

21A.06.050 Historic landmark commission.

- A. Creation. The historic landmark commission is created pursuant to the enabling authority granted by the Historic District Act, Section 11-18-1, et seq., of the Utah Code Annotated, 1953.
- B. General Purposes. The purposes of the historic landmark commission are to:
1. Preserve buildings and related structures of historic and architectural significance as part of the city's most important cultural, educational and economic assets;
 2. Encourage proper development and utilization of lands and areas adjacent to historical areas and to encourage complimentary, contemporary design and construction;
 3. Protect and enhance the attraction of the city's historic landmarks for tourists and visitors;
 4. Safeguard the heritage of the city by providing for the protection of landmarks representing significant elements of its history;
 5. Promote the private and public use of landmarks and the historical areas within the H historic preservation overlay district for the education, prosperity and general welfare of the people;
 6. Increase public awareness of the value of historic, cultural and architectural preservation; and
 7. Recommend design standards pertaining to the protection of H historic preservation overlay districts and landmark sites.
- C. Jurisdiction and Authority. In addition to carrying out the general purposes set forth in subsection B of this section, the historic landmark commission shall:
1. Conduct surveys of significant historic, architectural, and cultural landmarks and historic districts within the city;
 2. Petition the city council to designate identified structures, areas or resources as landmark sites or H historic preservation overlay districts;
 3. Review and approve or deny an application for a certificate of appropriateness pursuant to the provisions of Part III, Chapter 21A.34, H Historic Preservation Overlay District;
 4. Develop and participate in public education programs to increase public awareness of the value of historic, architectural and cultural preservation;
 5. Review and approve or deny applications for the demolition of structures in the H historic preservation overlay district pursuant to Part III, Chapter 21A.34;
 6. Recommend to the planning commission the boundaries for the establishment of an H

historic preservation overlay district and landmark sites;

7. Make recommendations when requested by the planning commission, the board of adjustment or the city council, as appropriate, on applications for zoning amendments, conditional uses and special exceptions involving H historic preservation overlay districts and landmark sites;

8. Make recommendations to the city council concerning the utilization of state, federal or private funds to promote the preservation of landmark sites and H historic preservation overlay districts within the city;

9. Make recommendations to the city council regarding the acquisition of landmark structures or structures eligible for landmark status where preservation is essential to the purposes of Part III, Chapter 21A.34, Section 21A.34.010, H historic preservation overlay district, and where private preservation is infeasible;

10. Make recommendations to the planning commission in connection with the preparation of the general plan of the city; and

11. Make recommendations to the city council on policies and ordinances that may encourage preservation of buildings and related structures of historic and architectural significance.

D. **Membership.** The historic landmark commission shall consist of not less than nine nor more than fifteen voting members appointed by the mayor, with the advice and consent of the city council in a manner providing balanced geographic, professional, neighborhood and community interests representation. The director of the planning division (or the planning director's designated representative) shall serve as an ex officio member without vote. Voting members of the commission may serve a maximum of two consecutive full terms of three years each. The terms shall be staggered such that three members are appointed each year. The mayor shall appoint a new commission member to fill any vacancy that might arise and such appointment shall not be included in the determination of any person's eligibility to serve two consecutive full terms.

E. **Qualifications Of Members:** Each voting member shall be a resident of the city interested in preservation and knowledgeable about the heritage of the city. Members shall be selected so as to provide, at a minimum, representation from the following groups of experts and interested parties:

1. One licensed architect representing the Utah Society, American Institute of Architects;

2. One member representing the Utah State Historical Society;

3. One member representing the Utah Heritage Foundation;

4. Six (6) citizens at large;

5. Each historic district in the city shall be represented on the historic landmark commission by a member either residing in or owning property in that district.

- F. **Officers:** The historic landmark commission shall annually elect a chair and a vice chair who shall serve for a term of one year each. The chair or vice chair may be elected to serve consecutive terms in the same office. The secretary of the historic landmark commission shall be designated by the planning director.
- G. **Meetings:** The historic landmark commission shall meet at least once per month.
- H. **Record Of Proceedings:** The proceedings of each meeting and public hearing shall be recorded on audio equipment. Records of confidential executive sessions shall be kept in compliance with the government records access and management act. The audio recording of each meeting shall be kept for a minimum of sixty (60) days. Upon the written request of any interested person, such audio recording shall be kept for a reasonable period of time beyond the sixty (60) day period, as determined by the historic landmark commission. Copies of the tapes of such proceedings may be provided, if requested, at the expense of the requesting party. The historic landmark commission shall keep written minutes of its proceedings and records of all of its examinations and official actions.
- I. **Quorum And Vote:** No business shall be conducted at a meeting of the historic landmark commission without a quorum. A majority of the voting members of the historic landmark commission constitutes a quorum. All actions of the historic landmark commission shall be represented by a vote of the membership. A simple majority of the voting members present at a meeting at which a quorum is present shall be required for any action taken. The decision of the historic landmark commission shall become effective on the date the vote is taken.
- J. **Public Hearings:** The historic landmark commission shall schedule and give public notice of all public hearings pursuant to the provisions of [chapter 21A.10](#) of this part.
- K. **Conflicts Of Interest:** No member of the historic landmark commission shall participate in the hearing or disposition of any matter in which that member has a conflict of interest prohibited by [chapter 2.44](#) of this code. The historic landmark commission may, by majority vote of the members present, allow a member, otherwise required to leave due to a conflict, to be present if required by special or unusual circumstances.
- L. **Removal Of A Member:** Any member of the historic landmark commission may be removed by the mayor for violation of this title or any policies and procedures adopted by the historic landmark commission following receipt by the mayor of a written complaint filed against the member. If requested by the member, the mayor shall provide the member with a public hearing conducted by a hearing officer appointed by the mayor.
- M. **Policies And Procedures:** The historic landmark commission shall adopt policies and procedures for the conduct of its meetings, the processing of applications and for any other purposes considered necessary for its proper functioning. (Ord. 26-95 ? 2(3-5), 1995)