



Date: September 20, 2023  
To: Planning & Zoning Board  
Through: Natalie Lewis, Deputy City Manager  
Nana Appiah, PhD, AICP, Development Services Director  
Mary Kopaskie-Brown, AICP, OPPI, CIP, Planning Director  
From: Rachel Nettles, Assistant Planning Director  
Subject: Mesa Zoning Ordinance Text Amendments (**Historic Preservation**) - Proposed Amendments to Chapters 23, 44, 66, 74, and 87 of the Mesa City Code

**RECOMMENDATION:**

Staff recommends that the Planning and Zoning Board provide a recommendation that the City Council adopt the Historic Preservation Text Amendment Ordinance (Proposed Amendments) attached to this staff report as Exhibit 1. The Proposed Amendments includes certain changes proposed by the Historic Preservation Board, as described in this staff report.

**HISTORIC PRESERVATION BOARD RECOMMENDATION:**

On August 1, 2023, the Proposed Amendments were presented to and discussed with the Historic Preservation Board. The Proposed Amendments were revised based on input from the Historic Preservation Board.

On September 5, 2023, the Historic Preservation Board voted to recommend that the City Council adopt the Proposed Amendments (6-0) with the following changes:

- (1) Define “State of Disrepair”
- (2) Maintenance – Remove the words “historic district” from 11-74-4(F)(1) language
- (3) Add the language “if parties agree to extend the time frame” – related to Stay of Demolition
- (4) Stay of Demolition - Section 11-74-4(H)(2)
  - A. Change the timeframe for a stay of demolition from 180-days (6-months) to one year to allow additional time and protect the importance of the neighborhoods and history that are designated by the existing or proposed Historic Preservation Overlay; and
  - B. Require a 180-day stay of demolition for properties on the Historic Preservation Supplemental List.

Staff concurs with the Board's recommendations (1) - (3) but does not recommend (4) above. The Board recommended extending the Stay of Demolition to one year to ensure that the importance and history of Mesa is protected. Staff recommends maintaining the current Stay of Demolition (180 days) as it balances the property owner's needs with the protection of historic resources. The current language in the Proposed Amendments include a process for the parties to try to reach an agreement related to demolition of historic resources. With the additional language that allows for extensions of the 180-day Stay of Demolition timeframe, if agreed to by all parties (Board recommendation (3), the timeframe can be extended with both the property owner and the historic resource being considered. This provides a balance of the concerns of the property owner and the protection of the City's historic resources.

The Board also recommended adding language that would require a 180-day stay of demolition for properties on the Historic Preservation Supplemental List. Properties on the Mesa Historic Properties Register are properties in the City that have an existing historic designation, either a Historic Districts or Historic Landmarks designation in the City of Mesa or are listed on the National Register of Historic Places. The Historic Preservation Supplemental List includes properties that maybe considered for a future historic designation but are not currently designated or proposed to be designated at this time. Staff does not recommend imposing additional regulations through a Stay of Demolition on these properties until such time that they apply to be designated as a historic resource.

#### **PURPOSE AND BACKGROUND:**

Mesa adopted the first Historic Preservation Ordinance as part of Mesa Zoning Ordinance (MZO) in 1994 with subsequent updates in 1997 and the early 2000's. Current regulations can be found in four different sections of the MZO.

In 2019, the Historic Preservation Office received a grant from the National Parks Service to update the MZO and the related 2001 Historic Homes of Mesa: An Architectural and Preservation Guide. The Proposed Amendments create more user-friendly provisions that are easier to find, use, understand, and implement.

The Proposed Amendments are attached to this staff report as Exhibit 1 - Historic Preservation Text Amendment Ordinance. The specific affected chapters are Chapters 23, 44, 66, 74, and 87 of the MZO.

The MZO Text Amendments will, in part:

- (1) Consolidate Historic Preservation standards in Chapter 23 (Historic and Landmark Overlay Districts) and Chapter 44 (Historic Signs) into Chapter 74( Historic Districts and Historic Landmark Procedures) and ensure consistency with Chapter 66 (Administration of the Historic Preservation Board);
- (2) Clarify standards related to designated historic resources in Mesa; and
- (3) Define terms for previously undefined terms.

