

PARK CITY MUNICIPAL CORPORATION
HISTORIC PRESERVATION BOARD
MINUTES OF JANUARY 6, 2021

BOARD MEMBERS IN ATTENDANCE: Chair Randy Scott, Lola Beatlebrox, Puggy Holmgren, Jack Hodgkins, John Hutchings, Randy Scott, Doug Stephens, Tana Toly

EX OFFICIO: David Everitt, Deputy City Manager; Caitlyn Barhorst, Mark Harrington, Jessica Nelson

The Historic Preservation Board meeting was conducted virtually via Zoom. The public was able to submit eComments during the meeting.

David Everitt introduced himself to the Board, and noted that the Building, Planning, Engineering, and Economic Development Departments are within his portfolio in the City. Mr. Everitt stated that he will be sitting in as the interim Planning Director until the new Planning Director comes on Board February 1st.

Determination of the Health and Safety Risk under the OPMA

Chair Randy Scott read the Determination of Health and Safety Risk under OPMA. Notice of electronic meeting and how to comment virtually.

The meeting will be an electronic meeting without an anchor location as permitted by Utah Code Open and Public Meetings Act Section 52-4-207(4) as amended June 18, 2020, and Park City Resolution 18-2020 adopted March 19, 2020. The written determination of a substantial health and safety risk, required by Utah Code section 52-4-207(4) is attached as Exhibit A.

The Historic Preservation Board Members will connect electronically. Public comments will be accepted virtually as described. To comment virtually, raise your hand on Zoom. Written comments submitted before or during the meeting will be entered into the public record but not read aloud. For more information on participating virtually and to listen live, please go to www.parkcity.org/public-meetings

Chair Scott read from Exhibit A, Determination of Substantial Health and Safety Risk. On January 6, 2021, the Board Chair determined that conducting a meeting with an anchor location presents a substantial risk to the health and safety of those who may be present at the anchor location. Utah Code Section 52-4-207(4) requires this determination and the facts upon which it is based, which include Governor Herbert declared a Covid-19 State of Emergency on November 8, 2020. Summit County has extended its emergency declaration and public health emergency declaration through January 8, 2021. Statewide Covid cases and hospitalizations are increasing.

This determination is valid for 30 days and is set to expire on February 6, 2021.

Dated January 6, 2021.

Election of Board Chair

Board Member Lola Beatlebrox nominated Randy Scott as the HPB Chair for one year. Board Member Stephens seconded the motion.

VOTE: The motion passed unanimously.

ROLL CALL

Chair Scott called the meeting to order at 5:08 p.m. and noted that all Board Members were present.

ADOPTION OF MINUTES

Planner Beatlebrox referred to page 7, second paragraph, and changed the word sight to correctly read **site**.

Chair Scott referred to the first page of the Minutes and noted that after they had elected him as Chair Pro Tem for the meeting, the next item was Roll Call. The Minutes reflect that it was Chair Stephens who opened the meeting, but it should actually read **Chair Scott**.

Chair Scott referred to the public notice which indicates that Chair Scott read the public notice; however, it then says that Chair Stephens read exhibit A. He corrected to the Minutes to accurately reflect that Chair Scott read Exhibit A.

Board Member Stephens concurred with the corrections stated by Chair Scott.

MOTION: Board Member Holmgren moved to APPROVE the Minutes of December 2, 2020 as corrected. Board Member Hodgkins seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS

No eComments were submitted and no hands were raised on Zoom.

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

Planner Caitlyn Barhorst announced that February 12, 2021 would be her last day with the City. Her position will be posted soon, and that recruitment will start as soon as possible. If the Board members had questions, they should email her. Planner Barhorst expected to be at the HPB Meetings in January and February.

The Board members were sorry that Caitlyn was leaving. Board Member Beatlebrox also understood that Bruce Erickson was staying on until June, and she was surprised to hear that a new Planning Director would come on board in February.

David Everitt stated that Mr. Erickson had set June as the limit for how long he was willing to stay. However, since they were able to hire someone rather quickly, Mr. Erickson was comfortable making the transition sooner.

Mr. Everitt stated that Caitlyn Barhorst has been an asset to the Planning Department, as well as for preservation in the City, and he was sorry to see her leave.

