



PLANNING DIVISION

HISTORIC LANDMARK COMMISSION

POLICIES & PROCEDURES

Purpose

1. The objective of policies and procedures is to provide direction, guidance, and common rules for the Historic Landmark Commission to ensure transparency and fairness in all Commission activities.

Orientation & Training

2. **Orientation:** All new Historic Landmark Commissioners are provided with training prior to joining the commission.
3. **Required Training:** The Planning Director, or designee, shall schedule additional commission training or provide training opportunities that will satisfy training requirements, if applicable, as outlined by State Law.

Officer Elections

4. **Election of Chair and Vice Chair:** The Historic Landmark Commission, at its regular meeting in August of each year, shall elect a Chair and Vice Chair who shall serve for a term of one year each. The chair or vice chair may be elected to serve a maximum of two consecutive terms in the same office.
5. **Special Election:** A special election to elect a new Chair or Vice Chair may be called by a majority vote of the Historic Landmark Commission in the event that either is unable to fulfill their elected term.

Officer Roles & Duties

- 6. Duties of the Chair:** The Chair serves as the presiding member at all Commission meetings and provides overall direction during the proceedings. In addition to being the presiding member, the Chair shall have the following duties:
- A.** To maintain order and decorum at the meetings of the Commission.
 - B.** To move the agenda along and hold down redundancy by limiting the time allowed for comments, if necessary, set guidelines for public input, and reference handouts and procedures during meetings.
 - C.** To call the meeting to order on the day and the time scheduled and proceed with the order of business.
 - D.** To announce the business before the Commission in the order in which it is to be acted upon.
 - E.** To recognize speakers and Commissioners prior to receiving comments and presentations.
 - F.** To receive and submit in the proper manner, all motions and propositions presented by the members of the Commission.
 - G.** To put to vote all questions which are properly moved, or necessarily arise in the course of proceedings, and to announce the results of the motions.
 - H.** To inform the Commission of any point of order or practice, and in the course of discharge of this duty, the Chair shall have the right to call upon legal counsel for advice.
 - I.** To serve as signatory of the Commission, affixing their signature on documents as may be required by the law or otherwise deemed necessary.
- 7. Duties of the Vice Chair:** During the absence of the Chair, the Vice Chair shall have all of the duties and perform all the functions of the Chair. Should the Chair resign from the Commission, the Vice Chair shall serve as Chair until elections are held at the next available meeting.
- 8. Temporary Chair:** In the event of the absence, disability, or a conflict of interest, of both the Chair and Vice Chair, the Chair or Vice Chair shall appoint another commission member to serve as Chair, until the Chair or Vice Chair returns. In such event, the temporary Chair shall have all the powers, duties, and perform all the functions assigned to the Chair.
- 9. Secretary:** A Planning Division administrative assistant shall serve as secretary of the Historic Landmark Commission with the following duties:
- A.** To post public notices of regular and special Historic Landmark Commission meetings, consisting of a quorum, in accordance with the

noticing regulations of the zoning ordinance and state law.

- B. To ensure Commissioners receive materials pertinent to regularly scheduled Commission meetings at least five (5) business days prior to Historic Landmark Commission meetings, with the exception of draft meeting minutes which will be provided at least 24 hours in advance of a meeting.
- C. To attend every meeting of the Commission, to take and record the roll, to read any communications, resolutions, or other papers which may be ordered to be read by the Chair of the meeting, and to receive and bring to the attention of the Commission all messages and other communication from other sources.
- D. Create a Summary of Actions (SOA) after a meeting to include the list of items acted upon and action taken (approved, approved with conditions, tabled, denied, recommended positively or negatively). The SOA shall be posted on the Planning Division website the following business day after the public meeting. The Summary of Actions is not the official Record of Decision as per 21A.10 of the Zoning Ordinance.
- E. To keep the minutes of the proceedings of the Commission and to record them in accordance with state law.
- F. To keep and maintain a permanent record file of all documents and papers pertaining to the Historic Landmark Commission meetings in accordance with state law.
- G. Record adopted policies and procedures with the City Recorder's office and distribute accordingly.
- H. To perform such other duties as may be required or requested by the Chair.

