

**CITY OF KINGMAN**  
**WORK SESSION OF HISTORIC PRESERVATION COMMISSION**  
**Council Chambers**  
**310 N. 4<sup>th</sup> Street**

5:00 P.M.

Minutes

Monday, June 22, 2015

<b>Members:</b>	<b>Officers:</b>	<b>Visitors Signing In:</b>
D. Wagner, Chair	B. Shilling, Grant Administrator	None
M. Glancy, Vice-Chair	Mark Wimpee, Sr., Council Liaison - ABSENT	
L. Hansen	E. Roper, Recording Secretary	
E. Hatcher - ABSENT	R. Ruggles, Principal Planner	
A. Florisi	S. Shaffer, Planner	
N. Russell		
Vacant		

**WORK SESSION**

**CALL TO ORDER & ROLL CALL**

Vice-Chair Glancy called the meeting to order at 5:02 P.M. Five commissioners were present. Commissioner Hatcher was absent.

**Work Session Agenda.** All work-session items listed are for discussion only, no action can or will be taken. The primary purpose of a work session meeting is to provide the Commission with an opportunity for in-depth discussion and study of specific subjects. Public Comment is not provided on the work-session agenda and may be permitted only by invitation and consensus approval of the Commission. In appropriate circumstances, members of the public may participate in the discussion of an agenda item only when invited to do so by the Commission Chair. The Commission Chair may limit the time for invited speakers to make their presentation or discussion.

**1. Downtown Historic District Boundaries**

The commission will discuss the process, timeframe and legalities of the district and their role in the process.

City of Kingman Principal Planner Rich Ruggles stated the historic overlay district ordinances were provided to the commission, including a single page that corrected a typographical error on page 232. Mr. Ruggles stated the provided map showed the current boundaries and clarified that the historic overlay was a C-3 zoned design review district, not a use district. Mr. Ruggles stated a person applying for a building permit in the district had to follow a specific process that was detailed on page 228. Mr. Ruggles stated the Historic Design Review Board was called as needed and consisted of three Historical Preservation Commission (HPC) members, three Planning & Zoning Commission (P & Z) members and one councilmember. Mr. Ruggles stated the board has only been called once in the last 20 years due to the small size of the

district. Mr. Ruggles recommended forming a subcommittee with the P & Z Commission if the HPC was interested in expanding the district's boundaries.

Chair Wagner asked for an explanation of entertainment districts.

Mr. Ruggles stated any new zoning district could be created and applied to a specific area. Mr. Ruggles stated an entertainment district would dictate what businesses were and were not allowed in an area.

Commissioner Florisi stated Cottonwood, Arizona was a good example of separating the downtown area from the main commercial areas.

Grant Administrator Bill Shilling stated the first step in the process would be to propose options for the expanded boundaries and then create accompanying ordinances.

## **2. HPC Major Projects**

The commission will discuss options for a walking tour, fundraisers and the Miner's Monument at the BNSF Kingman Depot.

Mr. Shilling stated the Kingman Area Chamber of Commerce would include the commission's QR codes on the next printing of the walking tour map. Mr. Shilling stated the commission needed to get permission from property owners for the additional information.

Commissioner Russell stated the Miner's Monument was ready to be completed.

Chair Wagner asked if the commission would need a permit.

Mr. Shilling stated the commission would not need a permit as the erection of the monument was built into the train depot rehabilitation plans.

Chair Wagner stated the Miner's Monument should be the commission's top priority.

Mr. Shilling stated the next priority should be the walking tour. Mr. Shilling stated the nature trail at Palo Christi School was another possible project.

Commissioner Hansen asked if the trail was being maintained.

Chair Wagner stated the trail was not being maintained and the commission should look for an organization to sponsor the trail.

Commissioner Florisi stated the trail should be incorporated into the walking tour.

Mr. Shilling suggested fundraising for alterations to the Metcalfe Park fence.

Chair Wagner stated the fence was painted since the last meeting and Nucor Steel stated they

could build something to attach to the top of the fence such as the silhouette of a train.

Commissioner Florisi stated adding to the fence could make it more noticeable. Commissioner Florisi stated the commission needed bigger projects geared towards revitalization of Downtown and asked if the commission had a budget.

Mr. Shilling stated the commission had \$10,000.

Commissioner Florisi stated she would like to see a small part of the money turned into a matching grant program to beautify downtown, such as repainting the medallion across from Redneck's Barbecue. Commissioner Florisi stated the commission would have to create a set of guidelines to regulate the program.

Commissioner Hansen stated the commission needed to make sure it was not duplicating work other community organizations were taking on. Commissioner Hansen stated the commission should attend the Downtown Merchants Association meeting and other community organizations.

