



MEMORANDUM

PLANNING DIVISION
DEPARTMENT *of* COMMUNITY
and NEIGHBORHOODS

To: Historic Landmark Commission

From: Anthony Riederer, AICP – Principal Planner
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Date: May 18, 2017

Re: Amendments to the standards for New Construction in Local Historic Districts

BACKGROUND:

Salt Lake City has adopted a number of strong policy goals with regards to historic preservation and the support for these goals is reflected through the inclusion of preservation policies in many of the city adopted plans. Recently, there has been increased criticism and concern raised by applicants in reference to new development requests about the role, responsibilities, and transparency of the decision-making process by the Historic Landmark Commission. There have been significant questions raised about the ordinance standards, processes, and relevance of the design guidelines as relate to proposals for new construction in local historic districts.

Mayor Biskupski initiated a petition requesting the Planning Division to review and revise the New Construction standards in local historic districts to ensure clarity and to better accommodate a wide range of project types, particularly large scale infill developments.

COURSE OF ACTION:

What follows is a list of topics (in bold) related to the HLC's proposed New Construction Standards Planning Staff is seeking feedback on these proposed changes, so as to inform the final draft of the ordinance revision.

Standards for New Construction or Alteration of a Non-Contributing Structure

The standards for new construction are fairly general in nature and have not been revisited in a number of years. Some other cities, both in Utah and nationally, have drafted standards in terms that allow them to address broad topics of design with greater predictability. With this in mind, staff proposes to make revisions to the ordinance to ensure plain language is used, the organization of the standards is clear and logical and there is specificity in the standards.

Use of Design Guidelines to Make Findings

Although projects are evaluated against the standards for new construction, the city's adopted design guidelines provide the foundation of principles of design that inform these evaluations. Reformatting the standards to more directly relate to the design guidelines, as addressed in the previous section, is an important step in strengthening this connection and improving predictability.

Additionally, staff is proposing revising the language describing the role of the design guidelines to make it clear that, in addition to serving as design advice to applicants, the guidelines will be the principal tool in determining whether a proposed design successfully addresses the ordinance standards.

Single and Two-Family New Construction

Frequently, proposals for the new construction of single and two-family homes are less complex and present significantly less impact on their context than larger multi-family or commercial development. These projects are much greater in number than the more complex large scale projects and take a significant amount of the commission's time and energy. As such, it may be reasonable to allow staff to administratively approve applications that successfully address the standards for new construction. The potential benefit to this is that it would allow the members of the Historic Landmark Commission to focus on the projects that have the most impact on the character of the city's historic districts.

As with other projects with the potential for administrative approval, staff would have the option to refer a project to the Historic Landmark Commission. This is often the case for projects where there is an unusual amount of complexity, the potential for significant impact on the context, or where staff does not feel that the design successfully meets the standards of approval.

Clarity of Submission Requirements

A number of applicants working in the local historic districts have expressed concern that the type and extent of documentation required to complete an application is unclear or, at times, varies from project to project.

To remedy this, staff proposes to include in the ordinance a specific list of materials required for submittal in order for applications to be considered 'complete'.

Attachments:

- Current Ordinance Standards for New Construction
- Draft Revised Ordinance Standards for New Construction

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[21A.34.020 F](#)

F. Procedure For Issuance Of Certificate Of Appropriateness:

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1. Administrative Decision: Certain types of construction or demolition may be approved administratively subject to the following procedures:

a. Types Of Construction: The following may be approved by administrative decision:

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(1) Minor alteration of or addition to a landmark site or contributing site and/or structure;

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(2) Substantial alteration of or addition to a noncontributing site;

(3) Partial demolition of either a landmark site or a contributing structure;

(4) Demolition of an accessory structure;

(5) Demolition of a noncontributing structure; ~~and~~

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(6) Construction of a new single or two-family residence; and

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(7) Installation of solar energy collection systems on the front facade of the principal building in a location most compatible with the character defining features of the home pursuant to section [21A.40.190](#) of this title.

