

# ATTACHMENT H: DEMOLITION STANDARDS

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## **21A.34.020: H HISTORIC PRESERVATION OVERLAY DISTRICT:**

**A. Purpose Statement:** In order to contribute to the welfare, prosperity and education of the people of Salt Lake City, the purpose of the H - Historic Preservation Overlay District is to:

1. Provide the means to protect and preserve areas of the city and individual structures and sites having historic, architectural or cultural significance;
2. Encourage new development, redevelopment and the subdivision of lots in historic districts that is compatible with the character of existing development of historic districts or individual landmarks;
3. Abate the destruction and demolition of historic structures;
4. Implement adopted plans of the city related to historic preservation;
5. Foster civic pride in the history of Salt Lake City;
6. Protect and enhance the attraction of the city's historic landmarks and districts for tourists and visitors;
7. Foster economic development consistent with historic preservation; and
8. Encourage social, economic and environmental sustainability.

**K. Standards for Certificate of Appropriateness for Demolition of a Contributing Principal Building in an H Historic Preservation Overlay District:** When considering a request for approval of a certificate of appropriateness for demolition of a contributing principal building, the Historic Landmark Commission shall determine whether the request substantially complies with the following standards:

**1. Standards for Approval of a Certificate of Appropriateness for Demolition:**

Standard	Finding	Rationale
<p><b>a. The physical integrity of the site as defined in subsection C15b of this section is no longer evident. Subsection C15b reads, “Physical integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places.”</b></p>	<p><b>Does not comply</b></p>	<p>The physical integrity of the subject site and building is still evident in terms of location, design, setting, materials and workmanship as defined by the National Park Service.</p> <p>The building remains in its original location and hasn’t been significantly altered since its construction, with the workmanship and original materials and design still readily apparent.</p> <p>The surrounding setting has changed significantly since the building’s construction, which also influences the building’s integrity in terms of feeling. The building is associated with the overall significance of the Avenues Historic District, as amended in 2012. Prior to this amendment, there was no established basis other than age to assess the building’s association with the historic significance of the Avenues Historic District.</p> <p>The 2007 Avenues survey rates the subject building as “B”, which indicates an eligible and contributing structure, based upon its age and a visual determination that the building’s integrity is intact. This survey was conducted by an independent third-party consultant meeting the qualifications set by the National Park Service using evaluation criteria guidelines established by the Utah State Historic Preservation Office (SHPO). The HLC reviewed the survey information, took public comment, and adopted the survey.</p>

<p><b>b. The streetscape within the context of the H historic preservation overlay district would not be negatively affected if the contributing principal building were to be demolished;</b></p>	<p><b>Complies</b></p>	<p>There are two non-contributing buildings between the State Street and the subject building.</p> <p>The c.1977 Elks parking garage is dissimilar and incompatible with the surrounding contributing buildings. The Gateway condominium building at the corner of 1<sup>st</sup> Avenue and State Street replaced historic contributing buildings on that site demolished after the city designated the Avenues Local Historic District in 1978.</p> <p>Similarly, the landscaped open space on the north side of 1<sup>st</sup> Avenue also contained contributing buildings that were later demolished, and the site remains vacant.</p> <p>East of the subject building is a well-defined streetscape of contributing structures, and a landmark site – the Brigham Young cemetery.</p> <p>The scale, massing, setbacks and overall character of the streetscape is largely consistent along the streetscape. Two exceptions are the City Crest Condominium at 131 1<sup>st</sup> Avenue, and the rear of the Brigham Apartment complex at approximately 150 E 1<sup>st</sup> Avenue.</p> <p>The proposed reuse plan as driveway access for the proposed complex may be considered a negative effect in a different context or streetscape. In this case, the location of the drive access adjacent to out-of-scale, non-contributing buildings on the streetscape west of the subject property, as well as the concentration of contributing properties to the east mitigate the effect on this streetscape.</p>
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<p><b>c. The demolition would not create a material adverse effect on the concentration of historic resources used to define the boundaries or maintain the integrity of the district;</b></p>	<p><b>Complies</b></p>	<p>State Street is the nearest cross street to the subject property, and also forms the western boundary of both the Avenues Local Historic District (the H – historic preservation overlay district) and the National Register district.</p> <p>There are two non-contributing buildings between the boundary and the subject building. The c.1977 Elks parking garage is dissimilar and incompatible with the surrounding contributing buildings. The Gateway condominium building at the corner of 1<sup>st</sup> Avenue and State Street replaced historic contributing buildings on that site demolished after the city designated the Avenues Local Historic District in 1978.</p> <p>Similarly, the landscaped open space on the north side of 1<sup>st</sup> Avenue also contained contributing buildings that were later demolished, and the site remains vacant. It is unlikely that the district boundary would have extended to State Street in 1978 without the now-demolished contributing buildings to the west of the subject building.</p> <p>In contrast, the buildings east of the subject property form a dense concentration of contributing buildings that all fall within the original period of significance for the Avenues District. These contributing buildings would be rehabilitated as part of this project, making it less likely that they would be demolished in the foreseeable future.</p> <p>Although this building is considered a contributing building, there are only two buildings between this building and the district’s western boundary. There is a concentration of contributing buildings directly east of the building. In addition, the bulk of the Avenues Historic District sits east and northeast of the building’s location.</p> <p>Staff finds that the demolition would not create a material adverse effect on the concentration of historic resources used to define the boundaries or maintain the integrity of the Avenues Historic District.</p>
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<p><b>d. The base zoning of the site does not permit land uses that would allow the adaptive reuse of the contributing principal building;</b></p>	<p><b>Does not comply</b></p>	<p>The base zoning for the site is RMF-75, which would allow for the existing dwelling with three housing units to be rehabilitated for the same use.</p> <p>The proposed re-use plan for the property does not envision a replacement building on this site. Instead, it would be used for access to the other buildings in the proposed project.</p>
<p><b>e. The contributing principal building has not suffered from willful neglect, as evidenced by the following:</b></p> <p><b>(1) Willful or negligent acts that have caused significant deterioration of the structural integrity of the contributing principal building to the point that the building fails to substantially conform to applicable standards of the State Construction Code;</b></p> <p><b>(2) Failure to perform routine and appropriate maintenance and repairs to maintain the structural integrity of the contributing principal building, or;</b></p> <p><b>(3) Failure to secure and board the contributing principal building, if vacant, per section <a href="#">18.64.045</a> of this Code.</b></p>	<p><b>Complies.</b></p>	<p>The subject building is in good condition and has been maintained by the applicants, who are long-time owners of the property. It is currently rented and occupied.</p>

**2. Historic Landmark Commission Determination Of Compliance With Standards**

**Of Approval:** If the Historic Landmark Commission finds that the request for a certificate of appropriateness for demolition substantially complies with the standards in 21A.34.020.K.1, the Historic Landmark Commission shall approve the request for a certificate of appropriateness for demolition. If the Historic Landmark Commission does not find that the request for a certificate of appropriateness for demolition substantially complies with the standards in 21A.34.020.K.1, then the Historic Landmark Commission shall deny the request for a certificate of appropriateness for demolition.