
M E M O R A N D U M

DATE: April 15, 2010
TO: City Council Members
FROM: Council Historic Preservation Plan Working Group
RE: Historic Preservation Plan Potential discussion items

The purpose and guiding policies established for the Council's Working Groups is to help enhance the full Council's conversation by identifying issues that the Council should be aware of and to consider whether any information is lacking. This memorandum summarizes items identified by the Historic Preservation Plan Working Group for a full City Council discussion. The Working Group members will be prepared to discuss this issue during the Council's Work Session on Tuesday, April 20.

Attachments: (provided for background purposes)

- A. Preservation Plan Implementation - February 23, 2010
(provided to the Historic Preservation Plan Working Group by Planning Division)
- B. Toolbox: Incentives for Historic Preservation - March 30, 2010
(provided at City Council public hearing, March 30, 2010)
- C. Council Historic Preservation Plan Working Group memo - March 25, 2010
(provided for City Council discussion, March 30, 2010)

Potential Discussion Items for City Council Consideration

- A. Proposed Timeframe: April 27, 2010 – schedule Council action
- B. Potential Options:
 - Adopt the Preservation Plan
 - Adopt the Preservation Plan with a set of Legislative Intent statements
 - Not adopt the Preservation Plan
 - Schedule Council Action for a future Council meeting and Preservation Plan Working Group continue to refine issues and discussion items
- C. Proposed changes to the Plan (identified to date):
 - Incentives – pg. 49
 - Remove reference to 'tax waivers or deferrals'.
 - Add incentive for expedited plan review process (similar to current expedited review for LEED developments)

D. Potential Legislative Intent Statements (identified to date):

1. Establish a formal process for the Historic Landmark Commission and Administration to revisit and prioritize the Plan's Implementation Actions on an annual basis. (This item is identified in the Plan. - pg. 26 - and Implementation Action Matrix - 1.2c.1)
2. Consider establishing a zoning regulation development standard or exception (in addition to the Planned Development process) for all properties listed on the National Historic Register and in City Historic Districts.
 - a. Most of these properties were developed prior to the City's first zoning regulations in 1927.
 - b. Many are noncomplying with the zoning regulations and cannot obtain a variance for additions or accessory structures on the properties.
 - c. Establishing a development standard/exception would streamline the plan approval process and reduce development and Administrative costs.
3. Allow the Historic Landmark Commission to initiate legislation/petitions pertaining to historic preservation and provide recommendations directly to the Council on preservation issues.
4. Document the history of buildings on the Westside. (This would provide information for future formal preservation surveys.)
5. Maximize positive interaction with the Redevelopment Agency (RDA) and research what other Redevelopment Agencies in the west are doing to accommodate preservation of buildings.
6. Define in further detail what the use of conservation districts would mean in the City and identify key elements such as a conservation district purpose statement and specific types of character defining elements.
7. Analyze in greater detail and provide additional information regarding the use of the Transfer of Development Rights (TDR) concept from a preservation perspective such as:
 - a. Consider down zoning in specific areas as necessary to make TDR approach effective.
 - b. Explore use of the TDR concept in small areas or at the block level.
 - c. Dedicate housing loss mitigation funds collected for demolitions to fund surveys for remaining neighborhood structures.

File Location: Community and Economic Development Dept., Planning Division, Preservation Plan

Preservation Plan Implementation

- Preservation Plan priorities outlined
 - Policies and procedures revised to be in sync with current practice and zoning ordinance
 - Boundaries adjustments: South Temple (before the Council), and second cleanup (Memory Grove and others)
 - Commercial design guidelines
 - Residential design guidelines updated
 - Fine-tuning of the Historic Overlay Ordinance
 - Demolition provisions – economic hardship
 - Sustainability provisions
 - Historic designation criteria and prioritization
 - Conservation district ordinance/program
 - City properties – complete listing and maintenance program
 - Parks research and landscape design guidelines
 - Orientation of new members
 - Training of one-stop center planners re preservation guidelines
 - National Register map cleaned up
 - Website revisions
 - Community outreach, e.g., video newsletters
 - Preparation of City Guides to Historic Preservation
 - Certified Local Government grant administration, e.g., surveys
 - Clearly define responsibilities of the architectural review committee
 - Internal systems – scanning project files, existing historic records
 - Contract management
 - Coordination with State Historic Preservation Office (SHPO) and Utah Heritage Foundation
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Toolbox: Incentives for Historic Preservation

Estimated costs are those associated with staff time as well as direct costs for grants, loans, and waivers. Current City staff members could develop all of the tools/changes listed without the services of outside consultants.

Low/No Cost to City

- expedited review process for applications in historic districts or individual Register sites to offset additional processes required (Certificate of Appropriateness) LEED projects already receive this incentive.
- waiver of permit fees
- density bonuses in single family and multiple-family zoning districts
- relaxed requirements for off-street parking
- access to a Planned Development process to deal with noncomplying setbacks
- applying incentives to buildings designated as "contributory" only, or recognizing more than one level of historic resources
- using open space zoning to protect historic resources
- allowing a wider range of commercial uses in multiple-family residential districts
- allowing a district with only one building
- allow residential uses in an industrial zone

Mid-price Development Costs

- Conservation Districts (also more expensive to administer due to individualization)
- Transfer of Development Rights (TDRs)
- development of an overlay to protect the transitional areas around historic districts
- easements on City and RDA properties with funding for administration of the easement

More Expensive to Develop

- ad valorem tax relief applied to the value of improvements
- reduction in property taxes with transfer to future owners
- use of an Historic Building Code
- waiver of sales tax on construction materials
- grants
- revolving loan program associated with housing and/or small businesses
- support from the RDA with low/no interest loans in RDA areas

Next steps: This list needs evaluation by City staff for accuracy and feasibility of implementation. Some of these incentives such as density bonuses and exceptions for setback requirements are available in other communities and have been for years. It would be worthwhile to get outcome data on their effectiveness in promoting historic preservation in those communities.