
Staff Report**Historic Preservation Ordinance and
Draft Commission Handbook****Community Development Department**102 Roadrunner Drive Sedona, AZ 86336
(928) 282-1154 • Fax: (928) 204-7124

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Hearing Body: Historic Preservation Commission

Report Prepared By: Warren Campbell, Assistant Director

Sedona Land Development Code

The Sedona Land Development Code (LDC) is one of the City's most essential tools for protecting and enhancing the unique character of Sedona. Specifically, the LDC is considered the City's "zoning ordinance" which provides written regulations and laws that defines how properties located within the Sedona city limits can be used and establishes the standards for all new development and redevelopment. Because historic preservation involves the regulation of historic land use resources, regulations are provided in the LDC in Article 15, Historic Preservation Ordinance.

Historic Preservation Commission and Ordinance

The City established the Historic Preservation Commission in 1997 with the adoption of a Historic Preservation Ordinance. This Ordinance was established by amending the LDC to add a new Article 15. The Ordinance has been amended several times since 1997, with the most recent update in 2016. On June 13, 2016 the Historic Preservation Commission unanimously forwarded a recommendation of approval for amendments to Article 3 (Decision Making and Administrative Bodies) Section 303 (Historic Preservation Commission) and Article 15 (Historic Preservation Ordinance). The City Council approved the amendments on January 10, 2017, see attachment D.

However, this Ordinance when originally created was all inclusive as it relates to historic preservation and its content and format are inconsistent with the other Articles of the LDC. It includes items which aren't typically located in a zoning regulation document – such as the Commission's purpose statement, Commission membership, terms of office, officers, meetings, and rules. These items are more commonly found in a Commission handbook with rules and procedures. Historic preservation definitions are located in the Article itself, although the LDC does include a standalone Article 2, Definitions, which contains a consolidated list of definitions. Additionally, Article 15's subsection related to enforcement duplicates in part the LDC standalone Article 14, Enforcement.

Update to the LDC

In 2016, the Sedona City Council authorized staff to initiate a comprehensive update of the LDC. The update of the LDC is identified as a high priority in the Sedona Community Plan and that of City Council. The LDC was adopted in 1994 and became effective in January 1995. Since it's over 20 years old, it is dated and often does not provide adequate provisions or direction for development in the community. While provisions have been amended from time to time, these piecemeal revisions have left the City with a fractured and conflicting set of zoning regulations that do not always align well with the needs and desires of the community.

In the fall of 2016, the City contracted with Clarion Associates to assist with this project. Updating the LDC is a major undertaking and is anticipated to be completed in the fall of 2018.

The updated LDC scope includes the following major objectives:

- Create a more user-friendly code (The current code is 20 years old and 600 pages long)
- Clarify and streamline procedures
- Enhance the Use Regulations
- Update Zoning Districts
- Implement the 2014 Sedona Community Plan and the goals in adopted CFA Plans
- Reflect best practices

On May 30, 2018, the consolidated draft of the complete LDC update was released for public review and comment. This document is available online at www.sedonaldcupdate.com/. The effort to achieve the goals stated above has resulted in many significant changes throughout the LDC. The changes include a number of things including, but not limited to, a complete reformatting of the document; removal of duplicate processes; consolidation of zoning districts; creation of a section for common review and public hearing procedures, removal of administrative tasks, and creation of new separate administrative manuals.

Because of these changes, historic preservation elements have also been modified, consolidated or relocated. The LDC update draft includes a new Article 8: Administration and Procedures, which includes common review procedures that apply to most development application types, including historic preservation. The common review procedures will help Sedona avoid repetition throughout the code and eliminate conflicting information among applications. It also provides sections for application-specific procedures, linking back to applicable common review procedures. Each specific procedure in Article 8 includes a flowchart depicting the steps for review and approval. Application-specific procedures related to Historic Preservation are located in Section 8.7, Historic Preservation Procedures. Definitions related to Historic Preservation are located in Article 9, Rules of Construction and Definitions, Section 9.4, Historic Preservation Definitions. The Commission's responsibilities are located in Article 8, Section 8.9 Review and Decision-Making Bodies. For the ease of Commission review, these sections of the draft LDC are provided as attachments.

A summary of the changes related to Historic Preservation is provided below:

Article 3, Decision Making and Administrative Bodies, Section 303, Historic Preservation Commission

Existing:

The existing language in Section 303 regarding the Commission's powers and duties is extensive and detailed in items A-W.

Proposed:

The proposed draft simplifies and streamlines the existing language in a new Article 8: Administration and Procedures, Section 8.9, Review and Decision-Making Bodies of the proposed draft, see attachment B or page 308 of the draft LDC, www.sedonaldcupdate.com/. The Commission's powers and duties are summarized in this section of the proposed draft, however, the specific items A-W will be retained and located in a separate administrative manual. Also, item D1, is missing the language "is appointed by the City Council". Please see below for correct language:

Section 8.9 Review and Decision-Making Bodies

D. Historic Preservation Commission

- (1) *The Historic Preservation Commission is appointed by the City Council and has the review and decision authority as shown in (1) Table 8.1, Summary Table of Review Procedures, pursuant to the application-specific procedures outlined in this Code.*
- (2) *The Historic Preservation Commission also has the powers and duties as prescribed in (2) Ordinance/Resolution ---, Operating Rules and Procedures, and exercise other powers that may be lawfully granted by the Council with respect to this Code.*

Article 15, Historic Preservation Ordinance

Existing:

The existing language in Article 15 is all-inclusive and contains a number of items that are not typically found in a zoning ordinance.

These include:

- Commission's purpose statement
- Commission membership
- Terms of office
- Officers
- Meetings
- Rules

These items are more commonly found in a Commission handbook with rules and procedures.

Article 15 contains its own set of definitions, although the LDC does include a standalone Article 2, Definitions, which contains a consolidated list of definitions.

Article 15's subsection related to enforcement duplicates in part the LDC standalone Article 14, Enforcement.

Proposed:

The proposed draft removes those items that are not typically found in a zoning ordinance and only includes those items that are related to land use standards. These provisions are located in new Article 8: Administration and Procedures, Section 8.7 Historic Preservation Procedures. The new language includes sections 1507, 1508 and 1509 of the current Article 15 document. There are no major substantive changes proposed, but the sections have been rewritten to match the new organization, see attachment A, or page 284 of the draft LDC, www.sedonaldcupdate.com/.

Section 8.7, Historic Preservation Procedures, includes:

- Historic Landmark Designation
- Historic District Designation
- Certificate of Appropriateness (or No Effect)
- Demolition of Historic Resource
- Repair and Maintenance (this section was inadvertently not labeled, it should be item 8.7.F)

Section 9.4 includes Historic Preservation definitions specific to the administration, interpretation, and enforcement of Section 8.7, see attachment C, or page 330 of the draft LDC, www.sedonaldcupdate.com/

Administrative Manual

One of the goals of the LDC update is to create administrative manuals for those sections of the code that were not regulatory in nature or related to land use and therefore not carried over into the updated LDC draft.

Staff understands the importance of the detailed list of the Commission’s powers and duties currently located in Article 3 of the LDC as well as a number of items currently in Article 15 that are not related to historic landmarks, historic designations, certificates of appropriates, demolition and repair/maintenance. As such, these items are now located in a draft administrative manual – the Historic Preservation Commission Handbook, see attachment E.

The new administrative manual includes:

<i>Introduction.....</i>	<i>2</i>
<i>Program Purpose.....</i>	<i>2</i>
<i>Program Goals.....</i>	<i>2</i>
<i>Commission Duties.....</i>	<i>3</i>
<i>Advisors and Advocates.....</i>	<i>4</i>
<i>Research & Record.....</i>	<i>4</i>
<i>Landmark Incentives.....</i>	<i>5</i>
<i>Commission Membership.....</i>	<i>6</i>
<i>Commissioners Term of Office.....</i>	<i>6</i>
<i>Commission Officers.....</i>	<i>7</i>
<i>Commission Meetings.....</i>	<i>7</i>
<i>References.....</i>	<i>8</i>
<i>Appendix 1Historic Landmark Register</i>	

Once the Commission has reviewed and approved the new administrative manual, the Commission will be required to make a recommendation to City Council for final approval. The benefit of removing these items from the LDC is the process in which amendments are approved. To amend the LDC is a lengthy public process that must go before the Planning and Zoning Commission and City Council for review and consideration. This process, depending on calendar availability typically takes between 9-12 months. However, separating the items that are not land use related, such as the Commission’s powers and duties, the amendment process only requires the Historic Preservation Commission and Council review, thus reducing the timeframe to about 3-4 months.

Commission Action

Staff is asking the Commission to review and provide comments on the draft LDC Article 8, Administration and Procedures, Sections 8.7, 8.9 and Article 9, Rules of Construction and Definitions, Section 9.4, as well as the draft administrative manual, Historic Preservation Commission Handbook. At this June 11th meeting, staff will provide an overview of the proposed changes to the LDC and the newly created administrative manual. In summary, Staff strongly believes that all of the information provided in the current LDC, Articles 3 and 15 are important to the mission of the Commission and have worked with our consultants to ensure that all regulatory provisions were generally carried forward without major substantive edits.

Attachments:

- A. Section 8.7 Historic Preservation Procedures, Article 8, Administration and Procedures, Draft LDC update
- B. Section 8.9 Review and Decision-Making Bodies, Article 8, Administration and Procedures, Draft LDC update
- C. Section 9.4, Historic Preservation Definitions, Article 9, Rules of Construction and Definitions, Draft LDC update
- D. LDC Article 3 Decision Making and Administrative Bodies, Section 303 and Article 15 as adopted by City Council January 10, 2017
- E. Draft Administrative Manual, Historic Preservation Commission Handbook

Attachments

- A. Section 8.7 Historic Preservation Procedures, Article 8, Administration and Procedures, Draft LDC update
- B. Section 8.9 Review and Decision-Making Bodies, Article 8, Administration and Procedures, Draft LDC update
- C. Section 9.4, Historic Preservation Definitions, Article 9, Rules of Construction and Definitions, Draft LDC update
- D. LDC Article 3 Decision Making and Administrative Bodies, Section 303 and Article 15 as adopted by City Council January 10, 2017
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Attachment A

**Section 8.7 Historic Preservation Procedures
Article 8, Administration and Procedures, Draft LDC update**

8.7. Historic Preservation Procedures

Commentary

This section carries forward the current 1507, 1508, and 1509. There are no major substantive changes proposed, but the sections have been rewritten to match the new organization.

A. Historic Preservation-Related Definitions

Definitions specific to the administration, interpretation, and enforcement of this section are in 9.4, *Historic Preservation Definitions*.

B. Historic Landmark Designation⁷⁸⁰

Commentary

This section is based generally on the existing procedure in Section 402, but the current language has been rewritten to refer to the new common procedures and remove unnecessary material that is now covered in the common procedures.

(1) Purpose

This section establishes the procedure for the Historic Preservation Commission to designate as a landmark an entire property, an identified portion of a property, or one or more individual structures on a property.

(2) Application Submittal and Review Procedure

Figure 8-4 identifies the applicable steps from 8.3, *Common Review Procedures*, that apply to the review of applications for landmark designation. Additions or modifications to the common review procedures are noted below.

Figure 8-14: Historic Landmark Designation



a. Pre-Application Meeting

A pre-application meeting shall be held in accordance with 8.3.B, *Pre-Application Meeting*.

⁷⁸⁰ 1507

b. Application Submittal and Handling⁷⁸¹

The application for landmark designation shall be submitted, accepted, and revised, and may be withdrawn, in accordance with 8.3.C, *Application Submittal and Handling*.

c. Citizen Review Process

The applicant shall prepare and implement a Citizen Participation Plan pursuant to 8.3.D, *Citizen Review Process*.

d. Staff Review and Action

The Director shall review the application for landmark designation and prepare a staff report and recommendation in accordance with 8.3.E, *Staff Review and Action*, with the following modification:

1. Application Acceptance

Upon acceptance of a complete application, no building or demolition permits affecting the proposed landmark shall be issued by the city until the process as described herein has been completed and the Commission has made its decision.

e. Scheduling and Notice of Public Hearings

The application for landmark designation shall be scheduled for a public hearing before the Historic Preservation Commission and noticed in accordance with 8.3.F, *Scheduling and Notice of Public Hearings*.

f. Review and Decision (Historic Preservation Commission)

The Commission shall review the application and shall approve, approve with conditions, or deny the application in accordance with 8.3.G, *Review and Decision*, based on the criteria in 8.7.B(3), *Landmark Designation Criteria*.

g. Post-Decision Actions and Limitations

All common procedures in 8.3.H, *Post-Decision Actions and Limitations*, shall apply, with the following modifications:

1. Removal of Landmark

The procedure to remove a landmark status to a property shall be the same as the procedure to designate. However, in the case of removal of a landmark designation, the Commission may initiate the application.

i. The Commission shall consider and make findings for removal of landmark status and removal from the City of Sedona's Historic Resource Register. The removal of any designated historic resource shall be granted only if the Commission finds that the historic resource no longer conforms to any of the criteria as set forth in 8.7.B(3), *Landmark Designation Criteria*, or any one or more of the following:

a. That the historic resource has been destroyed or demolished by natural disaster, accident or fire,

b. That the historic resource has diminished historic significance or value upon a showing of clear and convincing evidence, including that this diminution is not the result of deterioration by neglect or work performed without a permit,

⁷⁸¹ Submittals removed to bin file for Administrative Manual.

iv. Investment or Income-Producing Properties

Economic hardship relief may be granted if the applicant satisfactorily demonstrates that a reasonable rate of return cannot be obtained from a property which retains features which contribute to its distinctive appearance and character in its present condition nor if rehabilitated, either by the current owner or a potential buyer. Economic hardship relief shall not be granted due to any of the following circumstances: willful destructive acts committed or caused by the owner or tenants; purchase of the property for substantially more than its fair market value; failure to perform normal maintenance and repair; or failure to diligently solicit and retain tenants or provide normal tenant improvements.

v. Non-Income-Producing Properties

Economic hardship relief may be granted if the applicant satisfactorily demonstrates that the property has no reasonable use as a single-family dwelling or for institutional use in its present condition or if rehabilitated, either by the current owner or a potential buyer. Economic hardship relief shall not be granted due to any of the following circumstances: willful destructive acts committed or caused by the owner; purchase of the property for substantially more than its fair market value; failure to perform normal maintenance and repair; or failure to diligently solicit and retain tenants or provide normal tenant improvements.

(3) Landmark Designation Criteria⁷⁸³

The Commission shall evaluate each structure, site, building, or property within an area that is included in an application and may designate it as a landmark if it is determined to possess integrity of location, design, setting, materials, workmanship, feeling and association; and, being at least 50 years old or having achieved significance within the past 50 years if the property is of exceptional importance; and exhibits one or more of the following:

- a.** Association with events that have made significant contributions to the broad patterns of our history; or
- b.** Association with the lives of persons significant in our past; or
- c.** Embodiment of distinctive characteristics of a type, period or method of construction, or representing the work of a master, or high artistic values or representing a significant and distinguishable entity whose components may lack individual distinctiveness; or
- d.** Information important in the understanding of the pre-history or history of our community.

C. Historic District Designation⁷⁸⁴

(1) Purpose

This section establishes the procedures for the designation of a historic district, which is an overlay zone in which designated properties retain the uses of and are subject to the regulations of the underlying zoning district(s). The underlying zoning, which relates primarily to land use and density, continues to be administered by the Planning and Zoning Commission. The Historic Preservation Commission administers the regulations as they relate to the historic

⁷⁸³ Existing criteria.

⁷⁸⁴ From current 1508.

district designation. In the case where historic preservation and zoning regulations conflict, the Historic Preservation Ordinance takes precedence.