Commissioner Rights and Duties

- 10. Mandatory Attendance:** Every member of the Commission shall attend each meeting of the Commission including work sessions and formal meetings, unless unable to attend because of extenuating circumstances.
- 11. Prompt Notification:** Any commissioner desiring to be excused from a meeting shall notify the secretary as soon as possible. The secretary shall inform the Chair and the Planning Director (or the appointed designee) of the absence, including any quorum issues.
- 12. Attendance Log:** The secretary keeps an attendance log that can be requested at any time by a commissioner. The log will be shared with the Chair and with Planning Directors on a quarterly basis or as needed.

13. Absences: The secretary will alert the Chair and Planning Director when attendance issues are identified. If a Commission member misses 1) two meetings in a calendar year without advance notice, 2) three consecutive meetings, or 3) six meetings in a calendar year, the Chair shall confer with the member regarding the ability, interest, and commitment of the member to continue membership on the Commission.

A. If a commissioner continues to miss meetings, the Chair shall bring the matter to the full Commission. The Commission will decide upon an appropriate recommendation to the mayor as to whether the member shall be removed from the Commission as per Chapters 2.07 and 21A.06 of the Salt Lake City Code.

14. Leave of Absence: The Commission may grant its members leaves of absence not to exceed six months.

Standards of Conduct - Conflicts of Interest

15. Conflict of Interest: A Historic Landmark Commission member with a conflict of interest shall not participate in, or be present for, the discussion, deliberation, or vote on the matter; nor shall the member attempt to influence other Commissioners before, during, or after the meeting, or during any appeal period (which should be considered to be up to 40 days until the City can confirm whether an appeal petition has been submitted). After 40 days, Commissioners can confirm with staff whether an application appeal period is over. Conflicts of interest are prohibited by Chapter 2.44 of the Salt Lake City Code.

Commissioners are encouraged to contact Planning Management in advance of a meeting to discuss a potential conflict.

16. Disclosing Conflict of Interest: Any member of the Historic Landmark Commission who has an actual, apparent, or reasonably foreseeable conflict of interest on an agenda item must publicly disclose the nature of the conflict to the Commission prior to the item presentation. A member must also disclose if they believe another member has such a conflict.

A. Vote: The Commission may decide to vote on whether the requested disqualification is justified.

17. Preventing Quorum Loss: If a conflicted member's recusal would result in the loss of a quorum, the Commission may, by majority vote of the non-conflicted members present, allow the member to remain in the meeting. The specific reasons justifying the members' presence must be publicly stated for the record. The conflicted members shall not participate in the discussion, deliberation, or vote on the matter; they must only be present as silent observers in order to satisfy the quorum requirement.

18. Special Circumstances: A conflicted commissioner may appear before the Commission only after the commissioner's recusal on the subject matter.

- A. Employment:** If a commissioner through their employment is acting as an advocate or an agent for a proponent; or,
- B. Applicant:** If a commissioner is an applicant, or representative of an applicant:
 - i.** The commissioner may make a presentation to the Commission, answer questions, and be present during public testimony on the matter, and rebut any public testimony after the public hearing is closed.
 - ii.** The commissioner shall leave the meeting before the Commission begins deliberation on the matter.

19. Additional Conflict of Interest Rules & Considerations:

- A.** There may be conflicts of interest if there are personal, family, or financial ties between a commissioner and proponent/opponent of any item of business.
- B.** A commissioner shall not sell or offer to sell services or solicit prospective clients or employment by stating an ability to influence the Commission's decisions.
- C.** A commissioner shall not use the power of office to seek or obtain a special advantage that is not in the public interest, nor any special advantage that is not a matter of public knowledge.

