



Planning Division
Community & Economic Development Department

Memorandum

To: Planning Commission

From: Janice Lew, Principal Planner

Date: September 17, 2009

Re: **Re-hearing Historic Preservation Plan, PLNPCM2009-00171**

This is a request to re-hear a matter that was not properly noticed. On July 8, 2009, The Planning Commission passed a motion to recommend the City Council adopt the Historic Preservation Plan with the further recommendation that sustainability goals be revised, updated and expanded and that Economic Hardship be clarified. The vote was unanimous in favor. However, the Planning Division failed to properly notice the hearing before the Planning Commission. The July 8, 2009 staff report and minutes, and a memorandum from Matt Goebel, Clarion Associates, regarding the Sustainable Code Revision project are attached to this memo.

Potential Actions:

1. The Planning Commission could discuss the noticing problem, discuss their previous action, open the public hearing, and hold a vote.
2. The Planning Commission could refer to the minutes of the prior meeting with little or no further discussion, open the public hearing, and hold a vote.
3. The Commission could go back through all of the substance of the plan, open the public hearing, and hold a vote.

The City Council on September 8th discussed the preservation plan and other preservation questions to get a better understanding of this program. As soon as the Planning Commission takes action, the preservation plan will proceed to the Council to set the public hearing and action.



Planning Division
Community & Economic Development Department

Memorandum

To: Planning Commission

From: Robin Zeigler, Senior Planner

Date: May 4, 2009

Re: Preservation Plan, PLNPCM2009-00171

Adoption of the Salt Lake City Historic Preservation Plan began with a recommendation from the Historic Landmark Commission to City Council. The Planning Division is now seeking a recommendation from the Planning Commission.

A complete draft of the Plan was presented to the Planning Commission by Matt Goebel of Clarion and Associates on May 13, 2009. The Plan was discussed by the Planning Commission at their June 10, 2009 meeting. This memo is a response to the comments of that meeting.

1. The document is too large.

As a major element of the Salt Lake City General Plan, it is expected that the plan will go into more detail on what preservation is, what its objectives are, policies to guide future decision making, and descriptions of its various tools, e.g., tax credits, design guidelines. These are based on well-accepted preservation principles and best practices used by states and cities throughout the country as well for the National Register of Historic Places. Every one to two years, the Historic Landmark Commission will recommend to the Mayor, City Council, and planning managers a work plan to implement various aspects of the Plan.

2. The non-conforming uses create a property owner hardship in terms of adaptive reuse.

Nonconforming uses are not a historic preservation issue and so are not directly addressed in the Plan; however, the Plan does call for the balance of historic preservation with other City goals and actions. Currently, Planning Staff is working on amendments to the non-conforming uses and non-complying structures regulations and modifications to zoning regulations relating to lower intensive mixed use and commercial land uses. It is believed that these provisions will go a long way in removing a fair amount of non-conforming uses. Both of these projects will address this issue and include preservation, where applicable. For instance, the Small Business Ordinance will likely reference the *Commercial Design Guidelines* for historic structures that are currently being written.

3. Will the plan create another layer of government?

The Plan does not create another layer of government nor recommend changing the purpose and authority of the existing Historic Landmark Commission.

In 1995, the Council chose to establish the HLC on par with the Planning Commission rather than a subcommittee of the Planning Commission, as it had previously been. The Preservation Plan, design guidelines, application reviews are all tools the HLC uses to perform their responsibilities.

The Historic Landmark Commission was created by the City Council as part of the Zoning Code. (Section 21A.06.050). This Code establishes a Historic Landmark Commission of 9 to 15 members with the following purposes, authority and jurisdiction:

B. General Purposes: The purposes of the historic landmark commission are to:

- 1. Preserve buildings and related structures of historic and architectural significance as part of the city's most important cultural, educational and economic assets;*
- 2. Encourage proper development and utilization of lands and areas adjacent to historical areas and to encourage complimentary, contemporary design and construction,*
- 3. Protect and enhance the attraction of the city's historic landmarks for tourists and visitors,*
- 4. Safeguard the heritage of the city by providing for the protection of landmarks representing significant elements of its history;*

5. *Promote the private and public use of landmarks and the historical areas within the H historic preservation overlay district for the education, prosperity and general welfare of the people;*

6. *Increase public awareness of the value of historic, cultural and architectural preservation; and*

7. *Recommend design standards pertaining to the protection of H historic preservation overlay districts and landmark sites.*

C. *Jurisdiction and Authority: In addition to carrying out the general purposes set forth in subsection B of this section, the historic landmark commission shall.*

1. *Conduct surveys of significant historic, architectural, and cultural landmarks and historic districts within the city;*

2. *Petition the city council to designate identified structures, areas or resources as landmark sites or H historic preservation overlay districts;*

3. *Review and approve or deny an application for a certificate of appropriateness pursuant to the provisions of chapter 21A.34 of this title.*

4. *Develop and participate in public education programs to increase public awareness of the value of historic, architectural and cultural preservation;*

5. *Review and approve or deny applications for the demolition of structures in the H historic preservation overlay district pursuant to chapter 21A.34 of this title;*

6. *Recommend to the planning commission the boundaries for the establishment of an H historic preservation overlay district and landmark sites;*

7. *Make recommendations when requested by the planning commission, the board of adjustment or the city council, as appropriate, on applications for zoning amendments, conditional uses and special exceptions involving H historic preservation overlay districts and landmark sites;*

8. *Make recommendations to the city council concerning the utilization of state, federal or private funds to promote the preservation of landmark sites and H historic preservation overlay districts within the city;*

9. *Make recommendations to the city council regarding the acquisition of landmark structures or structures eligible for landmark status where preservation is essential to the purposes of section 21A.34.010, "H Historic*

Preservation Overlay District", of this title, and where private preservation is infeasible;

10. Make recommendations to the planning commission in connection with the preparation of the general plan of the city; and

11. Make recommendations to the city council on policies and ordinances that may encourage preservation of buildings and related structures of historic and architectural significance.

4. Will the plan require additional funding?

Some recommendations of the Plan will require additional resources, either direct funding or additional staff. Some funding may be obtained through grants. The City Council may allocate funding as it sets priorities for implementing different goals or actions of the Plan.

The Council chose to add a preservation planner in the FY 2010 budget to build this program. In September, once the Council has reviewed the preservation plan, the Mayor and Council will discuss what their priorities for this new position will be.

5. How does the Plan balance preservation with other goals of the City?

A fundamental goal of this planning effort has been to articulate why preservation is important to Salt Lake City, and balance its purposes and objectives with other important City goals. Throughout the plan, language has been included to suggest how preservation should work alongside and be supportive of City programs and policies. A good example is Theme 5, in which the plan identifies at length how preservation can help support the City's sustainability programs.

The role of this Plan, as one of several resources to help the City reach its goals, is also evident in Theme 1: Foster a Unified City Commitment to Preservation. Within that theme, the Plan calls for goals, plans and policies of the City to be aligned, "eliminating potential conflicts and forging a unified direction. Collaboration extends to community organizations, and business and special interest groups, with which the historic preservation program will enjoy a high degree of trust and communication (p. 10)."

6. The Plan states that the current economic hardship process is "convoluted and ineffectual". In what way is this the case?

The Plan recommends changing the Economic Hardship Ordinance but does not provide specifics, as that process requires research, review and public hearings before recommending a Text Amendment to the Planning Commission and City Council.

Changes to this portion of the Ordinance have been researched and discussed by the HLC for the last year. In addition to researching other ordinances across the country, Staff interviewed prior Economic Hardship panelists, held an Open House for public comment and met with staff members of RDA. Following is a summary of the purpose of this portion of the ordinance to address the concerns that came out of the interviews.

Purpose of Economic Hardship provision in Ordinance

The proposed alterations to the ordinance are a response to a 1999 Petition for amendments requested by the Planning Commission, a 2004 Legislative Action, and the 2008 Citygate Study of the Salt Lake City Planning Processes.

The purpose of Economic Hardship is to provide an applicant an opportunity to show that denial of an application for demolition of a structure with local historic designation will result in an economic hardship (taking of all reasonable economic use of the property). All property owners are protected from overly burdensome regulations through the Fifth Amendment to the U.S. Constitution. Economic Hardship provisions provide assurance to property owners that relief is available in situations where the impact of a particular action proves to be especially harsh.

The changes recommended are to assist both the Commission and the applicant to understand the requirements to determine Economic Hardship and to improve the process. The issues were identified through discussions with current and past Commissioners, Economic Hardship Review panelists, and applicants. A much more effective system needs to be established so the property owners and those reviewing applications for demolition know what to expect.

The Preservation Plan's language on this issue will be changed to explain the issues with the current ordinance. The Plan will read, "Comments received during this planning process indicated that the current demolition provisions of the ordinance, including economic hardship process, are seen as convoluted and ineffectual do not state clear processes and provide an applicant with understandable direction. In some cases, this ..."

7. Who was involved with creating the Plan?

The Preservation Plan kicked-off in August of 2007 with the following:

- Discussion with the HLC (multiple meetings)
- Discussion with Planning Commission. Commissioners received a list of CAC members and stakeholder groups.

- An Open House at Central City Community Center. Advertised through listserv and an advertisement in the *Salt Lake Tribune*
- Community Council Chair Meeting
- Creation of the Community Advisory Committee
- Stakeholder Group Interviews

CAC—Community Advisory Committee

The Community Advisory Committee representatives were “appointed” by each City Councilmember for each City Council district. Additional members included representatives from the City’s preservation partners such as the Utah Heritage Foundation and the State Historic Preservation Office. Three Historic Landmark Commissioners served as liaisons between the CAC and the HLC.

The CAC helped to coordinate the development of the Preservation Plan. The Committee was charged with the responsibility of providing input, identifying issues and recommending policies and actions to address the issues relating to historic preservation in Salt Lake City. In addition, the committee members reviewed drafts of the plan.

The CAC included:

Name	Representation
Nelson Knight	CC District 1
Brett Crane	CC District 2 (was not able to participate)
Rob Pett	CC District 3
Noreen Heid	Former HLC member from District 4 (replaced Freitas)
Bee Lufkin	CC District 5
Lisette Gibson	CC District 6
Elizabeth Giraud	CC District 7
Bob Farrington	Downtown
Esther Hunter	HLC
Anne Oliver	HLC
Warren Lloyd	LEED architect
Kirk Huffaker	UHF
Barbara Murphy	SHPO
David Richardson	AIA
Ben Logue	Developer
Polly Hart	HLC (replaced Hunter)
Carla Wiese	Downtown (replaced Farrington)

Name	Representation
Patrick de Freitas	CC District 4 (was not able to participate)

Stakeholder Groups

A Stakeholder group was a group of no more than five individuals with specific perspectives relating to historic preservation. (Please see attached "Stakeholder Interview Summary.") They met with the consultants for "round table" discussions relating to their perspectives on the overall goals of the project and received input on relevant issues. These groups discussed their impressions of the strengths and weaknesses of the current ordinances, existing policies and their general expectations of the planning effort. The stakeholder groups included the following:

- City Council members/ Planning Commissioners
 - Architects
 - Past Economic Review Panel Members
 - Realtors
 - City Staff (outside of Planning)
- Citizens
- Developers

Public Outreach

In addition to the guidance of the CAC, the public was encouraged to participate in the development of the Plan.

Summary of Outreach for Preservation Plan

City Council/ Planning Commission Meetings

4 Public Workshops/Presentations (not including public hearings and meetings)

Additional Presentations

10/23/07 Initial meeting with Community Council Chairs
 2/12/08 Utah Heritage Foundation Board
 2/9/08 Liberty Wells Community Council
 8/19/08 Downtown Alliance
 9/17/08 Two public workshops (noon and after work)
 2/18/09 Public Workshop of complete draft
 5/6/09 Central City Community Council

Flier and/or Posters distributed to or at:

Utah Heritage Foundation
Chamber of Commerce
State Historic Preservation Office
Planning Division offices
Fisher Mansion Open House
Downtown Alliance
Avenues 2008 Street Fair
9th & 9th 2008 Street Fair
2008 Capitol Discovery Days

Television

PSA- City Cable Channel 17

Letters/Newsletters

Letters from the Mayor to his mailing list
Historic Landmark Commission print newsletters
Planning Division newsletter
Article sent to all Community Councils to use in their newsletter or
listserv, as they wished—not all agreed to forward the article
Utilities bill insert article

Listserves

Planning Division Listserv
Listserv created by respondents to online questionnaire
Vest Pocket Business Coalition listserv
Utah Heritage Foundation

Meetings/Interviews

Stakeholder interviews
Multiple meetings with RDA staff
One-on-one meetings with City Council members

Press

Press releases were sent regularly
August ad in *Salt Lake Tribune*
4/22/09 Article in *City Weekly*
KCPW Interview

Website

All drafts and presentations are posted on the Planning Division's
website
There is a direct link for the Plan off the city's main page
Website included an online questionnaire and an area to submit direct
comments

8. Would like to see a 6th theme: “To work side-by-side with preservation and development and business economy of the city.”

The themes for the Plan were developed based on stakeholder interviews and the input of the CAC.

Although not its own theme, Staff believes that the sentiment of the suggested theme is covered in the theme “Foster a Unified City Commitment to Preservation”. Within this chapter (theme) the Plan covers “Citywide Planning, Interdepartment Coordination; and A Shared Understanding of Preservation Benefits” (p. 13). For example, Action 1.2b.2 calls for “Coordination with Economic Development.” Action 1.3c.1 suggests an economic study of historic preservation.

The importance of the economic health and growth of the City is woven throughout the Plan. For instance, the Plan calls for the development of a heritage tourism strategy (5.3a.1). Studies show that heritage tourist spend more money and stay longer than other types of tourists. Studies also show that local districts, which the Plan supports, maintain and in most cases, increase property values which in turn stabilize or increase City revenues while improving investments made by property owners.

It is the intent of the Preservation Plan and HLC to work together with the development and business communities to enhance our City while maintaining its character-defining features and neighborhoods.

9. How does this plan fit into any state or county policies already in place?

The Plan relates to State policy in that State enabling legislation allows for historic zoning overlays and the development of historic landmark commissions to steward the ordinance. (The county policies do not apply within cities). Our policies and regulations are adopted by the City Council.

At the same time, both the State Preservation Office and the Salt Lake City Historic Landmarks Commission follow the Secretary of Interior Standards for Historic Preservation which are used as a foundation for all historic preservation programs across the country.

10. How will the Master Plans be updated to incorporate the Preservation Plan?

The Plan does not specify when Master Plans should be updated or how. The Planning Commission and City Council will determine, based on staff and funding resources in addition to other factors, when Master Plans will be updated as well as the extent of the updates. It is the intent of the Planning Division to ensure a planner with historic preservation

background is a member of each of our planning teams when we develop new or updates existing plans so that historic preservation opportunities are reviewed along side other planning issues.