(2) Application Submittal and Review Procedure

A rezoning approval is required in order to receive a Historic District designation. The application and review process for a rezoning to a historic district shall be the same as for general rezonings as set forth in 8.6.A, *Rezoning (Zoning Map Amendment)*, with the following modifications:

a. Authorization to File Application

1. If more than one property owner is included in a proposed rezoning to a historic district, written consent of at least 51 percent of the property owners of record within the boundaries of the proposed district shall be submitted with the application.
2. Requests for historic district designations may be initiated by the Historic Preservation Commission. If the Historic Preservation Commission initiates a historic district rezoning application, property owner consent is not required.

b. Application Submittal and Handling

1. An application for rezoning to a historic district shall first be submitted to the Historic Preservation Commission.
2. Upon acceptance of complete application for a Historic District, no demolition or building permits shall be issued by the city until the process as described in this section has been completed and City Council has made its decision.

c. Review and Recommendation (Historic Preservation Commission)

1. The Historic Preservation Commission shall hold a public hearing concerning the proposed rezoning, at which time interested parties and citizens shall have the opportunity to be heard. After the public hearing, unless the applicant requests that the application be withdrawn, the Historic Preservation Commission shall make a report and recommendation to the Planning and Zoning Commission.
2. The recommendation shall include the following:
 - i. A map showing the proposed boundaries of the historic district and identifying all structures within the boundaries, including classification as contributing or noncontributing;
 - ii. An explanation of the significance of the proposed district and description of the cultural resources within the proposed boundaries;
 - iii. A set of findings documenting the recommendation of the Historic Preservation Commission;
 - iv. Proposed design guidelines for applying the criteria for review of Certificate of Appropriateness to the nominated historic district; and
 - v. Upon receiving a recommendation from the Historic Preservation Commission, the Planning and Zoning Commission shall then hold a public hearing concerning the proposed Historic District and forward its recommendation, along with the Historic Preservation Commission's recommendation to City Council. City Council

shall hold a public hearing concerning the proposed historic district to approve, approve with conditions, or deny the proposal.

3. If an application is withdrawn after the Historic Preservation Commission hearing, the Historic Preservation Commission may refuse to accept another application for the same or substantially the same rezoning on the same property or any part of it within a year of the date the original application was filed on the same property or a portion of it.

d. Action by the Planning and Zoning Commission

The Planning and Zoning Commission shall hold a public hearing to consider the Historic Preservation Commission's recommendations. Following conclusion of its public hearing, the Planning and Zoning Commission shall transmit its recommendation to the City Council.

e. Action by the City Council

Following conclusion of its public hearing, the Council may approve the Historic District as recommended or in a modified form, stipulating those conditions it deems necessary to carry out the purpose of this district and this Code.

f. Approval and Adoption

The supporting statements, design guidelines, and all other documents submitted with the application for a Historic District shall be approved and adopted by the Council and included in the ordinance establishing the Historic District.

g. Effect of Historic District Designation

1. Upon approval of a historic district designation by the City Council, the affected property(ies) shall be included in the Historic Property Register and on any other applicable documents as appropriate for its preservation. The City's Zoning Map shall be updated to reflect the new zoning district boundaries. The city's parcel information database shall be updated to include those properties identified within the historic district as contributing and noncontributing.
2. No person shall carry out any exterior alteration, restoration, renovation, reconstruction, new construction, demolition, or removal, in whole or in part, without first obtaining a Certificate of Appropriateness from the Commission pursuant to 8.7.D.
3. No person shall make any material change in the exterior appearance of a designated property, its color, materials, light fixtures, signs, sidewalks, fences, steps, paving, or other elements which affect the appearance of the property without first obtaining a Certificate of Appropriateness pursuant to 8.7.D.
4. Each property designated as a contributing property shall be maintained in good condition and faithful to its historic character.
5. Nothing in this article shall be construed to prevent normal maintenance and repair which does not involve change in exterior design, material, color, or appearance.
6. In addition to any other required review and/or approval, any proposed construction within a historic district shall also be subject to Commission review according to any

design guidelines which may have been applied to that district and other applicable criteria.

(3) Historic District Designation Criteria

Each structure, site, building, or property within an area that is included in a historic district rezoning application shall be evaluated using the following criteria to determine if it has historical or other cultural significance or integrity, and is suitable for preservation:

- a. Association with events that have made significant contributions to the broad patterns of our history;
- b. Association with the lives of persons significant in our past;
- c. Embodiment of distinctive characteristics of a type, period, or method of construction, or representing the work of a master, or high artistic values or representing a significant and distinguishable entity whose components may lack individual distinctions;
- d. Yielding information important in the understanding of the pre-history or history of the community; and
- e. Being at least 50 years old, or having achieved significance within the past 50 years if the property is of exceptional importance.
- f. Possessing integrity of location, design, setting, materials, workmanship, feeling, or association.

D. Certificate of Appropriateness (or No Effect)

Commentary

This section is based generally on the existing procedure in Section 1509, but the current language has been rewritten to refer to the new common procedures and remove unnecessary material that is now covered in the common procedures.

(1) Purpose

It is the intent of this process to ensure, insofar as possible, that properties designated as a landmark or a property within a historic district shall be in harmony with the architectural and historical character of the property or district.

(2) Applicability

a. Certificate of Appropriateness

A certificate of appropriateness is required before commencing any exterior improvements or development, including alteration, restoration, renovation, reconstruction, new construction, demolition, or removal, in whole or in part, of any landmark or property located within a historic district, whether or not the work will require a building permit. Building permits for exterior work on landmarks or properties within Historic Districts cannot be issued without first obtaining a certificate of appropriateness.

b. Certificate of No Effect

Requests for exterior improvements, including alterations, restoration, renovation, reconstruction, or new construction for exterior work on landmarks that are deemed to be of "no effect" by the Chairperson and Director may be eligible for a certificate of no effect, which can be issued administratively using the procedure below.

c. Certificate is Prerequisite to Building Permit

If a building permit is sought from the city without a certificate of appropriateness or certificate of no effect, the issuance of the permit shall be deferred until after a certificate of appropriateness or certificate of no effect is issued for the subject property

(3) Application Submittal and Review Procedure

Figure 8-15 identifies the applicable steps from 8.3, *Common Review Procedures*, that apply to the review of applications for certificates of appropriateness (or no effect). Additions or modifications to the common review procedures are noted below.

Figure 8-15: Certificate of Appropriateness (or No Effect)



a. Pre-Application Meeting

A pre-application meeting shall be held in accordance with 8.3.B, *Pre-Application Meeting*.

b. Application Submittal and Handling⁷⁸⁵

The application for a certificate of appropriateness shall be submitted, accepted, and revised, and may be withdrawn, in accordance with 8.3.C, *Application Submittal and Handling*.

c. Staff Review and Action

The Director shall review the application for a certificate of appropriateness and prepare a staff report and recommendation in accordance with 8.3.E, *Staff Review and Action*, with the following addition:

1. Application Acceptance

Upon acceptance of a complete application, no building or demolition permits affecting the proposed landmark shall be issued by the city until the process as described herein has been completed and the Commission has made its decision.

2. Certificate of No Effect

If an application qualifies for a certificate of no effect, the Director shall contact the Chairperson of the Historic Preservation Commission to review the application and confirm qualification of the application. If an application is found to qualify for a

⁷⁸⁵ Submittals removed to bin file for Administrative Manual.

certificate of no effect, the Director shall issue a certificate of no effect within seven working days of receipt of the complete application.

d. Scheduling and Notice of Public Hearings

If the Director determines that the proposed changes would require a certificate of appropriateness, the application shall be scheduled for a public hearing before the Historic Preservation Commission and noticed in accordance with 8.3.F, *Scheduling and Notice of Public Hearings*.

e. Review and Decision (Historic Preservation Commission)

The Commission shall review the application and shall approve, approve with conditions, or deny the application in accordance with 8.3.G, *Review and Decision*, based on the specific criteria in 8.7.D(4), *Certificate of Appropriateness Approval Criteria*.

1. Review Guidelines and Criteria

The Commission may utilize the following documents and criteria as guidelines when considering an application for a certificate of appropriateness:

- i. Approved design guidelines for a designated Historic District;
- ii. Secretary of the Interior's Standards for Rehabilitation;
- iii. Secretary of the Interior's Preservation Briefs and other information developed by U.S. Department of the Interior Park Service, Arizona Historic Preservation Office, National Trust for Historic Preservation, National Alliance of Preservation Commissions, Association of Preservation Technology, and the Old House Journal; and
- iv. Any other guidelines as adopted by the city.

f. Post-Decision Actions and Limitations

All common procedures in 8.3.H, *Post-Decision Actions and Limitations*, shall apply, with the following modifications:

1. No change shall be made in the approved plans of a project after issuance of a certificate of appropriateness without resubmittal to the Director and approval of the change at an administrative level, if that change is determined to be of no significant impact on the original proposed work set forth in the application. If the change is determined to have a significant impact on the original proposed work, the Director shall schedule a public hearing before the Commission in the same manner as the original certificate of appropriateness consideration.
2. A certificate of appropriateness (or no effect) expires six months from the date of issuance unless work is started within that time.
3. If work exceeds that specified in the certificate of appropriateness (or no effect), the certificate shall be revoked.
4. The certificate of appropriateness (or no effect) required by this section shall be in addition to any other permit(s) or review required for the proposed project.

(4) Certificate of Appropriateness Approval Criteria⁷⁸⁶

When reviewing an application for a certificate of appropriateness, the Commission may approve, conditionally approve, or deny a certificate of appropriateness based on the following:

- a. The proposed work does not detrimentally alter, destroy or adversely affect any architectural or landscape feature; and
- b. The proposed work will be compatible with the relevant historic, cultural, educational or architectural qualities characteristic of the structure or district and shall include but not be limited to elements of size, scale, massing, proportions, orientation, surface textures and patterns, details and embellishments and the relationship of these elements to one another; and
- c. The proposed work conforms with review guidelines and/or other applicable criteria; and
- d. The exterior of any new improvement, building, or structure in a designated Historic District or upon a landmarked site will not adversely affect and will be compatible with the external appearance of existing designated buildings and structures on the site or within a Historic District.

E. Demolition of Historic Resource⁷⁸⁷

(1) Demolition Approval Required

No person shall demolish a landmark or contributing property within a Historic District or cause or permit such demolition to be done, nor shall any permit for such demolition be issued, unless the demolition is approved by the Commission and a certificate of appropriateness is issued.

(2) Demolition Approval Criteria

- a. A landmark or contributing property may be demolished if:
 - 1. The Chief Building Official has determined that an imminent safety hazard exists and that demolition of the structure is the only feasible means to secure the public safety; or
 - 2. The Commission finds, after review, that maintenance, use and/or alteration of the designated property in accordance with the requirements of this article would cause immediate and substantial hardship on the property owner(s) because rehabilitation in a manner which preserves the historic integrity of the resource:
 - i. Is infeasible from a technical, mechanical, or structural standpoint; and/or
 - a. Would leave the property with no reasonable economic value because it would require an unreasonable expenditure taking into account such factors as current market value, permitted uses of the property, and the cost of compliance with applicable local, state and federal requirements.
 - b. Costs necessitated by the neglect or failure of the current owner(s) to maintain the property need not be considered in making this finding; or

⁷⁸⁶ Existing criteria.

⁷⁸⁷ Consolidated draft: This carries forward and consolidates 1509.04 and 1512 from the newly updated preservation ordinance.

3. The Commission finds that the demolition of a contributing property would not have a substantial adverse impact on the historic significance or integrity of a Historic District.
- b. The applicant shall bear the burden of proof for all findings required for approval of a Certificate of Appropriateness for demolition.

c. Notice of Demolition

If demolition is approved, the property owner(s) may be required to publish notice at least 10 days prior to the scheduled demolition date, in a newspaper of general circulation, of the availability of materials for salvage. Upon request, the Commission may make this information available to persons who may be interested in contacting the owner(s) to arrange for possible salvage of historic building materials.

(3) Architectural Documentation Prior to Demolition of Historic Buildings

Applications for permits for the demolition of buildings that are in part (original structure with later additions) or in their entirety 50 or more years old must include architectural documentation to provide a permanent record of buildings of historical significance before their loss. Demolition applications are available from the Community Development Department.

a. Applicability

These regulations apply to all demolition permit requests involving buildings that are in part or in their entirety 50 or more years old, but are not individually listed on the National Register of Historic Places; and do not meet the eligibility criteria for the National Register of Historic Places or Designation as a Landmark in Sedona. Documentation is not required if the demolition will be limited to an addition that is less than 50 years old, for an accessory buildings such as sheds, and mobile or manufactured homes regardless of age.

b. Review Required

The applicant must submit documentation in conjunction with a demolition permit application submittal. The documentation will be reviewed and found complete pursuant to this Article prior to issuance of a demolition permit.

c. Application and Review Process

1. Prior to the submittal of a demolition permit application, the applicant may meet with the Director. At that time, the Director will determine whether the application requires documentation.
2. At the time of submittal, the applicant must submit the demolition permit application and all required architectural documentation to the Community Development Department.
3. The Director shall review the submitted architectural documentation and approve the materials for completeness. The Director determines and informs the applicant that the required architectural documentation is complete, or of any additional documentation which is required within five (5) working days of the submittal date.
4. If the Director determines that the required architectural documentation is complete, then a demolition permit application may be processed. The applicant must demonstrate compliance with all provisions of the LDC before a demolition permit will be issued.

d. Documentation Required

1. Current photographs of the front, rear and sides of the building to be completely or partially demolished; and
2. Copies of old photographs of the building to be completely or partially demolished (taken at least 20 years prior to the demolition application), if in the possession of the applicant; and
3. A list of any important historical events or historically significant persons related to the building to be demolished, if known to the applicant.

e. Documentation Optional

1. Floor plans with measured dimensions; and
2. Photographs of all interior rooms; and
3. A 'context photograph' illustrating the relationship between the building to be completely or partially demolished and the nearest adjacent buildings; and
4. A general description of construction materials, such as exterior walls, roofing, windows, porches, and carports of the building to be demolished; and

f. Documentation Retention

Upon approval of the demolition permit, the Director shall retain the architectural documentation as a record of a lost historic resource.

Maintenance and Repair⁷⁸⁸

- (4) Each property designated as a landmark, and properties designated as contributing properties within a historic district, shall be maintained in good condition and faithful to its historic character.
- (5) Nothing in this article shall be construed to prevent normal maintenance and repair of any exterior feature of any structure designated as a landmark or contributing property within a historic district, which does not involve change in design, material, color, or outward appearance. The Commission shall not consider the interior arrangements or alterations to the interior of a building, unless designation specifically includes the interior or a portion thereof.

8.8. Flexibility and Relief

Commentary

This section includes procedures for modifications and relief of standards in this Code, including variances and appeals. Per the Analysis report, this section also includes a new procedure for minor modifications by which the Director may approve minor modifications to numeric Code standards.

A. Variance

⁷⁸⁹

(1) Purpose

⁷⁹⁰

The variance procedure is intended to provide limited relief from the requirements of this Code where strict application of the Code would result in exceptional practical difficulty or undue hardship preventing the use of the land as otherwise allowed by the Code. The variance procedure is not intended to allow a use in a zoning district where it is not currently permitted, or to alleviate inconveniences or financial burdens imposed on landowners.

(2) Applicability

- a. Any property owner seeking relief from this Code may request a variance when the strict application of the Code would result in an undue hardship.
- b. Variances may be granted from the regulations of all articles of this Code, with the exception of 5.3, *Grading and Drainage*, and Article 7: *Subdivision*.

(3) Application Submittal and Review Procedure

Figure 8-16 identifies the applicable steps from 8.3, *Common Review Procedures*, that apply to the review of variances. Additions or modifications to the common review procedures are noted below.

⁷⁸⁸ Consolidated draft: carries forward 1510 from current ordinance.

⁷⁸⁹ The current Section 404 addresses both variances and appeals. In this draft, appeals are addressed in a separate section.

⁷⁹⁰ New purpose statement. The current purpose statement essentially restates the approval criteria.

Attachment B

Section 8.9 Review and Decision-Making Bodies

Article 8, Administration and Procedures, Draft LDC update

8.9. Review and Decision-Making Bodies

Commentary

This section is based generally on the current Article 3. It has been simplified and streamlined, since many of the specific powers/duties identified in Article 3 are now summarized in the earlier parts of this article. Also, some of this material is contained elsewhere in City Code or can be in separate manuals.

A. Purpose

This section describes the organization, powers, and duties of the offices responsible for the administration of this Code.

B. City Council

The City Council is the legislative body for the City and has the following powers and duties under these regulations:

- (1) The review and decision authority as shown in Table 8.1, *Summary Table of Review Procedures*; and
- (2) Other action the Council deems desirable and necessary to implement the provisions of these regulations and applicable Arizona law.

C. Planning and Zoning Commission

- (1) The Planning and Zoning Commission is appointed by the City Council and has the review and decision authority Table 8.1, *Summary Table of Review Procedures*, pursuant to the application-specific procedures outlined in this Code.
- (2) The Planning and Zoning Commission also has the powers and duties permitted under A.R.S. §9-461.01., and may exercise other powers that may be lawfully granted by the Council with respect to this Code.