Standards of Conduct - Ex Parte Communication

20. Ex Parte: No member of the Commission shall participate in or be present at the hearing or disposition of any matter in which that member has engaged in ex parte communication. Commissioners are encouraged to contact Planning Management in advance of a meeting to discuss a potential ex parte concern. For the purpose of the Commission's policy, ex-parte discussions include, but are not limited, to:

- A.** Any ex parte communication with interested parties concerning any matter coming before the Commission, prior to the Commission's final action.
- B.** Any ex parte communication with interested parties concerning a matter for which the Commission has taken final action occurring during the appeal period of up to forty (40) calendar days after the

- public meeting at which such action was taken. After 40 days, Commissioners can confirm with staff whether an application's appeal period is over.
- C. Posting opinions or thoughts about an application that may be heard by the Commission on social media sites, blogs, forums, chat rooms, or other similar platforms and public forums.
- 21. Ex Parte Disclosure:** Commissioners who express opinions in public forums, regardless of the medium must disclose such communications to the Commission before any discussion on the matter. Ex parte communication may result in recusal, either voluntarily or by majority vote of the Commission. Any commissioner shall publicly disclose such communication to the Commission before voting on the matter. A commissioner must also disclose if they believe another commissioner has participated in ex parte communication.
- 22. Preventing Quorum Loss:** The Commission may, by majority vote of the non-conflicted members present, allow a commissioner, otherwise required to leave due to ex parte, to be present if the commissioner's presence is necessary to ensure the quorum requirement is maintained. The specific reasons justifying the commissioner's presence must be publicly stated for the record. The conflicted commissioner shall not participate in the discussion, deliberation, or vote on the matter; they must only be present as silent observers in order to satisfy the quorum requirement.

Meetings & Procedures

- 23. Place:** All meetings of the Commission shall be held in a meeting room within the City and County Building, located at 451 South State Street, Salt Lake City, Utah, or at such other location, or by electronic means in accordance with applicable law, as designated by the Chair or the Planning Director. A meeting convened at the designated place may be adjourned by the Commission to any other location within Salt Lake City for the sole purpose of investigating a particular matter of business or may be conducted electronically when authorized by law. In any such circumstance, proper notice of the meeting location, including any publicly accessible electronic link required for an electronic meeting, shall be posted for the general public.
- 24. Regular Meetings:** The Historic Landmark Commission shall normally meet at least once each month. Regular meetings shall be held on the first Thursday of each month or on such other appropriate day as the Commission may determine, and shall not commence before 5:00 p.m.
- 25. Special Meetings:** The secretary shall give notice of the time and purpose of

every special meeting (work session, retreat, etc.) of the Commission at least twenty-four (24) hours prior to such meeting which can occur on another day at an appropriate time. Notice shall be delivered to each member of the Commission via email or by telephone. The Chair, in consultation with the Planning Director, will confirm the availability of necessary city resources for special meetings.

26. Other Matters Considered: Other business items pertaining to the affairs of the Salt Lake City Historic Landmark Commission and falling within the authority and jurisdiction of the Commission, may be considered, and acted upon at any regular meeting of the Commission.

27. Quorum: A quorum of the Historic Landmark Commission shall be as defined in the Salt Lake City Code Chapter 2.07.140. Commissioners on approved leave of absence do not count when calculating a quorum during a meeting. For the purpose of determining whether a quorum is present, all members present shall be counted, including members who may abstain from a particular vote. A particular member is considered present when they are physically present at the place identified in paragraph 23 or are otherwise connected to the meeting via electronic means and make their presence known.

28. Order of business: The order of business shall generally be as follows:

- A. Field trip, if applicable
- B. Dinner, if applicable
- C. Roll taken by secretary
- D. Report of Chair and Vice Chair
- E. Report of Director (or designee)
- F. Approval of minutes from prior meeting(s)
- G. Public Hearings
- H. Work Session
- I. Other business at the discretion of the Chair.

29. Field trips: Field trips are strictly for gathering factual information and observing conditions relevant to a site. Commissioners shall not discuss or deliberate on any agenda item during a site visit; all deliberation and discussion must occur in a public meeting to ensure transparency and accountability. When site inspections are deemed advisable by the Planning Director, field trips may be held prior to the Historic Landmark Commission meetings, and the time of the field trip to be posted on the agenda. Field trips do not constitute a public hearing. Therefore, only Commission members and essential City staff may travel in City-owned vehicles. The public is

welcome to attend the field trip sites but must observe only. No discussion, deliberation, or public comment will be permitted on-site. All official testimony and public input must be presented during the scheduled public hearing before the Historic Landmark Commission.