11. The plan needs definitions for terms such as “contributing” and “historic preservation”.

Definitions from the ordinance, as well as additional definitions that help the reader to understand the text, have been added to the plan as an additional appendix to provide clarity. (Please see revised Plan.)

12. The new construction requirements only address an example of height. Need more examples.

A second example provided in the Preservation Plan is allowable materials. Beyond those two examples, no other specifics are provided in the plan. The intent is to convene a separate process at some point in the future in which users of the Design Guidelines and other stakeholders can identify other specific issues that may need to be addressed for new construction. The language in the preservation plan is kept general to keep from influencing or constraining that subsequent effort in any way.

13. There were several comments about the Architectural Review Committee (ARC) and how it works. There was concern that the ARC should not have the authority to direct applicants.

The ARC has changed over the years to address changing needs of the Commission. Originally, the ARC was mainly included Commissioners who were architects by profession and who could provide specific technical suggestions on how an applicant could meet their needs while still meeting the historic district regulations. The ARC did not have approval authority, but was used by the full HLC and Planning Staff to give technical construction advise to assist applicants. The ARC met on a regular basis, two times a month. Currently, the ARC meets on an as-needed basis at either the request of the applicant or the Historic Landmark Commission. The ARC was created as an additional resource for the applicant, and has lessened the frustration of many. At this time, it is not mandatory or part of a formal process. As a part of updating the Historic Overlay Ordinance, the HLC will be reviewing this committee and defining its role. The ordinance will, at a minimum, provide clarity on the ARC’s purpose, when they meet and what expertise members of the committee should have.

14. Examples of additional financial incentives would be helpful.

An extensive list of financial incentives available to support historic preservation is provided in Appendix C, *Potential Funding Sources for Historic Preservation*. In addition, a sidebar has been added to action 2.8 which states:

This plan proposes a wide range of possible financial incentives for preservation, including new programs such as transfer of development rights, and a variety of tax credits, loans, and grant programs in Appendix C: Potential Funding Sources for Historic Preservation. Other incentives the city might propose in the future include:

- ☐ Density bonuses
- ☐ Tax waivers or deferrals
- ☐ Waiver or postponement of permit fees
- ☐ Relief from zoning or building code requirements

15. RDA's letter states that the language suggests that preservation should be the first priority of the City.

The letter from RDA, as well as all other public comments included in the staff report, were based on earlier drafts of the Plan. The current Plan has been updated to address these concerns. (Please see memo from Clarion and Associates outlining the changes made.)

16. It is critical to inform people about designation before a property changes hands.

Historic Overlays are not about imposing rules, but about a community working together to preserve their history which are reflected in the character-defining features of our historic structures. For that reason, property owner buy-in on the benefits and requirements of a historic overlay is essential. Any action that can be taken to inform potential property owners about historic overlays and remind current owners about incentives results in a stronger program. The Plan recognizes the importance of education and provides multiple recommendations.

Currently, local historic designation is on property deeds. Staff is also working on changing the state disclosure forms to include historic districts. In addition, education of the general public about what local historic designation means and how it differs from the National Register of Historic Places will help. Currently, the Historic Landmark Commission hopes to accomplish this with an updated website and with an informational video on SLC-TV. The HLC will implement other educational tools as recommended in the Plan once resources allow.

17. Not all parks should be designated.

The Historic Overlay provides standards for designating property with the intent to preserve those resources which are important to our history and not just every old building or landscape. In keeping with this concept, the Plan does *not* recommend designation of *all* parks but instead, those historic parks that meet the standards of the Historic Overlay Ordinance for a Landmark Site or a contributing site in a historic district. Designation would allow parks to grow and change to meet modern needs but guide that change in a way that maintains the landscape's important historic features.

18. How will regulation of historic landscapes work?

The Plan recommends preserving historic landscapes and education about historic landscapes. Action 5.5c.2 states, "Determine appropriate preservation for historic landscape features." The description of this action calls for the *elimination* or *streamlining* of preserving landscape features such as streets and sidewalks. It also recommends a tiered process based on the level of significance of the resource. It does not recommend stricter guidelines than what are already in place.

In terms of individual yards, the Plan recommends education for property owners, not additional regulation.

19. How will the downtown be preserved? The Plan should state which properties will be designated.

The Plan identifies multiple areas of potential designation and recommends that the HLC review and prioritize these areas.

Designation itself is a public process different from the adoption process for this Plan. Once areas are identified, a series of public meetings should be held with affected property owners and the general public to determine if there is interest in the benefits of designation before moving forward.

20. Will new buildings be historic in the future?

In the early years of historic preservation, only the homes of our country's white leaders were considered worthy of preservation. Now we recognize that our country includes multiple stories that are told through sites such as worker's housing, Native American landscapes and roadside attractions. It is to be assumed that our idea of what is historic will continue to evolve and change over time. What buildings will be historic in the future can only be determined by future generations based on the standards and best practices then in place.

21. Does the city plan to annex additional property for the purpose of preservation?

Not to our knowledge, nor is it a recommendation of the Preservation Plan.

22. What actions are being taken to preserve the ridgelines above City Creek, Red Butte Canyon and Parley's Canyon?

Historic preservation is about preserving the built environment, such as buildings, planned landscapes, and public art and monuments. Conservation of natural resources is not an historic preservation issue. An example of where the two issues may cross, would be the preservation of Ensign Peak which has historic significance in the development of Salt Lake City but which may also be considered by some as a 'natural resource.' From an historic preservation standpoint, a trail is part of a "built environment." Ensign Peak is a Landmark Site

23. If a new planner is hired they should have an urban design background, rather than be an architect or planner.

The role of a new preservation planner, will be determined by the Mayor's Office and the City Council. The experience required of this position will be based on the job description for that position.

24. A tiered review processes was recommended.

With a review process, it is important for an applicant to understand all steps of the process so that they know what to expect. A clear process also helps to ensure that every applicant is treated equally. So long as procedures are clear and administered consistently, a tiered review process can lead generally to greater efficiencies, as the bulk of the city's resources are directed toward those projects that are larger, more complex, or potentially controversial. The city is already using a tiered review process by allowing many minor projects to be reviewed administratively, while requiring major projects to be publically noticed and decided by the HLC. Any future revisions to the review procedures for historic resources should be undertaken only after a thorough review of the ordinance.

25. Need supportive data on the following two topics:

Pg. 19 preservation increases property value

A variety of resources are available that document the positive effect of local historic designation on property values. This project's consultant, Clarion Associates, produced a report that analyzed that issue, among others, for the State of Colorado in

2004; a copy will be provided to the Planning Commissioners upon request. That project found that property values in locally designated historic districts in Denver, Durango, and Fort Collins rose at either the same rate or higher rates than in similar, undesignated areas. Examples of other similar studies are available on the web; for example, the Advisory Council on Historic Preservation includes links to several studies at: <http://www.achp.gov/economic-propertyvalues.html>.

Pg. 24 step down strategy from higher density to lower density.

Many communities have adopted zoning regulations that require building heights to gradually “step down” from higher-density areas, such as around transit stations, to lower-density areas, such as residential neighborhoods. This type of architectural transition generally is intended to help blend old areas with new infill development, while still allowing the higher densities that often are encouraged with new infill projects. A few examples of this concept are as follows:

Arlington County, VA

Development is required to taper down with increased distance from the transit station. The highest densities and building heights are located near the transit stations, with development required to step down as it gets closer to the surrounding, existing single-family residential neighborhoods.

Washington DC

The *NoMA Vision Plan and Development Strategy* directs that within the East NoMA area “the scale is larger near the tracks and H Street and tapers-down towards the existing neighborhood fabric.” This plan hopes to provide a transition between older historic buildings and new buildings. This plan also requires that height limits step down for new PUDs and zoning changes as they encroach existing rowhouse development and may step up closer to the railroad tracks.

http://www.planning.dc.gov/planning/lib/planning/Section_5_Part_2-Character_Area_Development_Guidelines_2.pdf

Chesapeake, VA

The *Design Guideline Manual for the Suburban Overlay District* controls building massing through a few different requirements, one of which is to “step down to the street/step back from the build-to line with increasing heights.” These requirements are designed to respect the scale and context of the surroundings by making building massing “compatible with the size, height, and shape of existing adjacent buildings as seen from the street and public areas and safeguard the provision of light, air, and views at street level.” These provisions ensure that there is a transition in building height that minimizes the impacts that taller buildings can have on near by lower buildings, streets, and open space.

<http://www.chesapeake.va.us/services/depart/planning/pdf/design-guidelines/Chapter-III.pdf>

Glendale, CA

The *Glendale Design Guidelines for Residential Buildings in Adopted Historic Districts* requires larger buildings to step down in height as they get closer to smaller buildings. This provision is intended to ensure that new construction “respects the rhythm of massing and setbacks within a historic district.” However, buildings are allowed to be taller in the back than they are in the front because they will still appear to be in scale with adjacent buildings.

http://www.ci.glendale.ca.us/planning/pdf_files/HistoricDistrictsDesignGuidelines/council%20draft%20HDDG/22_Infill.pdf

Portland, OR

The *Portland Streetcar System Plan* calls for a transition from the mixed use district to single family residential uses in order to respect the existing character and scale of the single family residences. One requirement is to use step-downs to reduce the massing of the building. Providing a sufficient transition in height from taller buildings to shorter building also is intended to ensure sufficient solar exposure.

<http://www.portlandonline.com/TRANSPORTATION/index.cfm?a=225462&c=461>

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26. The plan should reference the historic street pattern, specifically small secondary streets and alleys. We have a lot of pressure to vacate alleys and we are compromising that character of our community.

Because the historic street patterns vary by neighborhood, it would be valuable for the community master plans to include information on local historic street patterns that are worthy of protection. The preservation plan calls for the master plans to be amended over time to address preservation-related issues; historic street patterns is a good example of such an issue.

27. The Plan is too general. For instance, what is Demolition by Neglect?

The Plan is a recommended outline for historic preservation in Salt Lake City, but does not provide specific details on suggested projects such as “Demolition by Neglect” nor does it list properties that will be designated in the future, because these types of actions require their own processes. For instance, Demolition by Neglect, is the destruction of a building through abandonment or lack of maintenance. Whether or not it is a useful tool for Salt Lake City, and if so, how it would be more specifically defined, stewarded and enforced will require careful research, discussions among different City departments and agencies, review of state law and multiple public meetings and hearings.

28. The Plan needs to state that sometimes a historic structure must be torn down to plan for more housing and business needs for the city and its future growing population.

There is nothing in the Plan that states that ALL old or historic buildings should be retained. The fact that there are standards that must be met before a building can be protected by the Certificate of Appropriateness process shows that there is a difference between old buildings and those that are historically important to the community. In addition, current language of the ordinance concedes that a property that is in poor condition may no longer have historic integrity and therefore is not required to be preserved.

Reuse of existing buildings, whether or not they are historic, is a good policy since this is the ultimate in recycling. In a recent speech, Richard Moe, President of the National Trust, provided the following example: Buildings are vast repositories of energy. It takes energy to manufacture or extract building materials, more energy to transport them to a construction site, still more energy to assemble them into a building. All of that energy is embodied in the finished structure – and if the structure is demolished and landfilled, the energy locked up in it is totally wasted. What's more, the process of demolition itself uses more energy – and, of course, the construction of a new building in its place uses more yet.

Let me give you some numbers that will translate that concept into reality.

- According to a formula produced for the Advisory Council on Historic Preservation, about 80 billion BTUs of energy are embodied in a typical 50,000-square-foot commercial building. That's the equivalent of 640,000 gallons of gasoline. If you tear the building down, all of that embodied energy is wasted.
- What's more, demolishing that same 50,000-square-foot building would create nearly 4,000 tons of waste. That's enough debris to fill 26 railroad boxcars – a train nearly a quarter of a mile long, headed for a landfill that is already almost full.
- Once the old building is gone, putting up a new one in its place takes more energy, of course, and it also uses more natural resources and releases new pollutants and greenhouse gases into our environment. It is estimated that constructing a 50,000-square-foot commercial building releases about the same amount of carbon into the atmosphere as driving a car 2.8 million miles.
- One more point: You might think that all the energy used in demolishing an older building and replacing it is offset by the increased energy efficiency of the new building – but that's simply not true. Recent research indicates that even if 40% of the materials are recycled, it takes approximately 65 years for a green, energy-efficient new office building to recover the energy lost in demolishing an existing building. And let's face it: Most new buildings aren't designed to last anywhere near 65 years.

A report from the Brookings Institution projects that by 2030 we will have demolished and replaced nearly 1/3 of all existing buildings, largely because the vast majority of

them weren't designed and built to last any longer. How much energy will it take to demolish and replace those buildings? Enough to power the entire state of California for 10 years. A specific example is the San Francisco City Hall constructed in 1915. City Hall has approximately 500,000 square feet of space, enclosed and decorated with a lot of stone and bricks and iron and wood. When you consider the amount of energy it took to extract or manufacture all those materials, then transport them to the site and put them all together, the total embodied energy in that building is the equivalent of 7 million gallons of gasoline. If we assume the average vehicle gets about 22 miles to the gallon, that means there's enough embodied energy in the San Francisco City Hall to drive a car about 150 million miles. All of that energy would be wasted if the building were to be demolished and landfilled. What's more, the demolition itself would require the equivalent of thousands of gallons of gas – and would create thousands of tons of waste.

It all comes down to this simple fact: We can't build our way out of the global warming crisis. We have to conserve our way out. That means we have to make better, wiser use of what we've already built

Anthropologist Ashley Montague has said that the secret to staying young is to die young – but the trick is to do it as late as possible. All over the United States, people are showing that old buildings put to new uses can stay young to a ripe old age. If that's not sustainability, I don't know what else to call it.

Still, too many people just don't see the connection. They don't yet understand that preservation must be an integral part of any effort to encourage environmental responsibility and sustainable development. They don't yet realize that our buildings are renewable – not disposable – resources.

The UN report that I quoted a bit earlier, for instance, doesn't stress the importance of reusing the buildings we have. Similarly, most recent efforts by the green community place heavy emphasis on new technologies rather than on tried-and-true preservation practices that focus on reusing existing buildings. The most popular green-building rating system, the Leadership in Energy and Environmental Design, or LEED program developed by the U. S. Green Building Council, was designed principally for new construction – an emphasis that is completely wrong-headed.

All available statistics tell us clearly that buildings are the problem – but incredibly, we propose to solve the problem by constructing more and more new buildings while ignoring the ones we already have. No matter how much green technology is employed in its design and construction, any new building represents a new impact on the environment. The bottom line is that the greenest building is one that already exists.

It's often alleged that historic buildings are energy hogs – but in fact, some older buildings are as energy-efficient as many recently-built ones. Data from the U.S. Energy Information Agency suggests that buildings constructed before 1920 are actually more energy-efficient than buildings built at any time afterwards – except for those built after 2000. Furthermore, in 1999, the General Services Administration (GSA) examined its

buildings inventory and found that utility costs for historic buildings were 27% less than for more modern buildings.