D. Historic Preservation Commission

- (1) The Historic Preservation Commission shall have the review and decision authority as shown in Table 8.1, *Summary Table of Review Procedures*, pursuant to the application-specific procedures outlined in this Code.
- (2) The Historic Preservation Commission also has the powers and duties as prescribed in Ordinance/Resolution ---, Operating Rules and Procedures, and exercise other powers that may be lawfully granted by the Council with respect to this Code.

E. Board of Adjustment

(1) Establishment and Delegation

- a. Pursuant to A.R.S. Section 9-462.06(A), the City Council is established as the Board of Adjustment and delegates to a hearing officer the authority to hear and decide on matters within the jurisdiction of the Board of Adjustment as outlined in this section, except that the right of appeal from the decision of a hearing officer to the Board of Adjustment shall be preserved.

- b. A list of qualified individuals to serve in the capacity of hearing officer shall be presented to and approved by the City Council as may be necessary to ensure the efficient management of matters within the jurisdiction of the Board of Adjustment as outlined in this section. Selection of a hearing officer for any matter shall be made by the Community Development Director based on an administratively predetermined rotation or priority system.

(2) Duties

The Board has the powers and duties shown in Table 8.1, *Summary Table of Review Procedures*, pursuant to the application-specific procedures outlined in this Code.

F. Community Development Department and Director

- (1) The Department shall consist of city staff as required for the administration and enforcement of this Code.
 - (2) The Department shall have the review and decision authority as shown for "staff" in Table 8.1, *Summary Table of Review Procedures*, pursuant to the application-specific procedures outlined in this Code.
 - (3) The Director of Community Development is appointed by, reports to, and serves at the pleasure of the City Manager.
 - (4) The Director of Community Development is the head of the Department of Community Development, in accordance with A.R.S. Section 9-461.03 (as may be amended). Their duties involving planning, zoning and building, and acting as Zoning Administrator pursuant to A.R.S. Section 9-462.05 (as may be amended), and in accordance with Chapter 2.60 of the Sedona City Code. The Director or their designated representative shall serve as the Zoning Administrator for the city and is responsible for the administration, interpretation, clarification, and enforcement of the code.
-

G. City Engineer⁸⁰⁹

- (1) The City Engineer shall be appointed by, report to and serve the City Manager.
- (2) The Engineer is responsible for all city streets and associated improvements and civil engineering and shall perform such duties as may be required of them by law and such other duties as directed by the Council and City Manager. The City Engineer shall head the Public Works Department of the city in accordance with Chapter 2.55 of the Sedona City Code.

⁸⁰⁹ List of duties updated since staff draft.

Attachment C

Section 9.4, Historic Preservation Definitions|
Article 9, Rules of Construction and Definitions, Draft LDC update

Lot Line

Any line bounding a lot.

Lot Width

The horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.

Setback⁹¹⁶

The required distance between the established lot line and any building on the lot.

Front Setback

The line that defines the depth of the required front yard. The front setback shall be parallel with the street line or future right-of-way line.

Side Setback

The line that defines the width or depth of the required side yard. The side setback line shall be parallel with the property line or if abutting a street shall be parallel with the street line or future right-of-way line.

Rear Setback

The line that defines the width or depth of the required rear yard. The rear setback line shall be parallel with the property line or if abutting a street shall be parallel with the street line or future right-of-way line.

Yard

A required space of uniform width adjacent to the perimeter of a lot, the interior boundary of which is measured as a minimum horizontal distance from a lot boundary, or future width line as the required setback of a principal structure and which is unoccupied and unobstructed by improvements from the ground to the sky except for projections permitted by this Code.

9.4. Historic Preservation Definitions⁹¹⁷

The following definitions apply specifically to the administration, interpretation, and enforcement of the historic preservation regulations in 8.7, *Historic Preservation Procedures*.

Adaptive Reuse

See "Rehabilitation"

Alteration

For purposes of the historic preservation regulations of this Code, any aesthetic, architectural, structural or mechanical change to the exterior surface of any significant part of a designated historic resource, as defined herein.

Archaeological Site

A site containing any structure, evidence of occupation, articles or remains resulting from historic human life, habitation or activity, including but not limited to camp sites, petroglyphs, pictographs, paintings, pottery, tools, ornamentation, jewelry, textiles, ceremonial objects, games, weapons, armaments, vessels, vehicles or, most importantly, human remains.

⁹¹⁶ Removed the term "minimum" since we have introduced maximum setbacks in the M3 district.

⁹¹⁷ Consolidated draft: new to this LDC draft; taken from the newly adopted preservation ordinance.

Building

For purposes of 8.7, *Historic Preservation Procedures*, a structure created to shelter any form of activity, such as a house, cabin, barn, church, hotel, shed or similar structure. "Building" may also refer to a historically related complex, such as a courthouse and jail, or a farmhouse and barn.

Cemetery

Any site which contains at least one human burial, marked or previously marked, and/or considered a dedicated cemetery under Arizona state statutes, even though it may be currently suffering neglect and abuse.

Certificate of Appropriateness

A document issued by the Commission, following prescribed public review procedures, certifying that proposed work on a designated historic resource is compatible with the historic character style and building materials of the historic resource, and therefore may be completed as specified in the Certificate of Appropriateness, and any building permits needed to do the work specified in the Certificate may be issued.

Certificate of Demolition

A document issued by the Commission authorizing removal of all or part of a historic resource which is identified as part of a historic Landmark or located within a Historic District.

Certificate of Economic Hardship

A document issued by the Commission when a property owner demonstrates that a reasonable rate of return cannot be obtained for an income producing commercial property or that no beneficial use exists for a non-income producing residential property, or that the cost to participate in the City of Sedona's Historic Preservation Program is financially outside the property owner's means.

Certificate of No Effect

A document issued by the Director, following prescribed review procedures, stating that the proposed work on a designated historic resource will have no detrimental effect on the historic character of the resource, and therefore may be completed as specified in the Certificate of No Effect, and any building permits needed to do the work specified in the Certificate of No Effect may be issued.

Chairperson

For purposes of the historic preservation regulations of this Code, the Chair of the Historic Preservation Commission or his/her designee.

Commission

For purposes of 8.7, *Historic Preservation Procedures*, the Historic Preservation Commission of the City of Sedona, Arizona.

Construction

For purposes of 8.7, *Historic Preservation Procedures*, any site preparation, assembly, erection, repair, addition, alteration or similar action (*excluding demolition*) for or of historic resources or of public or private rights-of-way, utilities or other improvements.

Contributing

A classification applied to any historic resource signifying that it contributes to the defining characteristics and integrity of the Landmark or Designated Historic District.

Demolition

For purposes of the historic preservation regulations of this Code, any intentional act or process that totally or partially destroys a designated property.

Designated Historic Resource

Any property, site, building, structure, area, landscaping, or object that has received city designation as a landmark, or as a contributing property within a Historic District.

Historic District

A geographical area whose boundaries are defined by a Historic District zoning designation that contains historic resources considered to have historic, architectural, or cultural value.

Historic Property Register

The listing and defining of designated properties of Sedona as provided in this Code.

Historic Resource

Any property, site, building, structure, area, landscaping, or object identified as representing distinctive elements of Sedona's historic, archaeological, architectural, and cultural heritage.

Historic Resource Survey

The official Historic Resource Survey book of the city listing and describing historic resources (whether designated or not) which are considered by the Commission to have historic, architectural or cultural value.

Integrity

A measure of the authenticity of a historic resource's identity, evidenced by the survival of physical characteristics that existed during its historic or prehistoric period in comparison with its unaltered state. For example, a historic building of high integrity has few alterations or ones that can be easily reversed, and an archaeological site with high integrity is one that is relatively undisturbed. Evaluation criteria in determining integrity include a historic resource's association, design, feeling, location, and materials.

Landmark

A designation, as a result of processes provided in 8.7, *Historic Preservation Procedures*, applied by the Commission to a historic resource, which has historic value or expresses a distinctive character or style worthy of preservation.

Maintenance

Regular, customary or usual care for the purpose of preserving a historic resource and keeping it in a safe, sanitary and usable condition, without causing any alteration to the historic resource's distinctive exterior appearance and character.

Move

Any relocation of a building or structure on its site or to another site.

National Register of Historic Places

The official list of historic resources established by the federal government through the National Historic Preservation Act of 1966, and as amended.

Noncontributing

A classification applied to any historic resource on a historic Landmark site or within a Historic District signifying that it does not contribute to the defining characteristics of the Landmark or Historic District.

Preservation

The act or process of applying practices and measures to sustain the existing form, integrity and material of a historic resource. It may include stabilization work where necessary, as well as ongoing maintenance of the historic materials.

Preservation Covenant

A deed restriction filed with the appropriate county, which identifies the property as a landmark or a contributing property within a Historic District.

Protected Interior

An interior listed on the City of Sedona Register of Historic Resources that is routinely and customarily open for inspection and is identified as significant at the time of the property's landmark designation.

Reconstruction

The act of reproducing by new construction the exact form and detail of a vanished or severely deteriorated structure or object, or part thereof, as it appeared at a specific period of time.

Rehabilitation

The act or process of returning a property to a state of utility through repair or alteration that make an efficient contemporary use possible, while preserving those portions or features of the property that are significant to its historical, architectural and cultural value.

Removal

Any relocation, in part or whole, of a structure on its site or to another site.

Renovation

See "Rehabilitation."

Repair

For purposes of 8.7, *Historic Preservation Procedures*, any physical change that is not alteration, construction, removal, or demolition.

Restoration

The act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time, by removing later work or by replacing earlier work that is missing or was destroyed.

Review Criteria

For purposes of 8.7, *Historic Preservation Procedures*, the preservation standards, tests, norms or guidelines applied by the City Staff and the Commission during any review process, including but not limited to surveys, designations, Certificates of Appropriateness, or other decision making process

Routine Maintenance and Repair

Any alteration to a designated historic resource or protected interior that does not conflict with its ongoing eligibility for listing on the City of Sedona Register of Historic Resources including restoration and repair of damage resulting from fire, flood, earthquake, or act of God. Alterations shall be same-for-same with regard to all details, including but not limited to, material type, dimension(s), texture, and architectural appearance, in order to be deemed routine maintenance and repair. Alterations to the exterior requiring a building permit shall be in conformance with this definition in order to be considered routine maintenance and repair. Any alteration to a noted contributing factor shall not be considered routine maintenance or repair. Routine maintenance and repair may involve, but is not limited to:

- a. Repair and/or replacement of any exterior wall material;
- b. Repair or replacement of roof cladding materials;
- c. Repair and/or replacement of a protected interior;
- d. Repointing of masonry joints;
- e. Replacement of window or door glazing except for glazing identified as a contributing feature at the time of the property's designation;

- f. The removal, maintenance, and/or installation of landscape materials except those identified as significant to the property's history at the time of the property's designation;
- g. The application of vapor-permeable paint or stain finishes to wall cladding materials provided that the finish does not change the existing texture of the material or a color identified as a contributing feature at the time of the property's designation;
- h. Any other work determined by the Director of Community and Development to constitute "routine maintenance and repair".

Secretary of the Interior Standards

Preservation standards developed and published by the office of the United States Secretary of the Interior, as part of the Department of the Interior regulations. They pertain to historic resources of all materials, construction types, sizes and occupancy, and encompass the interior and exterior.

Stabilization

The act or process of applying measures designed to reestablish a weather-resistant enclosure and the structural stability of an unsafe or deteriorated property, while maintaining the essential form as it exists at present.

9.5. Outdoor Lighting Definitions⁹¹⁸

The following definitions apply specifically to the administration, interpretation, and enforcement of the historic preservation regulations in 5.8, *Exterior Lighting*.

Class 1 Lighting

Lighting used for outdoor sales or eating areas, assembly or repair areas, signage, recreational facilities, and other similar applications where color rendition is important to preserve the effectiveness of the activity.

Class 2 Lighting

Lighting used for illumination of walkways, roadways, equipment yards, parking lots, and outdoor security where general illumination for safety or security of the grounds is the primary purpose.

Class 3 Lighting

Lighting used for decorative effects such as architectural illumination, flag and monument lighting, and illumination of landscaping elements.

Direct Illumination

Illumination resulting from light emitted directly from a lamp, luminary, or reflector and is not light diffused through translucent signs or reflected from other surfaces such as the ground or building faces.

Fully Shielded Light Fixture

A light fixture that is shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.

Figure 9-2: Examples of Fully Shielded Light Fixtures

⁹¹⁸ Consolidated draft: newly consolidated in this draft; previously these were mixed into the general definitions but staff requested consolidation.

Attachment D

LDC Article 3 Decision Making and Administrative Bodies
Section 303 and Article 15 as adopted by City Council January 10, 2017

Exhibit D

Sedona Land Development Code Excerpts

Article 3, Decision Making and Administrative Bodies, Section 303, Historic Preservation Commission

Article 15 Historic Preservation Ordinance

303 Historic Preservation Commission

303.01 Powers and Duties. The responsibility of the Commission is to promote the purposes and objectives of Article 15 and shall include, but not be limited to, the following duties:

- A. Maintain and update, as needed, a work program for historic preservation.
- B. Maintain review criteria to assure fair and impartial evaluation and designation of properties as landmarks and Historic Districts. The Commission shall periodically review these criteria and make such adjustments or updates as may be required.
- C. Maintain criteria to assure fair and impartial review of applications for Certificate of Appropriateness and Certificate of No Effect. Such criteria shall be subject to review by the Planning and Zoning Commission and ratification by the City Council.
- D. Review properties proposed for designation as landmarks, explain to the owners thereof the potential effects of designation as known to the Commission at that time and make a decision to designate, conditionally designate, or deny designation.
- E. Review property nominations for designation as a Historic District, explain to the owners thereof the potential effects of designation as known to the Commission at that time, and make recommendations regarding rezoning of a Historic District to the Planning and Zoning Commission and City Council.
- F. Propose design guidelines appropriate to individual Historic Districts.
- G. Review and approve, conditionally approve or deny applications for a Certificate of Appropriateness, Certificate of Demolition and Certificate of Economic Hardship.
- H. Conduct public hearings and render decisions on major alterations as set forth in Article 15.
- I. Maintain and periodically update the Historic Property Register.
- J. Issue historic resource identification markers for designated properties.
- K. Recognize the owners of designated properties; issue commendations to owners of historical properties who have rehabilitated their property in an exemplary manner.
- L. When City Council approval is appropriate, make recommendations to the City Council regarding the acquisition of property suitable for preservation. Such acquisition may include the purchase or acceptance of donated property.
- M. Make recommendations to the City Council regarding the utilization of federal, state, city or private funds to promote historic preservation.

- N. Make recommendations to the City Council to accept gifts, grants, funds, contributions, and bequests from individuals and public and private entities, agencies, foundations, trusts, corporations, and other organizations or institutions.
- O. Cooperate with and enlist the assistance of persons, organizations, foundations and public agencies in matters involving historic preservation, renovation, rehabilitation and reuse, with City Council approval as appropriate.
- P. Increase public awareness of the values of historic, cultural, archaeological and architectural preservation, by developing and participating in public education programs and publications.
- Q. Annually prepare a written report of Commission activities and submit it to the City Council and the State Historic Preservation Office (SHPO). These reports shall be available for public review.
- R. Conduct detailed studies and surveys of properties and areas and assess their potential for designation.
- S. Review the Historic Resource Survey and consider the inclusion of any properties, that may have come to meet the requirements herein, and the deletion of any properties that may no longer exist or have been irreversibly altered to the detriment of their historic character and integrity.
- T. Work with and assist departments of the city in matters affecting historic preservation and related publicity.
- U. Assist property owners, on request, on the restoration, rehabilitation, alteration, decoration, landscaping, or maintenance of any historic resource.
- V. Encourage and assist property owners of historic properties on procedures for inclusion on state historic listings and the National Register of Historic Places.
- W. Carry out such other duties as may be determined by the City Council, and present other such recommendations as may be deemed pertinent.

Article 15

HISTORIC PRESERVATION ORDINANCE

Sections:

- 1501 Purpose.
- 1502 Relation to Community Plan.
- 1503 Definitions.
- 1504 Historic Property Register.
- 1505 Historic Preservation Commission.
- 1506 Incentives.
- 1507 Historic landmark designation process.
- 1508 Historic District designation.
- 1509 Certificate of Appropriateness or Certificate of No Effect.
- 1510 Maintenance and repair.
- 1511 Economic hardship.
- 1512 Architectural Documentation Prior to Demolition of Historic Buildings
- 1513 Appeals.
- 1514 Violations and enforcement.
- 1515 Severability.