Chair Scott stated that in her short time with the City, he has been impressed with Caitlyn's progress and how much she learned. Everyone he talks to that has been involved with Caitlyn always have positive things to say. Chair Scott thanked her for all she has done.

CONTINUATIONS – (Public hearing and continue to date specified)

- 5.A. 1003 Norfolk Avenue – Historic District Design Review Historic Preservation Board Review for Material Deconstruction of a Significant Historic Site – The Applicant is proposing Material Deconstruction Consisting of Removal of Historic Material for the Proposed Restoration of the circ. 1900 Footprint and Construction of a New Addition.
(Application PL-20-04495)

Planner Barhorst noted that this item was also continued at the last meeting. She has been trying to work with the applicant and the holidays made it difficult to schedule onsite visits to get more clarification about the project. She requested that the Board continue this item to February 3, 2021.

Chair Scott opened the public hearing. No eComments were submitted and no hands were raised on Zoom. Chair Scott closed the public hearing.

MOTION: Board Member Beatlebrox moved to CONTINUE 1003 Norfolk Avenue to February 3, 2021. Board Member Hutchings seconded the motion.

VOTE: The motion passed unanimously.

WORK SESSION

Open and Public Meetings Act Training

City Attorney Mark Harrington showed a video clip from the movie A Bridge of Spies to begin his Open and Public Meetings Act training. He explained that he shows this clip because the challenges with the Open and Public Meetings Act is that the rules are written for guarantee of an open and public process. Mr. Harrington stated that this can be particularly difficult in a small town because public officials are approached at the supermarket, they overlap one another at parties, or they run into people at social or athletic outings. Part of being a public official in a small town is having that contact.

City Attorney Harrington stated that very seldom will someone deliberately hide communication with the public or commit a deliberate criminal act. More often, it is someone who tells a white lie or did not think the rules apply to a particular situation. Some are surprised when they find that the rules apply to their neighbor talking to them about a specific issue because their role is to listen to the people they represent. Mr. Harrington stated that sometimes a public official will convince themselves that a higher purpose or a higher good justifies ignoring this bureaucratic rule. Mr. Harrington stated that the point of the video he showed is that the Board is expected to follow the rules.

City Attorney Harrington stated that the basic principle is that the Board is appointed to represent the public and they should conduct their business publicly. He remarked that because 95% of the HPB business is administrative, nearly all of their business should be done solely in an HPB meeting. However, when the Board is in a legislative capacity such as reviewing code amendments or design guidelines for changes, they can talk to each other one on one; but not as a quorum, or they can talk to the public outside of a meeting. Otherwise, the HPB should conduct their business in a formally noticed meeting.

City Attorney Harrington presented a few of the slides that were included in the Staff report. Mr. Harrington reiterated that the general spirit of the Act is that all business is conducted at the meeting in public. He pointed out that due to the pandemic, the State and the City took special steps to enable virtual meetings. The full set of rules for was listed in the Staff report and he encouraged the Board to read them.

City Attorney Harrington outlined the basic. A quorum constitutes a meeting, which is a simple majority of the Board. He noted that if enough Board members attend a social event, that would constitute a quorum, they can all socialize as long as they do not talk HPB business or congregate together. Mr. Harrington stated that it is a two-part issue. One is the convening a majority of Board

members, and the second is having a discussion of something they have authority over.

City Attorney Harrington showed another slide which provided another example of serial discussions outside of a meeting. Whether they run into each other collectively, or if the Board members have a chain of calls or communicate in a group email about an HPB matter, those are all violations of the Act. He particularly cautioned against using email and discouraged hitting "reply all" when they respond to administrative matters; especially on something substantive. They need to avoid the appearance of having a debate electronically in violation of having that discussion in a public meeting. Mr. Harrington stated that the Staff takes care of noticing and agendas. Sometimes problems occur and they have had to redo the agenda. He pointed out that they are able to change the agenda up to 24 hours before the meeting. The intent is to make sure the meeting is noticed, the public knows when and where the meeting will be held, and that they have the opportunity to participate.