## SUMMARY OF THE AMENDMENTS:

*1) Consolidate Historic Preservation standards in Chapter 23 (Historic and Landmark Overlay Districts) and Chapter 44 (Historic Signs) into Chapter 74( Historic Districts and Historic Landmark Procedures) and ensure consistency with Chapter 66 (Administration of the Historic Preservation Board).*

Currently, Mesa’s Historic Preservation zoning provisions exist in three different sections of the MZO.

- **Chapter 23:** Historic and Landmark Overlay Districts discusses the purpose of the Mesa Historic Property Register, outlines the process and criteria for Historic District and Landmark designation, and discusses demolition permits as they relate to historic properties.
- **Chapter 44:** Historic Signs addresses the eligibility of historic signs, the designation process, and the restoration, maintenance, and repair of historic signs.
- **Chapter 74:** Historic Districts and Historic Landmark Procedures discusses the designation process for historic districts and landmarks, Certificates of Appropriateness, and Demolition Permits.

The Historic Preservation related topics have been combined into Chapter 74 and re-organized to increase user-friendliness by locating all Historic Preservation provisions in one place. In addition, the text of the MZO has been reworked to reduce redundancies, ensure consistent terminology, ensure references are accurate and when possible, conform to already existing processes and standards outlined in the MZO (e.g., public notice requirements).

*2) Clarify Standards related to designated historic resources in Mesa.*

The changes related to clarify the standards are related to the following:

- (1) Expand on the language to clarify the purpose of the Historic Preservation procedures;
- (2) Historic Preservation Overlays:
  - A. Clarify application and review processes;
  - B. Update eligibility criteria; and
  - C. Better define the current overlay process.
- (3) Certificate of Appropriateness (COA):
  - A. Clarify relationship with Building Permit and when a COA is needed; and
  - B. Demolition Permits – Clarify the process for buildings in approved overlays and proposed overlays including the timeframes for Stays of Demolition.
- (4) Historic Signs:
  - A. Clarify the application and review process;

- B. Identify eligibility criteria;
- C. Define responsibility for maintenance and repair; and
- D. Provide a clear revocation process for signs.

(5) Better define the appeals process related to historic preservation.

**3) Define terms for previously undefined terms.**

To further increase the user friendliness of the MZO, definitions for Historic District, Historic Landmark, Historic Preservation Overlay, Historic Sign, and Historic Preservation Officer were added to Chapter 87: Definitions.

- **Historic District:** Building(s), structure(s), object(s), or site(s) which contain a concentration, linkage, or continuity of cultural resources which contribute to each other and are unified aesthetically by a plan or physical development.
- **Historic Landmark:** Any building(s), structure(s), object(s), or site(s) that is an exceptional example of the historical, archaeological, cultural, architectural, community, aesthetic, or artistic heritage of the City.
- **Historic Preservation Overlay:** A zoning designation that is used in conjunction with an underlying zoning district and includes regulations for a Historic Landmark or Historic District to preserve the historical significance of building(s), structure(s), object(s), or site(s). For the purposes of the Zoning Ordinance, Historic Preservation Overlay means a Historic Preservation Overlay that has been approved by City Council unless specified as a proposed Historic Preservation Overlay.
- **Historic Sign:** A sign that meets the criteria for establishment outlined in Section 11-74-5(D) of the Zoning Ordinance and has been approved by the Historic Preservation Board.
- **Historic Preservation Officer:** The City Staff, as designated by the City Manager or their designee, that administers the Historic Preservation program, provides support to the Historic Preservation Board, manages the Historic Landmark and Historic District designations and the Certificate of Appropriateness process.
- **State of Disrepair:** The deterioration of any significant exterior feature on a building in a historic district or on a historic landmark which would have a detrimental effect on the distinctive character of the property itself or, that of the district.

**PUBLIC OUTREACH:**

A public meeting was held on August 24, 2023 where staff received feedback from residents. Many of the comments were not related to the Design Guidelines. The feedback related to the text amendments are incorporated into the Proposed Amendments.

**ATTACHMENTS:**

Exhibit 1 – Historic Preservation Text Amendment Ordinance