It's not hard to figure out why. Many historic buildings have thick, solid walls, resulting in greater thermal mass and reducing the amount of energy needed for heating and cooling. Buildings designed before the widespread use of electricity feature transoms, high ceilings, and large windows for natural light and ventilation, as well as shaded porches and other features to reduce solar gain. Architects and builders paid close attention to siting and landscaping as tools for maximizing sun exposure during the winter months and minimizing it during warmer months.

Unlike their more recent counterparts that celebrate the concept of planned obsolescence, most historic and many other older buildings were built to last. Their durability gives them almost unlimited "renewability" – a fact that underscores the folly of wasting them instead of recognizing them as valuable, sustainable assets.

I'm not suggesting that all historic buildings are perfect models of efficient energy use – but, contrary to what many people believe, older buildings can "go green." The marketplace now offers a wide range of products that can help make older buildings even more energy-efficient without compromising the historic character that makes them unique and appealing. And there's a large and growing number of rehab/reuse projects that offer good models of sustainable design and construction – including several here in the Bay Area. At the Presidio in San Francisco, for instance, the former Letterman Hospital complex now houses the Thoreau Center for Sustainability. Even though the conversion was completed before LEED certification standards were developed, it has become a model for sustainable design in preservation – not only in California but also around the world.

Attachments:

Summary of Preservation Plan

Clarion Memo: Summary of Plan Edits Related to RDA Comments

Stakeholder Interview Summary

Local Preservation in Brief

Revised Plan

Salt Lake City Historic Preservation Plan Project Summary



WHY DEVELOP A HISTORIC PRESERVATION PLAN?

- To comprehensively address historic preservation issues throughout Salt Lake City;
- To protect the past while preparing for redevelopment and infill as the City grows;
- To acknowledge the many preservation successes achieved in the past, and to strengthen current preservation efforts; and
- To inform an array of City policy decisions and guide preservation activity into the future.

WHO WAS INVOLVED?

- The public - through workshops, an open house, the City's website, interviews, surveys, presentations, a public service announcement, and informational posters.
- Citizen Advisory Committee - made up of 17 citizens with diverse backgrounds.
- Historic Landmark Commission.
- Salt Lake City Planning staff of the Planning Division



WHAT DOES THE PLAN SAY?

- The plan is organized around an overall Vision Statement, which is made up of five themes. Each of the five themes is described below.
- An implementation plan identifies specific actions that should be undertaken to achieve the City's preservation goals. The plan prioritizes each action and identifies responsible parties. Below, this project summary identifies the first-year implementation priorities for each of the five themes.

FOSTER A UNIFIED CITY COMMITMENT TO PRESERVATION

Historic preservation issues arise every day in the actions and decisions of a variety of City officials and agencies – from land use planning for older neighborhoods, to street and sidewalk improvements in historic districts, to transit planning along historic commercial corridors. Implementation of this plan will be achieved through many types of activities, including planning, regulations, funding, and other day-to-day decisions across the whole City government. Through aligning the City's goals, plans, and policies, a unified direction for historic preservation may be recognized. First-year implementation priorities include:

- Develop a list of preservation-related issues for Community Master Plans to address, if applicable;
- Establish a City Coordination Committee to help monitor plan implementation across departments;
- Educate City leaders and other departments on the benefits of historic preservation; and
- Assign staff planning teams to represent geographic planning areas

DEVELOP A COMPREHENSIVE PRESERVATION TOOLBOX

This theme discusses opportunities to fine-tune and broaden the City's preservation toolbox in three important categories: the survey of historic properties, the historic designation process, and the land-use regulations that apply to development of designated historic properties. Sample first-year implementation priorities include:

- Establish criteria to determine where future historic survey work is needed;
- Pursue local historic designation for eligible City-owned properties;
- Assess underlying zoning to see where it may be inconsistent with preservation objectives, and pursue zoning map amendments if necessary;
- Assess building code barriers and conflicts that work against historic preservation;
- Prepare targeted ordinance revisions to improve the economic hardship and demolition process;
- Draft and adopt new standards to prohibit demolition of historic resources by neglect; and
- Update and clarify requirements for new construction in historic districts to be sure the original intent is achieved.



ADMINISTER A CONVENIENT AND CONSISTENT HISTORIC PRESERVATION PROGRAM

Clear and efficient administrative procedures, convenient resources available to the public, and consistent information on and application of the rules are crucial components to a successful historic preservation program. First-year implementation priorities for this theme include:

- Improve training for new Historic Landmark Commission (HLC) members on the City's preservation goals and the various tools available; and
- Establish an architectural review committee to provide informal, non-binding design feedback on specific projects.

IMPROVE EDUCATION AND OUTREACH

Conveying the message that historic preservation is valued in Salt Lake City is vital to the continuing success of future preservation efforts. This theme discusses ways to create and strengthen educational materials on historic preservation in order to help increase community pride and awareness of the City's history for residents and visitors. First-year implementation priorities include:

- Expand the City's website to include sections devoted to historic preservation;
- Reinstate the City's awards program to highlight preservation project successes for the prior year; and
- Modify the review procedures for City Housing and Small Business loans to include historic planning staff or Commission project review when a historic property is involved.

SUPPORT A SUSTAINABLE CITY

Historic preservation can be a cornerstone of the City's efforts to promote sustainable development. This section of the plan illustrates how preservation can support not just environmental sustainability, but also economic, social, and cultural sustainability. First-year implementation priorities include:

- Appoint a staff green building liaison;
- Enable broader use of solar collectors and alternative energy equipment on historic properties ;
- Preserve eligible historic parks as landmark sites;
- Ensure zoning allows residential reuses of nonresidential historic structures;
- Support appropriate residential additions in historic districts to meet a wide range of housing needs; and
- Draft rules to allow accessory dwelling units in historic districts, following neighborhood approval and subject to clear standards that protect neighborhood character.

For additional information, questions, or comments
please contact:

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Memorandum

To: Robin Ziegler, Salt Lake City Planning

From: Matt Goebel, Clarion Associates

Date: June 29, 2009

RE: Draft Historic Preservation Plan – Summary of Plan Edits Related to RDA Comments

Per your request, the following summarizes comments on the draft Salt Lake City Historic Preservation Plan received from the Redevelopment Agency of Salt Lake City in their memo of February 25, 2009, and relevant edits that have been made to the draft plan.

- Theme

- RDA comments: Generally, RDA's memo noted that the agency believes that too much emphasis is placed in the plan on preservation at the expense of other city goals/policies. "The language...seems to suggest that preservation is the preeminent goal of the City, rather than one of many important objectives." The memo argues that the plan language calls for all other city goals to be subordinated to preservation.
- How Addressed in June 2009 Draft Plan: In our view, it was never the city's intent to use this plan to assert a preeminent role for preservation over other city interests. The HLC, citizen advisory committee, and numerous other stakeholders that participated in the planning process instead simply wanted the plan to make the case that preservation should have "a seat at the table" in future policy-making decisions.

The February 25 RDA memo was prepared in response to an earlier version of the draft plan, dated February 2009. Since that time, several relevant edits have been made to various sections of the plan to soften any implication that historic preservation takes precedence over other city goals.

- Beginning with the March 2009 draft, Goal 1.1 was changed from: "Ensure all city plans and policies are compatible with the Historic Preservation Plan" to "Ensure consistency between the Historic Preservation Plan and all other adopted city plans." The earlier language did indeed imply that the preservation plan should be the foundation for determining consistency; the language has been softened to merely state that all plans should be consistent.
- Beginning with the March 2009 draft, Policy 1.1b was changed from: "Update other adopted city plans to ensure consistency with the goals and policies of the Historic Preservation Plan" to "Update other adopted city plans to ensure compatibility with the goals and policies of the Historic Preservation Plan." The change is intended to make this language less rigorous, and not require strict uniformity between the various adopted plans.
- Beginning with the March 2009 draft, Goal 1.2 was changed from: "Ensure all city plans and policies are consistent with the adopted Historic Preservation Plan" to "Ensure consistency between the Historic Preservation Plan and all city policies." As with Goal

1.1, the change here was intended to remove the implication that the preservation plan should be the foundation for determining consistency.

- The old Policy 1.1a from the February 2009 draft was relocated to be the new Policy 1.2a. That policy states: "At all levels of city government, make decisions on historic resources and preservation that are in accordance with the Historic Preservation Plan." The language in this policy is directly relevant to the point made by RDA. When conflicts arise between the preservation plan and other adopted city plans, the policy explicitly calls for the city to "attempt to balance conflicting goals, giving due consideration to the historic preservation goals and policies expressed in this plan, *in addition to other city objectives* [emphasis added]. While all decisions will continue to be made by city officials on a case-by-case basis, factors affecting historic resources (e.g., the potential loss of irreplaceable resources) will be considered."

The RDA memo notes that this is clearly an interest of semantics; additional text edits may be necessary to further clarify the city's intent.

- **Demolition**

- *RDA comments:*

- Proposed revisions to economic hardship process (separate from this plan) disproportionately favor preservation.
 - In several places, the plan's language regarding the current demolition process is too negative.

- *How Addressed in June 2009 Draft Plan:*

- The revisions to the economic hardship process are not addressed in detail in the preservation plan. They are being reviewed and acted upon through a separate process.
 - In terms of the language in the preservation plan itself being too negative, the language has been changed in at least two instances beginning with the June 2009 draft to address this concern:
 - Under "Objectives of this Plan," under the subsection "Address Concerns with the Demolition Provisions of the Ordinance," the first sentence has been changed to read: "Current demolition provisions of the historic overlay ordinance, including the economic hardship process, are seen as not providing applicants with clear and understandable direction." This replaces the earlier version that had drawn criticism from RDA and others: "Current demolition provisions of the historic overlay ordinance, including the economic hardship process, are seen as convoluted and ineffectual." (page 9 of June 2009 draft)
 - Under Action 2.7.a.1, "Assess Underlying Zoning," the fourth sentence has been changed to: "Comments received during this planning process indicated that the current demolition and economic hardship provisions of the ordinance do not state clear processes and provide an applicant with understandable direction." The "convoluted and ineffectual" language from the prior versions has been removed. (page 47 of June 2009 draft)

- **Preserving New Buildings**

- *RDA comments:* The RDA supports a fixed threshold for determining historic eligibility; the agency objects to the plan's calls for preserving resources from the recent past.
 - *How Addressed in June 2009 Draft Plan:* This comment has not been addressed in the draft plan. The HLC and citizen advisory committee members felt strongly that the plan should

acknowledge the occasional need to protect resources that are less than 50 years old, if appropriate based on exceptional historic and/or architectural significance. This issue is addressed primarily in the text box on page 45 of the June 2009 draft. The plan does not call for all new buildings to be protected. The plan recognizes that the 50-year mark continues to be the traditional threshold for determining historic significance, but calls for the city to retain the flexibility to recognize important resources that are less than 50 years old if merited. Any potential landmark designation would require approval by the City Council.

- **Committee Membership**

- *RDA comments:* The RDA does not support the plan's proposal for joint membership between the HLC and the Redevelopment Advisory Committee, since such joint membership would violate city policy regarding board membership.
- *How Addressed in June 2009 Draft Plan:* Beginning with the March 2009 draft plan, the recommendation for joint membership was deleted.

- **Conservation Districts**

- *RDA comments:* RDA does not oppose the objective behind conservation districts, but believes more prescriptive zoning regulations are a better approach for protecting neighborhood character. The RDA memo expresses concern about the conservation district approach pitting one group of neighborhood residents against another.
- *How Addressed in June 2009 Draft Plan:* The conservation district concept has many strong advocates and has been discussed extensively at stakeholder meetings regarding the preservation plan. Many neighborhood advocates admit that the conservation district approach may essentially be a "band-aid" to address perceived deficiencies with the underlying zoning rules, and acknowledge that clearer citywide design standards might be a more straightforward solution. However, neighborhood leaders also see the conservation district tool as the only short-term option to prevent what they see as inappropriate tear-downs and additions. They express continuing dissatisfaction with the city's infill compatibility ordinance (both the time involved in developing the approach, and the ultimate standards).

- **Project and Loan Review**

- *RDA comments:* RDA staff supports the plan's call for preservation staff to participate in the review of new projects in historic districts.
- *How Addressed in June 2009 Draft Plan:* No edits necessary.

- **Architectural Review Committee**

- *RDA comments:* The RDA expresses concern that, unless the proposed Architectural Review Committee is able to provide a firm commitment that the full HLC will approve the proposal, then the ARC simply adds another level of uncertainty to the development process, which will discourage investment in Salt Lake City.
- *How Addressed in June 2009 Draft Plan:* No edits have been made to this plan thus far on this issue.

SALT LAKE CITY HISTORIC PLAN

Interview Summary – Organized by Interview Date

August 22-23, 2007; December 4-5, 2007

INTRODUCTION

Salt Lake City kicked off the project to develop a historic preservation plan with a series of interviews and meetings on August 22-23, 2007, and also on December 4-5, 2007. The project consultants informally met with small groups of stakeholders for interviews about various aspects of the city's existing historic preservation program. Each interview session began with a brief overview of the plan objectives as defined by the city and the steps through which the plan will be developed in the coming year. Interviewees included members of the following groups and departments:

- City Council,
- Planning Commission,
- Historic Landmark Commission,
- SLC Redevelopment Agency (RDA),
- SLC Housing and Neighborhood Development,
- SLC Public Services Division,
- SLC Planning and Zoning Division,
- Developers,
- Architects,
- Realtors, and
- Other citizens

Interviewees were asked to comment on preservation issues in any of three general areas:

- Planning and Outreach,
- Historic Resource Inventories and Surveys, and
- Regulations and Incentives.

The following pages summarize the cumulative feedback received during these interviews. All comments are from the interviewees themselves and do not necessarily reflect the opinions of the city or the consulting team. Along with the results of public surveys and the consulting team's review of various background materials, this feedback will be used to inform the development of the draft plan vision and goals.

Please note that a separate document has been prepared that organizes all interview notes by theme.