30. Agenda for Meetings: The Secretary, with the assistance of the Planning Director or designee, shall prepare a written agenda for each meeting as far in advance as possible and shall submit such agenda to each member of the Commission prior to the commencement of the meeting. Such agenda shall be delivered to the members of the Commission at least five (5) business days prior to each meeting.

31. Staff Report: All major issues presented to the Historic Landmark Commission for consideration should be accompanied by a staff report detailing the overview, background, analysis, and staff recommendation(s); which shall include findings of fact, and where applicable, conditions for approval. Staff reports shall address the portion of the Salt Lake City Zoning Ordinance or other applicable development codes, including design guidelines relevant to the petition's request, and how the request fits within the criteria of the ordinances and applicable design guidelines, and/or general and community plan(s). Staff reports should be as concise as possible while allowing for adequate coverage of the subject matter and shall be made available to anyone requesting a copy of the staff report.

32. Submission of Written Material: The official deadline for submitting written materials/public comments for inclusion in the final staff report is 12:00 p.m. on the Wednesday preceding the scheduled meeting. Any written materials or comments received after this deadline, but no later than 12:00 p.m. on the day of the meeting, will be distributed to the Historic Landmark Commission via email. Comments/materials received after such period will be included in the record but may not be reviewed prior to the meeting.

33. Notification of Public Hearings: Notices of all items scheduled for Historic Landmark Commission meetings shall be provided to the appropriate parties consistent with Salt Lake City Code Chapter 21A.10. General Application and Public Hearing Procedures. Anyone wishing to receive notice of Historic Landmark Commission meeting agendas, copies of minutes and/or staff reports may contact the Planning Division's administrative staff.

34. Applicant Requests to Postpone Agenda Items: After an agenda has been published and public notices have been sent, an applicant may request to remove their item from the agenda. The applicant will be invoiced for all noticing postage fees incurred as a result of a postponement, including future meeting notices. All fees must be paid in full before the item can be placed on a future agenda. The timing of the postponement request will

determine how the item is processed by the Commission, as outlined below:

- A. 7 or more calendar days prior to the meeting: The agenda will be amended with that item removed. A notice will be mailed to the same mailing list used for the original public meeting indicating the item's postponement.
 - B. 6 calendar days or fewer, prior to the meeting: The agenda will not be amended. The item will be held as scheduled. The Chair will be informed of the postponement request and details of the request.
 - i. Planning staff, and the applicant if present, may present to the Commission. The public hearing should be conducted and then closed. After review and consideration of the matter, public testimony, and the discussion of the Commission, the Commission can (1) take action and render a decision, or (2) table the item to a future meeting. If the Commission takes action to table the item, the motion must include specific instructions to keep the public hearing open for the future meeting.
- 35. Scheduling a Postponed Item:** An applicant is not guaranteed placement on a specific agenda in the future. If an applicant requests their item be postponed or removed from the agenda, and the Commission tables the item, it will be considered for a future public hearing based on several factors, including: the number of pending applications already tentatively scheduled, the timeframe needed by the applicant to submit any additional information, and the City's capacity to review new information and provide the required notice for the next available meeting.

Meeting Order and Decorum

- 36. Public Meeting Rules:** The meetings are a place for people to feel safe and comfortable in participating in their government. A respectful and safe environment allows a meeting to be conducted in an orderly, efficient, effective, and dignified fashion, free from distraction, intimidation, and threats to safety. Failure to follow these decorum rules may result in removal from the meeting:
- A. Security officers may ask attendees to open any large bags, purses, or backpacks for inspection, and may also request changes to placement of recording equipment or other props to help facilitate the meeting.
 - B. If attendees have written remarks, documents, or other materials for the Commission to review, they should not approach the dais. Instead, items should be submitted to staff who will distribute them to the

Commissioners on their behalf.