City Attorney Harrington stated that electronic opportunities can also be new dangers. Electronic meetings provide the opportunity for the public and the Board to have increased participation. The danger is that electronic meetings also present more opportunities for behind-the-scenes communication. Mr. Harrington discouraged the use of chat functions. State law prohibits the Board members from texting or using electronic communications between one another during a meeting to have a private discussion off the mic.

City Attorney Harrington commented on the importance of making sure they keep their debates on the record to give the applicant and the public the opportunity to respond to any points being made. It is not that they are doing anything intentionally in secret, but the purpose is to give everyone the opportunity to hear the same information and respond if they deem appropriate. Mr. Harrington stated that if inadvertently a discussion occurs outside of the meeting or an encounter could not be avoided, it can be remedied by disclosing it at the next meeting.

Board Member Stephens understood that during a site visit they should not discuss what they are seeing with the other Board members. Mr. Harrington stated that following a site visit the Staff and the Board summarize what occurred at the site visit at the start of the meeting. Pointing to specific things and asking questions during a site visit is fine as long as it is disclosed at the meeting. The biggest concern with site visits is when the applicant tries to make their case to a Board or Commission differently than they would during a public meeting. Mr. Harrington stated that if during a site visit a Board member feels they are in a situation that crosses the line of compliance with the Open Meetings Act, they should raise the issue with the Staff or the Chair and request a different format.

They should never second-guess themselves and the Staff welcomes any questions or concerns on the spot.

Board Member Hutchings asked if the obligation to disclose a conversation applies to a member of the public. He recalled a previous site visit where a neighbor attended to make comments about the project. Mr. Harrington replied that the obligation to comply with the Act does not apply to the public. That situation would come under the ex parte contact rule. The Board should disclose that contact at the start of the meeting. A technical or procedural question does not need to be disclosed. Any conversations regarding the merits of the application must be disclosed. They should identify who it came from and the substance of the communication as though that person's comments occurred at the meeting.

City Attorney Harrington stated that most of the legal advice comes from his office and enforcement; however, in the case of the Open and Public Meetings Act, the Attorney General and the County Attorney are the primary enforcement authority. He noted that the Act is a law and a Misdemeanor Class B. If it is violated, a different government attorney could be the prosecutor. Mr. Harrington stated that if a Board member ever has a question about a situation it is always better to be proactive and seek an opinion from the City Attorney's Office.

REGULAR AGENDA

- 6.A. 316 Ontario Avenue – Historic District Design Review Historic Preservation Board Review for Material Deconstruction of a Landmark Historic Site – The Applicant is Proposing Material Deconstruction Consisting of Excavating into the Hillside for the Construction of a Detached Garage Accessed from Ontario Avenue.

Planner Caitlyn Barhorst reviewed was the material deconstruction review for 316 Ontario Avenue. The proposal was to excavate into the site to accommodate a detached single-car garage to allow parking along the steep portion of Ontario Avenue for the historic structure.

Planner Barhorst presented the drawings that were submitted. She noted that the house sits at the top of the property, which then slopes down to Ontario. The proposed garage would sit at the front of the property. The applicant had obtained a variance last year to allow for the detached accessory structure at the front setback because it is not an allowed use in the zone. Similar to past projects along Ontario, the applicant was seeking to have parking and a bunker style garage.

Planner Barhorst recommended a condition of approval to require some type of green roof at the top of the structure to help retain the site character. The applicant would like to use it as a patio so it would not need to be solid green. They were looking for something that would buffer the hardscaped edge and lean towards the existing landscaping.

The Staff recommended that the Historic Preservation Board conduct a public hearing and consider approving the material deconstruction in accordance with the findings of fact, conclusions of law, and conditions of approval found in the draft action letter.

Board Member Hodgkins questioned why there was a railing on top if the Staff was proposing a green roof. Planner Barhorst understood that the intent is to have a deck or patio space on the roof. She thought railing would be required because of the height drop off. Planner Barhorst pointed out that the patio area would be further back, and the railing would be hidden behind the green roof. Mr. Hodgkins thought it looked like the patio was at the front edge of the garage. Planner Barhorst replied that the drawings showed it in the front; however, the Staff goal was to retain as much landscaping as much as possible with a strip of green roof and the patio behind it. Board Member Hodgkins thought it was much better to have the railing obscured by the line of sight. Planner Barhorst noted that once the revision comes forward, the railing may not be needed, but that will not be determined until the Staff review.

