

SALT LAKE CITY ORDINANCE
No. _____ of 2010

(An Ordinance amending Ordinance No. 13 of 2010 regarding a temporary land use regulation for the Yalecrest National Historic District and the Westmoreland Place Subdivision.)

An ordinance amending Ordinance No. 13 of 2010, revising the demolition provisions of a temporary land use regulation affecting areas in Salt Lake City known as the Yalecrest National Historic District and the Westmoreland Place Subdivision.

WHEREAS, on March 9, 2010, the Salt Lake City Council (“City Council”) adopted Ordinance No. 13 of 2010 (the “original ordinance”) which enacted a temporary land use regulation pursuant to section 10-9a-504 of the Utah Code, which modified and limited development activity in areas of the city known as the Yalecrest National Historic District and the Westmoreland Place Subdivision; and

WHEREAS, the City Council now desires to modify that original ordinance to better balance the interests of private property owners to pursue their vested rights, and the interests of the City to protect and preserve the historic, architectural and cultural resources of the areas addressed by the original ordinance; and

WHEREAS, the City Council finds that the compelling, countervailing public interest upon which the original ordinance was adopted will not be compromised by this amendment, as structures deemed appropriate for preservation will continue to be subject to the restrictive requirements set forth in that temporary land use regulation; and

WHEREAS, the City Council determines this ordinance to be in the City’s best interests.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. Amending Section 3 of Ordinance No. 13 of 2010. That section 3 of Ordinance No. 13 of 2010 is hereby amended to read as follows:

SECTION 2. Temporary zoning regulations; boundaries. Notwithstanding any other ordinance which the City Council may have adopted that may provide otherwise, during the period of this temporary land use regulation, any structure situated in the Yalecrest National Historic District, as identified in Exhibit “A” hereto, and the Westmoreland Place Subdivision, identified in Exhibit “B” hereto, shall not be:

- a. Demolished, unless one of the following conditions exists:
 1. The City’s Building Official approves demolition of a dilapidated structure determined to present a threat to the safety of inhabitants by virtue of its condition.
 2. A building permit was issued prior to the City Council’s action on this ordinance, which would require demolition of a structure or structures in order for the development described in the building permit to be completed. Under such circumstances, a demolition permit may be issued without regard to this ordinance. This provision shall not apply to development activities for which building permits have expired.
- b. Remodeled, altered, or enlarged in a manner which would alter the exterior of the structure, except in conformance with regulations set forth in Section 21A.34.020, Historic Preservation Overlay District, and the Historic Residential Design Guidelines adopted by the City.

SECTION 3. Effective date. This ordinance shall become effective upon publication.

Passed by the City Council of Salt Lake City, Utah, this _____ day of March, 2010.

CHAIRPERSON

ATTEST:

CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____Approved. _____Vetoed.

MAYOR

ATTEST:

CITY RECORDER

(SEAL)

Bill No. _____ of 2010.

Published: _____.