- C. Props and equipment are generally not allowed. If attendees have a prop or piece of equipment integral to a presentation, they should clear its use with a staff member or security officer, if needed, before entering the meeting room.
- D. Signs are permitted so long as they do not cause disruption, block the view of others, or impair the Commission's ability to make a record of the meeting. Sticks or dowels are not allowed.
- E. Jeering, cheering, clapping, stomping feet, yelling, whistling, or using obscene words or gestures may intimidate other speakers and cause a disruption. Such activities are not permitted during the meeting.
- F. Historic elements in meeting rooms must be respected: feet must be kept off furniture; avoid leaning against or touching paintings and other décor.
- G. No food or drinks are allowed in the formal Council Chamber (Room 315).

Meeting: Procedures

37. Order of Agenda Items: The following procedure will normally be observed; however, it may be rearranged by the Chair for individual items if necessary for the expeditious conduct of business:

- A. Item introduction by the Chair.
- B. Staff presentation and recommendation.
- C. Applicant presentation of the proposal (ten minutes maximum unless the Chair authorizes additional time).
- D. Opening of the public hearing, if applicable. Comments: a maximum of two (2) minutes in length per individual unless the Chair authorizes additional time. Recognized Community Organization representative comments: a maximum of five (5) minutes. Speakers cannot transfer their time to another person.
- E. Closing the public hearing.
- F. Applicant's Rebuttal: The applicant has the option to respond to comments made during the public hearing; limited to five (5) minutes maximum unless the Chair authorizes additional time.
- G. Executive Session: Commissioners discuss the merits of the proposal, consider the applicable standards, and possible conditions to be applied. This deliberation is closed to the applicant and public unless

the Historic Landmark Commission requests additional information.

- H. Commission Chair outlines possible actions: Approval, approval with conditions, denial, etc., or tabling the item. If the Commission considers tabling the item, the reasons for tabling shall be stated with clear direction provided to the applicant regarding any additional information the Commission determines is needed to make a decision.
- I. Motion: Motions that table items to a future meeting should specify whether the public hearing will remain open.
- J. Vote: A roll call vote will be taken to announce the action taken.

38. Recess: The Chair may call for a break during a meeting for a specific purpose and shall specify the time at which the Commission will reconvene. The reconvening must occur on the same day as the meeting in which the recess was declared.

39. Adjournment: The Chair shall adjourn the meeting at conclusion of the agenda.

Procedure: Motions

40. Making Motions: Any Commissioner, other than the Chair, may make or second a motion. The staff motion sheet that is generally provided should be sufficient in detail to assist the Commission in stating findings and applying conditions to administrative items, if applicable. Historic Landmark Commissioners may request advice from the City Attorney or members of the Planning Management Team in the preparation, discussion, and deliberation of motions.

- A. **Administrative items:** Motions should state findings at the beginning of the motion and should be concluded with the conditions of approval.
 - i. If the findings of fact and conditions outlined in the staff report are acceptable, the motion may refer to the staff report in place of restating the report's findings and conditions.
 - ii. Conditions are applied to ensure that the applicable standards of approval are met.
 - iii. Each condition should be clearly linked to a specific approval standard it is intended to satisfy.
- B. **Legislative items:** Motions should state findings at the beginning of the motion followed by the recommendation to the appropriate body. A recommendation may include specific suggestions for City Council

consideration.

- 41. A Second is required:** Each motion of the Commission must be seconded with the exception of motions to amend a pending motion.
- 42. Amending a Motion:** When a motion is pending before the Commission, any member may suggest friendly amendment without a second, at any time prior to the Chair putting the motion to a vote. The amendment must be accepted by the author/original motion maker, in order to amend the pending motion; the author/original motion maker may choose to reject it.
- 43. Substitute Motions:** A substitute motion can be made when there is an original motion pending before the Commission, prior to a final vote. A substitute motion can amend or be wholly different from the pending motion. It requires a second. If seconded:
- A. The Chair calls for discussion (of substitute motion).
 - B. Chair calls for a vote on the substitute motion.
 - C. If the vote passes by a majority vote, the substitute motion passes. That is the Commission action on the matter.
 - D. If the substitute motion fails, the original motion is back in possession of the Commission for a vote.
 - E. The pending motion can be further debated or amended before a final vote.
- 44. Withdrawing a Motion:** After a motion is stated, the motion shall be in the possession of the Commission but may be withdrawn by the author/original motion maker of the motion prior to the vote. In this case, withdrawal of a second is not necessary.
- 45. Motion to Table:** A motion to table an agenda item should be accompanied by specific reasons for continuing the matter to a future meeting.
- 46. To Reconsider a Motion:** Any Commissioner who voted with the majority may move to reconsider a motion at the same meeting. A motion to reconsider shall require the affirmative vote of a majority of the Commission present and voting.

