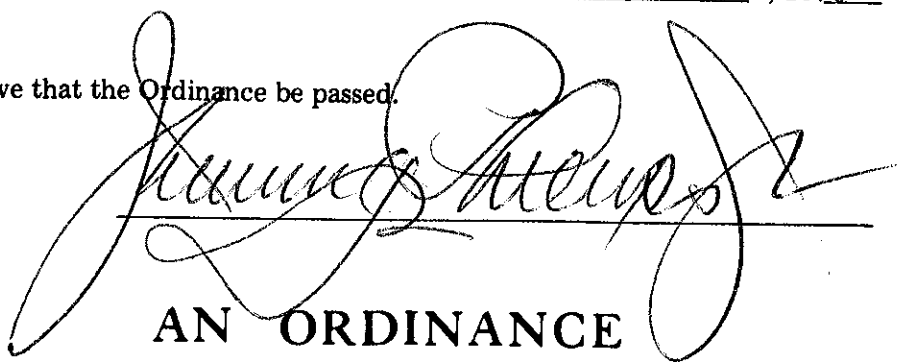


ROLL CALL

Salt Lake City, Utah, April 7, 1976

VOTING	Aye	Nay
Mr. Chairman . . .	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Agraz <i>BA</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Greener	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hogensen	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Phillips	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Result		

I move that the Ordinance be passed.



AN ORDINANCE

AN ORDINANCE AMENDING Title 51 by adding a new Chapter 32 of the Revised Ordinances of Salt Lake City, Utah, 1965, relating to preservation and protection of historic and architecturally significant districts and sites.

Be it ordained by the Board of Commissioners of Salt Lake City, Utah:

SECTION 1. That Title 51 of the Revised Ordinances of Salt Lake City, Utah, 1965, be amended to add a new Chapter 32 relating to preservation and protection of historic and architecturally significant districts and sites which shall read as follows:

*ok p 2
4-7-76*

J.F.J.

CHAPTER 32

HISTORIC DISTRICTS AND LANDMARK SITES

Sections:

- 51-32-1. Purpose.
- 51-32-2. Historic districts and landmark sites.
- 51-32-3. Designation of additional landmark sites and additional historic districts.
- 51-32-4. Relationship to zoning districts.
- 51-32-5. Historical Landmark Committee.
- 51-32-6. Permit or denial planning.
- 51-32-7. Planning action upon application for permit within five months.
- 51-32-8. Development standards.
- 51-32-9. Maintenance of consistent policies.
- 51-32-10. Structure defined.
- 51-32-11. Appeal of planning decision.
- 51-32-12. Hazardous structures; ordinary maintenance and repair.
- 51-32-13. Severability.

"Sec. 51-32-1. Purpose. This chapter is enacted and intended for the purpose of more fully preserving buildings and related structures of historic and architectural significance in districts and sites being among the city's most important cultural, educational and economic assets, and so that the character of the districts and the landmark sites will not be lost through expansion or change of commercial or other activity in the city, and so that said districts and sites will be preserved for the use, observation, education, pleasure and general welfare of the present and future inhabitants of Salt Lake City.

"Sec. 51-32-2. Historic districts and landmark sites.

(1) The South Temple Historic District shall mean that area on both sides of South Temple Street beginning at the intersection of South Temple Street and Third East on the south side and the intersection of South Temple Street and "A" Street on the north side, thence east to the intersection of South Temple Street and Virginia Street is hereby declared an Historic District.

(2) Each site located within Salt Lake City and listed on the National Register of Historical Places or the Utah State Register of Historical Sites as of the effective date of this chapter are hereby declared to be a Landmark Site.

"Sec. 51-32-3. Designation of additional landmark sites and additional historic districts. The City's Planning and Zoning Commission, hereinafter Planning, may recommend additional landmark sites and historic districts. Prior to the designation of such additional landmark sites or historical districts, the City Commission shall hold a public hearing, notice of which shall be published in a newspaper of general circulation and mailed to owners of the property proposed to be so designated at least five, but not more than fifteen days, prior to the date of the hearing.

Following recommendation by Planning and approval by the City Commission, notice of the designation shall be mailed by Planning to the owners of property so designated together with a copy of this chapter, and appeals therefrom may be had to the City Commission for a period of not more than thirty days from date notice is sent, after which the City Commission's decision shall be final.