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b. Submission of Application: An application for a certificate of appropriateness shall be made on a form prepared by the planning director or designee, and shall be submitted to the planning division. The planning director shall make a determination of completeness pursuant to chapter 21A.10 of this title, and shall forward the application for review and decision.

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c. Materials Submitted With Application: The application shall include photographs, construction drawings, and other documentation such as an architectural or massing model, window frame sections and samples deemed necessary to consider the application properly and completely.

d. Fees: No application fee will be required for a certificate of appropriateness that is administratively approved, ~~except for those relating to construction of a new single or two-family residence. Applications of that type shall be accompanied by the applicable fees shown on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by chapter 21A.10 of this title.~~

e. Notice For Application For Demolition Of A Noncontributing Structure: An application for demolition of a noncontributing structure shall require notice for determination of noncontributing sites pursuant to chapter 21A.10 of this title. The applicant shall be responsible for payment of all fees established for providing the public notice required by chapter 21A.10 of this title.

f. Standards For Approval: The application shall be reviewed according to the standards set forth in subsections G and H of this section, whichever is applicable.

g. Review And Decision By The Planning Director: On the basis of written findings of fact, the planning director or the planning director's designee shall either approve or conditionally approve the certificate of appropriateness based on the standards in subsections G and H of this section, whichever is applicable,

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within thirty (30) days following receipt of a completed application. The decision of the planning director shall become effective at the time the decision is made.

h. Referral Of Application By Planning Director To Historic Landmark Commission: The planning director may refer any application to the historic landmark commission due to the complexity of the application, the significance of change to the landmark site or contributing structure in the H historic preservation overlay district, or the need for consultation for expertise regarding architectural, construction or preservation issues [or if the application does not meet the standards of review](#).

2. Historic Landmark Commission: Certain types of construction, demolition and relocation shall only be allowed to be approved by the historic landmark commission subject to the following procedures:

a. Types Of Construction: The following shall be reviewed by the historic landmark commission:

- (1) Substantial alteration or addition to a landmark site or contributing structure/site;
- (2) New construction of principal building, [other than a single or two-family residence](#), in H historic preservation overlay district;
- (3) Relocation of landmark site or contributing site;
- (4) Demolition of landmark site or contributing site;
- (5) Applications for administrative approval referred by the planning director; and
- (6) Installation of solar energy collection systems pursuant to section [21A.40.190](#) of this title.

b. Submission Of Application: The procedure for an application for a certificate of appropriateness shall be the same as specified in subsection F1b of this section.

c. Fees: The application shall be accompanied by the applicable fees shown on the Salt Lake City consolidated fee schedule. The applicant shall also be responsible for payment of all fees established for providing the public notice required by chapter 21A.10 of this title.

d. Materials Submitted With Application: The requirements for the materials to be submitted upon application for a certificate of appropriateness shall be the same as specified in subsection F1c of this section. Applications for a certificate of appropriateness for demolition shall also submit a reuse plan for the property. [Specific requirements for new construction shall include, at least the following information, unless deemed unnecessary by the planning director:](#)

- 1) [The applicant's name, address, telephone number, e-mail address and interest in the subject property;](#)
- 2) [The owner's name, address and telephone number, if different than the applicant, and the owner's signed consent to the filing of the application;](#)
- 3) [The street address and legal description of the subject property;](#)
- 4) [A narrative including a complete description of the project and how it meets review standards with citation of supporting adopted city design guidelines.](#)
- 5) [Context plan showing property lines, building footprints, front yard setbacks, adjacent streets and alleys, historic district boundaries, contributing/noncontributing structures and landmark sites.](#)
- 6) [a streetscape study which includes height measurements for each primary structure on the block face;](#)

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- 7) A site plan or drawing drawn to a scale which includes the following information: property lines, lot dimensions, topography, adjacent streets, alleys and walkways, landscaping and buffers, existing and proposed buildings and structures, lot coverage, grade changes, parking spaces, trash receptacles, drainage features, proposed setbacks and other details that may be required for project evaluation.
- 8) elevation details;
- 9) building sections;
- 10) 3D models, these can be drawings or models that provide visual information to show the new construction in relation to neighboring buildings and from the pedestrian perspective;
- 11) Such other and further information or documentation as the planning director may deem necessary or appropriate for a full and proper consideration and disposition of the particular application.