Board Member Hutchings asked for clarification of the actual historic material deconstruction in this application. Planner Barhorst replied that the definition of material deconstruction includes disassembling non-historic material. In this case the historic site is being altered drastically for the character of the site. The determination of material deconstruction was made a year ago and the applicant has been working on the application since then.

Board Member Hodgkins pointed out that the applicant was also proposing new hardscape in terms of access to the house by taking out the existing stairs and putting in new ones. Planner Barhorst remarked that the applicant was drastically changing the open space to hardscape.

Board Member Beatlebrox was not able to tell from the drawing where the set of stairs go up. Planner Barhorst indicated the driveway and noted that the stairs will be to the right of the bunker style structure excavated into the hillside, up and behind it. Board Member Hodgkins asked for the material of the garage. Planner Barhorst replied that it would be concrete.

Board Member Hodgkins commented on the Guidelines under Site Design in the Staff report. He noted that Part 1(b) talks about topography and grading. Item 2 states that the historic character should not be significantly altered by

substantially changing the proportions of the built and/or paved area to the open space. Mr. Hodgkins noted that the Staff report indicated that this complies, and he wanted to know if it complies because the applicant was granted a variance to locate the garage in front. In his opinion this changes the proportions of the built pave area to the open space. Planner Barhorst stated that the intent of the guidelines is to help mitigate as much as possible the applicant's right to develop their property. A variance was granted for the construction of the detached garage. In reviewing the Guidelines, Item 2 is where she pulled out the condition of approval to further try to mitigate the impacts of the paved area that is significantly changed. She thought the condition would provide potential mitigation to help against the visual impact.

Board Member Beatlebrox asked if there are similar garages currently on Ontario. Planner Barhorst replied that 422 Ontario at the top of Shorty stairs has a garage that was added to a historic structure. The site directly next to 316 Ontario has one but it is not historic. She noted that 422 Ontario was given a height exception because the garage is attached to an elevator shaft.

Board Member Beatlebrox asked if there was any discussion about covering the concrete with wood or siding to make it more like the clapboard. Planner Barhorst replied that it was not discussed. They used typical foundation/garages for uphill projects, which is to have a stone clad type finish or the concrete board form. Both are in the design guidelines for that kind of foundation material. Planner Barhorst stated that if there was a desire to explore another material to further mitigate the site alteration, that could be added as a condition of approval.

Board Member Hodgkins asked if the concrete is required to be colored. Planner Barhorst replied that typically they do not allow for colored concrete.

Board Member Stephens thought the concrete blended better with the natural landscaping and rock. He believed this was more of a design issue, which is out of their purview. Planner Barhorst pointed out that the driveway will be where the existing staircase is located, and where that ends is where the face of the garage will start. Due to the steepness, there will be retaining walls on either side of the garage as needed. In terms of materials, she thought either the concrete board form was appropriate or possibly stone clad. They do not want the garage to look historic because it is not historic. The concrete distinguishes the garage as an addition to the site.

Board Member Hodgkins agreed; however, there is also the piece of compatibility. The board form works, but it all depends on how good it is and how detailed it is. Mr. Hodgkins thought the success to this project was the green roof. If it is done well it will look much better than not having it.

Chair Scott opened the public hearing.

No hands were raised on Zoom and no eComments were submitted.

Chair Scott closed the public hearing.

Brad Brainard, the applicant, stated that the property to the south shown in the photograph is adjacent to his house. It is a similar principle but recessed further than his proposal. Chair Scott agreed that it this proposal is a different circumstance. Mr. Brainard remarked that another benefit was to have a place to keep the trash cans off the street.

Board Member Beatlebrox asked where Mr. Brainard parks now. Mr. Brainard replied that parking is random and wherever space is available. He commented on places where parking might be available at different times. Parking is more limited in the winter.

Chair Scott summarized that the primary area of concern for the Board is what this project will look like and feel like when it is completed, and how it will contribute or prevent taking away from the historic form of the Landmark Site. He thanked Planner Barhorst for adding the condition about greenscape.