"Sec. 51-32-4. Relationship to zoning districts. The historic district and landmark sites regulations as provided herein for zones within such districts or sites are intended to preserve and protect the historic or architecturally worthy buildings, structures, sites, monuments, streetscapes, and neighborhoods of the historic area. In all zoning districts lying within the boundaries of an historic district or landmark site, the regulations for both the zoning district and the historic district or landmark site shall apply. Whenever there is a conflict between the regulations of the zoning district and the regulations of this chapter, the more restrictive shall apply.

The zoning regulations shall be considered as minimum standards. Planning may, subject to appeal to the City Commission, impose such other conditions as may be deemed necessary to protect the character of historic district or landmark sites.

Conditional uses may be permitted in historical buildings as outlined in Section 51-13-7 of this title.

"Sec. 51-32-5. Historical landmark committee.

(1) Creation and composition. The City Commission may establish and/or terminate an historical landmark committee, hereinafter Committee, which may advise Planning in matters pertaining to historic districts and landmarks, however all final decisions regarding the same shall be made by Planning. Said committee shall be appointed by the mayor with approval of the Board of City Commissioners and each person serving thereon shall be a resident of the city, and, with the exception of the members of the City Planning and Zoning Commission or of its staff, shall hold no other office of profit under the city government or any other state or federal office connected with historical preservation. In making such appointments, the mayor may request and consider recommendations submitted by and select members from the following societies or organizations:

(a) One member from the Utah Society, American Institute of Architects (Utah Chapter);

(b) One member from the historical societies of the city;

(c) One member from the Utah Heritage Foundation;

(d) No more than two members who are residents of or own property in each area designated as an historic district.

(e) Two members may be citizens at large;

(f) Planning Director and a member of the Planning Commission or staff.

(2) Vacancies and term; compensation. The term of the committee members, except for those designated in subsection (f) above, may be for not more than three years, provided, however, that the terms of the first committee members shall be as follows: (1) two members - one year; (2) two members - two years; (3) three members - three years. Vacancies may be filled by the mayor with approval of the Board of City Commissioners by appointment for any unexpired term or for the full term as the case may be. Members of the committee shall serve as such without compensation.

(3) Jurisdiction. The committee's jurisdiction shall be limited to historic districts and landmark sites. The committee shall be concerned only with those elements of development, redevelopment, rehabilitation and/or preservation that affect visual quality of the historic district or landmark site. It shall not consider detailed design, interior arrangement or building features not subject to public view nor shall it make any requirement except for the purpose of preventing development or demolition inconsistent with the standards set forth in Section 51-32-8 hereof.

(4) List of historical buildings to be made and filed. The committee may be requested to make a list of all existing buildings in the city which it deems to be of historic interest because of architecture, period of construction, persons who have resided or events which have occurred therein, or for other appropriate historic reasons. Such a list shall briefly describe each building, the date of its construction, as nearly as can be ascertained, the reasons for including it in the list and the name and address of its present owner as shown on the records of the County Recorder of Salt Lake County. The committee shall file such list and subsequent amendments, or additions thereto which may be made from time to time, with Planning. However, with regard to any such list approved or made by Planning, a copy thereof shall be filed with the City Recorder and the City Building and Housing Services Department or the City Engineer.

(5) Organization.

(a) The committee may elect from its membership a chairman, a vice-chairman, a secretary who shall serve for a term of one year each and who shall be eligible for reelection. The chairman shall preside over the committee and shall have the right to vote. In the absence or disability of the chairman, the vice-chairman shall perform the duties of the chairman.

(b) The resident and/or landowner members shall only vote on those matters which concern the historical district they represent.

(c) Two-thirds of the members of the committee shall constitute a quorum and committee action shall require approval by at least a majority of the members at a meeting at which a quorum is present.

(d) The committee shall adopt rules for the transaction of its business and consideration of applications not inconsistent herewith which shall provide for the time and place of regular meetings and for the calling of special meetings. All meetings of the committee shall be open to the public and a public record shall be kept of the committee's resolutions, proceedings and actions.

(6) Meetings. The committee shall hold regular meetings, at least monthly, to review applications for certificates of appropriateness. At least five days notice of the time and place of any meeting, regular or otherwise, together with items to be considered at the meeting, shall be given as follows:

(a) In writing to any applicant whose application is to be considered; and

(b) In writing to all persons or organizations who have filed an annual written request for such notices and have paid an annual fee, not to exceed twenty-five dollars to cover the costs involved.