CITY COUNCIL AND PLANNING COMMISSION MEMBERS

- There are many potential conflicts between city goals related to housing, transit-oriented development, and historic preservation. Currently, no one is situated to resolve conflicts between these groups.
- Preservation can play a role in creating healthy communities.
- Sometimes the HLC acts on projects without the benefit of understanding city's policies in other areas.
- "Preservation" sometimes is used as a straw-man to stop growth. The city must allow growth to occur, but needs better tools to evaluate what types of growth are appropriate. (In particular, what type of modern development can occur that is consistent with historic character?)
- Guidelines should allow modern development to occur that is consistent with historic character.
- Need to see HLC prioritize battles so Planning Commission and City Council know when it's meaningful. Right now HLC seems to react uniformly to all.
- The development community is reactionary to historic preservation because it is such an onerous process. There is a lack of predictability about getting through the process.
- HLC sometimes is seen as too narrowly focused. They need to focus on the big picture, not just micro-manage the details.
- We also need policy tools to guide appropriate development outside of historic districts. The city needs policy direction in changing areas.
- The city should not empower lots of small design review boards.
- Need to develop city-wide policy guidance for preservation, and then bring the master plans into alignment with the city-wide policies. Now, there are conflicts between master plans and historic preservation.
 - Example: The Marmalade project was zoned according to the applicable master plan to provide a high-density commercial node for the surrounding area, but then ran into preservation-related conflicts because the site involved three contributing historic structures -- despite the fact that many had degraded in quality since the area was surveyed and would no longer be counted as contributing. The HLC felt "backed into a corner" because they didn't have any good options or tools to review the status of those buildings apart from the rigid historic district standards.
- Development pressure is especially prominent at the edges of districts. Should there be varying standards within districts (e.g., along an arterial or TOD corridor versus inside local streets)? Need a policy for these transitional zones at the edges.
- Restrictions on home expansion are gradually driving families out of the city. This is impacting the neighborhood composition and city school enrollment numbers.
- Need to provide a range of housing types in urban neighborhoods so that there are options for a range of household sizes, including singles, couples, and families. Address the need for affordable single-family housing in the city so people don't have to move to the suburbs to buy a home. Designating all neighborhoods as "historic" once they reach 50 years old could lead to unnecessary inflation in housing prices.
- HLC trumps the compatible infill regulations in historic districts, and so the HLC acts like a compatible infill body, yet has no policy to guide their decisions. Need clearly defined criteria for compatibility. The review bodies need guidance on what they are considering in the decision. This could also help shorten the timeframe.
- Other areas that should be looked at for possible historic resources? Rose Park, Fairpark, Poplar Grove.
- Good case study: Pugsley North. The RDA worked in partnership with other agencies *on land assemblage and did compatible remodel and infill work. Enabled new development while protecting historic resources.

- There is a lot of development pressure in certain “hot spot” areas (e.g., West College, Harvard-Yale) and, more generally, along the edges of existing historic districts. This plan needs to address how to manage that pressure and develop recommendations for treatment of these “transitional zones.”
- Some locations are likely to experience increased development pressure. Which areas may be appropriate to transition to more intensive use over time as part of the city’s “big picture?” In the absence of a Comprehensive Plan, what processes and tools are the city and neighborhoods using to determine appropriate future land uses?
- Need an interim pathway between nothing and local standards that are tailored to character preservation.
-
- Infill ordinance is a “dismal failure.” Too arbitrary (especially height rules).
- Need more help thinking through where preservation should be focused.
- City needs to decide if we want flexibility in what we preserve, or go for comfort and clear rules but no flexibility. Or, can flat, objective standards work together with some sort of alternative compliance?
- Need design review that allows creative design.
- Need broader set of tools to protect neighborhood character (e.g., conservation districts). Especially need design tools outside of historic districts. Citizen group pushed for conservation districts 15 years ago in Salt Lake City, but didn’t succeed.
- Planned development often is used for infill projects. Allows huge room for negotiation.
- High frustration with lack of planning staff leadership.
- This plan should help identify appropriate levels of protection for various areas.
- There is lots of interest in this project.

ARCHITECTS

- Need updated surveys to bridge the gap between compatible infill and historic preservation and to eliminate the “surprise” element from development projects.
- Boundaries and edges are in need of particular attention and evaluation in survey work.
- Current historic preservation process is very cumbersome – it can take 2+ years to get through.
- Potential thematic nominations for the city include: churches, triple-decker apartments (survey work done), and could expand inventory of historic warehouses.
- New surveys and national district designation is needed for Harvard-Yale, Federal Heights, and citywide thematic survey work.
- Slippery slope of what counts for stronger protection – what is old and good and what is just old?
- Big question is how to merge the old and new? There is some compatibility via the design guidelines; how do we balance controls with incentives (need more incentives)?
- HLC vary their interpretation of rules from project to project and Commission to Commission.
- HLC decisions seem to respond more or less favorably based on who is making the presentation rather than what is being presented.
- The compatible infill process is currently such that the HLC is the more flexible alternative in historic districts where the programs overlap.
- Design guidelines do work but have the bad side effect of eliminating more creative or progressive development. Should have some voluntary provisions that people can use to earn more creative license. Need to inject some creative latitude into the historic process and have clear goals and priorities for how projects are evaluated.
- The financial hardship process is not working – you can pay someone to work the numbers to show hardship in every case.
- The 5% rule for seismic upgrades is contributing to demolitions.
- The sign ordinance conflicts with historic signs.

- Need design guidelines for public/institutional and commercial buildings. (Example: No standards to guide whether Trolley Square could have been sandblasted).
- Sugarhouse – there is a disconnect between zoning and character.
- The HLC administers the program inconsistently.
- The planner-of-the-day system is not working – forces you to deal with people without the necessary knowledge or expertise and increases subjective interpretation of regulations.
- The head of the HLC should be a certified historic planner.
- The planning director is the third in one year – I think staff is scared of political fallout and afraid to make any decisions. 10 of 14 staffers quit in the past year.
- City Council supports preservation but hears a lot of complaints about HLC.
- Utah Heritage Foundation is a good advocate for preservation in the City.
- Need more incentives – what do other communities do to incentivize preservation?
- The goal should be to keep neighborhoods vital and that means the homes need to adapt to how people live today, not be frozen in time to how people lived in some pre-selected “ideal” era of the past.
- There should be a tiered approach. Some homes are worth preserving in their original state because they hold some historic significance. Old does not mean significant. Many of the older homes are not particularly significant beyond their age and should be able to evolve to suit modern needs.
- Renovations can and should be appropriate to the character and construction of the original structure. Good renovations are possible and necessary to long-term demand and viability.
- Cities grow and change over time in conjunction with preservation. Salt Lake City needs clear criteria for determining what is worth of strict preservation.
- There need to be clear rules and consistent interpretation of the compatible infill ordinance.
- Right now there is hysterical backlash against bad infill that needs to settle down so there can be a balanced and rational conversation on the subject.
- HLC used to be more reasonable and take an approach during review where they had to prove “why not.” Now that is reversed and the applicant has to prove “why.”
- Neighborhoods are empowered but are running amok with very little leadership.
- Some of the regulations (e.g., setbacks and porches) are not having the desired impact. The plans encourage porches, for example, but can’t rebuild a porch on a historic structure because would violate setback rules.
- Some regulations are having the result of discouraging investment in economically disadvantaged neighborhoods.
- Historic preservation and the green building movement seem to be opposed (e.g., insulation, windows, solar).

ECONOMIC REVIEW PANEL

- Interviewees are interested in having Clarion bring forward some “best practice” demolition and economic process examples from comparable communities.
- Standards are very tough. See extensive discussion of issue in 2004 audit. “The city has never won an EH case.”
- This process is “highly dysfunctional” – anyone can find someone to crunch the numbers to make their case. The process needs to be completely revised.
- 5% rule for seismic upgrades is resulting in a lot of demolitions.
- Economic Review Panel:
 - Existing ERP process is too easy for developer to take advantage of.
 - “Reasonable” is the problematic word in the definition of “economic hardship.”
 - Lack of surveys hinders the functioning of this process.
- Appeals on demolitions should go to the council, not the unelected LUAB. See discussion in 2004 audit.

- Underlying zoning is, in some cases, providing an incentive for demolition rather than preservation by providing for a maximum allowable density far beyond the potential of the existing structure. See extensive discussion of issue in 2004 audit. Lack of mixed-use zoning in particular is a problem. Areas where this is particularly evident include:
 - Central City
 - Sugarhouse (commercial area)
- Need a demolition by neglect ordinance.
- TDRs could be useful to encourage preservation.
- From a citizen perspective, it often appears that the RDA doesn't want to comply with the city's ordinances, especially historic preservation.
- Residential design guidelines are not flexible enough.
- Areas to survey: Harvard-Yale, 9th and 9th, 15th and 15th, 3d south retail, Lower Sugarhouse, areas surrounding Liberty Park below 7E
- Staff should get back to doing pre-application conferences.

REALTORS

- A big threat is the trend of scrapes and McMansion development in historic neighborhoods – particularly threatening areas like Harvard-Yale.
- Need to pay more attention to preservation at the subdivision level and retaining features of the original neighborhoods aside from individual structures (e.g., brass markers in sidewalks). This will take interdepartmental coordination with public works (in particular) in how they maintain streets sidewalks, and landscaping.
- Need more consistency in HLC administration. There should be concrete rules for evaluating projects and defining what is flexible and what is not.
- The timing of the review process can vary from a few weeks to a few years.
- Perhaps there should be a clear description of how presentations should be made (methods, structure, standards).
- Need more financial incentives for preservation, especially with rising loan interest rates.
- Utah Heritage has done a study on "orange properties", properties that are endangered.
- RDA tends to conflict with preservation.
- Some requirements do not support preservation (e.g., EPA requirements, parking requirements).

CITY STAFF

(Parks, Engineering, Building, Housing, RDA)

- Organization for processing projects is poor – it is unclear where projects should go.
- Preservation needs to prioritize projects – what is worth saving and what is not? How are investments justified? How is the historic value evaluated? ("Jewels" versus "filler")
- The approval process for development in historic areas needs to be able to circumvent NIMBYism and emotionalism.
- Cost versus benefit for projects – is paying twice as much worth it? It may be, but it should be evaluated clearly so we know that the cost is commensurate with the gain.
- Need checks and balances for determining what is contributing and non-contributing and how projects go forward.
- Need to modernize the approach to materials – what are there such strict materials limitations in districts?
- There is a perception that the requirements of being in a local district (e.g., perceived higher home maintenance costs) can be economically prohibitive to those living on limited incomes.

- For example, there is a perception that painting of the home is required in historic districts; some interviewees noted that this would be problematic for the elderly, who can't paint themselves and can't afford to pay someone to paint their homes.
- Housing Authority assistance is not working for most of these owners because they are not enough to make up the difference. Result is that homes are suffering from deferred maintenance.
- Housing avoids historic districts because can't meet the energy efficiency requirements of HUD which would require energy efficient windows, etc.
- Need to seek out the mutual purpose opportunities and think about how to make the old work in relation to other City objectives and within the current and future city.
- There is already some gentrification on the west side in the Guadalupe area (300 west and I-15).
- Need more education about the restrictions – and benefits -- that come with living in a historic district. Right now people are scared away by the perceived process and financial commitment.
- Co-advertise programs when appropriate (e.g., with RDA, Housing, and Historic Preservation).
- Education – some people don't know about the restrictions when they buy.
- Landscapes are dynamic! Trees age and die. Parks has run into conflicts with HLC over tree removal because HLC wants to keep the old trees regardless of their condition. It's a safety hazard and a maintenance headache. This has been an issue in both Pioneer and Liberty parks.
- Parks is supportive of maintaining historic components and overall design of historic landscapes but do not see the sense of trying to keep a dying tree.
- Also a cost issue, have spend time and resources battling this issue and trying to work around it. Have hired numerous arborists to help document and explain the poor health of the tree and have had to fence off trees because they pose such a threat to public safety but can't remove them because they are historic.
- Checks and balances – who can override HLC if they make a decision that is contrary to what all other parties think?
- Unfortunate because it amounts to throwing the baby out with the bath water (on the tree issue). HLC could be ensuring that future landscapes are sustainable for future generations by planting trees now and making sure they are the right kind (resistant to disease, water thrifty).
- Parks has also run into opposition with HLC on issue of tree species. Perhaps 100 years ago they didn't know that certain tree species were non-native, prone to disease, and too thirsty for our climate but we know now! Why do we need to replace with the exact tree species against all environmental knowledge just because it is what someone planted 100 years ago?
- Don't see transit as compatible with preservation because of the infill and density. Portland did make it work by converting buildings but adaptive reuse needs more flexibility in this city for that to be an option.
- The HLC process is too difficult and some developers avoid it altogether.
- Pierpont and Artspace are historic commercial areas.
- Historic preservation is done through a population transition.
- RDA tries to avoid projects that will involve HLC and historic process.

CITIZEN INTERVIEWS

- The preservation regulations are not enforced, and this is common knowledge. Please provide examples of other communities that do a better job of enforcing preservation regulations.
 - Example: citizen went through six-month process for 2d story addition; house across street simply skipped the process (knew there was no enforcement) and added a non-conforming addition. Leads to sense of arbitrariness.
 - Typical violations include garage conversions into living space, and illegal multi-family housing.
- Citizen applicants requested more specific feedback from HLC. Some applicants have been told that additions should be "compatible but not identical," and then not told specifically how to achieve that.

- Property owners feel that plan review often receives a “no” without any suggestions or recommendations for what alterations are needed.
- Get citizen volunteers (and the community councils) to help with new historic surveys.
- There are big conflicts between what zoning allows versus what the preservation district allows.
- The Planning Commission is not always helpful in thinking through the conflicts between zoning and preservation.
- Why has Sugarhouse been surveyed twice, yet those plans keep being put on the shelf?
- Design guidelines need to be consistently administered by the HLC. They often contradict.
- There’s a big focus on wood windows in the historic district, without an understanding that there are strong financial impacts.
- Public comment often means nothing in historic cases.
- The planning department is like a dysfunctional family, and there is not institutional memory because of the high rate of turnover.
- Existing city program (in which city recommends contractors, and there is a small pot of funding) was heavily criticized, on grounds of too little money and ambiguous eligibility.
- Need more incentives to encourage preservation. Especially TDR.
- The ordinance is not allowing the densification of the city.
- Historic landscapes should be protected. Parks, creekways, etc.
- Economic hardship process is atrocious. Not true that burden is on the developer.
- Consider broadening notice for land use applications that are administrative.
- Ought to publish annual report on administrative approvals.
- Look back at use of tax credits – what properties have been protected?
- The community needs to recognize the value of business in historic districts.
- Too many demolitions in the downtown, and losing affordable housing downtown.

DEVELOPERS

- I used historic tax credits for an apartment (listed on national but not local register) renovation and found City staff very unsupportive of preservation. Planning, permitting, and building inspection all advised me not to try to pursue a historic renovation.
- If I was not so determined to make the renovation historic and gotten great help from the SHPO office (Nelson), I would not have been able to do the renovation. I got no support at the City.
- Get inconsistent answers from City.
- No lists of permits needed, model plans for projects that would be desired or appropriate for historic areas, or any other user-friendly resources to make the process easy. Need more procedural guidance.
- Need someone who can help guide you through the entire process, especially for the small guys who have less experience and tighter resources.
- The historic process, staff, and HLC are seen as obstructionist to development. They will let you sit on loans while in the process (process is not fast or predictable).
- ADA standards – must have the condos built to ADA standards
- Staff turnover under this administration has hurt the program.
- In the late 90s it took about 2 weeks to get a regular project through and 6-8 months to get a historic project through. Now, HLC wants to save everything.
- Planner-of-the-day system is not effective – people tend to not have strong knowledge of the zoning code or historic preservation regulations. Historically, specialized planners for historic preservation and each had certain areas of expertise.
- Fire code issues with historic renovations (e.g., dropped ceilings).
- Tax credits don’t mean too much to smaller guys because it’s hard to capture benefit because income is too small.

