



## Planning Commission Staff Report

PLANNING DEPARTMENT

**Subject:** LMC Amendment  
**Author:** Bruce Erickson, AICP, Interim Planning Director  
**Date:** August 12, 2015  
**Type of Item:** Staff Communication Update – LMC Amendment  
Park City Historic Sites Inventory Criteria & Demolition Permits

### Summary Recommendations

On August 6, 2015, the City Council directed the Planning Department to move forward with a pending ordinance. The purpose of the pending ordinance is to expand the Historic Sites Inventory criteria to include the following terms:

- any structure that has received a historic grant from the City;
- has previously been on the Historic Site Inventory or listed as significant or contributory on any recognizant or other historic survey;
- or despite non-historic additions retain its historic scale, context, materials in a manner and degree which can reasonably be restored to historic form.

In addition, the pending ordinance is to also amend Land Management Code to include demolition permits for all structures in a Historic District to be reviewed by the Historic Preservation Board.

### Description

**Project Name:** LMC Amendment regarding Historic Sites Inventory criteria and demolition permits in the Historic District  
**Applicant:** Planning Department  
**Proposal:** Revisions to the Land Management Code

The Planning Department will request to have the Planning Commission review the possible Land Management Code amendments on September 9, 2015. The current pending ordinance went into effect on August 7, 2015, See Exhibit A.

### Exhibits

Exhibit A - Pending Ordinance

Ordinance No. \_\_\_\_\_

**AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE  
SECTION 15, CHAPTER 11 AND ALL HISTORIC ZONES TO EXPAND THE  
HISTORIC SITES INVENTORY AND REQUIRE REVIEW BY THE HISTORIC  
PRESERVATION BOARD OF ANY DEMOLITION PERMIT IN A HISTORIC DISTRICT**

WHEREAS, the Land Management Code was adopted by the City Council of Park City, Utah to promote the health, safety and welfare of the residents of Park City; and

WHEREAS, it is in the best interest of the community to periodically amend the Land Management Code to reflect the goals and objectives of the City Council and to align the Code with the Park City General Plan; and

WHEREAS, the City Council finds that the proposed changes to the Land Management Code are necessary to supplement existing zoning regulations to protect Historic structures and the economic investment by owners of similarly situated property (currently Historic);

WHEREAS, Park City was originally developed as a mining community and much of the City's unique cultural identity is based on the historic character of its mining era buildings;

WHEREAS, these buildings are among the City's most important cultural, educational, and economic assets;

WHEREAS, the demolition of potentially historic buildings would permanently alter the character of a neighborhood, community and City;

WHEREAS, individual members of the Historic Preservation Board, ("HPB") the official body to review matters concerning the historical designation and design of buildings within the City, and several members of the public have requested that the Council reconsider the sufficiency of the Historic Building Inventory;

WHEREAS, the pending amendments to the Land Management Code ("LMC") and the Historic District Guidelines and any revisions to the Historic Building Inventory are expected to be completed within the next six months;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Park City, Utah, that:

**SECTION 1. AMENDMENTS.** The recitals above are incorporated herein as findings of fact. The Land Management Code, Title 15 of the Municipal Code of Park City, is hereby amended as follows:

- A. Amendment to Section 15-11-10(A) (2): **SIGNIFICANT SITE.** Any Buildings (main, attached, detached or public), Accessory Buildings and/or Structures

may be designated to the Historic Sites Inventory as a Significant Site if the Planning Department finds it meets all the criteria listed below:

- (a) It is at least fifty (50) years old or has achieved Significance in the past fifty (50) years if the Site is of exceptional importance to the community; and
  - (b) It retains its ~~Essential~~ Historical Form, ~~meaning there are no major alterations that have destroyed the Essential Historical Form~~as demonstrated by any of the following: it previously received a historic grant from the City; or it has previously been listed on the Historic Site Inventory; or it was listed as Significant or Contributory on any reconnaissance or other historic survey; or despite non-historic additions it retains its historic scale, context, materials in a manner and degree which can reasonably be restored to Essential Historical Form. ~~Major alterations that destroy the Essential Historical Form include:~~
    - (i) ~~Changes in pitch of the main roof of the primary façade if 1) the change was made after the Period of Historic Significance; 2) the change is not due to any structural failure; or 3) the change is not due to collapse as a result of inadequate maintenance on the part of the Applicant or a previous Owner, or~~
    - (ii) ~~Addition of upper stories or the removal of original upper stories occurred after the Period of Historic Significance, or~~
    - (iii) ~~Moving it from its original location to a Dissimilar Location, or~~
    - (iv) ~~Addition(s) that significantly obscures the Essential Historical Form when viewed from the primary public Right of Way.~~
  - (c) It is important in local or regional history, architecture, engineering, or culture associated with at least one (1) of the following:
    - (i) An era of Historic importance to the community, or
    - (ii) Lives of Persons who were of Historic importance to the community, or
    - (iii) Noteworthy methods of construction, materials, or craftsmanship used during the Historic period.
- (3) Any Development involving the Reconstruction of a Landmark Site or a Significant Site that is executed pursuant to Section 15-11-15 of this code shall remain on the Park City Historic Sites Inventory and shall be listed as a Significant Site.

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B. New Section. The following section shall be added to Land Management

Code Title 15, all Historic Zoning Districts Chapters 2.1, 2.2, 2.3, 2.4, 2.5, 2.6 and Chapter 11:

Final Review by Historic Preservation Board. Any application for any demolition permit as defined by the IBC, which includes reconstruction, disassembly, and panelization for demolition of any Building (main, attached, detached, or public), Accessory Building, and/or Structure in which any part of the structure was constructed before 1975 in a Historic District zone must be reviewed by the Historic Preservation Board. Nothing in this section adds any additional criteria or standards to existing Land Management Code or International Building Code sections governing the issuance of such permit. Review by the Board is limited to determination that demolition of such Building (main, attached, detached, or public), Accessory Building, and/or Structure is in conformance with applicable code. If non-compliance is determined, the application shall be remanded to the applicable authority. Planning staff shall review demolition applications of interior elements that (1) have no impact on the exterior of the structure; or (2) are not structural in nature; or (3) the scope of work is limited to exploratory demolition.

**SECTION 2. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

**SECTION 3. EFFECT ON EXISTING APPLICATIONS/PERMITS.** Any Complete Application for any demolition permit or CAD received prior to Friday, August 7, 2015, shall not be affected by this amendment. Any currently valid permits or CAD which have been issued by the Building and Planning Departments prior to the adoption of this Ordinance shall not be affected by this amendment.

PASSED AND ADOPTED this \_\_\_\_ day of September, 2015.

PARK CITY MUNICIPAL CORPORATION

\_\_\_\_\_  
Mayor Jack Thomas

Attest:

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City Recorder's Office

Approved as to form:

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Mark D. Harrington, City Attorney