"Sec. 51-32-6. Permit approval or denial by Planning. A building permit to demolish, move, materially change the exterior appearance, by additions, reconstruction or alteration of a building or structure located within an historic district or landmark site, or to construct a new building or structure within an historic district shall not be issued without review by Planning consistent herewith, and Planning shall have power to approve or deny issuing such permit, subject to the provisions hereinafter set forth.

"Sec. 51-32-7. Planning action upon application for permit within five months. Planning shall approve or deny such an application within five months of receipt of the application. If Planning approves the application, the application shall be processed in the same manner as all other applications for building or demolition permits. If the committee disapproves the application, the committee shall state its reasons in writing and a permit shall not be issued at that time. The foregoing to the contrary notwithstanding unless the owner of the property agrees to an extension of time beyond said five months or unless means acceptable to the owner have been found to preserve the structure, or eminent domain proceedings have commenced, Planning shall, upon the passage of five months from date of application, approve the application provided the work proposed to be done meets all other requirements of city and state law for issuance of such a permit.

"Sec. 51-32-8. Development standards.

(1) In passing upon an application to demolish, or demolish in part, or remove, or alter the exterior architectural appearance of any existing building or structure located within any historic district or landmark site, Planning shall consider, among other things, the historic, architectural and aesthetic features of such structure, the nature and character of the surrounding area, the use of such structure, and its importance to the city, and the feasibility and desirability of preservation.

(2) Whenever Planning disapproves or fails to approve an application for a permit to demolish a building or structure located within an historic district or landmark site, Planning must determine that the building or structure is historically or architecturally significant and that preservation is feasible and desirable. Following its disapproval of an application for a permit to

demolish a building or structure, Planning shall take or encourage the taking of whatever steps seem likely to lead to such preservation.

(3) In passing upon an application for construction of new buildings or structures in an historic district, Planning shall consider whether the proposed building or structure will be visually compatible with buildings and places to which it will be visually related, and will also consider the following:

(a) Height. The height of the building shall be visually compatible with adjacent buildings.

(b) Proportion of the building's front facade. The relationship of the width of a building to the height of the front elevation shall be visually compatible to buildings and places to which it is visually related.

(c) Proportion of opening within the facility. The relationship of the width of the windows to height of windows in a building shall be visually compatible with buildings and places to which it is visually related.

(d) Rhythm of solids to voids in front facades. The relationship of solids to voids in the front facade of a building shall be visually compatible with buildings and places to which it is visually related.

(e) Rhythm of spacing of buildings on streets. The relationship of a building to open space between it and adjoining buildings shall be visually compatible with buildings and places to which it is visually related.

(f) Scale of a building. The size of a building, the building mass of a proposed building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with the buildings and places to which it is visually related.

(g) Directional expression of front elevation. A building shall be visually compatible with buildings and places to which it is visually related in its directional character, whether this be vertical character, horizontal character or other directional character.

(h) Off-street parking is required subject to Section 51-9-1 through 51-9-4. Location and type of off-street parking lot are subject to Planning approval.

"Sec. 51-32-9. Maintenance of consistent policies. In order to provide guidance and insight into the goals and objectives for historic districts and landmark sites and for the maintenance of consistent policies, Planning shall maintain a file containing records of all applications brought before it for review, action taken, drawings submitted and amendments of drawings pertaining thereto.

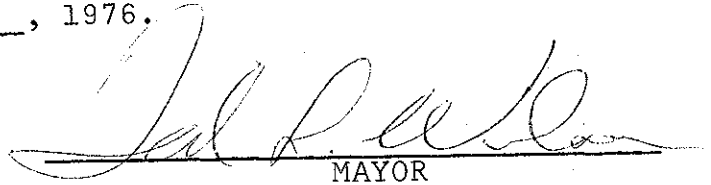
"Sec. 51-32-10. Structure defined. For the purpose of this ordinance, "structure" shall include all buildings, walls, fences, signs, utility fixtures, steps, or appurtenant elements thereof.

"Sec. 51-32-11. Appeal of Planning decision. Any person aggrieved by any decision of Planning may appeal that decision to the Board of City Commissioners; provided, petition for such appeal is presented to the Board of City Commissioners within thirty days after the filing of Planning's final decision.