- Right now the City Council is pro-development. Not much support for preservation.
- Developers feel they have an adversarial relationship with staff – they are wrong until proven right.
- Written resources used to exist to help guide you through the process – where have these gone?
- It is hard to navigate what is appropriate – need written and illustrated guidance.
- Sign code has a one sign allowance so old signs tend to get torn down because need to put up their own business sign.
- Walker Bank sign is down now, people miss it but it can't be replaced because now it is non-conforming.
- There is a disincentive to preserve older signs.
- Renovation regulations and procedures are tailored to new development and interpreted differently by different departments and individuals.
- There are task force meetings with multiple departments but they only say what you can't do, they don't make suggestions for how you can refine the development plan to address the issue though. Everyone is afraid to take a stand.
- Planners no longer go to the site.
- There is a definite low-density bend to this city.
- Zoning code does not support infill with its parking and setback requirements.
- Energy issue needs to be addressed – there are no incentives to pursue energy efficiency.
- HLC response varies by presenter. They seem to listen to the advice of an architect presenter more than any non-architect presenter.
- Need to look at the composition of HLC. Is it reflective of the community?
- Do not want an onerous process. Hope to see the process streamlined and made more clear and strategic. It should be made as easy as possible to use to promote its use.
- Seismic factor is a major hurdle to retaining buildings (e.g., historic Elks building).

UTAH HERITAGE FOUNDATION

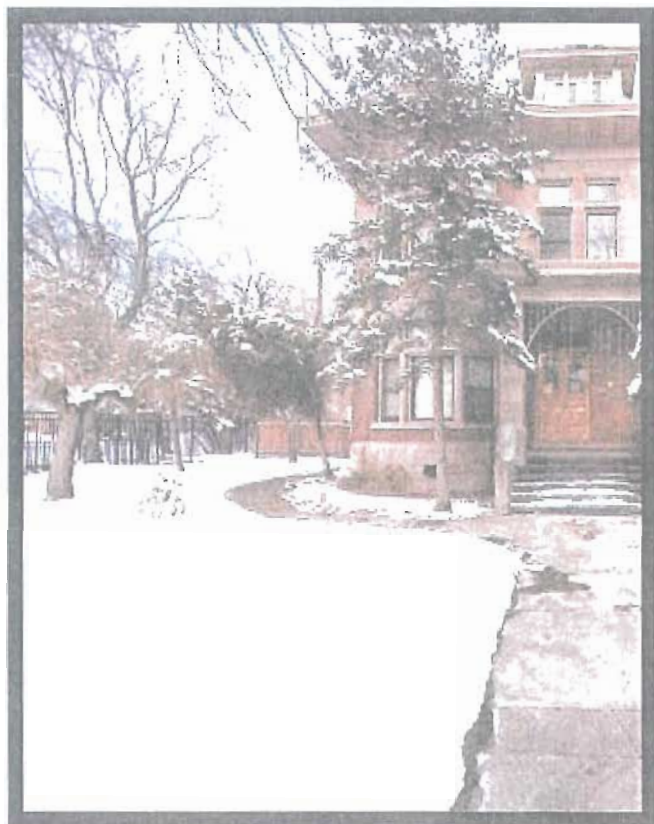
- Need to identify the recent past structures that should be protected (e.g., Old Main Library).
- There should be better prioritization of surveys and outreach.
- Think about more opportunities for education.
- Preservation tends to only make the news when there is a problem with a project. The City's awards used to be a way to get positive press but they have been discontinued. This is unfortunate because the awards were a nice way to recognize property owners for their participation, highlighted positive projects, and helped to tell the story of the process and program. (UHF has its own awards process with set awards, criteria, and an independent jury.)
- The endangered list method (popular in some other states) does not work as a public PR strategy in Utah because culturally it is better received to work collaboratively behind the scenes than to call someone out on a "bad" list. It more productive here to give good press to recognize positive actions than bad press to apply pressure for action.
- Financial resources for the UHF revolving loan fund are very limited. Operate a statewide pool (\$150,000) and citywide pool (\$250,000) but always have a waiting list. UHF will be evaluating its loan program in the next year and seeking models for how to expand its reach. This may include trying to fundraise to enlarge the pool since it has been operating only on the initial funding pool.
- Inconsistency in permitting and staff approval of projects in how interpreting the infill ordinance. It was implemented poorly with no staff training on how to use the ordinance.
- Staff could try a collective review of preservation projects with the same set group of specialized staff to promote a more consistent interpretation of how to administer the program.
- More training for HLC would be beneficial. People are coming from different backgrounds and there is a lot to learn just to get started not to mention keeping up with new ideas, trends, and materials. HLC currently does not get sent to conferences and there is no orientation or orientation handbook. Guidance

on how meeting conduct and project review would help get people up and running faster and with more consistency.

- HLC needs a big picture perspective so can stop getting bogged down in the details.
- The UHF walking tour guides and school group tours have great demand and are always running out of materials and tour slots.
- SHPO takes the lead on heritage tourism; UHF has not gotten involved in that aspect.
- UHF is struggling to keep the dual role of local city and state group. City may eventually need its own non-profit to help manage the demand.

STATE HISTORIC PRESERVATION OFFICE (SHPO)

- City seems to have struggled to integrate historic preservation into its overall planning strategy. Preservation is frequently at cross purposes with other community goals and sometimes is viewed in such cases as the lesser priority.
- City officials and staff need some targeted education and outreach about the benefits of historic preservation. They tend to only hear about the projects with conflict of some kind. This has been amplified even more since the city awards have fallen away.
- Need to focus on the big picture vision and value positioning of historic preservation in the city. Once that is clearly understood and established all of the little details should fall into place and resolve.
- Tax credit is a good driver for National Register listings.
- Planner-of-the-day system has created a relationship barrier between planning and SHPO.
- HLC training needed on ordinances as well as how to participate and run a meeting. National Alliance of Preservation Commission (every two years) may be a good conference for HLC members. In the past, SHPO coordinated group workshops with communities practicing design review but it was discontinued due to low attendance.
- SHPO works to provide design review to CLGs, but not for individuals.
- The Main Street program has died in the past two years. Salt Lake City RDA and Economic Development did not participate with the Main Street Program.
- State Tax Credit – there is a proposal to replace all tax credits with a flat tax. This has come up before and will likely continue to be an issue. 85% of the tax credit is used in Salt Lake City; 70% is in the Avenues alone.
- Need better interdepartmental coordination – e.g., RDA has a façade program but historic preservation is generally seen as an impediment.
- Heritage tourism has been relatively nonexistent in the state. It is currently a personal campaign effort of Wilson at SHPO.
- Ben Logue has been perhaps the most successful at working to couple state and federal tax incentives and achieve energy efficiency and solar in his projects (e.g., Carty, Stratford Hotel).
- City historic preservation does not distinguish itself against other entities. People are not clear on the different roles of SHPO, the City, and Utah Heritage Foundation, even in the Avenues where preservation activity is common. The City needs to have some branding of its program in the community.



Historic Fisher Mansion, photo by Anne Beck.

Local Preservation in Brief

The purpose of this summary is to provide a brief summary of the Salt Lake City Historic Preservation processes, program, and tools.

The information provided follows the best practices of the National Park Service and the National Trust for Historic Preservation.

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Substitute Materials
Ten Ways to Green Your Home
Solar Collectors
Additions
Infill Design

The Historic Landmark Commission Meeting and You
Financial Incentives for Preservation



WHAT IS HISTORIC PRESERVATION?

WHAT PRESERVATION IS NOT:

- Saving every old building
- Design police
- Protecting pretty buildings

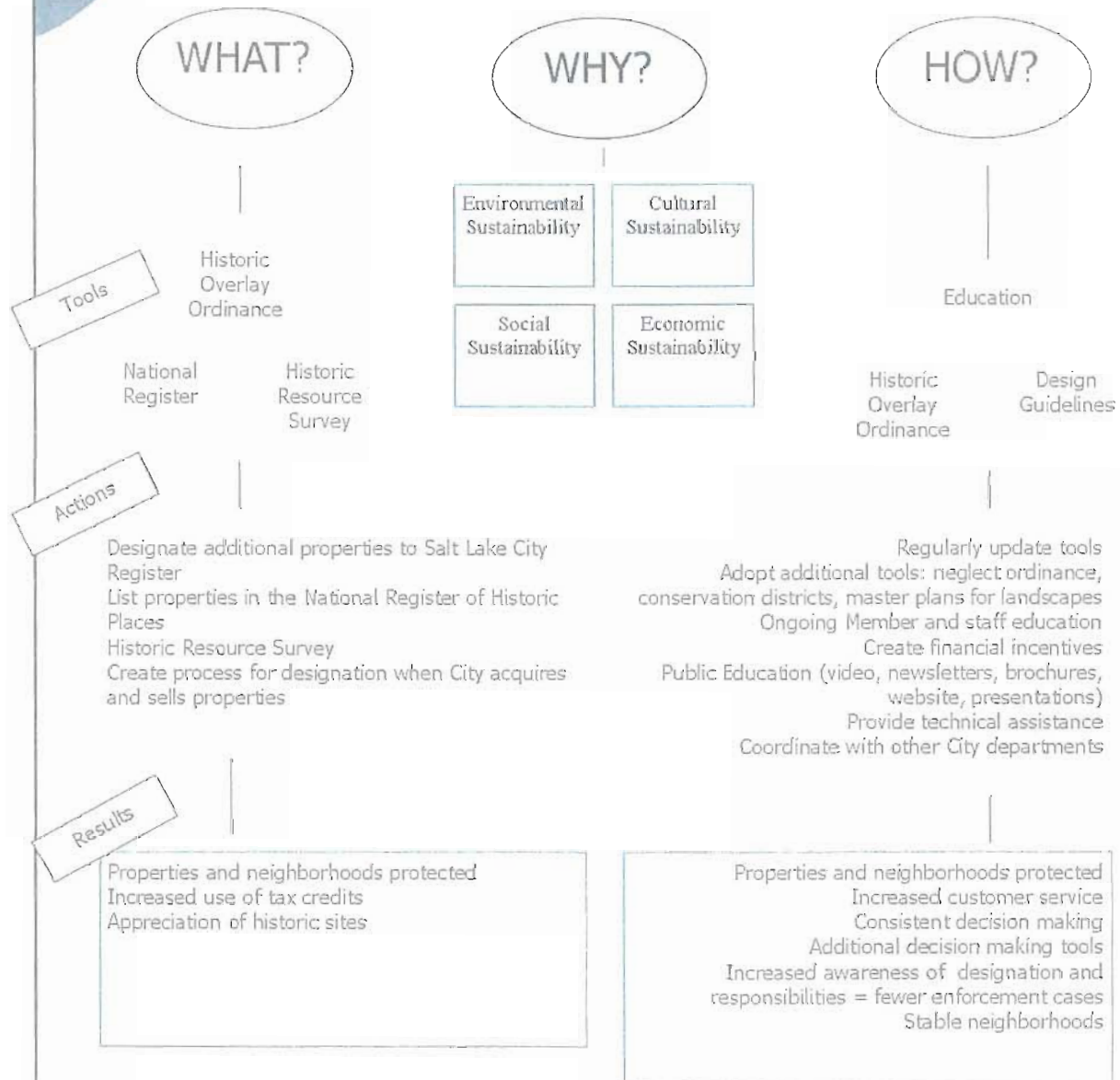
WHAT PRESERVATION IS:

- Downtown and neighborhood revitalization
- Affordable housing
- Preservation of natural resources
- Increased city revenues
- Stable neighborhoods
- Alternative to sprawl
- Protection of property values
- Saving what makes our community special

SALT LAKE CITY HISTORIC PRESERVATION

GOAL

Preserve historically significant buildings, districts, structures and sites.





WHAT IS THE HISTORIC LANDMARK COMMISSION (HLC)?

WHO?

The Salt Lake City Historic Landmark Commission consists of nine to fifteen members, appointed by the Mayor with the advice and consent of the City Council, to serve a three year term.

WHAT?

The Commission makes recommendations to the City Council on matters related to the City's neighborhood master plans, zoning ordinance, and other city planning policies and regulations. The Historic Landmark Commission also considers applications for Certificates of Appropriateness for exterior alterations of properties with an Historic Overlay (Landmark Sites and Historic Districts).

WHERE?

The Commission meets the first Wednesday of every month at 5:00 p.m. in the City and County Building at 451 South State Street. All meetings are open to the public.

Section 21A.06.050 of the Salt Lake City Zoning Code lays out the specific responsibilities of the Commission:

1. Preserve buildings and related structures of historic and architectural significance as part of the city's most important cultural, educational and economic assets;
2. Encourage proper development and utilization of lands and areas adjacent to historical areas and to encourage complimentary, contemporary design and construction;
3. Protect and enhance the attraction of the city's historic landmarks for tourists and visitors;
4. Safeguard the heritage of the city by providing for the protection of landmarks representing significant elements of its history;
5. Promote the private and public use of landmarks and the historical areas within the H historic preservation overlay district for the education, prosperity and general welfare of the people;
6. Increase public awareness of the value of historic, cultural and architectural preservation; and
7. Recommend design standards pertaining to the protection of H historic preservation overlay districts and landmark sites.



LOCAL HISTORIC DESIGNATION

The City preserves its valuable historic resources by designating certain structures to the Salt Lake City Register of Cultural Resources. The process for designation is by an Historic Overlay as outlined in the zoning ordinance. Once designated, any work or change proposed to the exterior of the structure must be approved by the City. The City staff will review the work and if it meets historic design guidelines, the staff will issue a Certificate of Appropriateness for any exterior

changes.

The main purpose of these guidelines is to ensure that no “character-defining features” of the building are altered. It is these architectural features which give the structure its importance and contributes to the overall character of the neighborhood around it.

QUESTIONS

Before a property can receive an Historic Overlay (Landmark Sites and Historic Districts), several questions must be answered.

1. Is it historic or just old?

Designation usually begins with an Historic Resource Survey following the methods of the State Historic Preservation Office. The survey helps to identify what is historic and determine boundaries for districts.

