with the character of the historic landmark or district, or the commission may grant or deny the sign permit as presented. The owner of the sign may appeal the decision of the commission to the City Council, if denied.

6. Appeals shall be in writing received by City staff within seven days of the date of denial.

7. Sign Types: Canopy and awning signs, Historic Markers , marquee Sign, monuments, monument signs, pole signs, projecting signs, sidewalk signs, wall signs.

3. DESIGN GUIDELINES FOR LANDSCAPING AND RETENTION OF ACCESSORY STRUCTURES

A. Existing characteristics such as trees, walls, stairs, paving materials, fencing, walkways, and other site features that reflect the landmark or district's significance shall be retained and protected from demolition or alteration.

B. Landscaping shall be appropriate to the scale and feature of the landmark or historic district.

C. Accessory structures shall be appropriate to and compatible with the architectural features of the primary structure. Non-contributory structures shall not distract or detract from the landmark or historic district properties.

D. Design criteria shall be applied more stringently to projects of greater significance than those of lesser impact. Accessory facilities are not subject to the public hearing process and will be reviewed at the next regular commission meeting with appeal to the City Council if denied. Appeals must be submitted in writing within seven days of date of denial.

4. PUBLIC PROPERTIES

Existing historically or architecturally significant public properties shall be nominated to local, state, and federal registers upon authorization by the City Council after review and approval by the commission of appropriate nominating materials. Unless specifically required elsewhere, normal nomination procedures may be waived.

A. Normal property maintenance shall be exempt from the provisions of this Code unless or until a permit for work to be done is required by other City Zoning Ordinance.

B. Demolition, exterior alteration, or expansion of landmark properties owned by such entities shall follow the procedures enumerated in the Zoning Ordinance.

F. DEMOLITIONS

Demolition applications for landmarks or historic district properties shall be denied for a period not to exceed 180 days if a proposed public or private re-use of the property is unknown. The maximum period of delay may be reduced whenever the commission determines the owner will suffer extreme hardship or will be deprived of all beneficial use of the property by virtue of the delay. In either instance, the commission shall use the delay to negotiate with the owner and interested parties to find a means to preserve the landmark or historic district property. If the proposed re-use of the property is known, the use will be examined for relationship and compatibility with the landmark or historic district before demolition of a contributing or landmark structure may proceed. This section also applies to properties nominated or landmark or historic district designation. Once redevelopment plans are known, the commission will determine appropriateness.

G. EXCEPTIONS

It is recognized that not all circumstances can be anticipated by guidelines. When circumstances exist where these guidelines should not be followed in order to achieve an appropriate heritage preservation solution, the Commission may, at its sole discretion, modify the requirements of these guidelines, when in the opinion of the Commission, an exception is warranted, such as in the case of alterations to existing non-conforming structures, cases where an exception is necessary to accommodate an appropriate architectural style, cases where an exception is warranted based on the development of immediately adjacent properties, and other similar circumstances determined solely by the Commission. However, the burden of identifying and making known such conditions, and for developing appropriate design responses, shall be upon the proponent (Applicant). Further, the Commission shall, as a part of their approval,

specifically identify as findings the unique circumstances and the rationale for approving the work.

H. CONFLICTING PROVISIONS

If two or more standards or guidelines address the same subject, the more restrictive requirements shall apply. In case of a conflict between guidelines, those that are most specific to the resource in question shall prevail over those that are more general.

I. APPEALS: Any property owner aggrieved by any section of this Article may apply for an appeal. Appeals shall be to the Cottonwood Preservation Commission. Any decision of the commission may be further appealed to the City Council. All rulings by the City Council shall be final and binding on all parties unless appealed to a court of valid jurisdiction.

J. VARIANCES: Any property owner, or authorized representative, may apply for a variance from specific guidelines for historic preservation as set and amended by the Secretary of the Interior Department. Variance applications shall be made to the Cottonwood Preservation Commission whose decisions are final. Before the commission may grant a variance from the specific regulation, it must make a finding that all five conditions below are affirmed:

- A. Such variance would not be contrary to the health, safety or best interest of the public;
- B. A literal enforcement of the provision will result in an unnecessary hardship to the property owner;
- C. There is a condition unique to the property which was not created by the property owner;
- D. There is no adverse effect on surrounding properties, and,
- E. The variance would not be contrary to the general spirit or intent of this Article.

K. PENALTY: Any person violating any of the provisions of this code shall be guilty of a misdemeanor, each day, or portion thereof, constituting a separate offense. Each offense shall be punishable by a term of confinement in the city or county jail, which is all be fixed by the court, shall not exceed one year, and may, in addition to, or addition to, or instead of the confinement, be sentenced, to pay a fine not exceeding \$500.

L. BIBLIOGRAPHY

- Town of Florence, Arizona, Historic District Preservation Guidelines.
- City of Flagstaff, Arizona, Landmark Design Review Overlay District Design Standards and Guidelines and Historic Preservation Resources.
- City of Leavenworth, Kansas, Development Regulations, Historic Preservation.
- City of Spokane, Washington, Historic Preservation Guidelines.

M. RESOURCES