Chair Scott asked if views are within the HPB purview. Board Member Hutchings was unclear exactly what is within their purview. In his opinion, this project does not seem to touch the historic material. Mr. Hutchings believed that adding a garage on this site would significantly change the historic view. However, if this was two separate lots and someone wanted to build a house with a garage, they could not stop them from doing it. There are new houses next to historic homes, which changes the historic landscape, and they do not stop that either. Mr. Hutchings was in complete support of the garage because it makes the home livable and it is practical; however, if the question is whether it alters or changes the historic view, the answer is yes. He was unsure house the HPB would even have a say in this matter.

Chair Stephens agreed with Board Member Hutchings. He thought this was more of an HDDR issue. Mr. Stephens believed they were creating another hoop for the applicant to jump through. He supported the project, but he was unsure what they were looking at that the HPB could actually rule on. This has gone through the Board of Adjustment and it will go through the HDDR to determine if the design of the garage meets and supplements the design of the house. Mr. Stephens reiterated that the Board is not a design review Board and he felt they were getting outside of their purview. Chair Scott agreed.

Board Member Hutchings asked what type of motion the Board should make. If they vote to approve, they would be saying that it is within their purview.

Board Member Beatlebrox referred to the historic homes past what used to be the old Kimball Arts Center. The lots were excavated and the garages were placed underneath with the historic house on top. Those were the only sites she could think of that were similar to this project.

Board Member Hodgkins thought there were a lot of similarities around town. He noted that some projects requested to raise the house two feet in order to add a garage underneath, but excavating the site totally changed the look of the historic house from the street. Mr. Hodgkins stated that he has spoken out against garages in the past; however, he felt this project was different because it is detached and not becoming part of the historic structure. He asked if there was an exception for garages. In looking at the section of the Code related to topography and grading it does not seem that garages are allowed based on the fact that the historic character of the site should not be significantly altered.

City Attorney Harrington remarked that the Board could go one of two ways. The Staff felt that the degree of the change warranted some review by the HPB, even though the material definition may be outside of their purview. The Board could take the action proposed because their discretion to interpret "significantly altered" is really meant for the historic structure and site as opposed to the geography of the site as a whole. Due to the unusual nature of the separation and prior approval for the structure which made it the equivalent of a permitted use, he agreed that it is primarily an HDR issue, but the Staff did their best to err on the side of caution and bring it to the Board for review because the property is being altered. Mr. Harrington believed the Board could make these findings in the context that the historic structure is directly not being altered, and that mitigation measures are being taken to protect the front entryway and view corridor as reflected in the modified condition of approval.

City Attorney Harrington stated that the Board also has the option to go in the other direction and determine that it does not trigger the definition of material deconstruction and, therefore, the application is not necessary.

Board Member Hutchings stated that if the Board is being asked to determine whether it changes the historic structure, his answer would be no it does not. However, if the question is whether it changes the nature of the historic site, he would have to say yes. Mr. Hutchings remarked that if it changes the historic but there are mitigating measures, that gets into design, which is outside of the Board's purview. Mr. Hutchings hesitated to rule on this item because their ruling could be interpreted in different ways.

City Attorney Harrington thought Board Member Hutchings' comment was a little black and white. He pointed out that "significantly altered" is always in the context of the continue historic significance of the structure and site. Any addition or garage almost always significantly alters the site, yet there are still

permitted and encouraged for off-street parking purposes and other reasons if they can be done compatibly. Mr. Harrington stated that the Staff encourages starting with the question of whether the proposal significantly alters the property's eligibility or significance if the addition occurs as proposed. If the answer to that question is no, then they need to look at other factors that are significantly altering. Mr. Harrington remarked that additions and other permissible options such as raising or adding a structure behind are all done to preserve property rights so people who own historic structures are not punished. They are able to have the same property rights as their neighbors, but to do it in a manner that is compatible to the continued historic eligibility of the property.

Board Member Stephens clarified that his concern is the application process. He could support this project going forward as permitted, but he did not think they should always err on the side of caution. He recalled from the Staff report that in order to build this garage the applicant has gone through the Board of Adjustment process, a steep slope CUP, an HPB meeting, and also a plat amendment. He thought the HPB meeting was an unnecessary step. Mr. Stephens pointed out that the applicant still needs to go through the HDDR process and then the building permit process. For future reference, he did not think these items should come before the HPB.