"Sec. 51-32-12. Hazardous structures; ordinary maintenance and repair. This ordinance shall not prohibit the razing of structures which pose an immediate hazard to human health and safety, nor preclude ordinary maintenance and repair not otherwise subject to building department regulation. It is the intent of this section to preserve from deliberate acts and deliberate or inadvertent neglect, structures within landmark sites and historic districts.

"Sec. 51-32-13. Severability. If any section of this ordinance or part thereof shall be found to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of the ordinance."

Passed by the Board of Commissioners of Salt Lake City, Utah,
this 7th day of April, 1976.


MAYOR


CITY RECORDER

(SEAL)
BILL NO. 49 of 1976
Published April 14, 1976

STATE OF UTAH, } ss.
County of Salt Lake }

AN ORDINANCE

AMENDING Title 51 by adding a new Chapter 32 to the Revised Ordinances of Salt Lake City, Utah, 1965, relating to preservation and protection of historic and architecturally significant districts and sites.

Sharon Payne

SECTION 1. That Title 51 of the Revised Ordinances of Salt Lake City, Utah, 1965, be amended to add a new Chapter 32 relating to preservation and protection of historic and architecturally significant districts and sites which shall read as follows:

Being first duly sworn, deposes and says that he is legal advertising clerk of the DESERET NEWS, a daily (except Sunday) newspaper printed in the English language with general circulation in Utah, and published in Salt Lake City, Salt Lake County, in the State of Utah.

That the legal notice of which a copy is attached hereto

Pub an ordinance relating to preservation and protection of historic and architecturally sites etc

was published in said newspaper on

April 14, 1976

CHAPTER 32
HISTORIC DISTRICTS AND LANDMARK SITES
Sections:
51-32-1. Purpose.
51-32-2. Historic districts and landmark sites.
51-32-3. Designation of additional landmark sites and additional historic districts.
51-32-4. Relationship to zoning districts.
51-32-5. Historical Landmark Committee.
51-32-6. Permit or denial planning.
51-32-7. Planning action upon application for permit within five months.
51-32-8. Development standards.
51-32-9. Maintenance of consistent policies.
51-32-10. Structure defined.
51-32-11. Appeal of planning decision.
51-32-12. Hazardous structures; ordinary maintenance and repair.
51-32-13. Severability.

"Sec. 51-32-1. Purpose. This chapter is enacted and intended for the purpose of more fully preserving buildings and related structures of historic and architectural significance in districts and sites being among the city's most important cultural, educational and economic assets, and so that the character of the districts and the landmark sites will not be lost through expansion or change of commercial or other activity in the city, and so that said districts and sites will be preserved for the use, observation, education, pleasure and general welfare of the present and future inhabitants of Salt Lake City.

"Sec. 51-32-2. Historic districts and landmark sites.
(1) The South Temple Historic District shall mean that area on both sides of South Temple Street beginning at the intersection of South Temple Street and Third East on the south side and the intersection of South Temple Street and "A" Street on the north side, thence east to the intersection of South Temple Street and Virginia Street is hereby declared an Historic District.

(2) Each site located within Salt Lake City and listed on the National Register of Historical Places or the Utah State Register of Historical Sites as of the effective date of this chapter are hereby declared to be a Landmark Site.

"Sec. 51-32-3. Designation of additional landmark sites and additional historic districts. The City's Planning and Zoning Commission, hereinafter Planning, may recommend additional landmark sites and historic districts. Prior to the designation of such additional landmark sites or historical districts, the City Commission shall hold a public hearing, notice of which shall be published in a newspaper of general circulation and mailed to owners of the property proposed to be so designated at least five, but not more than fifteen days, prior to the date of the hearing.

Following recommendation by Planning and approval by the City Commission, notice of the designation shall be mailed by Planning to the owners of property so designated together with a copy of this chapter, and appeals therefrom may be had to the City Commission for a period of not more than thirty days from date notice is sent, after which the City Commission's decision shall be final.

"Sec. 51-32-4. Relationship to zoning districts. The historic district and landmark sites regulations as provided herein for zones within such districts or sites are intended to preserve and protect the historic or architecturally worthy buildings, structures, sites, monuments, streetscapes, and neighborhoods of the historic area. In all zoning districts lying within the boundaries of an historic district or landmark site, the regulations for both the zoning district and the historic district or landmark site shall apply. Whenever there is a conflict between the regulations of the zoning district and the regulations of this chapter, the more restrictive shall apply.

