

March 9, 2010

Yalecrest and Westmoreland Place Physical Boundaries

Yalecrest

Yalecrest boundaries includes properties between Sunnyside on the north, 1300 East on the west, 1300 South on the south and 1900 East on the east.

Westmoreland Place Boundaries

Westmoreland Place boundaries include properties along both sides of the following streets:

- Westmoreland Drive running southeast from the corner of 1300 South and 1500 east to the intersection of Sherman Avenue and Filmore Street,
- Sherman Avenue (1335 South) east to Glenmare Street (1575 East),
- Glenmare Street south to Harrison Ave (1385 South),
- Harrison Avenue west to Filmore Street (1540 East),
- Fillmore Street north to Sherman Avenues.

See the attached District Boundary Map for details.

SALT LAKE CITY ORDINANCE
No. _____ of 2010

(An Ordinance enacting temporary land use regulations for areas known as the Yalecrest National Historic District and the Westmoreland Place Subdivision)

An ordinance enacting temporary land use regulations for areas in Salt Lake City known as the Yalecrest National Historic District and the Westmoreland Place Subdivision to preserve important historic, architectural and cultural resources and allow for the implementation of historic preservation regulation.

WHEREAS, Section 10-9a-504 of the Utah Code allows cities, without a public hearing, to enact ordinances establishing temporary land use regulations for any part or all of a municipality if the municipality's legislative body makes a finding of compelling, countervailing public interest; and

WHEREAS, Section 10-9a-504 of the Utah Code allows a municipality in a temporary land use regulation to prohibit or regulate the erection, construction, reconstruction or alteration of any building or structure; and

WHEREAS, Salt Lake City Corporation (the "City") is presently engaged in historic preservation land use planning activities for the areas identified as the Yalecrest National Historic District and the Westmoreland Place Subdivision; and

WHEREAS, the Yalecrest National Historic District is an area of the City that has been placed on the National Register of Historic Places; and

WHEREAS, the Westmoreland Place Subdivision, which was established in 1913, is adjacent to the Yalecrest National Historic District; and

WHEREAS, the City finds that the areas identified herein contain historically, architecturally and culturally significant buildings; and

WHEREAS, demolition of any structures in the aforementioned areas would likely cause irreparable harm to these important historical, architectural and cultural resources in Salt Lake City and would nullify important historic preservation land use planning efforts in which the City is presently engaged; and

WHEREAS, the City finds that the need to preserve historically, architecturally and culturally significant structures such as the buildings located in the areas identified herein constitutes a compelling, countervailing public interest which justifies a temporary land use regulation; and

WHEREAS, the City Council finds that the City's interest in adopting these temporary land use regulations outweighs any private interest in developing under existing standards in the subject area.

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

SECTION 1. Finding of compelling, countervailing public interest. Pursuant to Section 10-9a-504 of the Utah Code, the City Council expressly finds that the risk of a long term detrimental impact upon the community resulting from the potential approval of demolition of buildings in the Yalecrest National Historic District and the Westmoreland Place Subdivision would irreparably harm the City's stock of historically, architecturally and culturally significant resources and would threaten the City's historic preservation land use planning efforts, and constitutes a compelling, countervailing public interest sufficient to justify these temporary land use regulations. A copy of the City's Historic Preservation Map, which identifies the boundaries of the Yalecrest National Historic District is attached hereto as Exhibit "A", and a copy of the Westmoreland Place Subdivision plat recorded in 1913 is attached hereto as Exhibit "B".

SECTION 2. Balancing of Public vs. Private Interests. The City Council further finds that any harm to private interests is *de minimus* and is outweighed by the City's interest in maintaining the quality and character of the community and preserving the important historical, architectural and cultural resources situated within the identified areas while the City Council reviews and evaluates specific proposals for changes to the existing zoning regulations in the Yalecrest National Historic District and the Westmoreland Place Subdivision as identified in Exhibits "A" and "B", respectively.

SECTION 3. 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, except the City's Building Official may approve demolition of any dilapidated structure determined to present a threat to the safety of inhabitants by virtue of its condition; or
- 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.34.02, Historic Preservation Overlay District, and the Historic Residential Design Guidelines adopted by the City.

SECTION 4. Duration. These temporary land use regulations shall remain in effect for a period of six (6) months from the effective date of this ordinance, or until the effective date of the City Council's action adopting revisions to the City's land use regulation pertaining to the areas and issues identified above, whichever occurs first.