City Attorney Harrington stated that the Board could give that clarity to Staff in the future. He encouraged them to modify the standards, so it is clear that these external issues are part of the HDDR and not material deconstruction. However, in fairness to this applicant, he recommended that the HPB vote this evening to move it forward.

Board Member Hutchings supported Mr. Harrington's recommendation to move forward on this application but not have these types of issues come to the HPB in the future.

Board Member Bealebrox commended the applicant for living in a Landmark house even with the difficulties of trying to find parking and hauling groceries and packages to the house. She thought it was important to make a historic home livable.

Chair Scott appreciated this project coming before them because there are things they can learn and recommend to future applicants in terms of site design.

MOTION: Board Member Hodgkins moved to APPROVE the material deconstruction of the Landmark historic site at 316 Ontario Avenue as it complies with the criteria outlined in the LMC as outlined in the Findings of Fact, Conclusions of Law, and Conditions of Approval found in the draft action letter in Exhibit A. Board Member Holmgren seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 316 Ontario

1. The property is located at 316 Ontario Avenue.
2. The Legal Description is All Lot 8 & S 1/2 Lot 9 BLK 56 Snyder's Addition to Park City. Parcel Number SA-365. At the time of this Historic Preservation Board review, this Lot is under review of a plat amendment. Upon recordation of the plat, the legal description and parcel number with Summit County will be updated to reflect the change.
3. The property is located in the Historic Residential- Low Density (HRL) Zoning District.
4. The property at 316 Ontario Avenue is designated as Landmark on the Park City Historic Sites Inventory.
5. On November 1, 2020 the Planning Department received a complete Historic District Design Review application.
6. Staff published notice on the City's website and the Utah Public Notice website, and posted notice on the property on December 21, 2020, 2020. Staff mailed courtesy notice to property owners within 100 feet on December 15, 2020, 2020 The Park Record published notice on December 23, 2020.
7. The Historic Single-Family Dwelling was constructed prior to circ. 1900.
8. The Minimum Lot Area for a Single-Family Dwelling is 3,750 square feet. This Lot contains 2,444 square feet.
9. The applicant has submitted a Plat Amendment application (PL-20-04641) that has not been reviewed at the time of this Historic Preservation Board action.
10. The applicant has submitted a Steep Slope Conditional Use Permit (CUP) application (PL-20-04640) that is currently under review per LMC 15-2.1-6.
11. The proposed addition complies with the required Front Setbacks, as per the October 15, 2019 Board of Adjustment approved variance (PL-19-04311).
12. The proposal complies with the Side Setbacks. The south Side Setback is five feet (5') and the north Setback is five feet (5') with the Conditional Use Permit application to approve the construction of the basement addition within the Setback.
13. Per LMC § 15-11-12.5(A)(2) Historic Preservation Board Review for Material Deconstruction The Historic Preservation Board shall review the Removal of Historic Material to Accommodate New additions, New Construction, or Structural Upgrades. Prior to issuance of a Building Permit for any Material Deconstruction work, the Review Authority shall review the proposed plans for compliance with the Land Management Code 15-13 Design Guidelines For Historic Districts and Historic Sites.
14. The proposed Material Deconstruction consisting of excavating into the hillside for the construction of a detached accessory structure (garage) accessed from Ontario Avenue has been reviewed for compliance with LMC § 15-13-2 Design Guidelines for Historic Residential Sites, including the following applicable Design Guidelines:

A. Universal Guidelines:

15. The Design Review Committee, Development Review Committee, and Planning and

Legal Departments reviewed this application.

16. Staff did not receive any public input at the time this report was published.

Conclusions of Law – 316 Ontario

1. The proposal complies with the applicable Land Management Code requirements pursuant to LMC § 15-2.1 Historic Residential- Low Density (HRL) District.

2. The proposal complies with the Land Management Code requirements pursuant to LMC § 15-11-12.5 Historic Preservation Board Review for Material Deconstruction.