### **3. Historic Property Oversight**

The commission will discuss ordinance development, implementation, alterations, themes, signage, maintenance and enforcement.

Mr. Shilling stated the commission needed to have a voice in any project that took place in the historic overlay district, such as the Metcalfe Park fence. Mr. Shilling stated the commission's current recourse was to report any issues to the State Historic Preservation Office. Mr. Shilling stated the Building Department was currently identifying and condemning hazardous properties in town, which could result in the City demolishing the structure and placing a lien on the property. Mr. Shilling stated demolition was not the best outcome in terms of the commission's goal, but it was an effective tool to addressing hazards. Mr. Shilling stated the sooner the commission identified new boundaries for the historic overlay district the sooner it would be able to participate in the abatement of hazard properties.

Commissioner Russell stated a portion of the Beale Hotel was demolished and the land was being prepared for paving. Commissioner Russell asked if the commission should have been involved in the review.

Mr. Shilling stated it should have been reviewed by the commission. Mr. Shilling stated the commission may still be able to address the property owners and offer assistance in beautifying the completed parking lot. Mr. Shilling stated Beale Hotel could be condemned in the near future and would be demolished if no action occurred.

Chair Wagner asked why the current overlay district guidelines were not enforced.

Mr. Shilling stated it was most likely due to lack of knowledge of the district and the district's small size. Mr. Shilling stated if the permit for the parking lot was already approved the

commission would not be able to address it. Mr. Shilling stated the commission needed to identify themes and architecture that were important in Downtown.

Commissioner Florisi stated many groups wanted to preserve one aspect over another, but Route 66 needed to be incorporated into Downtown as it was the main tourism attraction.

Mr. Shilling stated it was important to remember every downtown was either changing and growing or degrading.

Chair Wagner stated she would be happy with a beautified and clean Downtown.

Mr. Shilling stated local artists had given suggestions on filling windows in vacant Downtown buildings. Mr. Shilling stated another commission project could be working to obtain permission from the property owners.

Commissioner Russell stated many community groups were also talking about the same idea.

Mr. Shilling recommended sending a representative from the HPC to the meetings.

Commissioner Hansen invited citizen Cere Tabbert to talk about the America's Best Communities (ABC) Competition.

Ms. Tabbert stated many different groups in Kingman were duplicating efforts. Ms. Tabbert stated the ABC committee wanted to ensure efforts were not duplicated and wanted to document projects in order to submit them with the competition application.

Mr. Shilling stated the Council denied funding for an economic development coordinator/Downtown coordinator position. Mr. Shilling stated the commission could recommend the Council fund this position in the next budget cycle. Mr. Shilling stated the position would be modeled after the Mainstreet Program and would allow one person to coordinate efforts.

Commissioner Florisi stated mid-century properties were on the cusp of historical designation and the commission needed to start considering those properties.

Chair Wagner directed Mr. Shilling to create three options for extending the district boundaries. Chair Wagner stated some of the property south of the railroad tracks should be included in the options.

#### **4. Downtown Activities & Events**

The commission will discuss participation in Downtown activities as well as Downtown stakeholder and community building efforts.

Commissioner Hansen stated the Mohave County Courthouse and Bonelli House 100 year celebration was scheduled for August 7<sup>th</sup>, 2015. Commissioner Hansen stated she would talk to

court employee Kip Anderson about the celebration.

Chair Wagner encouraged the commissioners to attend social events as well as community organization meetings.

**5. 2015-16 Goals and Objectives**

The commission will define goals and objectives, allowable uses for budgeted funds and discuss the status of recruitment efforts.

Chair Wagner stated item "5" was covered in the above items.

Mr. Shilling asked Commissioner Russell to have the plans for the Miner's Monument available at the next Regular Meeting.

Commissioner Florisi made a MOTION to ADJOURN. Commissioner Hansen SECONDED and it was APPROVED by a vote of 5-0.

**ADJOURNMENT – 6:35 P.M.**

APPROVED:

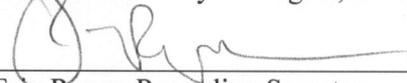
  
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D. Arrey Wagner *Laura Hansen*  
Historic Preservation Commission Chairperson

STATE OF ARIZONA)  
COUNTY OF MOHAVE) ss:  
CITY OF KINGMAN)

**CERTIFICATE OF HISTORIC PRESERVATION COMMISSION**

I, Erin Roper, Recording Secretary of the City of Kingman, Arizona, hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Work Session of the Historic Preservation Commission held on June 22, 2015.

Dated this 25<sup>th</sup> day of August, 2015

  
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Erin Roper, Recording Secretary



## PROPOSITION 207

*Passed in 2006 (ARS 12-1134 )*

**Eminent domain** is the power of the government to take private property for public use or redevelopment. Proposition 207 redefined the rights of a property owner when the state or a local government exercises this power. (Prop 207 rights were in addition to their existing statutory and constitutional rights.)