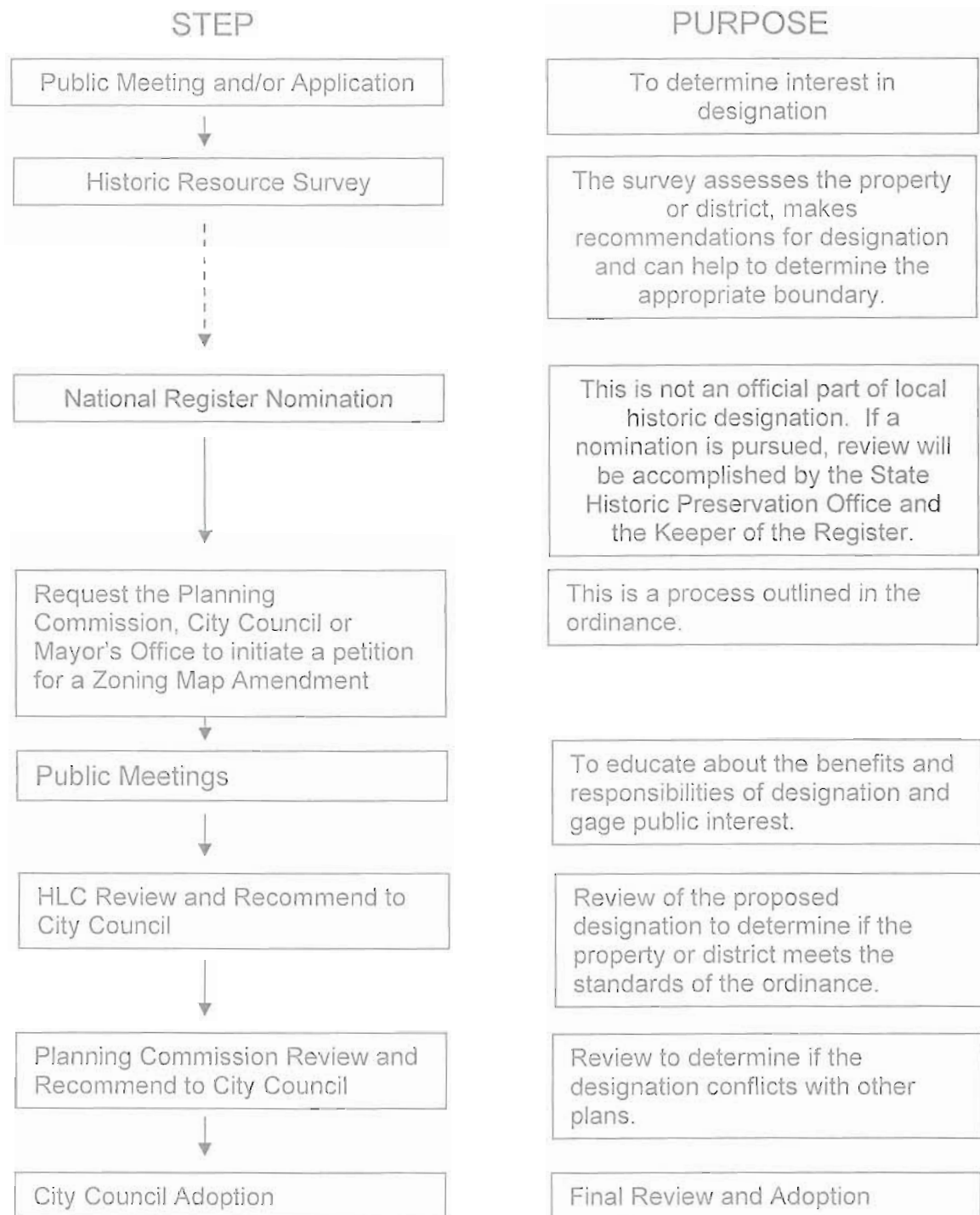
2. Does it meet the standards of the Ordinance for designation?

Not every old building or site is worthy of being designated to the historic register. The Salt Lake City Zoning Ordinance requires a property or district to meet standards, based on the National Register of Historic Places standards.

3. Is there public support?

The purpose of local historic designation is to guide future change in a way that preserves history, but keeps a building, district, or site useful in today's world. Property owners in historic districts agree to an extra process in order to preserve their community; therefore, it is important that at least a majority of property owners desire the designation.

LOCAL HISTORIC DESIGNATION PROCESS





BENEFITS OF LOCAL HISTORIC DESIGNATION

There are many benefits to preservation. Preservation is environmentally, socially, financially and culturally sustainable. Here are a few examples of benefits:

A Smaller Carbon Footprint. Old buildings have a great deal of embodied energy. The extraction and processing of building materials (e.g., wood, stone, brick), the transportation of those materials, and labor represented in the final structure mean that demolition of an existing structure is less energy-efficient than rehabilitating or constructing an addition to the existing structure.

Energy Efficiency. Older homes, constructed before heating and cooling systems were as effective as they are today, used a variety of methods to maximize the natural heating and cooling capability of the structure. Older buildings tend to make wise use of solar orientation and have better air flow than new buildings. Also, research shows that properly maintained old wood windows can be just as energy-efficient as new vinyl windows.

Enhanced Recycling. According to the EPA, building construction debris constitutes around a third of all waste generated in this country. Rehabilitation of an historic building reduces waste. Reusing an historic building increases recycling by the fact that the entire entity is recycled rather than just pieces.

Affordable Housing. Old homes disproportionately meet the housing needs of those of modest means. If we had to replace the pre-1950s homes occupied by households below the poverty level it would cost the taxpayers \$355 million.

Strengthen Local Economy. Restoration is better for the economy. A million dollars spent in new construction generates 30.6 jobs. But that same million dollars in the rehabilitation of an historic building creates 35.4 jobs.

Maintains or Increases Property Values. Studies show that local historic districts maintain property values, and in most cases, increase property values which protect a property owner's value in their investment.

Cultural Sustainability. Maintaining as much of the original fabric as preserves the "stage" on which to learn about and explore our culture. Preserving our important sites provides for tangible ways to remember and educate about our past.



Photo by William Edward Hook, (c) 2006 Utah State Historical Society.

Design Guideline Guidance:

WOOD WINDOWS

In the majority of cases, original wood windows should be repaired and kept. Situations where replacement windows might be allowed would be:

- Where there is more than 50% deterioration
- Rear windows that will not be seen from the street
- When the existing windows are not original
- When the structure is non-contributing or non-historic

WHY DO I HAVE TO KEEP THEM?

Windows are an important architectural and character defining feature of a building. Keeping original features of an historic home maintains the value of the home and the historic character of the district.

BUT I WANT THE ENERGY SAVINGS OF NEW WINDOWS.

- The majority of energy loss in a building is through the roof. Consider attic insulation with an R value of at least 30 before spending money on windows.
- In addition, the old growth wood actually lasts longer than newer materials, especially new wood windows.
- In most cases, the time it takes to realize the savings from replacement windows is often past the expected life of the window. The new window usually has to be completely replaced so why not keep those old windows that can be repaired? See comparison on next page.

OPTIONS

- Exterior or interior storm windows may be added.
- Keeping windows caulked and painted helps with energy efficiency

RESOURCES

- "Save Your Wood Windows"
www.historichomeworks.com/hhw/reports/WoodWindowsSample.PDF
- "Preservation Brief #9: Repair of Historic Wooden Windows"
www.nps.gov/history/hps/tps/briefs/brief09.htm

Historic Landmark Commission's "Local Preservation In Brief"

Let the Numbers Convince You: Do the Math



Old House Journal Oct 2007

Source: Keith Haberman, P.E., R.A.
 Collingswood Historic District Commission



Photo by Nelson Knight

Design Guideline Guidance: **NEW WINDOWS**

SO YOU NEED NEW WINDOWS?

Before planning on replacing your windows, read the Design Guidelines for windows and the “Design Guideline Brief: Wood Windows”. **If your situation meets the rare instance where replacement windows are allowed, read on.**

WHAT SHOULD MY NEW WINDOWS LOOK LIKE?

In most cases the original casing of the window can be retained and just the sashes replaced. This is encouraged, not only because it is less expensive but also because it retains more historic materials and the dimensions of the original window.

New windows should mimic the old windows as much as possible. For instance, if your existing windows have four different panes in each sash, then you will want the same configuration for your new windows.

In traditional windows the sections that divide the panes are called muntins. You might also hear them referred to as dividers. You do not need to go to the expense of having windows constructed with the different panes of glass actually divided by muntins. You may choose to use “simulated divided lights” but “snap-in muntins” or dividers will not be allowed. The reason is that the “snap-in” type or the type that is permanently affixed between two window panes is very flat and doesn’t mimic the dimension of original muntins, the way “simulated divided lights” do.

WHAT SHOULD THEY BE MADE OF?

New wood isn’t as hardy as old growth wood so we encourage materials such as aluminum clad wood windows. From the outside, the wood window is protected from the elements while maintaining the profile of the original window and from the inside the windows are still wood. Old windows from a salvage company are also a good option.



Design Guideline Guidance:

VINYL & ALUMINUM SIDING

Aluminum and vinyl siding is not allowed in historic districts. If you do see a house with synthetic siding it was likely in place before the historic district was created.

I WANT THE INSULATING VALUE OF VINYL SIDING.

- Siding backed with a thin layer of insulating foam or applied over rigid board insulation creates the same “R” value as two to four inches of air space.

I WANT THE MAINTENANCE FREE PROPERTIES OF SYNTHETIC SIDING.

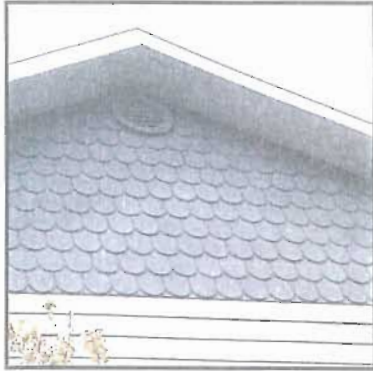
- There is no such thing as maintenance-free. It is true that vinyl never deteriorates but vinyl and aluminum siding can dent, cup and warp and the color will fade over time. Eventually the surface will need to be cleaned and even painted. Most manufacturers void the warranty once the synthetic siding is painted.
- Vinyl and aluminum siding work well to keep water away from the building exterior but it can trap moisture inside a building causing deterioration that you never see until it is too late and is very costly to repair.

OPTIONS

- Seventy-five percent of energy loss is through the roof so you are better off providing good insulation in the attic.
- Keeping windows caulked and painted helps with energy efficiency.
- Insulate inside the walls, when possible.
- Add exterior or interior storm windows.

RESOURCES

- “Vinyl Siding: The Real Issues” <http://www.cttrust.org/index.cgi/1745>
- “Preservation Brief #8: Aluminum and Vinyl Siding on Historic Buildings The Appropriateness of Substitute Materials for Resurfacing Historic Wood Frame Buildings” www.nps.gov/history/hps/tps/briefs/brief08.htm
- “Preservation Brief #10: Exterior Paint Problems on Historic Woodwork” www.nps.gov/history/hps/tps/briefs/brief10.htm



Design Guideline Guidance:

SUBSTITUTE MATERIALS IN HISTORIC DISTRICTS

In most cases, substitute materials are not appropriate on historic buildings. The most appropriate time to use modern materials is with new construction. However, there are a few cases where modern materials might be appropriate on existing structures.

When making the decision about what types of materials to use consider these points.

- Advantages of traditional materials are that they are mostly still readily available, they are easily repairable, and we know how they age. When considering a new material, research it well to be sure that it is the best material for your needs and is one approved by the Historic Landmark Commission.
- What materials are appropriate depend on the use and the location of the materials. Are you repairing or reconstructing? If you are repairing areas of decayed wood you will want to use wood to replace the decayed sections. If, however, you adding on to a historic building or constructing a new accessory structure, you might want to consider another more durable material, assuming the material and the proposed use meets the Design Guidelines.
- When new materials are appropriate, choose materials that act the same as more traditional materials. For instance, a wood polymer that can be sanded and painted like real wood, might be a good product for your project that includes new construction.

RESOURCES

- "Preservation Brief #16: The Use of Substitute Materials on Historic Buildings"
www.nps.gov/history/hps/tps/briefs/brief16.htm

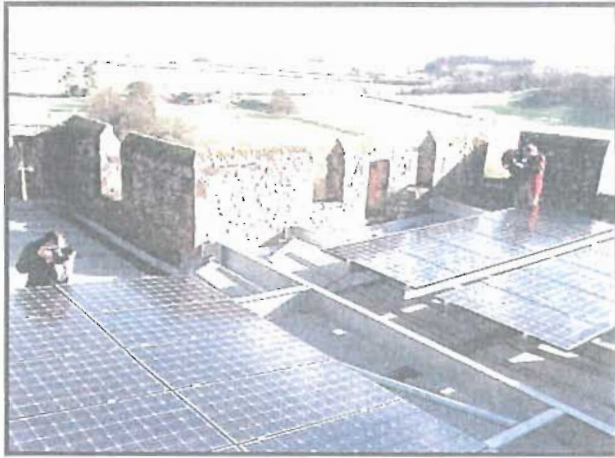


Design Guideline Guidance:

TEN WAYS TO GREEN YOUR HOME

Information from the National Trust for Historic Preservation's *Preservation Magazine*

1. Keep original windows intact. Studies show that old windows can perform as well as vinyl replacements. Weather strip them so that they seal tightly, caulk the exterior trim and repair cracked glazing or putty around glass panels. You will reduce landfill waste and the demand for vinyl, a non biodegradable material that gives off toxic byproducts when it is made.
2. Use light paint colors for your home's exterior. Light colors reflect heat better than darker ones.
3. Insulate attic, basement and crawl space. About 20 percent of energy costs come from heat loss in those areas.
4. Reuse old materials such as brick, glass, stone, and slate when making home improvements. If you're rebuilding a staircase, for example, use wood from the shed that couldn't be saved.
5. Install fireplace draft stoppers, attic door covers and dryer vent seals that open only when your dryer is in use. An open damper in a fireplace can increase energy costs by 30 percent, and attic doors and dryer vents are notorious energy sieves.
6. Plant trees. Evergreen trees on the north and west sides of your house can block winter winds, and leafy trees on the south and west provide shade from the summer sun. Using old photos of your house, try to match the historic landscape.
7. Have an energy audit done by your local utility company or visit Home Energy Saving's website (<http://hes.lbl.gov>). Audits can help pinpoint problem areas and measure energy savings after you improve your home's efficiency.
8. In the summer, open the windows and use fans and evaporative coolers, which consume less energy than air conditioning. Many old houses were designed with good cross ventilation; take advantage of your home's layout.
9. Keep doors airtight by weather stripping, caulking and painting them regularly.
10. Restore porches and awnings. Porches, awnings, and shutters were intended for shade and insulation. To save energy, draw shades on winter nights and summer days.



Photograph provided by the BBC.