1501 Purpose.

A. It is hereby declared as a matter of public policy that the City of Sedona joins with the United States of America and the State of Arizona in promoting the protection, enhancement, and perpetuation of properties and areas of historic, cultural, archaeological, architectural, and aesthetic significance as being necessary for the economic, cultural, educational and general welfare of the public. This is done pursuant to the provisions of the National Historic Preservation Act of 1966 as amended, and A.R.S. Section 9-462.01.

B. Inasmuch as the identity of a people is founded on its past, and inasmuch as Sedona has many historic, archaeological, architectural, and cultural resources which constitute its heritage, this article is intended to:

1. Identify and preserve the historic resources that represent distinctive elements of Sedona's historic, archaeological, architectural and cultural heritage. Maintain and foster their unique identities and legacies, to help make the community a desirable place to live, work and visit;
2. Promote the use and adaptive reuse of historic resources for the education, pleasure, and welfare of the people of the community;
3. Foster civic pride in the accomplishments of indigenous people, pioneers, artists and others of the past;
4. Protect and enhance Sedona's attractiveness as a destination to visitors and the economic benefit incurred through tourism;
5. Stabilize and improve property values of restored, renovated, rehabilitated and protected historic resources;
6. Provide incentives where appropriate for restoration by owners of landmarks or historic resources;

7. Provide standards for restoration and adaptive reuse of designated historic resources and new construction within Historic Districts.

1502 Relation to Community Plan.

The administration of this article shall be pursued in accordance with the recommendations set forth in the Sedona Community Plan.

1503 Definitions.

For the purpose of this article, certain words, phrases and terms used herein shall have the meaning assigned to them by this section. When not inconsistent within the context of this section, words used in the present tense include the future; words in the singular include the plural and those in the plural include the singular. The word "shall" signifies mandatory; the word "may" signifies optional.

"Adaptive reuse" see **"Rehabilitation"**.

"Alteration" means any aesthetic, architectural, structural or mechanical change to the exterior surface of any significant part of a designated historic resource, as defined herein.

"Archaeological site" means a site containing any structure, evidence of occupation, articles or remains resulting from historic human life, habitation or activity, including but not limited to camp sites, petroglyphs, pictographs, paintings, pottery, tools, ornamentation, jewelry, textiles, ceremonial objects, games, weapons, armaments, vessels, vehicles or, most importantly, human remains.

"Building" means a structure created to shelter any form of activity, such as a house, cabin, barn, church, hotel, shed or similar structure. **"Building"** may also refer to a historically related complex, such as a courthouse and jail, or a farmhouse and barn.

"Cemetery" means any site which contains at least 1 human burial, marked or previously marked, and/or considered a dedicated cemetery under Arizona state statutes, even though it may be currently suffering neglect and abuse.

"Certificate of Appropriateness" means a document issued by the Commission, following prescribed public review procedures, certifying that proposed work on a designated historic resource is compatible with the historic character style and building materials of the historic resource, and therefore may be completed as specified in the Certificate of Appropriateness, and any building permits needed to do the work specified in the Certificate may be issued.

"Certificate of Demolition" means a document issued by the Commission authorizing removal of all or part of a historic resource which is identified as part of a historic Landmark or located within a Historic District.

"Certificate of Economic Hardship" means a document issued by the Commission when a property owner demonstrates that a reasonable rate of return cannot be obtained for an income producing commercial property or that no beneficial use exists for a non-income producing residential property, or that the cost to participate in the City of Sedona's Historic Preservation Program is financially outside the property owner's means.

"Certificate of No Effect" means a document issued by the Director, following prescribed review procedures, stating that the proposed work on a designated historic resource will have no detrimental effect on the historic character of the resource, and therefore may be completed as specified in the Certificate of No Effect, and any building permits needed to do the work specified in the Certificate of No Effect may be issued.

"Chairperson" means the Chair of the Historic Preservation Commission or his/her designee.

"City" means the City of Sedona, Arizona.

“Commission” means the Historic Preservation Commission of the City of Sedona, Arizona, as described in this article.

“Construction” means any site preparation, assembly, erection, repair, addition, alteration or similar action (*excluding demolition*) for or of historic resources or of public or private rights-of-way, utilities or other improvements.

“Contributing” means a classification applied to any historic resource signifying that it contributes to the defining characteristics and integrity of the Landmark or Designated Historic District.

“Demolition” means any intentional act or process that totally or partially destroys a designated property.

“Designated Historic Resource” means any property, site, building, structure, area, landscaping, or object that has received city designation as a landmark, or as a contributing property within a Historic District, according to the provisions of this article.

“Director” means the Director of Community Development or his/her designee for the city pursuant to Article 3 SLDC.

“Historic District” means a geographical area whose boundaries are defined by a Historic District zoning designation that contains historic resources considered to have historic, architectural or cultural value.

“Historic Property Register” means the listing and defining of designated properties of Sedona as provided in this article.

“Historic Resource” means any property, site, building, structure, area, landscaping, or object identified as representing distinctive elements of Sedona’s historic, archaeological, architectural and cultural heritage.

“Historic Resource Survey” means the official Historic Resource Survey book of the city listing and describing historic resources (whether designated or not) which are considered by the Commission to have historic, architectural or cultural value.

“Integrity” means a measure of the authenticity of a historic resource’s identity, evidenced by the survival of physical characteristics that existed during its historic or prehistoric period in comparison with its unaltered state. For example, a historic building of high integrity has few alterations or ones that can be easily reversed, and an archaeological site with high integrity is one that is relatively undisturbed. Evaluation criteria in determining integrity include a historic resource’s association, design, feeling, location, and materials.

“Landmark” means a designation, as a result of processes provided in this article, applied by the Commission to a historic resource, which has historic value or expresses a distinctive character or style worthy of preservation.

“Maintenance” means regular, customary or usual care for the purpose of preserving a historic resource and keeping it in a safe, sanitary and usable condition, without causing any alteration to the historic resource’s distinctive exterior appearance and character.

“Move” means any relocation of a building or structure on its site or to another site.

“National Register of Historic Places” means the official list of historic resources established by the federal government through the National Historic Preservation Act of 1966, and as amended.

“Noncontributing” means a classification applied to any historic resource on a historic Landmark site or within a Historic District signifying that it does not contribute to the defining characteristics of the Landmark or Historic District.

“Planning and Zoning Commission” means the Planning and Zoning Commission of the City of Sedona, Arizona.

“Preservation” means the act or process of applying practices and measures to sustain the existing form, integrity and material of a historic resource. It may include stabilization work where necessary, as well as ongoing maintenance of the historic materials.

“Preservation covenant” means a deed restriction filed with the appropriate county, which identifies the property as a landmark or a contributing property within a Historic District.

“Protected Interior” means an interior listed on the City of Sedona Register of Historic Resources that is routinely and customarily open for inspection and is identified as significant at the time of the property’s landmark designation.

“Reconstruction” means the act of reproducing by new construction the exact form and detail of a vanished or severely deteriorated structure or object, or part thereof, as it appeared at a specific period of time.

“Rehabilitation” means the act or process of returning a property to a state of utility through repair or alteration that make an efficient contemporary use possible, while preserving those portions or features of the property that are significant to its historical, architectural and cultural value.

“Removal” means any relocation, in part or whole, of a structure on its site or to another site.

Renovation. See **“Rehabilitation.”**

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

“Restoration” means the act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time, by removing later work or by replacing earlier work that is missing or was destroyed.

“Review criteria” means the preservation standards, tests, norms or guidelines applied by the City Staff and the Commission during any review process, including but not limited to surveys, designations, Certificates of Appropriateness, or other decision making process

“Routine Maintenance and Repair” means any alteration to a designated historic resource or protected interior that does not conflict with its ongoing eligibility for listing on the City of Sedona Register of Historic Resources including restoration and repair of damage resulting from fire, flood, earthquake, or act of God. Alterations shall be same-for-same with regard to all details, including but not limited to, material type, dimension(s), texture, and architectural appearance, in order to be deemed routine maintenance and repair. Alterations to the exterior requiring a building permit shall be in conformance with this definition in order to be considered routine maintenance and repair. Any alteration to a noted contributing factor shall not be considered routine maintenance or repair. Routine maintenance and repair may involve, but is not limited to:

- a) Repair and/or replacement of any exterior wall material;
- b) Repair or replacement of roof cladding materials;
- c) Repair and/or replacement of a protected interior;
- d) Repointing of masonry joints;
- e) Replacement of window or door glazing except for glazing identified as a contributing feature at the time of the property’s designation;
- f) The removal, maintenance, and/or installation of landscape materials except those identified as significant to the property’s history at the time of the property’s designation;
- g) The application of vapor-permeable paint or stain finishes to wall cladding materials provided that the finish does not change the existing texture of the material or a color identified as a contributing feature at the time of the property’s designation;
- h) Any other work determined by the Director of Community and Development to constitute “routine maintenance and repair”.

“Secretary of the Interior Standards” means preservation standards developed and published by the office of the United States Secretary of the Interior, as part of the Department of the Interior regulations. They pertain to historic resources of all materials, construction types, sizes and occupancy, and encompass the interior and exterior.

“Stabilization” means the act or process of applying measures designed to reestablish a weather-resistant enclosure and the structural stability of an unsafe or deteriorated property, while maintaining the essential form as it exists at present.

“Structure” means anything constructed or erected, the use of which requires a permanent or semi-permanent location on or in the ground, including but not limited to bridges, dams, water distribution systems, buildings, garages, fences, walls, gazebos, advertising signs, antennas, satellite sending or receiving dishes, paved parking or circulation areas, sculpture, and recreational facilities.

1504 Historic Property Register.

A Historic Property Register is hereby established for the purpose of listing and defining the landmarks and Historic Districts to be designated under the provisions of this article.

This Register may be periodically amended by the Commission and shall be held and made available for public reference and historical study. The document can be found on the City’s website, at the Community Development office, and at the Sedona Public Library.

1505 Historic Preservation Commission.

Pursuant to Ordinance 97-09, there is hereby created a Commission to be known as the City of Sedona Historic Preservation Commission.

1505.01 Membership.

A. The Historic Preservation Commission shall be composed of 7 members, 5 of whom shall be residents of the city, and up to 2 who need not be residents of the city; provided, that the City Council finds at the time of their appointment that they have substantial ties within the corporate limits of the city, such as owning real property, owning a business, being employed within the city limits, or based on any other activities and factors deemed relevant by the Council. The members of the Commission shall be appointed by the Mayor and Council.

B. Prospective members should have demonstrated significant interest in and commitment to the field of historic preservation, evidenced either by involvement in a local historic preservation group, current nonconflicting or previous employment or volunteer activity in the field of historic preservation, or demonstrated serious interest in the field. To the extent possible, it is desirable that at least 2 members be current or previous professionals in the areas of architecture, history, planning or archaeology.

C. Immediately prior to assumption of the duties of office, each member shall take and subscribe to the oath of office.

D. All Commission members shall serve without pay, except that members may be reimbursed for actual expenses incurred in connection with their duties, upon authorization.

1505.02 Term of Office.

A. Membership appointment to the Commission shall be for a period of 3 years. Terms shall be staggered so that no more than 3 members’ terms shall expire in any given year. All terms shall begin on December 1 and shall end on November 30 or until a successor is appointed and qualified.

B. In the event of a resignation, removal or death of a member, the Council shall fill the vacancy for the unexpired term.

C. The Council by a majority vote may remove any member of the Commission as otherwise provided by ordinance or the City Code.

1505.03 Officers.

- A. The members of the Commission shall elect from among themselves a Chairperson and a Vice Chairperson. These officers shall serve a 1-year term and until their successors are elected. Officers may serve successive terms, if so chosen by the Commission.
- B. The Chairperson shall preside at meetings and execute their duties as set forth in the City of Sedona Commission Handbook and this article. The Chairperson shall serve as Commission liaison with the city staff.
- C. The Vice Chairperson shall perform the duties of Chairperson in the latter's absence or disability.
- D. The members shall fill a vacancy in either office for the unexpired term through a new election.

1505.04 Meetings.

- A. The Commission shall meet a minimum of 4 times per year, and more often if needed.
- B. Four members shall constitute a quorum. The affirmative vote of the majority of members present shall be required for passage of any matter before the Commission. Any member may abstain from voting on a matter by declaring a conflict of interest, in which case such member shall step down and take no part in discussions or deliberations on that matter.

1505.05 Rules.

- A. The Commission shall adhere to the rules, policies, and procedures as outlined in the City of Sedona Commission Handbook. All meetings of the Commission shall be open to the public and noticed as provided by Arizona law.
- B. Minutes shall be kept of all meetings. The minutes shall include all issues considered and shall record the individual votes of members on each action item.

1506 Incentives.

It is the City of Sedona's intent to make ownership of a landmark or contributing property within a Historic District as beneficial as possible. In addition to the intangible benefits of owning a historic resource with community importance, the Commission may, when applicable and possible, provide such owners with 1 or more of the following:

- A. Recommendation to the Department of Community Development that an alternate use be considered;
- B. Advice in locating potential sources of financial assistance and tax credits;
- C. Advice in preparing grant applications and potential third party sponsorship;
- D. Advice in routine or emergency technical information and referrals;
- E. Advice in the formulation of a neighborhood preservation or historic district;
- F. Advice in obtaining other benefits as may become available;
- G. Waiver of fees. Fees for applications as they pertain to this article may be waived or reduced by the Director upon a request from the property owner, or an authorized agent or by the Commission, if it is determined that such a waiver or reduction of fees would further the intent, purpose and enactment of this article.

1507 Historic Landmark Designation Process.

The Commission may designate an entire property, an identified portion of a property, or 1 or more individual structures on a property as a landmark.

1507.01 Application Submittal and Review Requirements. An application for a landmark designation shall be submitted by the owner of the subject property or authorized agent and involves the following steps:

- A. Pre-Application Consultation. Prior to the submittal of an application for a landmark designation, the applicant should consult with the Director regarding the application submittal requirements.
- B. Application Submittal Requirements. An application for a landmark designation shall contain at a minimum the following, any of which may be waived by the Director:
 1. Completed application.
 2. Location and description of property.
 3. Filing fee.
 4. Statement or letter of authorization from the property owner, if different from the applicant.
 5. An ownership map of property owners within 300 feet of the exterior boundaries of the subject property as shown on the last assessment of the property. A list of these property owners shall also be provided on mailing labels and keyed to the map showing the location of the identified properties.
 6. A written description of the proposed property. Description should include special aesthetic, cultural, architectural, archaeological or engineering interest or value of a historic nature, including information about the architecture, notable construction features and other information, such as its association with notable people or events, all indicating the historical significance of the property. Supporting sketches, drawings, current and historic photographs, or other descriptive materials are desirable.
 7. A written statement and photographs of condition of property and/or structure(s) including any known threats.
 8. Other information as may be requested.

C. Incomplete Applications. Incomplete applications may be returned to the applicant and not processed until all materials have been submitted. If all the required materials have been submitted, the application shall be considered complete and shall be accepted by the Director.

D. Application Review. Following acceptance of a complete application, the Director shall conduct a formal review and prepare a comprehensive report which shall be submitted to the Commission and made available to the applicant, media and general public at least 7 days prior to the Commission's public hearing on the landmark application.

E. Application Acceptance. Upon acceptance of a complete application, no building or demolition permits affecting the proposed landmark shall be issued by the city until the process as described herein has been completed and the Commission has made its decision.

1507.02 Notice of Commission Hearing.

A. Upon receipt of a complete application for a landmark designation, the item shall be placed on the Commission's agenda for a public hearing within 60 days. Public notice of this hearing shall be given as prescribed by Arizona law. The city shall give notice of the date, time, and place of a public hearing for consideration of a proposed landmark, including general explanation of the matter to be

considered and a general description of the area affected at least 15 days before the hearing in the following manner:

1. Publication at least once in a newspaper of general circulation in the city.
2. Posting on the affected property so that the words "Public Hearing" and the date and time of the hearing are visible from a distance of 100 feet. It shall be the responsibility of the applicant to maintain the posting once erected.
3. Notification by first class mail shall be sent to each real property owner as shown on the last property assessment as located within 300 feet of the property to be landmarked.
4. In addition to notice by the means set forth above, the city may give notice of the hearing in a specific case in such other manner as it deems necessary or appropriate.
5. As provided in A.R.S. Section 9-462.04(A)(7), or any successor statute, the failure of any person or entity to receive notice as set forth in the statute or SLDC 400.05 shall not constitute grounds for any court to invalidate the actions of the city.