***Proposition 207 requires local governments to compensate a private property owner if the value of a person's property is reduced by the enactment of a land use law.*** A land use law regulates the use or division of land, such as municipal zoning laws.

Prop 207 is the reason why "downzoning" or changing zoning to permit less intensive development is difficult to accomplish in Arizona. Property owners must either waive their entitlements voluntarily or be compensated for the reduction in value of their property. Compensation is an expensive option for local governments in many cases.

Examples of downzoning would be:

- Taking away the ability to build an office building in favor of single family homes
- Reducing the density of housing units from 8 units per acre to 3 units per acre
- Reducing the maximum allowable building height from 65' to 35'.

2. **Historic District Sign Code:** The appearance, color, size, position, method of attachment, texture of materials and design of such signs shall be in keeping with the collective characteristics of the structures located within the historic district.
  - a. New off-site signs shall not be permitted.
  - b. Commercial signs shall be limited one (1) sign only for each street frontage per premises. Businesses having frontage on more than two (2) streets will be allowed a total of two (2) signs. Freestanding signs shall be prohibited.
  - c. Maximum area of any sign shall be two-hundred (200) square feet.
  - d. No sign may extend above the top of the nearest façade, eaves, or firewall of a building or structure unless existing signs, which integrate historic features of the building already exist as determined by the Planning and Zoning Department.
  - e. Design and materials of signs: Visible bulbs, not exceeding ten (10) watts per bulb, are allowed. Luminous paints, and/or flashing and blinking lights are prohibited. Neon tubing may be allowed if it integrates historic features of buildings already existing as determined by the Planning and Zoning Department.
  - f. Simple signs with natural materials, basically wood, which can be shaped, formed, carved, cut, ground, painted, stained, etc., are good sources for signage in historic districts. In appropriate areas, neon signage may be an important element of the historic fabric.
  - g. Buildings and signs within the historic district may be illuminated by remote light sources, provided that these light sources are shielded to protect adjacent properties and do not project into the sky. Exterior lighting in accordance to OUTDOOR LIGHTING CODE.
  - h. The Planning and Zoning Department may administratively grant exceptions to these requirements where it can be shown that the proposed sign is consistent with the purpose and intent of the historic district and is historically accurate.

### **33.800 DEMOLITION OF STRUCTURES OR SITES IN THE HISTORIC DISTRICT**

1. No permit shall be issued by the Building Inspector for demolition or moving all or any part of a structure or building in a district without approval by the Planning and Zoning Department in cooperation with Engineering and the Building Official. In making its decision, the Planning and Zoning Department should determine whether and to what extent demolition or moving affects any contributing structure within the historic district.
2. The Planning and Zoning Department may approve of the demolition or moving permit if any of the following conditions exist:
  - a. The structure is judged by the Building Inspector to be a hazard to public health or safety and repairs are impossible;
  - b. Such structure is a deterrent to a major improvement program which will be of substantial benefit to the community;
  - c. Retention of such structure would cause undue financial hardship to the owner, which would be defined as a situation where the investment required to retain the structure could not be offset by an increase in the return on the property. Reasonable return shall be the criteria, not maximum possible return.

3. If preservation is found to be feasible:
  - a. The Planning and Zoning Department should not approve a permit for demolition or moving a structure. In such case, notice shall be made by the Historical Preservation Commission to groups or persons interested in historic preservation who may either attempt to convince the owner to preserve the structure for at least five (5) years or if the owner does not so agree to attempt to have the property purchased by someone who will agree to preserve the structure for at least five (5) years.
  - b. If the owner is not convinced to retain the structure and does not make an agreement to that effect, if no one has agreed to purchase it from the owner or if the City has not initiated condemnation proceedings within ninety (90) days after consideration of the Planning and Zoning Department of his application for a demolition permit, the Planning and Zoning Department shall notify the Building Inspector that the issuance of a permit is eligible for approval.

Approval of the Planning and Zoning Department, Historic Design Review Board, or the Common Council of issuance of a permit does not mandate the granting of a permit if the Building Inspector should find reason to deny it under other provisions of other codes adopted by the City of Kingman.

### **33.900 NONCONFORMING STRUCTURES**

Any existing building or structure, including appendages in a preservation district, which does not meet the requirement of these regulations and the specific requirements of the district's criteria, shall be considered nonconforming except for repairs and maintenance required by law. No nonconforming building or structure may be added to or altered in any way, unless the proposed addition or alteration will bring the whole to a higher degree of conformity with design components of its preservation district. Plans for additions or alterations to buildings or structures shall be processed as outlined in this section.