

**Chapter 19.86
HISTORIC PRESERVATION**

Sections:

- 19.86.010 Purpose.**
- 19.86.020 Historic sites designated.**
- 19.86.030 Conditional use permit required.**
- 19.86.040 Noncomplying conditional uses.**
- 19.86.045 Protective maintenance required.**
- 19.86.050 Site modification.**
- 19.86.060 Additional uses for historic sites.**
- 19.86.065 Modification.**
- 19.86.070 Interpretation of chapter.**

19.86.010 Purpose.

This chapter is enacted to preserve sites, structures, landmarks or buildings with special historical, architectural or aesthetic value which are unique and irreplaceable assets. To accomplish this purpose, planning commission approval is required for all modifications to historical sites.

19.86.020 Historic sites designated.

A. *Existing Sites.* Each of the following structures and sites in the city is a historic site:

1. Granite Paper Mill, 6900 South Big Cottonwood Canyon Road, Cottonwood Heights.
2. Butler School Teachers Dormitory, 2680 East Fort Union Blvd., Cottonwood Heights.

B. *Amendments.* The city council may amend the above list of historic sites and structures, including designating additional historic sites, subject to the amendment procedures in chapter 19.90, "Amendments and Rezoning."

19.86.030 Conditional use permit required.

A. A conditional use permit is required for any modifications to a historic site or structure, including modifications to the landscaping, fencing or appearance of any lot, or demolition, construction, alteration, relocation, improvement or conversion of a historic site.

B. Applications for a conditional use permit on a historic site shall be made in the manner and subject to the procedures and requirements set forth in chapter 19.84, "Conditional Uses." To the extent that the requirements of this chapter and chapter 19.84, "Conditional Uses," are inconsistent, the requirements of this chapter shall prevail.

19.86.040 Noncomplying conditional uses.

The planning commission shall not approve a conditional use for a historic site which would be contrary to the purposes of this chapter by adversely affecting the architectural significance, the historical appearance, or the educational and historical value of the site unless all the following conditions have been met:

A. The application meets the requirements for a conditional use permit set forth in chapter 19.84, "Conditional Uses";

B. The application meets all the requirements of the base zone in which the property is located;

C. The application has been pending before the planning commission for a period of at least one year.

19.86.045 Protective maintenance required.

In addition to the requirements of the applicable building code, the owner of

any historic site shall maintain and repair the historic site in accordance with this section. An historic site shall not be destroyed by neglect of any structure that has or is incurring permanent damage, by weather, or by vandalism.

The owner shall maintain and repair the historic site to the extent that in the opinion of the city is sufficient to prevent damage to the structural components or the exterior of the structure, or to prevent the collapse of the structure, or to prevent the structure from becoming so deteriorated as to render impossible its repair and preservation.

The city can investigate the condition of any historic site. Upon finding that the historic site is dilapidated or deteriorating, the city shall notify the property owner by certified letter of the failure of meeting city codes and standards. The city shall identify specific repairs and any work necessary to comply with the conditions and requirements approved by the city. The owner shall have 120 days from written notification to complete necessary repairs and improvements that were approved by the city. All effort to work with the proper owner will be expended before written notification is mailed to the property owner. Failure to complete the necessary repairs and work within 120 days shall constitute a violation of this chapter.

19.86.050 Site modification.

The planning commission may modify all yard, parking, landscaping, height and other requirements of the zone in which the historic site is located, as necessary to fulfill the purposes of this chapter. In so doing, the nature and character of adjacent properties shall be considered to ensure that the health, safety, convenience and general welfare will not be impaired. The planning

commission may establish development criteria to control impacts associated with the heaviest permitted use in the base zone, including, but not limited to, noise, glare, dust or odor.

19.86.060 Additional uses for historic sites.

A. Residential and Foothill Zones.

The planning commission may approve any of the following uses for a historic site in addition to the permitted and conditional uses allowed in the foothill or residential zone in which the site is located:

1. Antique shop;
2. Art shop;
3. Boardinghouse;
4. Child nursery;
5. Dental office or clinic;
6. Dwelling, single, two, three, four or multiple-family;
7. Nursing home;
8. Office;
9. Private educational institution;
10. Reception centers;
11. Restaurant;
12. Other uses of similar intensity to the above.

B. Commercial Zone. The planning commission may approve any use listed in the commercial zone of the city zoning ordinance for a historic site located in a commercial zone.

19.86.065 Modification.

For purposes of this chapter, modification means demolition or construction where a demolition or building permit is required. Modification also includes substantial changes to landscape, fencing or appearance of an historic site. Modification does not include minor changes to landscape, fencing or appearance of an historic site such as painting the historic site

substantially the same color, changes to flower beds or trimming.

19.86.070 Interpretation of chapter.

This chapter does not guarantee the right of any person, firm or corporation to any provision of this chapter.