SECTION 5. Effective date. This ordinance shall become effective upon adoption.

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:

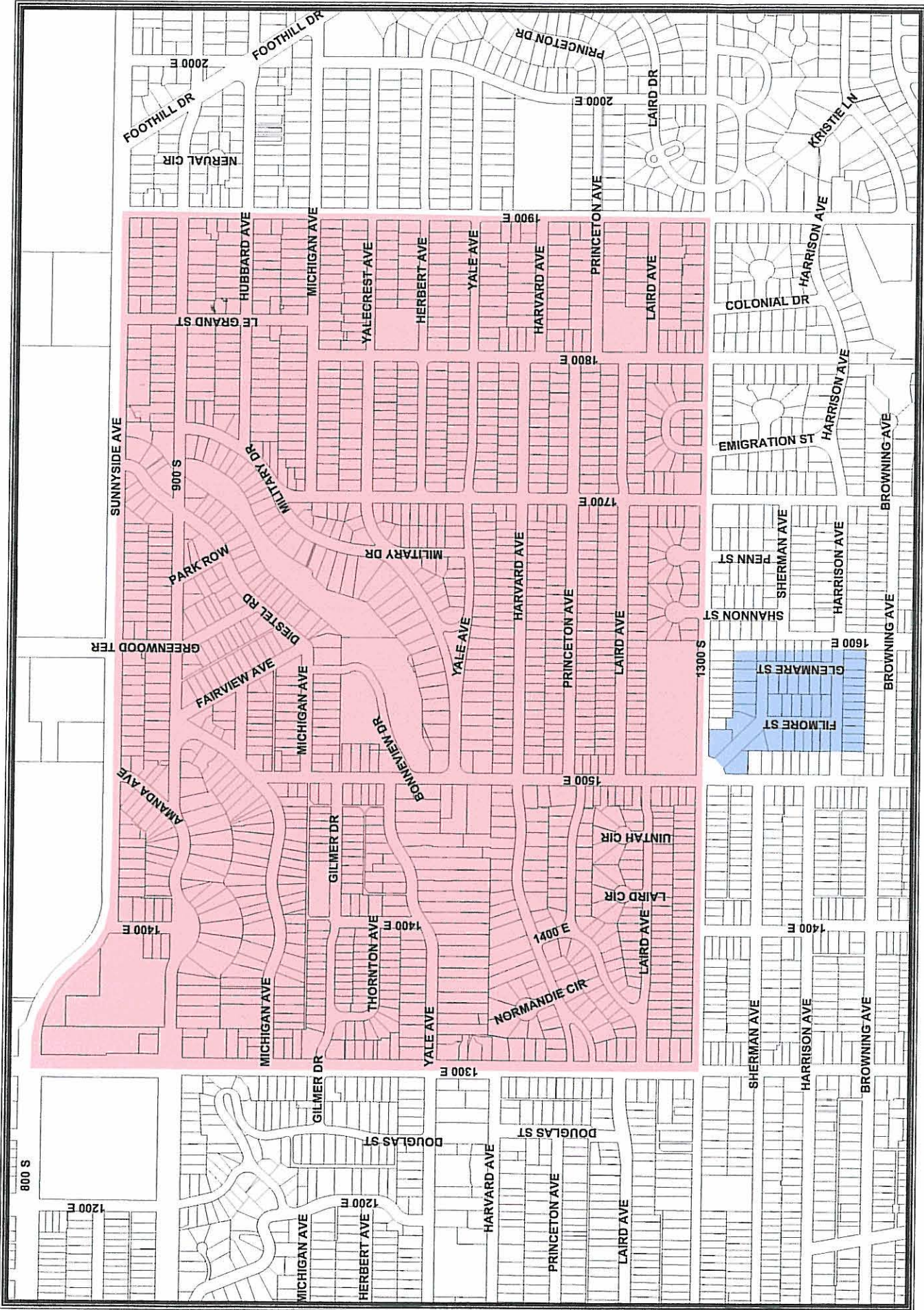
CITY RECORDER

(SEAL)

Bill No. _____ of 2010.

Published: _____.

APPROVED AS TO FORM Salt Lake City Attorney's Office Date: <u>MARCH 9, 2010</u> By: <u><i>Paul C. Nielson</i></u> Paul C. Nielson, Senior City Attorney
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Yalecrest National Register Historic District

Westmoreland Place National Register Historic District