Design Guideline Guidance:

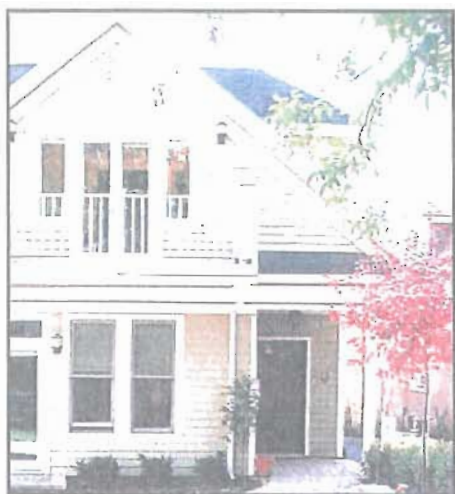
SOLAR COLLECTORS

Historic buildings were often designed with energy efficient features such as skylights for daylighting and transoms for air flow; however, new technology is providing additional ways for buildings to be “green”.

When planning for solar collectors keep these location and installation issues in mind to protect the historic character of your building and neighborhood.

Solar panels do have a place in historic districts and on historic buildings as long as they do not interfere with the historic character of the site. Even Dunster Castle in Somerset England, shown above, is using the technology to lower energy costs. The owner of the property, The National Trust, approved the panels because they were designed so that no loading or direct contact of the panels or frame will touch the roof itself, they are easily removable, and they are not visible from the ground.

- Locate so that the collector is not readily visible from public streets
- Locate on the rear or sides of a pitched roof
- Do not change an historic roofline
- Do not obscure a character defining feature
- Install below the ridgeline of a pitched roof
- Install in such a way so that it can be removed without damage to the historic fabric of the building
- If locations on the primary structure are inappropriate, consider accessory structures or free-standing panels in the rear yard.



Susan Workman Photography

Design Guideline Guidance: **ADDITIONS**

Sometimes property owners believe that Local Historic Designation means that they cannot add on to their home. This is not the case. Local Historic Designation does not attempt to freeze time but instead guides change so that it is compatible with the historic character of the neighborhood.

PLANNING AN ADDITION:

These basic rules will help you with planning a compatible addition. Where possible:

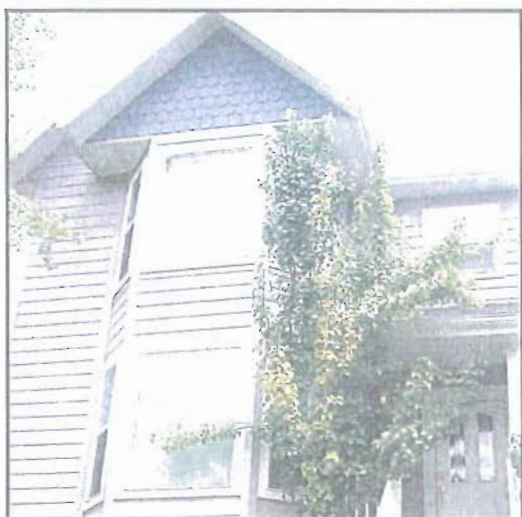
- Try to add on to the rear of the building instead of the sides or roof.
- Generally keep the addition from being any taller or wider than the original building.
- Consider designing the addition with a connector that lessens the impact on the historic building and clearly defines the old from the new.
- Use compatible materials and do not think that you have to match the materials of the existing house.
- Preserve character defining features of the original building.

According to *Celebrating Compatible Design*, the rear addition shown on the above Avenues home was designed to be appropriate to the historic house but to also give the owners the light and spacious rooms they desired. Because it cannot be seen from the street, it does not impact the historic character of the neighborhood.

If the addition has to be seen, be sure to design it in such a way that it is compatible with the historic building but does not try to look historic.

RESOURCES

- *Celebrating Compatible Design: Creating New Spaces in Historic Homes* by Rob White, available through the Utah Heritage Foundation, online at www.utahheritagefoundation.com.
- "Preservation Brief #14: New Exterior Additions to Historic Buildings Preservation Concerns" www.nps.gov/history/hps/tps/briefs/brief14.htm



Design Guideline Guidance:

INFILL DESIGN

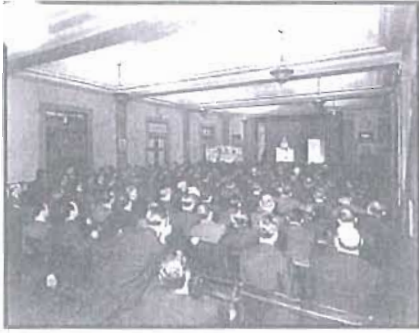
PLANNING A NEW BUILDING IN A HISTORIC DISTRICT

These basic rules will help you with planning a new building in a historic district.

- Match the historic district in terms of massing, scale, height and setback
- Do not attempt to mimic historic buildings. This creates a false sense of history and diminishes the historic character of the district.
- Choose compatible materials
- Do not pick historic elements seen elsewhere in the district, but instead use contemporary interpretations of historic features.

RESOURCES

Design and Development: Infill Housing Compatible with Historic Neighborhoods by Ellen Beasley, available through the National Trust for Historic Places at www.preservationbooks.org.



Library of Congress Prints and Photographs Division

THE HISTORIC LANDMARK COMMISSION MEETING & YOU

So you have an application that will be reviewed by the Historic Landmark Commission, you are probably wondering what to expect.

You will receive a copy of the agenda to which your project has been assigned. This will be your notice of the time, date, and location of the meeting as well as the contact for the assigned staff person. You or a legal representative, such as an architect or contractor, will need to attend the meeting.

HOW DOES THE MEETING WORK?

1. Staff will make a presentation about your project and explain how it does or does not meet the Design Guidelines, Ordinance, and Policy Document.
2. As the applicant, you or your representative will have an opportunity to answer questions of the Commission and to make a short presentation, if you wish.
3. The general public will have two minutes to comment on your application.
4. The Chair may allow you an opportunity to respond.
5. The Chair will close the "public hearing" and the Commission will go into "executive session" which means there is no more opportunity for public or applicant comments.
6. The Commission will then make a decision which could be to approve, deny, approve with conditions, send to the Architectural Committee, or postpone the decision with a request for additional information.
7. If you feel that the decision was in error, you may appeal to the Land Use Appeals Board within 30 days.

HINTS FOR PREPARING YOUR PRESENTATION:

- You will receive a copy of the staff report prior to the meeting. Review it and contact staff with any questions you may have. You may refer to the staff report in your presentation.
- Organize your notes well so that you are sure to cover every important aspect of your project during the presentation.
- Keep in mind that staff will present an overview of a staff report, prior to your presentation. Do not waste time by repeating what has already been said.
- Visual aids help the Commissioners to imagine your project. Consider bringing material samples, photographs, maps, and/or an electronic presentation, if you have not already given these items to staff.
- If you plan to make an electronic presentation you may bring your laptop, CD, or jump drive. A laptop and LCD projector will be available at the meeting for your use but please contact staff in advance to coordinate.
- Be careful when choosing neighborhood examples to strengthen the argument for your project. Just because something is seen on your street or in your neighborhood doesn't mean it meets the Design Guidelines.

RESOURCES

HLC Agendas and Minutes, www.slcgov.com/boards/HLC/hlc-agen.htm

HLC General Information, www.slcgov.com/ced/hlc/

Historic Landmark Commission's "Local Preservation In Brief"

CERTIFICATE OF APPROPRIATENESS (COA) PROCESS



FINANCIAL INCENTIVES FOR PRESERVATION

LOANS

UHF Low Interest Loan: www.utahheritagefoundation.com

SLC's Business Revolving Loan Fund: www.ci.slc.ut.us/ED/sbi.htm

SLC Office of Economic Development: www.slcgov.com/ED/default.htm

Building Renovation Loan Program: www.slcrda.com/First/programs.htm

The Neighborhood Business Loan Program: www.slcrda.com/First/programs.htm

SLC Home Repair Program: www.slcgov.com/ced/hand/new/pages/housing.htm

SLC First Time Home Buyers Program:
www.slcgov.com/ced/hand/new/pages/housing.htm

SLC Housing Trust Fund: www.slcgov.com/ced/hand/new/pages/housing.htm

Neighborhood Matching Grant: www.slcgov.com/ced/hand/new/pages/grants.htm

TAX INCENTIVES

Federal and State Tax Credits for Rehab:

http://history.utah.gov/historic_buildings/financial_assistance/index.html

Utah Heritage Foundation Easement Program: www.utahheritagefoundation.com

LOW INCOME ASSISTANCE

ASSIST Inc.: www.assistutah.org

ENERGY EFFICIENCY

Solar Credits: <http://geology.utah.gov/SEP/incentives/rincentives.htm>

Questar: Thermwise.com

Rocky Mountain Power: www.rockymountainpower.net

Energy Star Federal Tax Credits:
www.energystar.gov/index.cfm?c=products.pr_tax_credits#2

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SALT LAKE CITY PLANNING COMMISSION MEETING

In Room 326 of the City & County Building

451 South State Street, Salt Lake City, Utah

Wednesday, July 8, 2009

Present for the Planning Commission meeting were Vice Chair Susie McHugh; Commissioners Michael Gallegos, Angela Dean, Prescott Muir, Michael Fife, Tim Chambless, Kathleen Hill, Matthew Wirthlin, and Babs De Lay. Commissioner Frank Algarin and Chair Mary Woodhead were excused.

A field trip was held prior to the meeting. Planning Commissioners present were: Vice Chair Susie McHugh; Commissioners Tim Chambless, Michael Fife, Michael Gallegos, and Matthew Wirthlin. Staff members present were: Michael Maloy, Kevin LoPiccolo, Nick Britton, Ana Valdemoros, and Cheri Coffey.

A roll is being kept of all who attended the Planning Commission Meeting. Acting Chair McHugh called the meeting to order at 5:45 p.m. Audio recordings of the Planning Commission meetings are retained in the Planning Office for an indefinite period of time. Planning staff members present at the meeting were: Wilford Sommerkorn, Planning Director; Pat Comarell, Assistant Planning Director; Cheri Coffey, Programs Manager; Paul Neilson, City Attorney; Nick Norris, Senior Planner; Michael Maloy, Principal Planner; Kevin LoPiccolo, Planning Programs Supervisor; Robin Zeigler, Historic Preservation Planner; Nick Britton, Senior Planner; Ana Valdemoros, Associate Planner; and Tami Hansen, Planning Commission Secretary.

6:05:33 PM **Petition PLNPCM2009-00171; Citywide Historic Preservation Plan adoption**—a request by the Historic Landmark Commission to consider recommendation of the Citywide Historic Preservation Plan to the City Council. This is a city-wide project. : Staff Report

Acting Chair McHugh recognized Robin Zeigler and Pat Comarell as staff representatives

Ms. Zeigler stated that the Commission should have received a memorandum and a two page summary to help highlight some of the important parts of the preservation plan. She stated that there was also a multi-page response from Clarion & Associates explaining how the plan incorporated the City Redevelopment Agency's (RDA) comments. She stated that stake-holder interviews were also included so the Commission could see the variety of groups and individuals that had previously reviewed and commented on the plan.

Ms. Zeigler stated she would go through a few of the questions and comments that she had received. The first comment was the document was too large. She stated it was large because it was covering a long period of time and it was also viewed as an educational tool. She stated that in addition to making recommendations to the City on what could be done, the document also reflected how other cities had accomplished some of these recommendations, and explained why Salt Lake City might want to go forward with the recommendations.

Ms. Zeigler stated that another concern was if the preservation plan would create another layer of government. She stated that the Historic Landmark Commission and the ordinance already existed, so this plan was not recommending a new board or new layer of government. She stated that another concern was that the plan would require additional funding. She noted that certain parts of the plan would need additional resources; however, this was a big document that covered a long period of time, which could be broken down into parts year-by-year for the City Council and the Mayor's office to decide on what additional projects to fund.

She noted another question was in regards to the plan balancing other City goals. Ms. Zeigler stated that this was woven throughout the entire plan; there were many recommendations for all of the different City departments to work together. She noted that this plan was not intended to be the end, but rather a tool to help accomplish the multi-goals of the City.

Ms. Zeigler stated that many people were invited to be involved with the plan, there were obviously multiple discussions with the Historic Landmark Commission, and the planning process started with a meeting with the Planning Commission that explained the Citizen's Advisory Committee, and the stakeholder groups including: City Council members, Planning Commission members, architects, past economic review panel members for the economic hardship, realtors, City staff, citizens, and developers. She stated that there was a lot of public outreach through multiple open houses, and additional meetings were offered to the many Community Councils. She noted that one-on-one meetings were held with City Council members, presentations at the Utah Heritage Foundation Board, the Liberty Wells community council, the Downtown Alliance, the Central City Community Council, and flyers and poster were distributed throughout the City. Ms. Zeigler also noted that staff attended street fairs and public service announcements were aired on Channel 17. A letter from the Mayor was sent through his mailing list, flyers were mailed, discussions with RDA were held, information was sent through the City's Listserv, and the Vest pocket Business Coalition and the Utah Heritage Foundation also promoted this.

Ms. Zeigler stated that it was suggested that a sixth theme be added to the preservation plan, which stated that the Planning Commission would work side-by-side with preservation, development, and the business economy of the City. Staff did not want to change what the Historic Landmark Commission had recommended, but it seemed that this theme had been woven throughout the plan by working with different groups and departments City-wide. Ms. Zeigler noted that it was also asked how the plan would fit into any State or County policies already in place. She stated this was not really a regional issue like transportation or housing; it really was a City issue.

Ms. Zeigler stated that another concern was how the master plan would be updated to incorporate the Preservation plan. She noted that master plans would be updated as the City Council and the Mayor's Office were ready for them, and then preservation would be a key for each of those districts. The plan needed additional definitions of terms that were currently found in the ordinance, which Clarion & Associates had added to give more clarity.

Ms. Zeigler stated that the new construction requirements only addressed height and materials, there might be other areas to look at, but Clarion & Associates did not want to focus the plan on those elements, because the City should determine what was appropriate.

Ms. Zeigler stated that there were several comments about the Architectural Review Committee, which was a discussion the Historic Landmark Commission needed to have. If they decided this would be a

valuable committee, then a better definition of the Committee's responsibilities and members would be added to the plan. She noted that additional financial incentives were added to the plan; in addition there was a list under Appendix C, which reviewed those various incentives.

Ms. Zeigler agreed that it was critical to inform people of historic designations before property changed hands, and this was a recommendation of the plan which staff had already started to work on. Also, only historic parks would be designated as such, not all City parks.

Ms. Zeigler noted that regulation of historic landscapes would not include bushes and plants; the intent was to cover all exterior alterations to a property (i.e. walkways, gazebos, and fences). She stated that there may be additional landscaping features such as parks, park strips, and medians in historic districts, and cemeteries, which would also be regulated.

Ms. Zeigler noted that historic designation was a separate process, and input from property owners and the neighborhood played a big role, but the plan could not specify areas that would be designated because of the that process. She stated that a suggestion was made that the plan should reference a historic street pattern and Clarion & Associates agreed, but felt that should be part of the master plan process.