21A.34.020 H "New construction"

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H. Standards For Certificate Of Appropriateness Involving New Construction Or Alteration Of A Noncontributing Structure: In considering an application for a certificate of appropriateness involving new construction, or alterations of noncontributing structures, the historic landmark commission, or planning director when the application involves the alteration of a noncontributing structure or the construction of a single or two-family residence, shall determine whether the project substantially complies with all of the following standards that pertain to the application to ensure that the design is in the best interest of the city:

1) Relationship to Context

- a) The design of the site and related public realm reflects the historic pattern of development characteristic of the site or area.
- b) The design of the site and orientation of its structures relates to the public realm in a manner consistent with the historic character of the site or area.
- c) The design of the site and placement of its structures maintains and reflects the historic pattern of setbacks and other required yards in the area.
- d) Access to the site is designed to be similar, in form and function, with historic patterns common to other similar properties in the area while accommodating multiple transportation modes.
- e) The location and design of site and building services and utilities is complimentary to the principal structure and screened from adjacent properties.
- f) The design of site landscaping and lighting enhances significant elements of the design and reflect historic patterns common to the context of a project.

2) Building Scale and Form

- a) The design of the building reflects the context in terms of scale, shadows and access to light, and privacy.
- b) The design of the building, across both primary and secondary facades, reflects the scale of the block and established context.
- c) The design of the building in terms of height and width is compatible with the historic context.
- d) The design of the building reflects the established context in terms of massing and proportions.

3) Character and Composition of Facades

- a) The design of facades reflects patterns of articulation and proportion established in the building's context.

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Deleted: 3. Relationship To Street:¶
a. Walls Of Continuity: Facades and site structures, such as walls, fences and landscape masses, shall, when it is characteristic of the area, form continuity along a street to ensure visual compatibility with the structures, public ways and places to which such elements are visually related;¶
b. Rhythm Of Spacing And Structures On Streets: The relationship of a structure or object to the open space between it and adjoining structures or objects shall be visually compatible with the structures, objects, public ways and places to which it is visually related;¶
c. Directional Expression Of Principal Elevation: A structure shall be visually compatible with the structures, public ways and places to which it is visually related in its orientation toward the street; and¶
d. Streetscape; Pedestrian Improvements: Streetscape and pedestrian improvements and any change in its appearance shall be compatible to the historic character of the landmark site or H historic preservation overlay district.¶

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- b) The design of facades reflects the proportions, rhythm, and volume of fenestration that is established in the buildings context.
- c) As appropriate, the design and placement of entrances, balconies, porches, and stairways reflect patterns established in the buildings context.
- d) The design of facades feature durable materials with an identifiable relationship to the buildings context in terms of scale and character.
- e) The design and placement of windows and other fenestration shall demonstrate an identifiable relationship with patterns established in the buildings context.
- f) The design of facades shall feature architectural elements and details with an identifiable relationship to details that are characteristic of the buildings context.

4) Signage

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- a) Signs are designed such they are secondary and complimentary to the architectural context of the site.
- b) Signs shall be located to have the minimum impact on the character defining features of a site.
- c) Signs shall be constructed of durable materials that are compatible to those historically used in the site or district.
- d) Signs shall be illuminated such that they are secondary to the design of the building and complimentary to the character of the context.

5) Subdivisions or lot consolidations

- a) Proposed subdivisions or lot consolidations shall be reviewed by the planning director to ensure compatibility with the historic character of the district and/or site(s).