Procedure: Debate/ Questions

47. Debate & Questions:

- A. No member of the Commission shall question another member in debate without obtaining the Commissioner's consent, and to obtain such consent, shall first address the Chair.

- B. No member of the Commission shall ask a question of the public without first obtaining permission from the Chair.
- C. No member of the Commission shall debate with the applicant or a member of the public during the public meeting. Deliberation by Commissioners occurs during executive session, after the public hearing (if applicable), and should focus on the project and not on individual(s).

Procedure: Voting

- 48. Voting:** All business of the Commission that requires a vote shall be done via roll call vote. Commissioners who are present via electronic means shall vote after their name is called by the Chair, Vice Chair, or other person conducting the roll call vote at the meeting. In conducting a roll call vote, the presiding Commissioner shall vote last. In the case of a tie vote, the motion fails.
- 49. A Majority Vote required.** A motion can only be approved by a majority vote of the Commissioners present at the meeting.
- 50. Changing a Vote:** No Commissioner shall be permitted to change their vote after the final action on the motion is announced.
- 51. Abstention:** Any Commissioner abstaining from a vote may remain seated at the table and participate in the discussion. Reasons for abstention may be stated at the time of the abstention, and such reasons shall not be considered a conflict of interest.
- 52. Explanation of the Vote:** Before or after the vote is taken, any Commissioner desiring to explain their vote shall be allowed an opportunity to do so.
- 53. Not to Vote Unless Present:** No Commissioner shall be permitted to vote on any motion unless the Commissioner is present when the vote is taken, and when the result is announced. No Commissioner shall give their proxy to any other person. Commissioners who are connected to the meeting via electronic means shall be considered "present" for the purpose of voting when they vote in a manner that indicates their identity and presence.

Notification of Decision

- 54. Record of Decision:** After the Historic Landmark Commission makes a decision, the project planner shall send a Record of Decision letter to the applicant identifying the action taken and outline any subsequent action required by the applicant. The Record of Decision letter shall be mailed or

emailed within ten days from the action of the Commission as per 21A.10 of the Zoning Ordinance.

- 55. Modification of Approvals:** An approved application for a Certificate of Appropriateness may be modified by a written request from the applicant to the Planning Director. Such a request shall include a description of the proposed change and shall be accompanied by elevations, plans, or sketches, where necessary. If the Planning Director finds that the modification of an approved application constitutes a substantial change, the applicant shall submit the information as a new application for review and decision.

Annual Report

- 56.** The Planning Staff shall prepare an Annual Report to be presented to the Historic Landmark Commission no later than at its regularly scheduled meeting in March. The report shall include information about the number, type, and disposition of standard cases, administrative Certificates of Appropriateness, and information regarding other City or Staff activities involving Planning. The Annual Report will be compiled with additional information detailing the activities of the Planning Division and forwarded to the City Council and Mayor's Office.

Policies & Procedures: Adoption

- 57.** No adopted policies or procedures of the Commission shall be altered, amended, suspended, or rescinded without the affirmative vote of a majority of a quorum of the Commission. Policies and procedures may be amended at any meeting of the Historic Landmark Commission.
- 58.** The most recently adopted Policies and Procedures approved by the Historic Landmark Commission, along with all subsequent amendments, shall be provided to the City Recorder, posted on the Planning Division website, and distributed to each Commissioner in electronic format by the Planning Division Secretary.

Adopted by the Historic Landmark Commission on January 8, 2026. Recorded on January 21, 2026 by Aubrey Clark, Office Facilitator.