Commissioner Muir stated that Clarion suggested putting some sustainability language into the preservation plan, and inquired if they had done that.

Ms. Zeigler stated that the sustainability concept was woven throughout the report. Sustainability had always been a key component of the plan as one of the five themes, but others working with Clarion on sustainability, provided language specifically on solar panels that could be included in the City's design guidelines.

Commissioner Muir inquired about the idea of embodied energy.

Ms. Zeigler stated that the concept of embodied energy in an existing building was the idea that energy went into creating the materials that made that building, transporting those materials to the site, and putting all the materials together to build the building. She stated that once the building was torn down all of that embodied energy was lost, so it was greener and more sustainable economically and environmentally to keep existing buildings wherever possible so that the embodied energy was not lost.

Commissioner Muir stated that currently loss of embodied energy was not reviewed during the economic hardship analysis, or the conventional wisdom in construction regarding when a building was remodeled, twice as much energy and cost was invested in demolition as there was in rebuilding new. He stated that economies typically leaned toward demolition and new construction, as opposed to adaptive reuse. He inquired if the conventional wisdom within the historic preservation community would eventually manifest in the construction economies.

Ms. Zeigler stated that economic hardship was a separate process to ensure that there was not a taking.

Commissioner Muir inquired if the cost of adaptive reuse, upgrade, or restoration was supported by the market place, because if economic hardship could not be demonstrated, then it was not supported by the

market place. He stated that embodied energy was a great notion and a sustainable idea, but he had not seen it manifest in the market place—it was still cheaper to demolish and rebuild from scratch.

Ms. Zeigler stated she disagreed, but it would depend on the building, some it would not make sense to keep and some buildings it would.

Acting Chair McHugh stated that a new building, even if it was LEED certified, could take up to 65 years to recoup what was lost from the destruction of embodied energy, plus what it took to create the new building.

Ms. Zeigler stated that it also created more landfill.

Commissioner De Lay stated that on page 11 of the plan it stated, *currently local historic designation is on property deeds*. She stated that she rarely saw this, so what does that statement actually mean.

Ms. Zeigler stated that historic information was given to the County and they placed it on the deeds.

Commissioner De Lay stated that she was not completely happy with the draft document and she felt that the plan needed another six months to work out some of the fine points. She stated the idea of all that would need to happen before this plan could actually go forward was still a little scary.

Commissioner Fife stated that he hoped that one of the roles of the mentioned Architectural Review Committee and the Historic Landmark Commission, would not include providing proactive advice to property owners on how to meet the requirements of the City's preservation regulations and guidelines, which He felt should be coming from the City staff. He stated that he did appreciate enabling broader use of solar collectors on historic buildings, and he supported historic preservation because the City needed a wide range of building ages to provide economic opportunities for people of various economic start-up businesses.

Ms. Comarell stated that she had met with D.J. Baxter, the Redevelopment Agency Director, about the letter that Clarion & Associates had written in response to their concerns. She stated that he was unable to make it to this meeting, but he wanted the following comments expressed: first, he appreciated Clarion's response. Second, they continue to have concerns with the methods of economic hardship, which was not in the plan yet. And last the RDA staff expressed their concern regarding conservation districts.

6:28:26 PM **Public Hearing**

Acting Chair McHugh opened the public hearing portion of the petition.

The following people spoke or submitted a hearing card in **support** to the proposed petition: **Rawlins Young** (2135 South 1900 East) stated that there was a theoretic law which stated that once something was established it was impossible to change, so this preservation document should be encouraged, but it should be realized that this was not a perfect document and things would need to be done to make it better. He stated that the City needed to do a real property land use survey of the City, which would allow elected officials to get a better grasp of what type of housing there was and how it should be preserved.

Cindy Cromer (816 East 100 South) stated that anything that the RDA asks for, which is exclusive to their agency that is not available to small scale developers, creates an uneven playing field. She stated that she had purchased four properties in City registered districts since 2002 and for each of them the title search indicated that they were in City registered districts. She stated she was noticed on all four of those, but she had also actively looked for that information to make sure it was there. Ms. Cromer stated that the Planning Commission represented over half of those in the City that could actually initiate zoning petitions; she stated that the Historic Landmark Commission could not make proposals in the form of zoning amendments that would affect historic preservation, so that left it up to the Planning Commission. **Esther Hunter** (1049 Norris Place) stated that preservation was why she became involved in the City because historic preservation was a huge benefit. She stated she strongly supported the preservation plan moving forward and stated that she agreed with Ms. Cromer that as a former member of the Historic Landmark Commission it was frustrating to not be able to initiate petitions. She stated that on Page 97, the University area was listed as compromised instead of stable and the community council objected to that change of language because they did not agree with that.

Acting Chair McHugh closed the public hearing.

Commissioner Muir stated that he was concerned about the success of the sustainability initiatives and stated that it was important to change the ordinance to allow accessory structures and infill development, but it seemed that it would be politically easier if the changes to the sustainability ordinance went before the preservation plan. He stated that the preservation plan would cause a heightened agenda for historic preservation and maintaining the status quo in single-family neighborhoods would make it more difficult to bring about those initiatives.

Ms. Comarell stated that Clarion & Associates not only did this preservation plan, but they were also working with the City on the sustainability ordinance, which related to historic preservation in areas like solar panels, as well as other aspects of City ordinances that particularly relate to planning and zoning. She stated that there was funding already in place for this and staff was working with the Mayor on this as well. She suggested that the heightened interest was already there.

Mr. Sommerkorn stated that the sustainability efforts were ongoing and accessory units were part of that. He stated it might be wise to start with areas that were not so sensitive in a newly developing area like the Northwest Quadrant, as well as in other areas of the community where it may be something that would be easily accepted. He stated that there was heightened sensibility for sustainability goals and historic preservation, along with a number of other issues, and there would be some balancing that would need to be taken into consideration.

Ms. Coffey stated that one way that preservation and sustainability might be able to come together may be that large houses in historic districts that are zoned single-family could be allowed to have more units in that building, or opening up the types of uses that are allowed in historic sites, because currently it was very limited.

Commissioner Muir stated that Salt Lake City is relatively young and if a 50 year benchmark is used, then go back 50 years and Salt Lake City was predominately a single-family residential City. He stated that by moving forward with this the City was saying we are going to preserve these single-family neighborhoods, and then each subsequent neighborhood will want the same type of recognition. He stated

that he was concerned that this would not enable the growth potential that this City has to have in order to help solve the fundamental and more critical everyday sustainability issues, which is people living together with common walls and floors within walking and biking distance of their jobs.

Ms. Zeigler stated that preservation was about preserving the building structures and sites, not about how those buildings were necessarily used. She stated that just because a neighborhood originated as single-family did not mean the City was trying to preserve it as such. She stated that some single-family dwellings could be used as commercial or multi-family.

Commissioner De Lay stated that the sustainability needs to be bumped up in the preservation plan, to plan for the future. She stated the rules about the economic hardship were either too difficult or not reasonable and those needed to be reviewed, but other than that she would be in favor of sending a positive recommendation to the City Council.

Commissioner Dean stated that on Page 74 there was a list of ten items which included: climate change and air quality, water quality and conservation, alternative energy production and energy conservation, mobility and transportation, urban forestry, housing and accessibility and diversity, community health and safety, food production and nutrition, recycling and waste reduction, and open space, parks, and trails. She stated that housing accessibility and diversity was not discussed elsewhere in the document and she would like to see more information and insight added to that framework, along with the other nine elements of sustainability.

Ms. Zeigler stated that those were all part of the sustainability plan, not the preservation plan. Commissioner Dean suggested that a brief statement be included that explained how these sustainable items were linked regarding planning items, so the Planning Commission had some future guidance as to how those connections were made.

Ms. Zeigler stated that those ten points were what the Mayor and City Council had determined as an immediate goal, which was what the Sustainability Plan overall was being directed toward. She stated that preservation was only one component of sustainability, along with transportation and housing.

Commissioner Muir stated that it might be a good idea to get a general plan by using this technique within the document to show how to reconcile a conflict between two issues, or even a broader policy from the City.

Ms. Comarell stated that staff would request that from Clarion & Associates.

Commissioner Gallegos inquired if it would be possible for members of the Commission to work with staff on these issues.

Mr. Sommerkorn stated that could be arranged.

Commissioner Muir stated that he would suggest that since the City Council had the final say on this, it should be forwarded to them with concerns and suggestions from the Planning Commission, because they may have a completely different mindset regarding this.

Commissioner De Lay stated that she would be in favor of recommending this tonight to the City Council, with the caveat that the Commission was not satisfied with the sustainability planning within this plan, as well as economic hardship.

7:07:03 PM **Motion**

Commissioner De Lay made a motion regarding Petition PLNPCM2009-00171, based on the findings of facts presented in the staff report and testimony heard at the meeting, the Planning Commission forwards a positive recommendation to the City Council for approval with the recommendation that the sustainability plan and goals within the Preservation Plan be revised, updated, and expanded to prevent potential conflicts between the City's preservation plan and the City's sustainability plan and goals, and that the economic hardship section be clarified.

Commissioner Muir seconded the motion.

Commissioners De Lay, Hill, Fife, Gallegos, Dean, Chambless, Muir, and Wirthlin voted, "Aye". The motion passed unanimously.

C L A R I O N

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Memorandum

To: Robin Ziegler, Salt Lake City Planning

From: Matt Goebel, Clarion Associates

Date: July 31, 2009

RE: Historic Preservation Plan and Sustainable Code Revision Projects

Salt Lake currently is engaged in two groundbreaking efforts – the Historic Preservation Plan and the Sustainable Code Revision project – that together will help protect the city's rich heritage while also ensuring that the city remains economically vibrant and a national model of high-quality, sustainable development. The preservation plan and the sustainability code updates are complimentary efforts. At your request, this memorandum summarizes these two efforts and provides examples of how similar issues are being addressed in the two projects.

HISTORIC PRESERVATION PLAN

The new Historic Preservation Plan has been in development for over two years. While the city has protected hundreds of historic resources and enjoyed some impressive preservation success stories over the past 30 years, this plan is actually the first comprehensive attempt to address historic preservation issues throughout Salt Lake City. Generally speaking, the plan's goals are to protect the city's historic resources while preparing for redevelopment and infill as the city grows; to acknowledge the many preservation successes achieved in the past; to strengthen current preservation efforts; and to inform an array of city policy decisions and guide preservation activity into the future.

A major emphasis of the preservation plan is that Salt Lake must practice preservation with an eye on the future. While areas qualifying for historic designation should be protected through appropriate regulations (such as design guidelines for additions to historic homes), the plan does not call for historic areas to be left untouched altogether. Indeed, historic preservation is intended to be a cornerstone of the city's efforts to promote sustainable development. An entire section of the plan illustrates how preservation can support not just environmental sustainability, but also economic, social, and cultural sustainability. First-year implementation priorities in this regard include:

- Appointing a staff green building liaison;
- Enabling broader use of solar collectors and alternative energy equipment on historic properties ;
- Preserving eligible historic parks as landmark sites;
- Ensuring zoning allows residential reuses of nonresidential historic structures;
- Supporting appropriate residential additions in historic districts to meet a wide range of housing needs; and

- Drafting rules to allow accessory dwelling units in historic districts, following neighborhood approval and subject to clear standards that protect neighborhood character.

SUSTAINABLE CODE REVISIONS

The Sustainable Code Revision Project is an ongoing effort designed to revise the city's zoning, subdivision, and other land development codes to promote more sustainable development patterns. A February 2009 diagnosis prepared for the project identifies existing regulatory barriers, incentives, and development standards found in the city's development codes that are directly related to ten sustainability categories identified by the city:

- Climate Change and Air Quality
- Water Quality and Conservation
- Alternative Energy Production and Energy Conservation
- Mobility and Transportation
- Urban Forestry
- Housing Accessibility and Diversity
- Community Health and Safety
- Food Production and Nutrition
- Recycling and Waste Reduction
- Open Space, Parks, and Trails

For each topic, the diagnosis first summarizes the issue and notes how land development regulations can help accomplish the city's goals in that arena. For example, in the area of water quality and conservation, the diagnosis notes that climate change, worsening drought, population growth, and the demands of new developments have called sharp attention to the need to sustain water resources and make more efficient use of local water supplies. A recommended Salt Lake Code revision intended to address this issue is: "Expand existing water-conserving landscaping regulations (including limits on irrigation) and restrict the use of turf grass, especially in commercial and residential development."

OVERLAP BETWEEN THE TWO PROJECTS

As stated, the preservation plan and the sustainability code updates are complimentary efforts. To the extent that they address the same issues, city officials and staff, working with Clarion, have strived to ensure consistency between the two projects. There are only a handful of issues on which the two projects directly address similar issues and in such areas the documents contain consistent recommendations. Two examples are listed below.

Regarding climate change and air quality, the Sustainable Code Revision project identifies regulatory options for addressing this issue. Generally, the diagnosis proposes that the city's zoning and land use regulations be updated to encourage development patterns that allow for and promote less reliance on automobiles for mobility and result in a reduction in vehicle miles traveled and a corresponding reduction in greenhouse gas (GHG) emissions. Examples of development that would meet this standard include mixed-use and transit-oriented developments.

- Along these same lines and specifically related to historic preservation, the diagnosis recommends revising existing accessory use provisions to allow accessory dwelling units in selected residential areas and new developments. Strengthening compatibility standards for accessory units (e.g., limit to larger lots, special control in historic districts, etc.) also is recommended.

- The draft historic preservation plan specifically addresses this issue in the same manner as the sustainable code diagnosis. Policy 5.7d of the preservation plan states: "Work to develop appropriate policies on allowing accessory dwelling units in historic homes." The implementation action for this item calls for the city to "assess best practices for accessory dwelling units in historic areas and make appropriate regulatory modifications to allow accessory dwelling units in historic districts. Consider density bonuses to encourage provision of accessory dwelling units."

Regarding alternative energy and energy conservation, the Sustainable Code Revision project recommends identification and removal of obstacles in current zoning and historic preservation regulations that unnecessarily impede alternative or energy conservation devices such as solar panels.

- The sustainable code diagnosis recommends revising existing historic preservation design guidelines/policies to carefully accommodate solar panels in more locations on a building/site in historic districts.
- The historic preservation plan addresses in Policy 5.2b, which states: "Modify design guidelines to address solar collectors and other types of alternative energy equipment within local historic districts and on local Landmark Sites pending design review." The implementation action for this item calls for the city to "Evaluate design guidelines to determine whether modifications are necessary to allow solar collectors and other types of alternative energy equipment, as recommended by the sustainable code effort to enable broader use of renewable energy technology on historic properties. While the current version of the design guidelines (at the time of this planning effort) appear sufficient to allow the placement of solar collectors in historic districts, the guidelines should be reevaluated on an ongoing basis to address changing technologies."