

TITLE 2

BOARDS AND COMMISSIONS

CHAPTER 1

HISTORIC PRESERVATION COMMISSION

SECTION:

2-1-1: Purpose

2-1-2: Established

2-1-3: Duties Of Commission

2-1-4: Historic Sites List

2-1-5: Historic Landmark Register

2-1-6: Standards Of Rehabilitation

2-1-1: PURPOSE:

The city recognizes that the historical heritage of the community is among its most valued and important assets. It is therefore the intent of the city to identify, preserve, protect and enhance historic areas and sites lying within the city limits.

A. The role of the Washington City historic preservation commission (WCHPC) is to serve as an advisory group to encourage, educate and assist in establishing a local landmark register which provides historical recognition, and links that recognition to ascertain benefits.

B. The WCHPC shall establish and utilize nationally accepted rehabilitation guidelines (secretary of the interior's "standards for rehabilitation") to assist the city and owners of historic property in preserving important features of their buildings. (Ord. 95-6, 3-8-1995)

2-1-2: ESTABLISHED:

A historic preservation commission is hereby established by the city with the following provisions:

A. Membership; Appointment; Term: The commission shall consist of a minimum of five (5) members with a demonstrated interest, competence or knowledge in historic preservation, appointed by the mayor for terms not less than two (2) years.

B. Professional Members: To the extent available in the community, two (2) commission members shall be professionals, as deemed by national park service regulations, for the disciplines of history, archaeology, planning, architecture or architectural history. (Ord. 95-6, 3-8-1995)

C. Meetings: The commission shall meet on an as needed basis, but at least twice each year, and conduct business in accordance with the open public meeting laws of the state. This includes public notification of meeting place, time and agenda items. (Ord. 95-6, 3-8-1995; amd. 2007 Code)

D. Minutes: Written minutes of each commission meeting shall be prepared and made available for public inspection. (Ord. 95-6, 3-8-1995)

2-1-3: DUTIES OF COMMISSION:

The historic preservation commission shall have the following duties:

A. Survey And Inventory Community Historic Resources: The historic preservation commission shall conduct or cause to be conducted a survey of the historic, architectural and archaeological resources within the community. The survey shall be compatible with the state inventory of historic and archaeological sites. Survey and inventory shall be maintained and shall be open to the public. The survey shall be updated at least every ten (10) years.

B. Review Proposed Nominations To National Register Of Historical Places: The historic preservation commission shall review and comment to the state historic preservation officer on all proposed national register nominations for properties within the boundaries of the city. When the historic preservation commission considers a national register nomination which is not normally evaluated by professionals in a specific discipline and that discipline is not represented on the commission, the commission shall, with prior approval of the city council, seek expertise in that area before rendering its decision.

C. Provide Advice And Information:

1. The historic preservation commission shall act in an advisory role to other officials and governmental departments regarding the identification and protection of local historic and archaeological resources.

2. The historic preservation commission shall work toward the continuing education of citizens regarding historic and

community history.

D. **Enforcement Of State Historic Preservation Laws:** The commission shall support the enforcement of all state laws relating to historic preservation. These include, but are not limited to, Utah Code Annotated section 17A-3-1301 et seq., the historic district act, Utah Code Annotated section 9-8-301, regarding the protection of Utah antiquities, and Utah Code Annotated section 9-8-307 regarding notification of the state historic preservation office of any proposed action which will destroy or affect a site, building or object owned by the state and included on or eligible for the state or national registry. (Ord. 95-6, 3-8-1995)

2-1-4: HISTORIC SITES LIST:

The historic preservation commission may designate historic properties to the historic sites list as a means of providing recognition to and encouraging the preservation of historic properties in the community.

