

**SALT LAKE CITY HISTORIC LANDMARK COMMISSION RETREAT  
MEETING NOTES  
Room 126 of the City and County Building at 451 South State Street  
JANUARY 17, 2007  
4:00 P.M.**

Commissioners present were Chairperson David Fitzsimmons, Commissioner Pete Ashdown, Commissioner Noreen Heid, Commissioner Esther Hunter, and Commissioner Warren Lloyd. Commissioner Scott Christensen was excused from the meeting. Commissioner Paula Carl joined the meeting at 5:15 P.M. Pete Ashdown left the meeting at 6:00 P.M.

Staff present were Cheri Coffey, Deputy Director; Joel Paterson, Planning Program Supervisor; and Janice Lew, Principal Planner. George Shaw, Planning Director, left the meeting at 5:05 P.M. and returned at 6:00, leaving again at 6:20 P.M.

The Historic Landmark Commission have come together for this meeting to discuss issues and to receive training to assist them while functioning in their role as a body. The meeting was informal in nature: therefore Robert's Rules of Order were suspended to facilitate training and to promote free discussion.

Ms. Coffey introduced George Shaw to the Commission. Mr. Shaw asked each member of the Commission to introduce himself and provide a brief description of their background in relation to Historical Planning and the Historic Landmark Commission.

## **ITEMS FOR DISCUSSION**

### **1. MEETING PROCEDURES**

#### Attendance / Quorum

By ordinance, the Historic Landmark Commission should consist of between nine to fifteen members. As a result of the difficulty filling seats on the Historic Landmark Commission, the City Attorney has made the decision to allow members with expired terms to retain their former seats until replacement. A quorum must meet before business is conducted. A majority of the appointed members of the Historic Landmark Commission constitutes a quorum with eight appointed members, a quorum consists of five members.

#### Conflict of Interest

When a Commissioner believes that there may be a conflict of interest, the member is to inform staff in advance of the meeting and the City Attorney will determine if a conflict does indeed exist. If the Commissioner attends the meeting, and in the course of the meeting, discovers that a potential conflict exists, the commissioner must declare that potential for conflict before the Commission hears the item. In this instance, the remaining Commissioners will vote and determine if a conflict exists. Any Commissioner who does represent a conflict of interest should recuse himself and leave room while the case is being heard. A commissioner who is recused from hearing a case should not act as a representative for the petitioner.

## Roberts Rules of Order

The Commission meetings are governed by provisions of the Salt Lake City zoning ordinance and Robert's Rules of Order. The Commission was provided with copies of the relevant rules, which apply to their meetings.

## Discussions, Decisions, and Motions

Due process is a legal requirement designed to safeguard the rights of the individual and must be met when the Commission hears cases. Equal protection and treatment are a necessary function of the public hearing process. Commissioners should allow time for the public to speak. It would be inappropriate for Commissioners to make comments until all of the presenters and public have completed their statements and the chair has opened the executive session.

Photos, drawings, substantiated or unsubstantiated statements of fact, and other documentation regarding the case, must be provided to the Staff at the time of the public hearing notice, when possible. If previously unknown substantial information is discovered in the hearing, the Commission must decide whether the evidence impacts the case and violates due process. A case can be tabled if the Commission needs to reconsider the case with the instruction that the documentation first be made available to the public at the time of noticing and presented when the case is reheard.

## Presentations

Staff is working to ensure that staff reports support their recommendations based on the guidelines or the Ordinance.

In the past, Staff used the Architectural Subcommittees to review projects before they were considered by the Commission. The practice has ceased and the Commission questioned whether it would be advantageous to start using subcommittee meetings as a means to assist the preliminary hearing process.

Staff reports may present a positive recommendation, but the Commission must not rely solely on those findings to support a positive motion. When a petition is presented before the body, the Commission must consider all supporting documentation, including the staff report, and then arrive at the decision that they believe to be the most appropriate. A decision needs to be stated specifically as to the design guidelines or Zoning Ordinance, referencing the section number and how the request does or does not comply. The Commission may delegate final details to staff. Staff does differentiate between substantive changes and administrative changes and will refer the petitioner back to the Historic Landmark Commission if the substantive changes are proposed to an approved project.

## **2. GOALS FOR 2007**

### Preservation Plan

The City is proceeding with preparations to develop a Preservation Master Plan. This Preservation Plan will be a policy document that will help to establish priorities for future preservation projects.

The development trend of Salt Lake City is in the east/west direction. One of the goals of the Historic Landmark Commission will be to look at the west side and possibly designate National Register districts. The City has several neighborhoods of historical significance west of I-15. These include but are not limited to the Fairpark and Guadalupe neighborhoods. As of this time, the City has few properties or projects that are designated individually as landmark sites west of I-15.

Three consulting firms have been selected as finalists for the Historic Preservation Master Plan project. The final selection of a consultant is expected to take place before March, 2007.

A City-wide advisory committee will be formed comprising of members from a broad based population. In addition, there will be workshops to identify historical issues that the committee will be able to address. Once a plan is developed, the Historical Landmark Commission and the Planning Commission will hold public hearings. The City council is the final approval authority.

### Work Sessions

In general, the Commission expressed the desire to continue thirty minute work sessions at the beginning of Historic Landmark Commission meetings rather than at the end. Work session topics should be noted in the agenda to promote public comment. Staff and Commissioners should come prepared with materials to discuss the topic. The commission discussed the possibility of members helping staff to prepare documentation for specific topics and spearheading the discussion.

Several topics for discussion were suggested. Some of these items may be combined.

- Modern design and how the Design Guidelines for Residential Historic Districts in Salt Lake City apply.
- How a process for design gets implemented
- Enforcement Concerns; potential meeting with inspectors; additional training for inspectors
- Over the counter permits in regards to projects in historic districts (Potential meeting/training/advocacy with planners)
- Compatible Residential Infill Ordinance discussions – HLC Authority and when appropriate to modify regulations
- Design guidelines (topics such as garages, porches, fences, etc.)
- Preservation Plan

- Overview of the process of project implementation once the petition is approved by the HLC
- Discussion about the Design Guidelines and how to interpret gray areas.
- Case histories of recent HLC cases
- RDA and Preservation - set up a meeting between RDA and HLC. RDA board has target areas. Focus on the RDA target areas and define areas with conflicting RDA and Preservation goals.
- Additional education opportunities for Commissioners and the public
- HLC: Outreach to Community Councils on how to create more visibility and a positive image of the preservation on the local register
- General purposes of HLC per the Zoning Ordinance.
- Joint meeting with the Planning Commission
- Future retreats
- List of Historic properties that the body would like to promote listing.
- Utah Heritage Foundation (UHF) and State Historic Preservation Office (SHPO)
- Appropriate materials/green materials clarification – vinyl versus wood repair.
- Leadership in energy and environmental Design. (LEEDS)
- New construction
- Products that are environmentally friendly and how they may or may not be used in regards to residential housing.
- How to promote designation of Landmark sites
- National Register Districts

### Other

Staff and the Commission discussed steps that Staff has or should make to help the Commission fulfill their role.

Staff is working to ensure that the minutes for the Historic Landmark Commission meetings are formal so that they will provide an accurate and permanent record that supports the decisions of the body.

Staff will provide the commission with a list of applications that were administratively approved the previous month.

The Commissioners expressed a desire to have an electronic copy of the staff reports available prior to the meeting.

### **3. OPEN DISCUSSION**

The remaining portion of the meeting was used to discuss any other issues that the Commission wished to address.