B. Persons with specific issues or concerns regarding a proposed landmark are encouraged to contact the Department of Community Development in writing, by phone or in person prior to the hearing.

1507.03 Landmark Designation Criteria. The Commission shall evaluate each historic resource within an area that is included in an application and may designate it as a landmark if it is determined to possess integrity of location, design, setting, materials, workmanship, feeling and association; and, being at least 50 years old or having achieved significance within the past 50 years if the property is of exceptional importance; and exhibits 1 or more of the following:

- A. Association with events that have made significant contributions to the broad patterns of our local, state or national history; or
- B. Association with the lives of persons significant in our local, state or national past; or
- C. Embodiment of distinctive characteristics of a type, period or method of construction, or representing the work of a master architect, artist, engineer or craftsman, or high artistic value or representing a significant and distinguishable entity which individual components may lack distinctiveness; or
- D. Information important in the understanding of the pre-history or history of our community or region.

1507.04 Commission Public Hearing and Designation.

- A. The Commission shall hold at least 1 public hearing on each landmark application. At the public hearing, the Commission shall review the proposal with consideration given to the review criteria. Approval, conditional approval or denial of a landmark application shall be based on the findings of the Commission as they relate to the criteria.
- B. The Commission's decision shall be final unless appealed to the City Council as provided for in this article. A recommendation for approval may be subject to conditions as the Commission deems applicable.

1507.05 One-Year Restriction on Refiling. If the Commission denies an application, the Commission may refuse to accept another application for the same or substantially same request on the same property or any part of it within a year of the date the original application was filed on the property or a portion of it.

1507.06 Removal of Landmark. The procedure to remove a landmark status to a property shall be the same as the procedure to designate. However, in the case of removal of a landmark designation, the Commission may initiate the application.

- A. The Commission shall consider and make findings for removal of landmark status and removal from the City of Sedona's Historic Resource Register. The removal of any designated historic resource shall be granted only if the Commission finds that the historic resource no longer conforms to any of the findings as set forth in 1507.03 or any 1 or more of the following:
1. That the historic resource has been destroyed or demolished by natural disaster, accident or fire,
 2. That the historic resource has diminished historic significance or value upon a showing of clear and convincing evidence, including that this diminution is not the result of deterioration by neglect or work performed without a permit,
 3. That the historic resource cannot be restored, rehabilitated, stabilized or renovated for any use permitted in the zone in which it is located without causing an economic hardship disproportionate to the historic value of the property substantiated by clear and convincing evidence. Proof of economic hardship shall require a showing that the cost of stabilization of the historic fabric of the property exceeds the appraised value as determined by a qualified appraiser of the historic improvements on the site.

B. If the removal of landmark designation from the National Register is initiated by the Commission, the Commission must prove the grounds for removal of a landmark designation meet the criteria for removing properties from the National Register as set forth by the United States Department of Interior.

1507.07 Effect of Landmark Designation.

- A. Upon approval of a landmark designation, the affected property shall be included in the Historic Property Register and on any other applicable documents as appropriate for its preservation.
- B. No person shall carry out any exterior alteration, restoration, renovation, reconstruction, new construction, demolition or removal, in whole or in part, on any landmark, without first obtaining a Certificate of Appropriateness, Certificate of No Effect or other applicable approvals.
- C. No person shall make any material change in the exterior appearance of any landmark or contributing factor, such as, its color, materials, light fixtures, signs, sidewalks, fences, walls, landscaping, steps, paving or other elements which affect the appearance of the historic resource without first obtaining a Certificate of Appropriateness, Certificate of No Effect or other applicable approvals.
- D. No person shall make any material change in the appearance of a protected interior, without first obtaining a Certificate of Appropriateness, Certificate of No Effect or other applicable approvals.
- E. No person shall carryout any demolition, in whole or part, on any landmark, without first obtaining a Certificate of Demolition approval from the Commission.
- F. Each property designated as a landmark shall be maintained to ensure weather resistance and a secured condition, faithful to its historic character.
- G. Nothing in this article shall be construed to prevent routine maintenance and repair, as defined herein. Any exterior alteration, restoration, renovation, reconstruction in compliance with the definition of routine repair and maintenance as contained herein shall be permissible without application and review. Property owners and/or their representatives are encouraged to consult

with staff prior to any work being performed to discuss its scope and compliance with the definition of routine maintenance and repair; however, consultation is not required. [Ord. 2009-15, 10-13-2009].

1508 Historic District designation.

- A. A rezoning approval is required in order to receive a Historic District designation. The rezoning process to receive a Historic District designation is set forth in Article 4 SLDC, Review Procedures.
- B. The Historic District is an overlay zone in which designated properties retain the uses of and are subject to the regulations of the underlying zoning. The underlying zoning, which relates primarily to land use and density, continues to be administered by the Planning and Zoning Commission. The Historic Preservation Commission administers the regulations as they relate to the Historic District designation. In the case where historic preservation and zoning regulations conflict, the Historic Preservation Ordinance takes precedence.
- C. The Commission, the Planning and Zoning Commission, City Council, a property owner or agent of property owner of the subject area may initiate a request to rezone to a Historic District.

1508.01 Application Submittal and Review.

A. Pre-Application Consultation. A pre-application consultation with the Director is required in order for the Director to explain the rezoning review process and application submittal requirements.

B. Application Submittal Requirements. In addition to the submittal requirements set forth in SLDC 400, all Historic District rezoning applications shall include the following:

1. Written description of the proposed Historic District. Description should include approximate construction dates, special aesthetic features, cultural, architectural, archaeological or engineering interest or value of a historic nature, including information about the architecture, notable construction features, and other information indicating the historical significance of notable people, events or the area's development, etc.
2. Identification of prospective contributing properties and how they each meet 1 or more of the Historic District criteria. District boundaries should be continuous, but non-continuous boundaries may be considered on a case-by-case basis.
3. Current and historic sketches, photographs or architectural drawings.
4. Written description and photographs of exterior condition of all structures.
5. Explanation and photographs if applicable of any known threats to any property or structures involved.

1508.02 Notice of Public Hearing. Notice of the Commission's public hearing shall be the same as set forth in SLDC 400.

1508.03 Historic District Designation Criteria. Each structure, site, building, landscape or property within an area that is included in a Historic District rezoning application will be evaluated and may be designated a historic district if it is determined to possess integrity of location, design, settings, materials, workmanship, feeling and association; and, be at least 50 years old or having achieved significance within the past 50 years if the property is of exceptional importance; and exhibits 1 or more of the following:

- A. Association with events that have made significant contributions to the broad patterns of our local, state or national history.
- B. Association with the lives of persons significant in our local, state or national past.

C. Embodiment of distinctive characteristics of a type, period or method of construction, or representing the work of a master architect, artist, engineer or craftsman, or high artistic value, or representative of a significant and distinguishable property or person whose individual components may lack distinctions.

D. Information important in the understanding of the pre-history or history of the community or region.

1508.04 Adoption of Historic District.

A. Action by the Historic Preservation Commission. Upon completing its public hearing on the Historic District application, the Commission shall transmit its recommendation to the Planning and Zoning Commission. The Commission's recommendation shall include the following:

1. A map showing the proposed boundaries of the Historic District and identifying all properties within the boundaries, including classification as contributing or noncontributing.
2. An explanation of the significance of the proposed district and description of the cultural and architectural resources within the proposed boundaries.
3. A set of findings documenting the recommendation of the Commission.
4. Proposed design guidelines for applying the criteria for review of Certificate of Appropriateness or Certificate of No Effect to the nominated Historic District.
5. The recommendations of the Commission may include reasonable additional conditions and/or modifications to the proposed district property boundaries as deemed necessary to promote the purpose of the district.

B. Action by the Planning and Zoning Commission. The Planning and Zoning Commission shall hold a public hearing to consider the Historic Preservation Commission's recommendations. Following conclusion of its public hearing, the Planning and Zoning Commission shall transmit its recommendation to the City Council.

C. Action by the City Council. Following conclusion of its public hearing, the Council may approve the Historic District as recommended or in a modified form, stipulating those conditions it deems necessary to carry out the purpose of this district and this Code.

D. Approval and Adoption. The supporting statements, design guidelines and documents submitted with the application for a Historic District shall be approved and adopted by the Council and included in the ordinance establishing the Historic District.

1508.05 Effect of Historic District Designation.

A. Upon approval of a Historic District designation by the City Council, the affected properties shall be included in the Historic Property Register and on any other applicable documents as appropriate for its preservation. The City's Zoning Map shall be updated to reflect the new zoning district boundaries. The city's parcel information database shall be updated to include those properties identified within the Historic District as contributing and noncontributing.

B. No person shall carry out any exterior alteration, restoration, renovation, reconstruction, new construction, demolition or removal, in whole or in part, without first obtaining a Certificate of Appropriateness or Certificate of No Effect, as set forth in this article.

C. No person shall make any material change in the exterior appearance of a designated property, its color, materials, light fixtures, signs, sidewalks, fences, walls, steps, paving or other elements which

affect the appearance of the property without first obtaining a Certificate of Appropriateness or Certificate of No Effect as set forth in this article.

D. Each property designated as a contributing property shall be maintained in good condition and faithful to its historic character.

E. Nothing in this article shall be construed to prevent normal maintenance and repair which does not involve change in exterior design, material, color or appearance.

F. In addition to any other required review and/or approval, any proposed construction within a Historic District shall also be subject to Commission review according to any design guidelines which may have been applied to that district and other applicable criteria.

1509 Certificate of Appropriateness or Certificate of No Effect.

A Certificate of Appropriateness is required before commencing any exterior improvements or development, including alteration, restoration, renovation, reconstruction, new construction, demolition or removal, in whole or in part, of any landmark or property located within a Historic District, that will alter the historic appearance or character of the exterior or that of the Historic District, whether or not the work will require a building permit. Building permits for exterior work on landmarks or properties within Historic Districts cannot be issued without first obtaining a Certificate of Appropriateness.

Requests for exterior improvements, including alterations, restoration, renovation, reconstruction, or new construction for exterior work on landmarks that are deemed to be of "No Effect" by the Chairperson and Director may be eligible for a Certificate of No Effect, which can be issued administratively. If a building permit is sought from the city without a Certificate of Appropriateness or Certificate of No Effect, the issuance of the permit shall be deferred until after a Certificate of Appropriateness or Certificate of No Effect is issued for the subject property.

1509.01 Application Submittal and Review Procedure. An application for Certificate of Appropriateness or Certificate of No Effect shall be submitted by the owner of the subject property or agent and involves the following steps:

A. Pre-Application Consultation. Prior to the submittal of an application for a Certificate of Appropriateness or Certificate of No Effect, the applicant should consult with the Director regarding the application submittal requirements.

B. Application Submittal Requirements. An application for a Certificate of Appropriateness or Certificate of No Effect shall contain at a minimum the following, any of which may be waived by the Director:

1. Completed application.
2. Location and description of property with photographs of areas affected by proposed project and photographs of the landmarked structures depicting a street view, in order to establish a context for the proposed work.
3. Filing fee.
4. A letter of intent describing the overall project specifically addressing architectural style, its compatibility within its context area, building materials, colors, exterior lighting, signage and landscaping if applicable.
5. Site Plan identifying all existing and proposed structures.

6. Scaled illustrations showing all existing and proposed site improvements and conditions, landscaping, signage and building elevations.
7. Samples of all proposed exterior paints or stains and colors and samples of roof and other exterior materials to be used, with an explanation on how they relate to existing colors and materials.
8. If the proposal includes signs or lettering, a scale drawing showing dimensions, lettering, colors, materials and any illumination.
9. Any additional information which the Commission may require to visualize the proposed work.

C. Acceptance of Application. Upon receipt of an application for a Certificate of Appropriateness or Certificate of No Effect, the Director shall complete a preliminary review within 2 working days to ensure that all the required materials have been submitted. Incomplete applications may be returned to the applicant and not processed until all materials have been submitted. If all the required materials have been submitted, the application shall be considered complete and shall be accepted by the Director. The Director shall, upon receipt of a complete application, determine whether the proposed changes qualify for a Certificate of Appropriateness or Certificate of No Effect.

If an application qualifies for a Certificate of No Effect, the Director shall contact the Chairperson to review the application and confirm qualification of the application. If an application is found to qualify for a Certificate of No Effect the Director shall issue a Certificate of No Effect within 7 working days of receipt of the complete application.

If the Director determines that the proposed changes would require a Certificate of Appropriateness, the application shall be forwarded to the Commission for review as prescribed herein.

1509.02 Notice of Public Hearing for Certificate of Appropriateness.

A. Within 20 days of the receipt of a complete application for a Certificate of Appropriateness, the item shall be scheduled for a public hearing on a future agenda with the applicant being notified of the meeting date, time, and location. Public notice of this hearing shall be given as prescribed by Arizona law. The city shall give notice of the date, time and place of a public hearing for consideration of a Certificate of Appropriateness, including a general explanation of the matter to be considered and a general description of the area affected at least 15 days before the hearing in the following manner:

1. Publication at least once in a newspaper of general circulation in the city.
2. Posting on the affected property so that the words "Public Hearing" and the date and time of the hearing are visible from a distance of 100 feet. It shall be the responsibility of the applicant to maintain the posting once erected.
3. Notification by first class mail shall be sent to each real property owner as shown on the last property assessment as located within 300 feet of the subject property.

B. Following acceptance of a complete application, the Director shall conduct a formal review and prepare a comprehensive report, which shall be submitted to the Commission and made available to the applicant, media and general public 7 days prior to the Commission's public hearing. Commission members shall make every effort to inspect the property prior to the hearing.

C. At the hearing, concerned persons may present testimony and/or documentary evidence which will become part of the record of the hearing and the deliberations of the Commission.

1509.03 Commission Review and Decision for Certificate of Appropriateness.

A. It is the intent of this article to ensure, insofar as possible, that a historic resource designated as a landmark within an Historic District shall be in harmony with and complementary to the architectural and historical character of the historic resource or district.

B. When reviewing an application for a Certificate of Appropriateness, the Commission may approve, conditionally approve or deny a Certificate of Appropriateness based on the following:

1. The proposed work does not detrimentally alter, destroy or adversely affect any architectural or landscape feature; and
2. The proposed work will be compatible with the relevant historic, cultural, educational or architectural qualities characteristic of the structure or district and shall include but not be limited to materials and elements of size, scale, massing, proportions, orientation, surface textures and patterns, details and embellishments and the relationship of these elements to one another; and
3. The proposed work conforms with review guidelines and/or other applicable criteria; and
4. The exterior of any new improvement, building or structure in a designated Historic District or upon a landmarked site will not adversely affect and will be compatible with the external appearance of existing designated buildings and structures on the site or within a Historic District.
5. Any proposed new construction shall be distinguishable from the historic architecture.

C. Review Guidelines and Criteria.

1. The Commission may utilize the following documents and criteria as guidelines when considering an application for a Certificate of Appropriateness:

- a. Approved design guidelines for a designated Historic District.
- b. Secretary of the Interior's Standards for Restoration or Rehabilitation.
- c. Secretary of the Interior's Preservation Briefs and other information developed by U.S. Department of the Interior Park Service, Arizona Historic Preservation Office, National Trust for Historic Preservation, National Alliance of Preservation Commissions, Association of Preservation Technology, and the Old House Journal.
- d. Any other guidelines as adopted by the city.

D. No change shall be made in the approved plans of a project after issuance of a Certificate of Appropriateness without resubmittal to the Director and approval of the change at an Administrative level, if that change is determined to be of no significant impact on the original proposed work set forth in the application. If the change is determined to have a significant impact on the original proposed work, the Director shall schedule a public hearing before the Commission in the same manner as the original Certificate of Appropriateness consideration.

E. A Certificate of Appropriateness expires 6 months from the date of issuance unless work is started within that time. A Certificate of No Effect expires 6 months from the date of issuance unless work is started within that time.

F. If work exceeds that specified in the Certificate of Appropriateness or Certificate of No Effect, the Certificate of Appropriateness or Certificate of No Effect shall be revoked.

G. The Certificate of Appropriateness or Certificate of No Effect required by this article shall be in addition to any other permit(s) or review required for the proposed project.

1509.04 Demolition of Historic Landmark or a Contributing Property within a Historic District.

A. No person, firm, corporation, or other entity shall demolish a landmark or contributing property within a Historic District or cause or allow such demolition to be done, nor shall any permit for such demolition be issued, unless the demolition is approved by the Commission and a Certificate of Demolition is issued.