A. **Criteria For Designating Properties To City Historic Sites List:** Any district, building, structure, object or site may be designated for the historic sites list if it meets all the criteria outlined below:

1. It is located within the official boundaries of the city.
2. It is at least fifty (50) years old.
3. It retains its historic integrity, in that there are no major alterations or additions that have obscured or destroyed the significant historic features. Major alterations that would destroy the historic integrity include, but are not limited to, changes in pitch of the main roof, enlargement or enclosure of windows on the principle facades, addition of upper stories or the removal of original upper stories, covering the exterior walls with nonhistoric materials, moving the resource from its original location to one that is dissimilar to the original, or additions which significantly detract from or obscure the original form or appearance of the structure when viewed from the public way.
4. It has been documented according to the state historic preservation office standards for intensive local surveys (January 1990 version or subsequent revisions) and copies of this documentation have been placed in the local and state historic preservation files.

B. **Designation Procedure:** Any person, group or government agency may nominate a property for its listing in the city historic sites list. The nomination and listing procedures are as follows:

1. Completed intensive level survey documentation for each nominated property must be submitted in duplicate to the historic preservation commission.
2. The commission will review and consider properly submitted nominations at its next scheduled meeting. The commission will notify the nominating party, either orally or in writing, one week prior to the meeting that the nomination will be considered and will place that item on the agenda posted for the meeting. The one week notification may be waived at the nominating party's option in order to accommodate "last minute" submittals, though no nomination will be reviewed if it is submitted to the commission less than forty eight (48) hours prior to the meeting.
3. The historic preservation commission will review the documentation for completeness, accuracy and compliance with the criteria for designating historic properties to the city historic sites list and will make its decision accordingly.

C. **Results Of Designation To Historic Sites List:**

1. Owners of officially designated historic sites may obtain a historic sites certificate from the historic preservation commission. The certificate contains the historic name of the property, the date of designation, and signatures of the mayor and the historic preservation commission chairperson.
2. If a historic site is to be demolished or extensively altered, efforts will be made to document its physical appearance before action takes place.
 - a. The city will delay issuing a demolition permit for a maximum of one week and will notify a member of the historic preservation commission which will take responsibility for the documentation.
 - b. Documentation will include, at a minimum, exterior photographs of all elevations of the historic structure. When possible, both exterior and interior measurements of the structure will be made in order to provide an accurate floor plan or other plan drawing of the structure.
 - c. The demolition permit will be issued one week after the initial application, whether or not the commission has documented the building. The permit may be issued earlier if the commission completes its documentation before the one week deadline. The time limit may also be waived in the event of extreme damage by an earthquake or act of God.
 - d. A structure, object or place of national, state or local significant integrity, or vital historic value, shall not be issued a demolition permit for a period of time, not to exceed thirty (30) days, for negotiations for maintenance or preservation of said item; by an agreement to preserve said item by the current owners, or of its purchase by historically sympathetic persons and/or organizations.
 - e. Documentation will be kept in the commission's historical site files, which are open to the public.

D. **Removal Of Properties From Historic Sites List:** Properties which, in the opinion of the historical preservation commission, no longer meet criteria for eligibility may be removed from the historic sites list after review and consideration by the commission. (Ord. 95-6, 3-8-1995)

2-1-5: HISTORIC LANDMARK REGISTER:

Significant historic properties may be designated to the historic landmark register for the purposes of recognizing their significance and providing incentives and guidelines for their preservation.

A. Criteria For Designating Properties To City Historic Landmark Register: Any district, building, structure, object or site may be designated to the historic landmark register if it meets all the criteria outlined below:

1. It is located within the official boundaries of the city.
2. It is currently listed in the National Register of Historical Places, or it has been officially determined eligible for listing in the National Register of Historical Places under the provisions of 36 CFR 80.6(a). Properties listed on or determined eligible for the national register must, in addition to retaining their integrity, meet at least one of the following national register criteria. The property must:
 - a. Be associated with events that have made a significant contribution to the broad patterns of our history; or
 - b. Be associated with the lives of persons significant in our past; or
 - c. Embody the distinctive characteristics of a type, period or method of construction or that represent the work of a master, or possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
 - d. Have yielded, or may be likely to yield, information important in prehistory or history (archeological sites, for example).
3. The owner of the property approves of the action to designate his/her property to the historic landmark register and has submitted to the commission a written statement to that effect.