The zoning regulations shall be considered as minimum standards. Planning may, subject to appeal to the City Commission, impose such other conditions as may be deemed necessary to protect the character of historic district or landmark sites.

Conditional uses may be permitted in historical buildings as outlined in Section 51-32-7 of this title.

"Sec. 51-32-5. Historical landmark committee.
(1) Creation and composition. The City Commission may establish and/or terminate an historical landmark committee, hereinafter Committee, which may advise Planning in matters pertaining to historic districts and landmarks, however all final decisions regarding the same shall be made by Planning. Said committee shall be appointed by the mayor with approval of the Board of City Commissioners and each person serving thereon shall be a resident of the city, and, with the exception of the members of the City Planning and Zoning Commission or of its staff, shall hold no other office of profit under the city government or any other state or federal office connected with historical preservation. In making such appointments, the mayor may request and consider recommendations submitted by and select members from the following societies or organizations:

- (a) One member from the Utah Society, American Institute of Architects (Utah Chapter);
- (b) One member from the historical societies of the city;
- (c) One member from the Utah Heritage Foundation;
- (d) No more than two members who are residents of or own property in each area designated as an historic district.
- (e) Two members may be citizens at large;
- (f) Planning Director and a member of the Planning Commission or staff.

(2) Vacancies and term; compensation. The term of the committee members, except for those designated in subsection (f) above, may be for not more than three years, provided, however, that the terms of the first committee members shall be as follows: (1) two members -- one year; (2) two members -- two years; (3) three members -- three years. Vacancies may be filled by the mayor with approval of the Board of City Commissioners by appointment for any unexpired term or for the full term as the case may be. Members of the committee shall serve as such without compensation.

(3) Jurisdiction. The committee's jurisdiction shall be limited to historic districts and landmark sites. The committee shall be concerned only with those elements of development, redevelopment, rehabilitation and/or preservation that affect visual quality of the historic district or landmark site. It shall not consider detailed design, interior arrangement or building features not subject to public view nor shall it make any requirement except for the purpose of preventing development or demolition inconsistent with the standards set forth in Section 51-32-8 hereof.

ore me this 23rd day of

A.D. 19 76

Sharon Payne
Legal Advertising Clerk

J. E. Johnson
Notary Public

(4) List of historical buildings to be made and filed. The committee may be requested to make a list of all existing buildings in the city which it deems to be of historic interest because of architecture, period of construction, persons who have resided or events which have occurred therein, or for other appropriate historic reasons. Such a list shall briefly describe each building, the date of its construction, as nearly as can be ascertained, the reasons for including it in the list and the name and address of its present owner as shown on the records of the County Recorder of Salt Lake County. The committee shall file such list and subsequent amendments, or additions thereto which may be made from time to time, with Planning. However, with regard to any such list approved or made by Planning, a copy thereof shall be filed with the City Recorder and the City Building and Housing Services Department or the City Engineer.

(5) Organization.

(a) The committee may elect from its membership a chairman, a vice-chairman, a secretary who shall serve for a term of one year each and who shall be eligible for reelection. The chairman shall preside over the committee and shall have the right to vote. In the absence or disability of the chairman, the vice-chairman shall perform the duties of the chairman.

(b) The resident and/or landowner members shall only vote on those matters which concern the historical district they represent.

(c) Two-thirds of the members of the committee shall constitute a quorum and committee action shall require approval by at least a majority of the members at a meeting at which a quorum is present.

(d) The committee shall adopt rules for the transaction of its business and consideration of applications not inconsistent herewith which shall provide for the time and place of regular meetings and for the calling of special meetings. All meetings of the committee shall be open to the public and a public record shall be kept of the committee's resolutions, proceedings and actions.

(e) Meetings. The committee shall hold regular meetings, at least monthly, to review applications for certificates of

appropriateness. At least five days notice of the time and place of any meeting, regular or otherwise, together with items to be considered at the meeting, shall be given as follows:

(a) In writing to any applicant whose application is to be considered; and

(b) In writing to all persons or organizations who have filed an annual written request for such notices and have paid an annual fee, not to exceed twenty-five dollars to cover the costs involved.