B. A landmark or contributing property may be demolished if:

1. The Chief Building Official has determined that an imminent safety hazard exists and that demolition of the structure is the only feasible means to secure the public safety; or
2. The Commission finds, after review, that maintenance, use and/or alteration of the designated property in accordance with the requirements of this article would cause immediate and substantial economic hardship on the property owner(s) because rehabilitation in a manner which preserves the historic integrity of the resource:

a. Is infeasible from a technical, mechanical, or structural standpoint; and/or

b. Would leave the property with no reasonable economic value because it would require an unreasonable expenditure taking into account such factors as current market value, permitted uses of the property, and the cost of compliance with applicable local, state and federal requirements.

c. Costs necessitated by the neglect or failure of the current owner(s) to maintain the property need not be considered in making this finding; or

d. The Commission finds that the demolition of a contributing property would not have a substantial adverse impact on the historic significance or integrity of a Historic District.

C. The applicant shall bear the burden of proof for all findings required for approval of a Certificate of Demolition.

D. If demolition is approved, the property owner(s) may be required to publish notice at least 10 days prior to the scheduled demolition date, in a newspaper of general circulation, or notify contractors and manufacturers, of the availability of materials for salvage. Upon request, the Commission may make this information available to persons who may be interested in contacting the owner(s) to arrange for possible salvage of historic building materials.

1510 Maintenance and repair.

Each historic resource designated as a landmark, and historic resources designated as contributing properties within a Historic District, shall be properly maintained in weather resistant, secure condition and faithful to its historic appearance and character.

Nothing in this article shall be construed to prevent normal maintenance and repair of any exterior feature of any historic resource designated as a landmark or contributing property within a Historic District, which does not involve change in design, material, color or exterior appearance. The Commission shall not consider the interior arrangements or alterations to the interior of a building, unless designation specifically includes the interior or a portion thereof.

All exterior maintenance and repair not deemed to be routine maintenance and repair as defined herein, requires an application for determination of a Certificate of Appropriateness or Certificate of No Effect. Repairs that involve change in exterior appearance may be determined by the Director and Chairperson to have no significant impact on historic appearance and character, and thereby qualify for a Certificate of No Effect.

1511 Economic hardship.

An application for demolition or removal of a landmark or property within a Historic District may, if appropriate, be accompanied by a request for relief from economic hardship.

Before granting such request, the Commission shall study the historic or cultural value of the property and shall review options including incentives to the owner for restoration or recommendation to Council that the city purchase the property.

Separate standards and application requirements may be established by the city for granting economic hardship relief for income-producing properties and for non-income-producing properties.

A. Investment or Income-Producing Properties. Economic hardship relief may be granted if the applicant satisfactorily demonstrates that a reasonable rate of return cannot be obtained from a property which retains features which contribute to its distinctive appearance and character in its present condition nor if rehabilitated, either by the current owner or a potential buyer. Economic hardship relief shall not be granted due to any of the following circumstances: willful destructive acts committed or caused by the owner or tenants; purchase of the property for substantially more than its fair market value; failure to perform normal maintenance and repair; or failure to diligently solicit and retain tenants or provide normal tenant improvements.

B. Non-Income-Producing Properties. Economic hardship relief may be granted if the applicant satisfactorily demonstrates that the property has no reasonable use as a single-family dwelling or for institutional use in its present condition or if rehabilitated, either by the current owner or a potential buyer. Economic hardship relief shall not be granted due to any of the following circumstances: willful destructive acts committed or caused by the owner; purchase of the property for substantially more than its fair market value; failure to perform normal maintenance and repair; or failure to diligently solicit and retain tenants or provide normal tenant improvements.

1512 Architectural Documentation Prior to Demolition of Historic Buildings.

Applications for permits for the demolition of buildings that are in part (original structure with later additions) or in their entirety fifty (50) or more years old must include architectural documentation to provide a permanent record of buildings of historical significance before their loss. Demolition applications are available from the Community Development Department.

1512.01 Applicability. These regulations apply to all demolition permit requests involving buildings that are in part or in their entirety fifty (50) or more years old, but are not individually listed on the National Register of Historic Places; and do not meet the eligibility criteria for the National Register of Historic Places or Designation as a Landmark in Sedona. Documentation is not required if the demolition will be limited to an addition that is less than fifty (50) years old, for an accessory buildings such as sheds, and mobile or manufactured homes regardless of age.

1512.02 Review Required. The applicant must submit documentation in conjunction with a demolition permit application submittal. The documentation will be reviewed and found complete pursuant to this Article prior to issuance of a demolition permit.

1512.03 Application and Review Process.

A. Prior to the submittal of a demolition permit application, the applicant may meet with the Director. At that time, the Director will determine whether the application requires documentation.

B. At the time of submittal, the applicant must submit the demolition permit application and all required architectural documentation to the Community Development Department.

C. The Director shall review the submitted architectural documentation and approve the materials for completeness. The Director determines and informs the applicant that the required architectural documentation is complete, or of any additional documentation which is required within five (5) working days of the submittal date.

D. If the Director determines that the required architectural documentation is complete, then a demolition permit application may be processed. The applicant must demonstrate compliance with all provisions of the LDC before a demolition permit will be issued.

1512.04 Documentation Required:

A. Current photographs of the front, rear and sides of the building to be completely or partially demolished; and

B. Copies of old photographs of the building to be completely or partially demolished (taken at least 20 years prior to the demolition application), if in the possession of the applicant; and

C. A list of any important historical events or historically significant persons related to the building to be demolished, if known to the applicant.

1512.05 Documentation Optional:

A. Floor plans with measured dimensions; and

B. Photographs of all interior rooms; and

C. A 'context photograph' illustrating the relationship between the building to be completely or partially demolished and the nearest adjacent buildings; and

D. A general description of construction materials, such as exterior walls, roofing, windows, porches, and carports of the building to be demolished; and

1512.06 Documentation Retention.

Upon approval of the demolition permit, the Director shall retain the architectural documentation as a record of a lost historic resource.

1513 Appeals.

Any person or group of persons aggrieved by a decision of the Commission may appeal to the City Council within 10 working days of the Commission's action by filing a written notice of appeal and any applicable fee as may be adopted with the City Clerk. The Council shall render a decision to sustain, conditionally overrule or overrule the Commission decision. The Council may choose to hold a public hearing if deemed appropriate.

1514 Violations and enforcement.

All work performed pursuant to a Certificate of Appropriateness or Certificate of No Effect under this article shall conform to requirements thereof. Compliance shall be confirmed by inspections made by the Building Inspector, Director and the Commission Chairperson or designee. Requirements of the Certificate of Appropriateness or Certificate of No Effect, such as signs, lighting, landscaping and site development, shall be reviewed for compliance.

Any action regarding a violation of any provision of this article shall be subject to code enforcement action. Any person, firm, corporation or other entity found to be in violation of any provision of this article shall be guilty of a Class 1 misdemeanor, punishable in accordance with Article 14 SLDC.

Any person, firm, corporation or other entity who causes unauthorized demolition, alteration, construction, or permits degradation or disrepair of a designated property as defined in this article may be required to restore the property and site to its condition prior to the violation. The civil remedy shall be in addition to, and not in lieu of, any criminal prosecution and penalty.

1515 Severability.

This article and its sections are hereby declared to be severable. If any section, subsection, clause, word or phrase of this article is held to be void, unlawful or unconstitutional, such holdings shall not affect the validity of the remainder of this article or of the Land Development Code.

Attachment E

Draft Administrative Manual, Historic Preservation Commission Handbook

DRAFT

City of Sedona Historic Preservation Commission Handbook

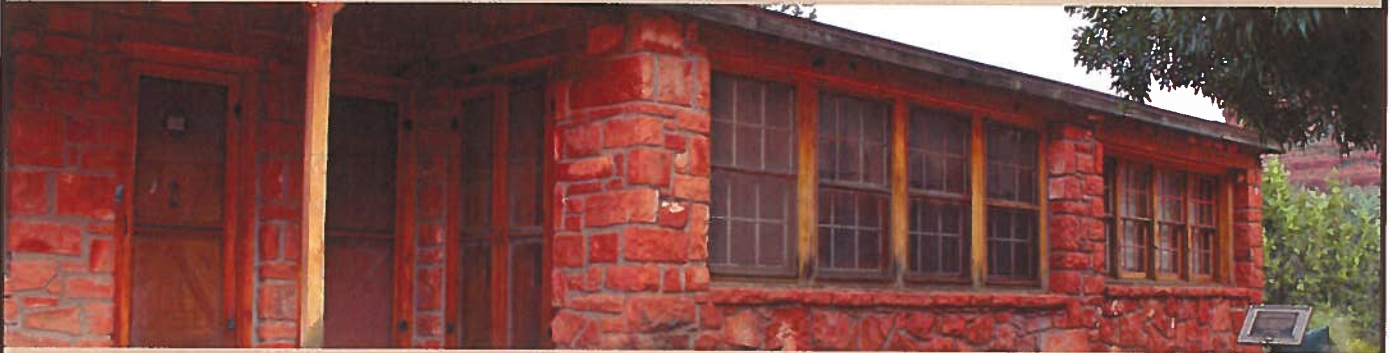


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Appendix 1	Historic Landmark Register

Introduction

.....

Notable Dates:

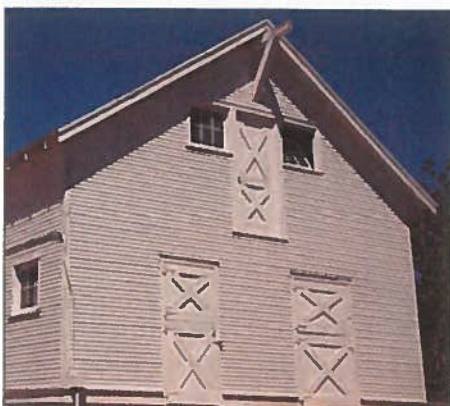
- 1992 First Historic Resource Survey
- 1997 Historic Preservation Commission established
- 1998 First landmark designation (Jordan Ranch)

Program Purpose

The protection, enhancement, and perpetuation of properties and areas of historic, cultural, archaeological, architectural, and aesthetic significance as being necessary for the economic, cultural, educational and general welfare of the public.

The City of Sedona joins with the United States of America and the State of Arizona in this endeavor, pursuant to the provisions of:

- National Historic Preservation Act
- Arizona Revised Statutes, A.R.S. Section 9-462.01
- City of Sedona Land Development Code, Article 15



Ranger Station Barn

Program Goals

- Identify and preserve the historic resources that represent distinctive elements of Sedona’s historic, archaeological, architectural and cultural heritage.
- Maintain and foster the unique identities and legacies of historic resources, to help make the community a desirable place to live, work and visit.
- Promote the use and adaptive reuse of historic resources for the education, pleasure, and welfare of the people of the community.
- Foster civic pride in the accomplishments of indigenous people, pioneers, artists and others of the past.
- Protect and enhance Sedona’s attractiveness as a destination to visitors and the economic benefit incurred through tourism.
- Stabilize and improve property values of restored, renovated, rehabilitated and protected historic resources.
- Provide incentives where appropriate for restoration by owners of landmarks or historic resources.
- Provide standards for restoration and adaptive reuse of designated historic resources and new construction within Historic Districts.
- Advance the recommendations set forth in the Sedona Community Plan.

*“Preserve and celebrate the community’s history.”
-Sedona Community Plan Goal*

Commission Duties

- Maintain review criteria to assure fair and impartial evaluation and designation of properties as landmarks and Historic Districts.
 - Periodically review the criteria, and make adjustments or updates as may be required.
- Review properties proposed for designation as landmarks, explain to the owners thereof the potential effects of designation as known to the Commission at that time and make a decision to designate, conditionally designate, or deny designation.
- Maintain criteria to assure fair and impartial review of applications for Certificate of Appropriateness and Certificate of No Effect.
 - Such criteria shall be subject to review by the Planning and Zoning Commission and ratification by the City Council.
- Review and approve, conditionally approve or deny applications for a Certificate of Appropriateness, Certificate of Demolition and Certificate of Economic Hardship.
- Conduct public hearings and render decisions on major alterations as set forth in Article 15.
- Issue historic resource identification markers for designated properties.
- Recognize the owners of designated properties; issue commendations to owners of historical properties who have rehabilitated their property in an exemplary manner.
- Review property nominations for designation as a Historic District, explain to the owners thereof the potential effects of designation as known to the Commission at that time
- Make recommendations regarding rezoning of a Historic District to the Planning and Zoning Commission and City Council.
- Propose design guidelines appropriate to individual Historic Districts.
- Annually prepare a written report of Commission activities and submit it to the City Council and the State Historic Preservation Office (SHPO). These reports shall be available for public review.
- Maintain and update, as needed, a work program for historic preservation.



HPC Commissioners at the Purtymun House

"The City Historic Landmark Program will protect and celebrate historic sites."

-Sedona Community Plan, p. 15

Advisors and Advocates

- Increase public awareness of the values of historic, cultural, archaeological and architectural preservation, by developing and participating in public education programs and publications.
- Assist property owners, on request, on the restoration, rehabilitation, alteration, decoration, landscaping, or maintenance of any historic resource.
- Cooperate with and enlist the assistance of persons, organizations, foundations and public agencies in matters involving historic preservation, renovation, rehabilitation and reuse, with City Council approval as appropriate.
- Work with and assist departments of the city in matters affecting historic preservation and related publicity.
- Encourage and assist property owners of historic properties on procedures for inclusion on state historic listings and the National Register of Historic Places.
- When City Council approval is appropriate, make recommendations to the City Council regarding the acquisition of property suitable for preservation. Such acquisition may include the purchase or acceptance of donated property.
- Make recommendations to the City Council regarding the utilization of federal, state, city or private funds to promote historic preservation.
- Make recommendations to the City Council to accept gifts, grants, funds, contributions, and bequests from individuals and public and private entities, agencies, foundations, trusts, corporations, and other organizations or institutions.

“Support and provide education programs, projects, and events that promote Sedona’s unique cultural heritage and increase public awareness and appreciation of historic sites and the City Historic Landmark Program.”

-Sedona Community Plan Policy

Research & Record

The Historic Resource Survey

The City of Sedona Historic Resource Survey is a compilation of completed surveys of historic resources in the city. The city’s survey form is based on the format of the State Historic Preservation Office’s Historic Property Inventory Form and addresses the National Register of Historic Places and city landmark criteria.

The Historic Resource Survey is made up of two parts, Section I is the Historic Landmarks Inventory which includes detailed information about each Landmark. Section II, the Surveyed Sites includes a 46 surveys of historic properties in the city.

The Historic Register is an abbreviated version of the Historic Landmark Inventory (see Appendix A).

Additional Commission Duties:

- Recommend additional properties to survey.
- Conduct surveys and detailed studies of additional properties and areas.
- Assess the potential for designation of additional properties or districts.
- Consider deletion of any properties that may no longer exist or have been irreversibly altered to the detriment of their historic character and integrity.

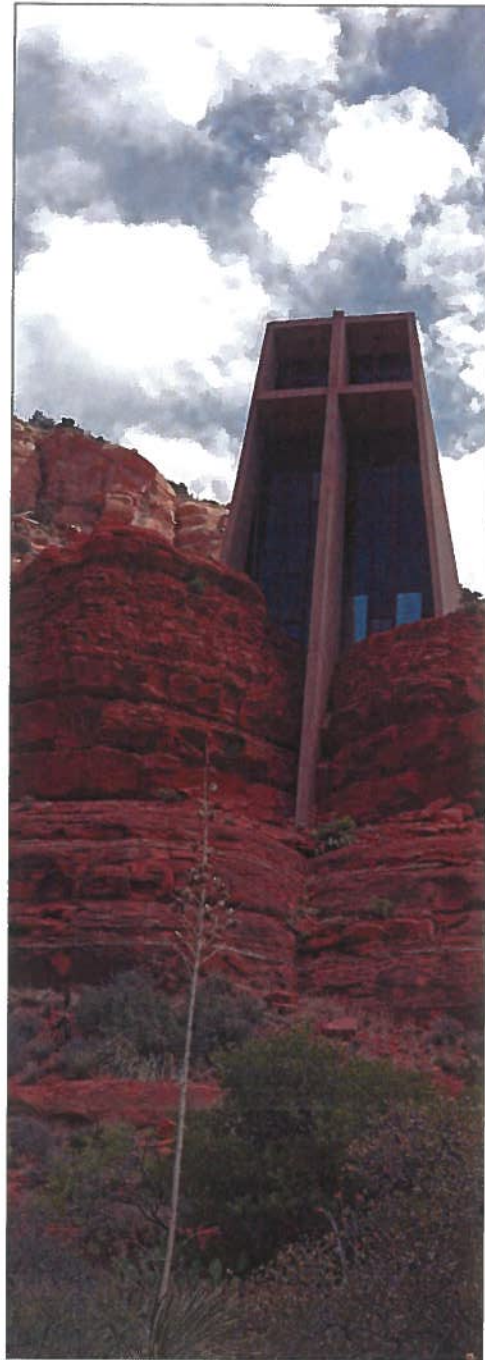
Landmark Incentives

The intent is to make ownership of a landmark or contributing property as beneficial as possible. In addition to the intangible benefits of owning a historic resource with community importance, the Commission may, when applicable and possible, provide such owners with 1 or more of the following:

- Recommendation to the Department of Community Development that an alternate use be considered;
- Advice in locating potential sources of financial assistance and tax credits;
- Advice in preparing grant applications and potential third party sponsorship;
- Advice in routine or emergency technical information and referrals;
- Advice in the formulation of a neighborhood preservation or historic district;
- Advice in obtaining other benefits as may become available;
- Waiver of fees. Fees for applications may be waived or reduced by the Director upon a request from the property owner, or an authorized agent or by the Commission, if it is determined that such a waiver or reduction of fees would further the goals of the historic preservation program (see page 2).