B. Designation Procedure:

1. Official designation proceedings must begin with the submittal of a written request for designation by the property owner to the commission chairperson. The letter must identify the property by its address and historic name, give the date the property was listed in the national register or officially determined eligible, and include a statement verifying that the property owner is indeed the owner of legal record of the property proposed for designation. This official request may be preceded by informal contact with the property owner by commission members, private citizens, legal officials or others regarding designation of the property.
2. Upon receipt of the written request for designation, the commission chairperson shall arrange for nomination to be considered at the next commission meeting, which shall be held at a time not to exceed thirty (30) days from the date the request was received.
3. The decision by the commission shall be based on eligibility of the property in terms of meeting the criteria for designating properties to the city historical landmark register. The commission shall forward its recommendation in writing to the city council within fourteen (14) days.
4. The city council may, by approval and passage of an appropriate resolution, designate properties to the historic landmark register. Following designation, a notice of such shall be mailed to the owners of record, together with a copy of this chapter.
5. After property has been formally designated to the historical landmark register, the designation may be amended or rescinded in the same manner as the original designation was made.
6. Upon official designation, the commission shall record the designation with the county recorder's office to indicate such designation as the official title thereof.

C. Results Of Designation To Historic Landmark Register:

1. Properties designated to the historic landmark register may receive special consideration in the granting of zoning variances or conditional use permits in order to encourage their preservation.
2. In the event of rehabilitation of the property, local building officials will consider waiving certain code requirements in accordance with the building code, which deals with national buildings, or the code for building conservation, a special code for existing buildings.
3. Owners of historic landmarks may seek assistance from the historic preservation commission in applying for grants or tax credits for rehabilitating their properties.
4. Proposed repairs, alterations or additions to historic landmarks are subject to the review of the historic preservation commission and the subsequent review and approval of the city council. The purpose of this review is to ensure the preservation of historic materials and features to the greatest degree possible.
 - a. Applications for permits pertaining to historical landmark properties shall be forwarded by the building official to the commission prior to their issuance.
 - b. At its next scheduled meeting, the commission shall review the applications and proposed work for compliance with the secretary of the interior's standards for rehabilitation, hereafter referred to as the "standards". (See section 2-1-6 of

this chapter.)

c. The commission's recommendation shall be forwarded to the city recorder within three (3) days for consideration by the city council. The recommendation must indicate which of the "standards" the commission's decision was based on and, where appropriate, a brief explanation. Copies of the recommendation shall be sent to the building official and the property owner at the same time.

d. The city recorder shall schedule the matter for a public hearing by the city council at its next regular scheduled meeting. After the hearing, the city council shall make a decision regarding the appropriateness of the proposed action. Approved projects will be issued a certificate of historical appropriateness which authorizes the building permit to be issued.

D. Enforcement: The provisions of this section are subject to the enforcement provision established in the building code. (Ord. 95-6, 3-8-1995)

2-1-6: STANDARDS OF REHABILITATION:

The following standards of rehabilitation shall be used by the historic preservation commission and city council when determining the historic appropriateness of any application pertaining to historic landmark properties:

A. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the structure and its site and environment.

B. The historic character of a property shall be retained and preserved. The removal of historic materials or alterations of features and spaces that characterize a property shall be avoided.

C. Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjecturable features or architectural elements from other buildings, shall not be undertaken.

D. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

E. Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

F. Deteriorated historic features shall be repaired rather than replaced. Where severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.

G. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

H. Significant archeologist resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures must be undertaken.

I. New additions, exterior alterations or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale and architectural features to protect the historic integrity of the property and its environment.

J. New additions and adjacent or related construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would not be impaired. (Ord. 95-6, 3-8-1995)