"Sec. 51-32-6. Permit approval or denial by Planning. A building permit to demolish, move, materially change the exterior appearance, by additions, reconstruction or alteration of a building or structure located within an historic district or landmark site, or to construct a new building or structure within an historic district shall not be issued without review by Planning consistent herewith, and Planning shall have power to approve or deny issuing such permit, subject to the provisions hereinafter set forth.

"Sec. 51-32-7. Planning action upon application for permit within five months. Planning shall approve or deny such an application within five months of receipt of the application. If Planning approves the application, the application shall be processed in the same manner as all other applications for building or demolition permits. If the committee disapproves the application, the committee shall state its reasons in writing and a permit shall not be issued at that time. The foregoing to the contrary notwithstanding unless the owner of the property agrees to an extension of time beyond said five months or unless means acceptable to the owner have been found to preserve the structure, or eminent domain proceedings have commenced, Planning shall, upon the passage of five months from date of application, approve the application provided the work proposed to be done meets all other requirements of city and state law for issuance of such a permit.

"Sec. 51-32-8. Development standards.

(1) In passing upon an application to demolish, or demolish in part, or remove, or alter the exterior architectural appearance of any existing building or structure located within any historic district or landmark site, Planning shall consider, among other things, the historic, architectural and aesthetic features of such structure, the nature and character of the surrounding area, the use of such structure, and its importance to the city, and the feasibility and desirability of preservation.

(2) Whenever Planning disapproves or fails to approve an application for a permit to demolish a building or structure located within an historic district or landmark site, Planning must determine that the building or structure is historically or architecturally significant and that preservation is feasible and desirable. Following its disapproval of an application for a permit to demolish a building or structure, Planning shall take or encourage the taking of whatever steps seem likely to lead to such preservation.

(3) In passing upon an application for construction of new buildings or structures in an historic district, Planning shall consider whether the proposed building or structure will be visually compatible with buildings and places to which it will be visually related, and will also consider the following:

(a) Height. The height of the building shall be visually compatible with adjacent buildings.

(b) Proportion of the building's front facade. The relationship of the width of a building to the height of the front elevation shall be visually compatible with buildings and places to which it is visually related.

(c) Proportion of opening within the facility. The relationship of the width of the windows to height of windows in a building shall be visually compatible with buildings and places to which it is visually related.

(d) Rhythm of solids to voids in front facades. The relationship of solids to voids in the front facade of a building shall be visually compatible with buildings and places to which it is visually related.

(e) Rhythm of spacing of buildings on streets. The relationship of a building to open space between it and adjoining buildings shall be visually compatible with buildings and places to which it is visually related.

(f) Scale of a building. The size of a building, the building mass of a proposed building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with the buildings and places to which it is visually related.

(g) Directional expression of front elevation. A building shall be visually compatible with buildings and places to which it is visually related in its directional character, whether this be vertical character, horizontal character or other directional character.

(h) Off-street parking is required subject to Section 51-9-1 through 51-9-4. Location and type of off-street parking lot are subject to Planning approval.

"Sec. 51-32-9. Maintenance of consistent policies. In order to provide guidance and insight into the goals and objectives for historic districts and landmark sites and for the maintenance of consistent policies, Planning shall maintain a file containing records of all applications brought before it for review, action taken, drawings submitted and amendments of drawings pertaining thereto.

"Sec. 51-32-10. Structure defined. For the purpose of this ordinance, "structure" shall include all buildings, walls, fences, signs, utility fixtures, steps, or appurtenant elements thereof.

"Sec. 51-32-11. Appeal of Planning decision. Any person aggrieved by any decision of Planning may appeal that decision to the Board of City Commissioners; provided, petition for such appeal is presented to the Board of City Commissioners within thirty days after the filing of Planning's final decision.

"Sec. 51-32-12. Hazardous structures; ordinary maintenance and repair. This ordinance shall not prohibit the razing of structures which pose an immediate hazard to human health and safety, nor preclude ordinary maintenance and repair not otherwise subject to building department regulation. It is the intent of this section to preserve from deliberate acts and deliberate or inadvertent neglect, structures within landmark sites and historic districts.

"Sec. 51-32-13. Severability. If any section of this ordinance or part thereof shall be found to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of the ordinance."

Passed by the Board of Commissioners of Salt Lake City, Utah, this 7th day of April, 1976.

MILDRED V. HIGHAM
City Recorder

(SEAL)
BILL NO. 49 of 1976
Published April 14, 1976

TED L. WILSON

Mayor

(D-57)