“Create incentives, tools, and programs that preserve historic sites, such as the transfer of development rights, allowing adaptive uses of historic structures, and a public/private partnership fund.”

-Sedona Community Plan Policy, p.106



The Chapel of the Holy Cross

Commission Membership

- The members of the Commission shall be appointed by the Mayor and Council.
- The Commission shall be composed of 7 members, 5 of whom shall be residents of the city, and up to 2 who need not be residents of the city; provided, that the City Council finds at the time of their appointment that they have substantial ties within the corporate limits of the city, such as owning real property, owning a business, being employed within the city limits, or based on any other activities and factors deemed relevant by the Council.
- Prospective members should have demonstrated significant interest in and commitment to the field of historic preservation, evidenced either by involvement in a local historic preservation group, current nonconflicting or previous employment or volunteer activity in the field of historic preservation, or demonstrated serious interest in the field.
- To the extent possible, it is desirable that at least 2 members be current or previous professionals in the areas of architecture, history, planning or archaeology.
- Immediately prior to assumption of the duties of office, each member shall take and subscribe to the oath of office.
- All Commission members shall serve without pay, except that members may be reimbursed for actual expenses incurred in connection with their duties, upon authorization.
- The Commission shall adhere to the rules, policies, and procedures as outlined in the City of Sedona Commission Handbook.

Commissioners Term of Office

- Membership appointment to the Commission shall be for a period of 3 years. Terms shall be staggered so that no more than 3 members' terms shall expire in any given year.
- All terms shall begin on December 1 and shall end on November 30 or until a successor is appointed and qualified.
- In the event of a resignation, removal or death of a member, the Council shall fill the vacancy for the unexpired term.
- The Council by a majority vote may remove any member of the Commission as otherwise provided by ordinance or the City Code.



Commission Officers

- The members of the Commission shall elect from among themselves a Chairperson and a Vice Chairperson.
- Officers shall serve a 1-year term and until their successors are elected.
- Officers may serve successive terms, if so chosen by the Commission.
- The Chairperson shall preside at meetings and execute their duties as set forth in the City of Sedona Commission Handbook, the Land Development Code and this Handbook.
- The Chairperson shall serve as liaison with the city staff.
- The Vice Chairperson shall perform the duties of Chairperson in the latter's absence or disability.
- The members shall fill a vacancy in either office for the unexpired term through a new election.

Commission Meetings

- The Commission shall meet a minimum of 4 times per year, and more often if needed.
- Four members shall constitute a quorum. The affirmative vote of the majority of members present shall be required for passage of any matter before the Commission. Any member may abstain from voting on a matter by declaring a conflict of interest, in which case such member shall step down and take no part in discussions or deliberations on that matter.
- All meetings of the Commission shall be open to the public and noticed as provided by Arizona law.
- Minutes shall be kept of all meetings. The minutes shall include all issues considered and shall record the individual votes of members on each action item.

References

National

National Park Service & Historic Preservation:
<https://www.nps.gov/subjects/historicpreservation>

Federal Historic Preservation Laws, Regulations, and Orders:
<https://www.nps.gov/subjects/historicpreservation/laws.htm>

National Register of Historic Places:
<https://www.nps.gov/nr/>

The Secretary of the Interior's Standards for the Treatment of Historic Properties are common sense historic preservation principles and best practices:
<https://www.nps.gov/tps/standards.htm>

State

State Historic Preservation Office
<https://azstateparks.com/shpo/>

City

City of Sedona Community Development
www.sedonaaz.gov/CD

City of Sedona Historic Preservation
<http://www.sedonaaz.gov/your-government/departments/community-development/historic-preservation>

Sedona Community Plan
www.sedonaaz.gov/complan

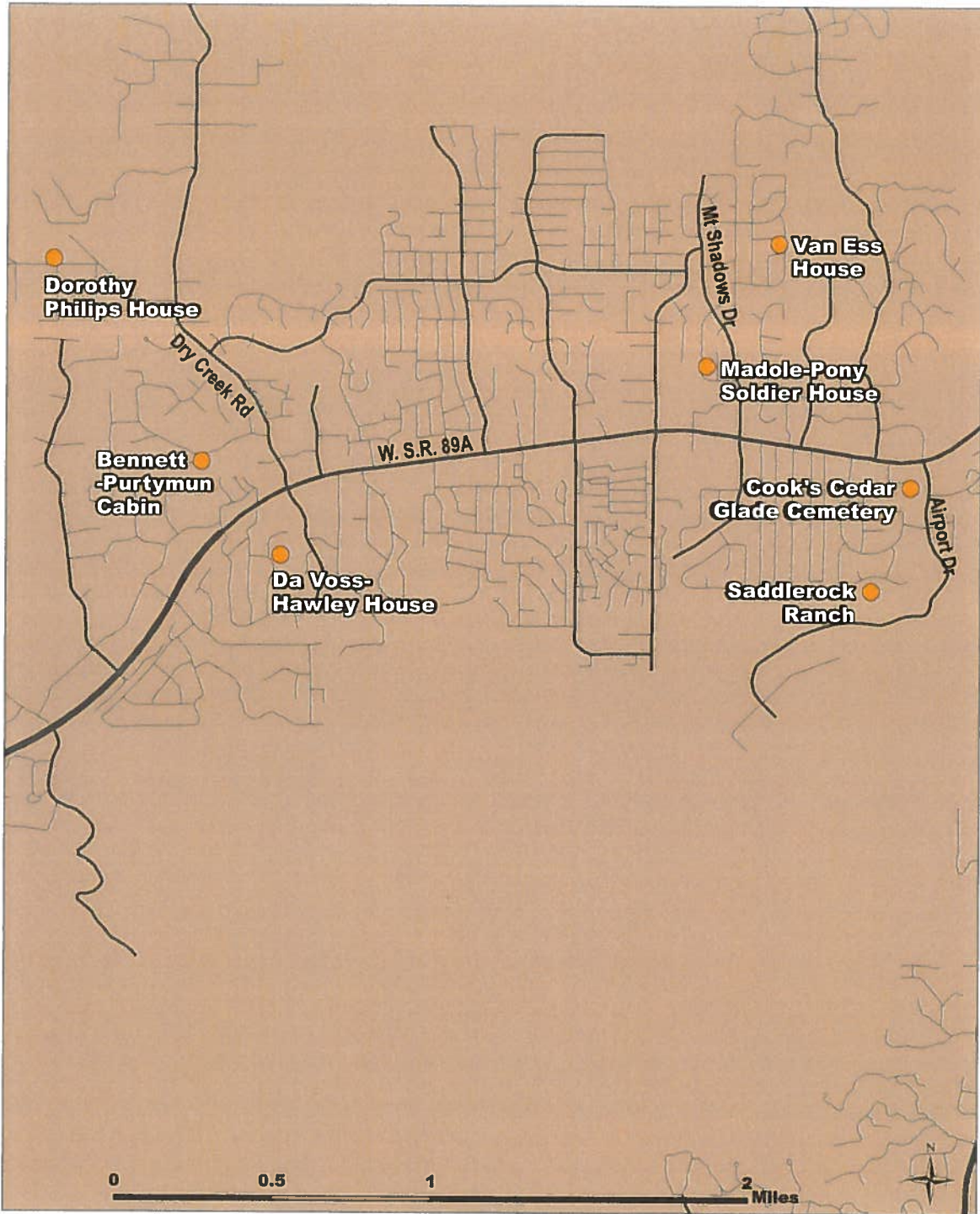
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City of Sedona Historic Landmark Register

<u>Landmark Name</u>	<u>Street</u>	<u>Construction Date</u>
Bennett-Purtymun Cabin	165 Kachina Drive	1922
Chapel of the Holy Cross*	780 Chapel Road	1955-56
Cook Cemetery	115 Airport Road	1918
Da Voss-Hawley House	100 El Camino Grande	1940s
Doodlebug Ranch	10 Ranch House Circle	1936
Farley Homestead	100 Schnebly Hill Road	1925/1932
Gassaway House	35 Gassaway Place	c. 1937
Hart Store*	100 Brewer Road	1926
George Jordan's Sales Building	479 N SR 89A	1939
Jordan Ranch*	735 Jordan Road	1931-1947
Madole House-Pony Soldier	130 Pony Soldier Road	1962
Nininger House	39 Meteor Drive	1959-60
Owenby Ditch	multiple	c. 1880s-early 1900s
Philips, Dorothy House	400 Color Cove Road	1955
Pumphouse*	251 SR 179	1935
Pushmataha Building	360 Brewer Road	1957 or 1960
Ranger Station*	250 Brewer Road	1917/1934
Saddlerock Ranch	255 Rockridge Drive	c. 1950
Van Ess House	280 Zane Grey Drive	1964
Williamson House	340 Smith Road	1953 or 1955

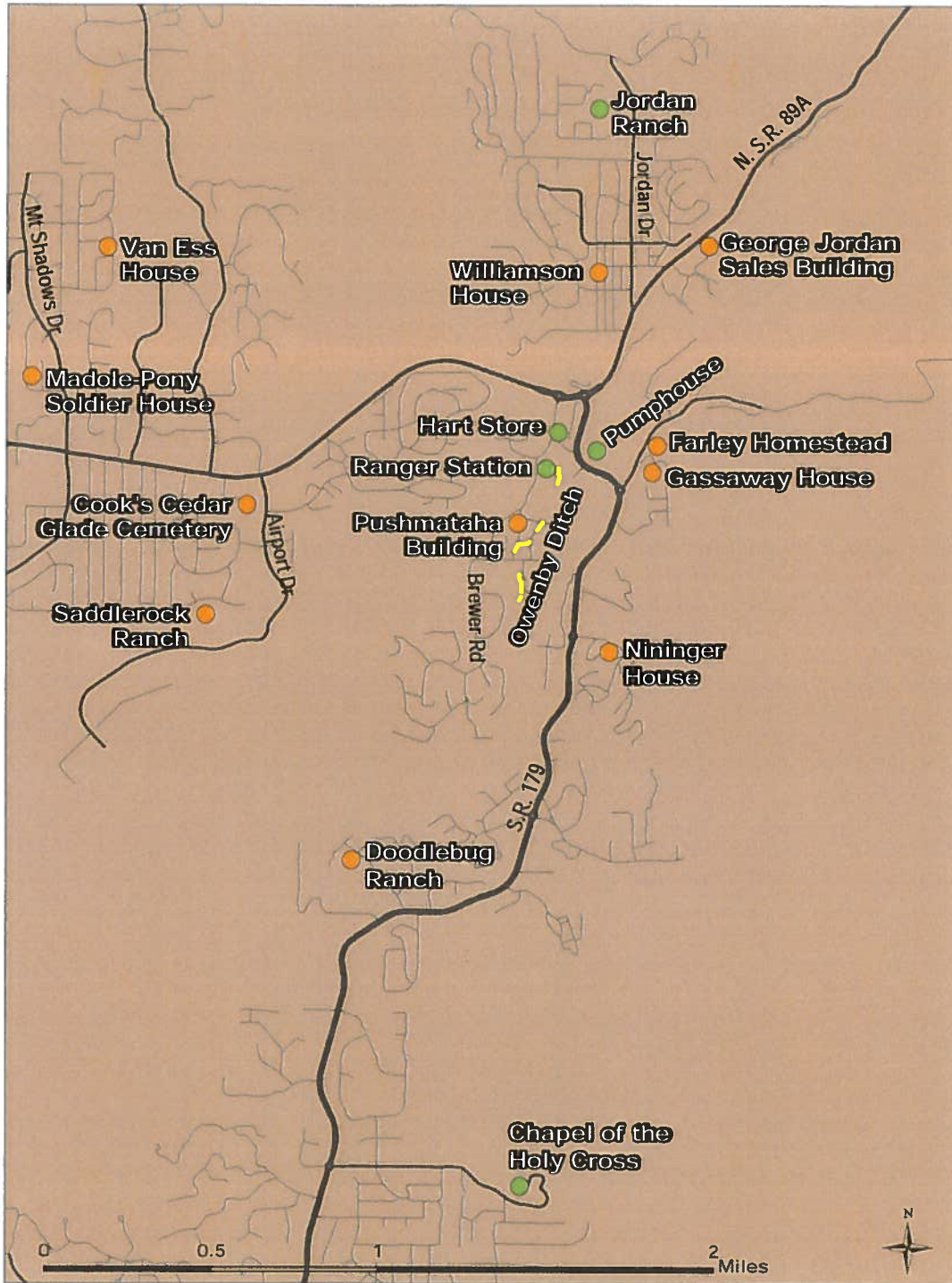
*National Register of Historic Places

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West Sedona Historic Landmarks

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Historic Landmarks in the S.R. 179 Corridor

Note: Landmarks on the National Register of Historic Places are indicated on the map with green markers. The Owenby Ditch Landmarks are shown as a yellow line.

DRAFT

Bennett-Purtymun Cabin

Address:	165 Kachina Drive*	Landmark #:	18
Designation:	City Landmark	County:	Yavapai
Construction Date:	1922; Rebuilt circa 1963	APN:	408-02-077F
Architect/Builder:	Charles Bennett with Elmer Purtymun	Recorded Landmark:	Building only
Historic Use:	Residence	Landmarked Date:	9/4/07
Present Use:	School	Zoning:	RS-35
Owners:	Sedona Charter School	Parcel size:	4.4 acre

The Bennett-Purtymun Cabin was built by Charles Bennett and Elmer Purtymun on a 160-acre homestead in Grasshopper Flat (Harmony Hills) that was patented by Marvin Bennett in 1924. All the logs were hauled by wagon and team from the Soldiers Wash Basin. In 1963, when the Harmony Hills Subdivision was being built, the cabin was moved log-by-log and reassembled in its present location. This well-preserved cabin is the second oldest building in Sedona and the oldest standing log cabin.



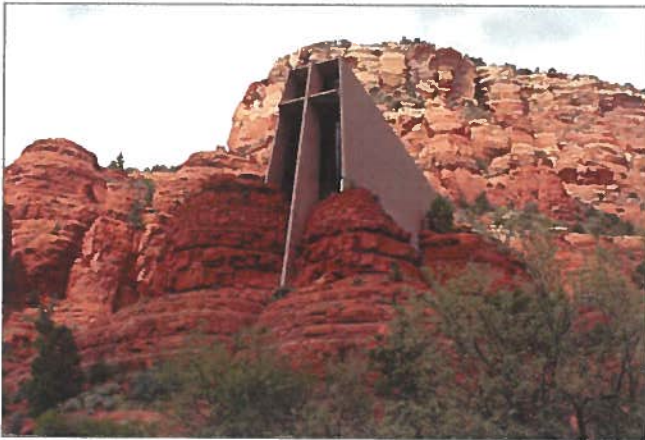
2014



Chapel of the Holy Cross

Address:	780 Chapel Road	Landmark #:	19
Designation:	City Landmark and National Register	County:	Coconino
Construction Date:	1955-56	APN:	n/a (USFS)
Architect/ Builder:	Anshen & Allen Architects Marguerite Staude	Recorded Landmark:	Property
Historic Use:	Chapel	Landmarked Date:	2008 City Landmark 2011 National Register
Present Use:	Chapel with gift shop	Zoning:	National Forest
Owner:	U.S. Forest Service, leased to Catholic Diocese of Phoenix.	Parcel size:	11 acres

At a national level of significance for its architectural design, materials and location. An extraordinary architectural achievement for its time, distinguished by the integration of the building into the rock formations which support it and the cruciform design of the sandblasted crosselement which forms the apse (rear) wall of the chapel. Built as a memorial chapel in memory of artist Marguerite Brunswick Staude's parents, it has always been open to the public. Church services are no longer conducted at the chapel. The nomination includes the chapel and the serpentine ramp which accesses the chapel along with the engaged benches.



