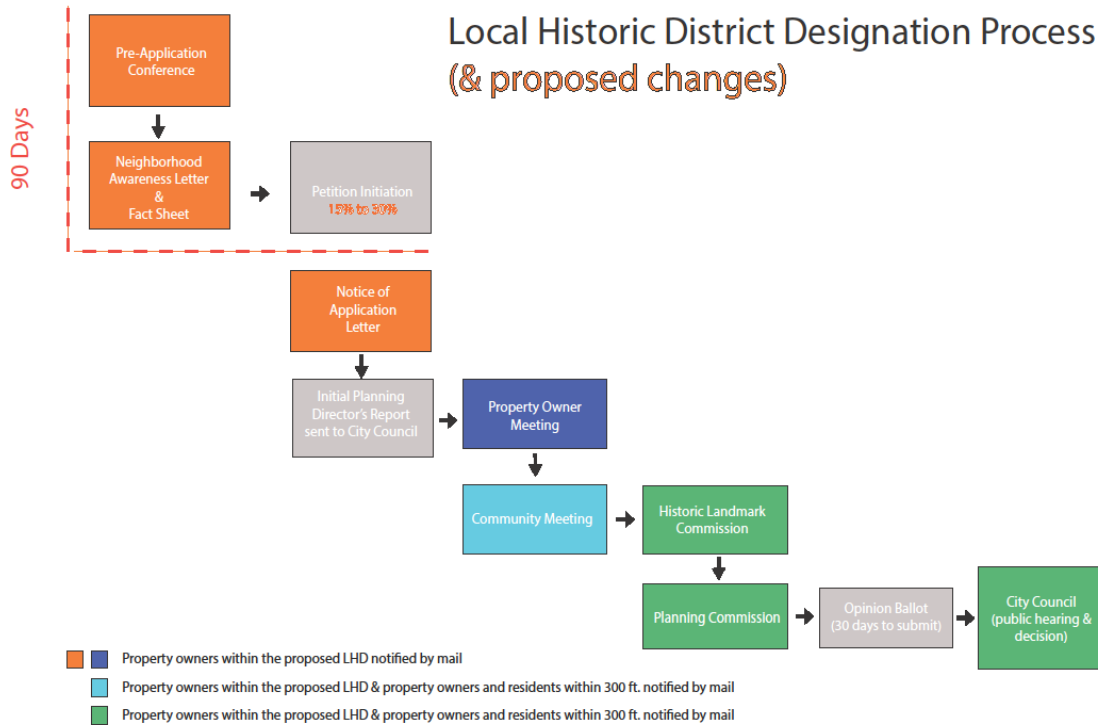


Amendments to the Local Historic District Designation (LHD) Process



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Draft

What is the Project?

A request by Mayor Ralph Becker to fine tune and clarify regulations regarding the designation of local historic districts in section 21A.34.020(C). Changes proposed are to address issues with the designation process as well as to make the process more transparent from the outset. The changes would apply citywide.

Why make the Change?

In 2010, in response to concerns of residents in the Yalecrest neighborhood, primarily concerning demolitions and neighborhood wide local historic district regulations, the State legislature enacted a moratorium on local historic districts in first class cities in Utah. Salt Lake City was directed to improve the designation process that was in place at that time.

As a result, in November 2012, Salt Lake City implemented a new process for local historic district designation.

Since the time of the adoption of the new process for the designation of new local historic districts in 2012, nine new local historic districts have been through the process with varying degrees of success. Through the administration of these requests, it has become apparent to Planning Staff, as well as members of the public, that the regulations need some modification to make the process more defined, clear and transparent. Through the various recent designation processes, Planning Staff kept a running list of items/issues to address in this fine tuning petition.

What are the Issues with the proposed change?

KEY ISSUES/DISCUSSION:

The key issues listed below have been identified through the analysis of the project, public input, and department review:

Issue 1: The application initiation threshold of 15% is too low and results in too few property owners being aware of the potential local historic district until the process is well underway.

Proposed change to address this issue:

- The application initiation threshold is proposed to be increased to a minimum of 30%. In other words, signatures would need to be obtained from property owners representing ownership of 30% of the parcels in the proposed district to initiate a request for a local historic district.

Issue 2: In general, the local historic district designation process is not readily transparent at the outset resulting in too few property owners being aware of the preparation of an application for a proposed local historic district.

Proposed changes to address this issue:

- A “pre-application conference” would be required prior to the submittal of an application. A potential applicant would be required to attend a pre-application conference with planning staff to discuss the boundaries of the proposed district and the designation process in general.
- Following the “pre-application conference” and prior to the submittal of an application, the City would send an informational letter/fact sheet to owners of record for each property potentially affected by a forthcoming application outlining the designation process and how property owners can participate in the process. The purpose of this letter/fact sheet is to give property owners notice that local historic district designation may be pursued and to expect being approached for signature gathering. It will also give property owners correct information of what it means to be in a local historic district.
- The timeframe for signature gathering for application initiation would be decreased from 180 days to 90 days. This would keep the issue relevant without prolonged uncertainty for affected property owners.
- Following the receipt of an application, the City would send a “Notice of Designation Application Letter” to owners of record in the designation boundary stating that an application had been submitted. The purpose of this letter/fact sheet is to give property owners notice that an application had been received by the City and the designation process would commence. Likewise, after 90 days without an application being filed with the City, a letter would be sent stating that no application was received.

Issue 3: The application initiation process has ambiguities concerning who can sign the initiation application.

Proposed change to address this issue:

- Specify that only one owner of any given property is required to sign the initiation application in order for that parcel to be included in the proposed 30% minimum threshold.

Issue 4: Change terminology from “public support” to “property owner opinion”. The term “public support” used throughout the Zoning Ordinance section concerning the local historic district designation process, particularly in terms of balloting, is misleading and needs to be clarified.

Proposed changes to address this issue:

- The term “public support” indicates that the general public is involved in the local historic district designation decision when in fact it is not. Further, the term implies that a given local historic district is supported when in fact it may not be. To resolve this issue, the term “public support” will be changed to read “property owner opinion” throughout the Zoning Ordinance text as it relates to the local historic district process.
- Clarify that each individual property in the proposed local historic district boundary will receive only one property owner opinion ballot.

Issue 5: Time Limitation on Amendments. There has been considerable public concern that the one year limitation imposed by the zoning ordinance for reconsideration of the same or substantially the same proposal for a local historic district is too short of a time frame, and certain neighborhoods/residents will be under constant pressure to implement a preservation overlay zone.

Proposed change to address this issue:

- In Section 21A.50.060 – Limitation of Amendments, increase the amount of time between application submittals for local historic districts and thematic designations requests to two years instead of one in order to allow for more of a “cooling off” period between proposals.

Get Involved

The proposed text amendment has been heard by both the Historic Landmark Commission and the Planning Commission. Both of these bodies voted to forward a positive recommendation regarding the changes to the City Council. The City Council will entertain the changes at a future date to be determined.

Learn More

Historic Landmark Commission and Planning Commission staff reports are available for further information:

<http://www.slcdocs.com/Planning/HLC/2015/149.pdf>

<http://www.slcdocs.com/Planning/Planning%20Commission/2016/149.pdf>

Connect

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