2014



DRAFT

Cook's Cedar Glades Cemetery

Address:	115 Airport Rd	Landmark #:	12
Designation:	City Landmark	County:	Yavapai
Construction Date:	Earliest burial ca. 1918	APN:	408-26-003
Architect/ Builder:	Jay Cook	Recorded Landmark:	Property
Historic Use:	Cemetery	Landmarked Date:	11/21/2005
Present Use:	Cemetery	Zoning:	RS-12
Owner:	Sedona Historical Society	Parcel Size:	0.48 acres

First used as a burial site circa 1918 during the "Spanish" flu epidemic. These early gravesites are unmarked. In 1928, Henry Cook homesteaded 160 acres, and the existing graves were located on his homesteaded land. In 1930 Cook fenced off the site as a permanent cemetery and it has been in active use since. The burials are limited to those individuals related to the early residents of Sedona or their descendants.

Burials include Sedona Schnebly and her husband Theodore Carleton (T.C.) Schnebly, and their daughter Pearl Schnebly; and the following families: Brewer, Cook, Hedges, Parker, Pirtle, Purtyman, Smith, Thomas and Van Deren.



2014



DRAFT

DaVoss - Hawley House

Address:	100 El Camino Grande	Landmark #:	14
Designation:	City Landmark	County:	Yavapai
Construction Date:	1940s	APN:	408-11-090D
Architect/ Builder:	Kenneth Da Voss	Recorded Landmark:	Parcel
Historic Use:	Residence	Landmarked Date:	February 7, 2007
Present Use:	Residence	Zoning:	RS-12
Owner:	Susan Linn Hawley	Parcel Size:	1.047 acre

Kenneth DaVoss was an early Sedona real estate developer. The Roberts and the Hawley family were all mid-20th century contributors to Sedona development and the community. The home's architectural style and native rock construction are significant.



2008



2014

DRAFT

Doodlebug Ranch

Address:	10 Ranch House Circle	Landmark #:	21
Designation:	City Landmark	County:	Coconino
Construction Date:	1936	APN:	401-44-046
Architect/ Builder:	Roe Smith	Recorded Landmark:	Parcel
Historic Use:	Ranch	Landmarked Date:	2009
Present Use:	Residence	Parcel Size:	0.9 acre
Owner:	Warren and Patricia Zeitlin	Zoning:	RS-10b

The house was built for Ralph and Dudy Thomas by Roe Smith and Al Nuanez. Tony and Marguerite Staude acquired the ranch in 1941 (builders of the Chapel of the Holy Cross). Example of Craftsman style with modern alterations and additions. River rock construction typical of early stone structures.



2009



DRAFT

Farley Homestead

Address:	100 Schnebly Hill Road	Landmark #:	10
Designation:	City Landmark	County:	Coconino
Construction Date:	Cabin 1925, House 1932	APN:	401-11-003L
Architect/ Builder:	Bill Steele	Recorded Landmark:	Parcel
Historic Use:	House: Residence Cabin: Cabin, garage	Landmarked Date:	2001
Present Use:	Residence/Rental	Zoning:	T-12
Owner:		Parcel Size:	0.9 acre

Joseph & Sarah Farley homesteaded 85 acres from 1902-1915; moved away and returned in 1924. Re-purchased property with son-in-law, Will Steele. Original house burned but the later house and cabin remain. The context provided by the site may be its most important historic feature.



2013

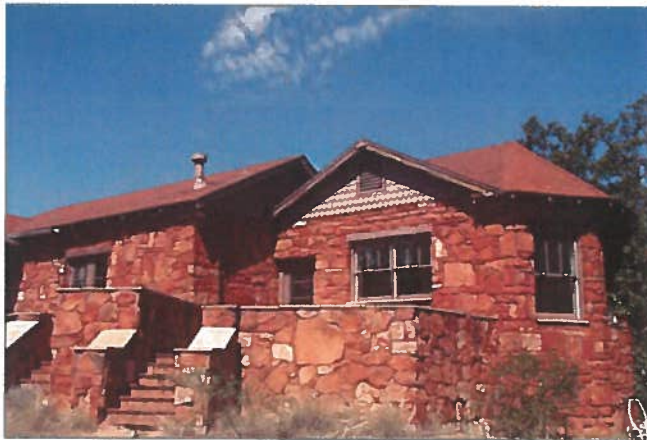


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Gassaway House

Address:	35 Gassaway Place	Landmark #:	6
Designation:	City Landmark	County:	Coconino
Construction Date:	ca. 1937	APN:	401-82-010
Architect/ Builder:	Dr. Gassaway	Recorded Landmark:	Parcel
Historic Use:	Residence	Landmarked Date:	1999
Present Use:	vacant (2015)	Zoning:	PRD
Owner:	RRC Sedona LLC	Parcel Size:	0.349 acres

Significant in the economic development, community planning and architecture of Sedona. Contemporary Folk Style/Arts and Crafts house, built by Dr. Frank Gassaway (of Gassaway Drugs) on a hill above Schnebly Hill Road. Built with local stone from the property, with 18" thick walls, a combination of poured concrete and wood floors, and built around an interior courtyard.



2013



2014

DRAFT

Hart Store

Address:	100 Brewer Road	Landmark #:	11
Designation:	City Landmark and National Register	County:	Coconino
Construction Date:	1926	APN:	401-18-062
Architect/ Builder:	Ed Black/Frank Jackson	Recorded Landmark:	Building and yard
Historic Use:	Store, gas station	Landmarked Date:	National Register: 2007 City: 2002
Present Use:	Store: Hummingbird House	Zoning:	C-1
Owner:	Annemarie Hunter	Parcel Size:	0.2 acre

The general store opened in 1926 at what was the primary crossroad and original commercial core of Sedona. Possibly the first building in Sedona with electricity, the first telephone, and first gas station. After the realignment of State Routes 89A and 179, the store relocated to the “Y” in 1940. The building was then converted to a residential duplex for store employees. The renovation and relocation signify the change in the location of Sedona’s commercial district to “Uptown”.



2017



date:

DRAFT

Jordan Ranch

Address:	735 Jordan Road	Landmark #:	1-3
Designation:	City Landmark and National Register	County:	Coconino
Construction Date:	1931, 1937, 1947	APN:	401-03-001F
Architect/ Builder:	Walter and Ruth Jordan	Recorded Landmark:	Structures
Historic Use:	Residence	Landmarked Date:	City: 1998 National: 2004
Present Use:	Sedona Heritage Museum	Zoning:	CF
Owner:	City of Sedona Museum managed by Sedona Historical Society	Parcel Size:	3.6 acres

Early farm and orchard development, contributed to local commerce and community reputation as one of state's best fruit producing areas. Built in three phases, 1931, 1937 & 1947. Includes last 3.7 acres of 160 acre irrigated commercial orchard farm. Site was homesteaded ca. 1919 by J. F. Thompson, and Will Jordan purchased it, later turning over to son Walter, home of Walter and Ruth Jordan. Good example of vernacular ranch style and local red rock construction.



House, 2014



Tractor Shed, 2014



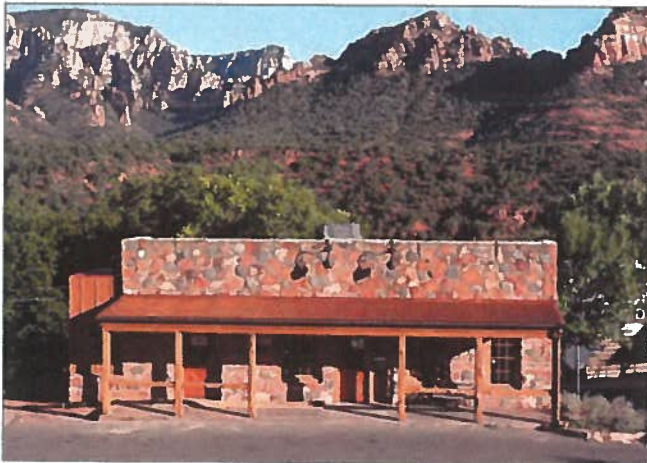
Packing Shed, 2014

DRAFT

George Jordan - Sales Building

Address:	470 N. State Route 89A	Landmark #:	5
Designation:	City Landmark	County:	Coconino
Construction Date:	1939	APN:	401-13-019
Architect/ Builder:	George Jordan	Recorded Landmark:	Building
Historic Use:	Retail fruit sales and cold storage	Landmarked Date:	1999
Present Use:	Gateway Cottage Wellness Center	Zoning:	C-1
Owner:		Parcel Size:	0.17 acre

Built by George Jordan as retail outlet for fruit produced and marketed in co-op with local orchard farmers. Best remaining example of red sandstone commercial building of the 1930s. Roadside landmark of early Sedona (1940-50s).



2016



Date of photo unknown

DRAFT

Madole House - Pony Soldier

Address:	130 Pony Soldier Rd.	Landmark #:	17
Designation:	City Landmark	County:	Yavapai
Construction Date:	1962	APN:	408-05-118
Architect/ Builder:	Howard Madole	Recorded Landmark:	Property
Historic Use:	Model home for Sedona West Subdivision	Landmarked Date:	2007
Present Use:	Residence	Zoning:	RS-10a
Owner:	Jill Sands	Parcel Size:	0.22 acre

Built in 1962 as one of the first homes in the Sedona West subdivision developed by Jim and Edith Geary. Madole house, model home for "Sedona West" subdivision, one of Sedona's first developments. Designed and built by Howard Madole, mid-20th century Sedona architect and the first in town to use modern design and building materials.



2016



2009

DRAFT

Nininger House

Address:	39 Meteor Drive	Landmark #:	20
Designation:	City Landmark	County:	Coconino
Construction Date:	1959-60	APN:	401-22-010E
Architect/ Builder:	Howard Madole	Recorded Landmark:	Property
Historic Use:	Residence	Landmarked Date:	2009
Present Use:	Residence	Zoning:	RS-10b
Owner:	Megan Smith	Parcel Size:	1.43 acres

Designed and built by Howard Madole, mid-20th century Sedona architect and the first in town to use modern design and building materials. Dr. Harvey H. Nininger, considered the father of the science of meteorites.



2016



DRAFT

Owenby Ditch

Address:	Multiple	Landmark #:	16
Designation:	City Landmark	County:	Coconino
Construction Date:	c. 1880s to early 1900s	APN:	9 parcels
Architect/ Builder:	Frank & Nancy Owenby, and others over time	Recorded Landmark:	Ditch (10' each side of centerline)
Historic Use:	Irrigation ditch	Landmarked Date:	2007
Present Use:	Irrigation ditch	Zoning:	RS-10b
Owner:	Multiple	Parcel Size:	n/a

Frank and Nancy Owenby were the first people to ‘prove-up’ on a homestead in Sedona. They built this irrigation ditch across their property. The importance of ditches to early farming and orcharding is a significant local historical element. The ditch is still active.



L'Auberge 2014



Newcastle Lane, 2014

DRAFT

Dorothy Philips House

Address:	400 Color Cove Road	Landmark #:	24
Designation:	City Landmark	County:	Yavapai
Construction Date:	1955	APN:	408-02-097H
Architect/ Builder:	Weaver and Drover	Recorded Landmark:	Property
Historic Use:	Residence	Landmarked Date:	2012
Present Use:	Residence	Zoning:	RS-70
Owner:	Peter and Dellann Heisinger	Parcel Size:	3.17 ac

This home was built in the mid 1950's when there were approximately 500 people living in the Sedona area, development was scattered, and there were just a few subdivisions. This period of settlement in the late 1940's to mid- 1950's was unique due to the filming of western movies in and around Sedona, cattle ranching, and the character of the individuals who were drawn to the area.



2007



Date of photo unknown

DRAFT

Pumphouse

Address:	251 SR 179	Landmark #:	9
Designation:	City Landmark National Register (with Ranger Station)	County:	Coconino
Construction Date:	1935	APN:	401-68-999
Architect/ Builder:	Civilian Conservation Corps	Recorded Landmark:	
Historic Use:	Pumphouse	Landmarked Date:	1999
Present Use:	Unused	Zoning:	
Owner:	Creekside/Artesania HOA	Parcel Size:	1 acre

Constructed by the Civilian Conservation Corps to serve the Forest Service Ranger Station, Hart ranch, school and others. One of the best-preserved examples of cobblestone Bungalow design.



2014



DRAFT

Pushmataha

Address:	360 Brewer Road	Landmark #:	15
Designation:	City Landmark	County:	Coconino
Construction Date:	1957 or 1960?	APN:	401-20-028A
Architect/ Builder:		Recorded Landmark:	Property
Historic Use:	Retail & home	Landmarked Date:	2007
Present Use:	Office	Zoning:	RS-10b
Owner:	Keep Sedona Beautiful (KSB)	Parcel Size:	1.32 acres

Part of Sedona’s commercial/retail development history. Old West false front architectural style. Harold and Christine Strohm built as retail gallery and museum. Now offices for KSB and meeting hall available for rent to community groups.



2014



2013

DRAFT

Ranger Station

Address:	250 Brewer Road	Landmark #:	7
Designation:	City Landmark and National Register	County:	Coconino
Construction Date:	House 1917 Barn 1934	APN:	401-38-013D
Architect/ Builder:	U.S. Forest Service	Recorded Landmark:	Yes
Historic Use:	Residence, Barn	Landmarked Date:	City: 1999 National: 2008
Present Use:	Vacant	Zoning:	CF
Owner:	City of Sedona	Parcel Size:	3.36 acres

Significant for the importance of Forest Service as employer and contributor to Sedona’s community and economic development. House built by Ranger Jesse Bushnell in a style and of materials representative of the era and government standards. Oldest surviving structure within the City limits. Barn constructed by the Civilian Conservation Corps to Forest Service standard plan for a barn. Originally housed Forest Service livestock, feed and tackle.



2017



DRAFT

Saddlerock Ranch

Address:	255 Rockridge Drive	Landmark #:	4
Designation:	City Landmark	County:	Yavapai
Construction Date:	ca. 1950	APN:	408-26-076
Architect/ Builder:	Elmer Purtymun & Gene Leonard	Recorded Landmark:	
Historic Use:	Residence/B&B	Landmarked Date:	1998
Present Use:	Inn	Zoning:	RS-12
Owner:	Arna Vodenos	Parcel Size:	1.30 acres

Movie stars and directors stayed at Ellinger’s Saddlerock Ranch during the filming of many 1940s and 1950s Westerns. Ellinger leased horses to film crews. Unique contemporary example of vernacular ranch style red rock structure using large expanses of glass.



2017



DRAFT

Van Ess House

Address:	280 Zane Grey Drive	Landmark #:	23
Designation:	City Landmark	County:	Yavapai
Construction Date:	1964	APN:	408-06-090
Architect/ Builder:	Donald Theodore Van Ess	Recorded Landmark:	Property
Historic Use:	Residence	Landmarked Date:	2010
Present Use:	Residence	Zoning:	RS-10a
Owner:	Diane Geimer	Parcel Size:	0.54 acres

This home was one of the first built in the 231-lot Sedona West Subdivision, developed and platted in November 1960 by Edith and Jim Geary. The home was one of several featured in the marketing brochure by the developers. Designed by Arizona architect Donald Theodore Van Ess.



2016



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Williamson House

Address:	340 Smith Road	Landmark #:	13
Designation:	City Landmark	County:	Coconino
Construction Date:	1953 or 1955	APN:	401-16-045A
Architect/ Builder:	Unknown	Recorded Landmark:	Property
Historic Use:	Residence	Landmarked Date:	2006
Present Use:	Residence and B&B	Zoning:	RS-6
Owner:	Debra J. Beck	Parcel Size:	0.22 acres

Dr. Williamson retired to Sedona and ran an informal medical practice from his garage, thus he could be considered Sedona’s first doctor. The home’s architectural style and native rock construction are also significant. Perhaps first house in Sedona’s first platted development, the Sedona Subdivision.



2009



2016