Conditions of Approval – 316 Ontario

1. This approval is subject to all Conditions of Approval found in the October 15, 2019 Board of Adjustment approved variance.

2. Final building plans and construction details shall reflect substantial compliance with the January 6, 2021 Historic Preservation Board approved plans. Any changes, modifications, or deviations from the approved design that have not been approved.

in advance by the Planning and Building Departments may result in a stop work order.

3. The applicant is responsible for notifying the Building Department prior to making any changes to the approved plans.

4. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director or their designee prior to construction.

5. The applicant shall submit a cribbing and excavation stabilization shoring plan reviewed and stamped by a State of Utah licensed and registered structural engineer prior to issuance of a building permit. Cribbing or shoring must be of engineer specified materials.

6. An encroachment agreement may be required prior to issuance of a building permit for projects utilizing soils nails that encroach onto neighboring properties.

7. A Soils Report completed by a geotechnical engineer as well as a temporary shoring plan, if applicable, will be required at the time of building permit application.

8. Within five (5) days of installation of the cribbing and shoring, the structural engineer will inspect and approve the cribbing and shoring constructed.

9. The applicant shall also request an inspection through the Building Department following any modification to the cribbing and/or shoring.

10. The historic site shall be returned to original grade following construction of the detached accessory structure (garage). The site shall be re-graded so that all water drains away from the structure and does not enter the historic structure.

11. The roof of the detached accessory structure shall be constructed as a green roof at the Right-of-Way facing edge so as to minimize the appearance of the new structure.

12. A complete landscape plan shall be submitted at the time of the building permit application and will be reviewed per LMC § 15-5-5(N). Existing landscape features that contribute to the character of a historic site and/or existing landscape features that provide environmental sustainability benefits shall be preserved and maintained. Established on-site native plantings shall be maintained. During construction, established vegetation shall be protected to avoid damage. Damaged, aged, or diseased trees shall be replaced as necessary. Vegetation that may encroach upon or damage a new building may be removed but shall be replaced with similar vegetation near the original location. A detailed landscape plan, particularly for areas viewable from the primary public right-of-way, which respects the manner and materials traditionally used in the Historic Districts, shall be provided. When planning for the long-term sustainability of a landscape system, all landscape relationships on the site, including those between plantings and between the site and its structure(s) shall be considered. Landscape plans shall balance water-efficient irrigation methods, drought-tolerant plants with existing plant material and site features that contribute to the historic character of the site. Where irrigation is necessary, systems that minimize water loss, such as drip irrigation, shall be used. Use to advantage storm water management features such as gutters, downspouts, site topography, and vegetation that can improve the environmental sustainability of a site. The use of Water Wise Landscaping or permaculture strategies for landscape design shall be considered in order to maximize water efficiency. Where watering systems are necessary, systems that minimize water loss, such as drip irrigation, shall be used. These systems shall be designed to minimize their appearance from areas viewable from the primary public right-of-way. Along public rights of way, landscaped areas, street trees, and seasonal plantings shall be designed to enhance the pedestrian experience, complement architectural features, mitigate against Urban Heat Island effect, and/or screen utility areas. Installing plantings in areas like medians, divider strips, and traffic islands shall be considered. Provide a detailed landscape plan that respects, particularly for areas visible from adjacent public rights-of-way the manner and materials historically used in the Historic Districts. When planning for the long 50 term sustainability of a landscape system, consider all landscape relationships on the site, the relationship between the site and its structure(s), as well as the relationship between plants and other plants on site. See LMC § 15-5-5(N) for Water Wise Landscaping with existing plant materials and site features that contribute to the historic significance of the site. Landscape plans should balance water efficient irrigation methods and Water Wise Landscaping with existing plant materials and site features that contribute to the historic significance of the site.

Use to advantage storm water management features, such as gutters and downspouts as well as site topography and vegetation, that contribute to water retention and permeability of the historic site. Where watering systems are necessary, use systems that minimize water loss, such as drip irrigation. Consider the use of Water Wise Landscaping or permaculture strategies for landscape design to maximize water efficiency and soil productivity; these systems should be designed to maintain the historic character of areas viewable from adjacent public rights-of-way.

13. New retaining walls should be consistent with historic retaining walls in design, material, scale of materials, as well as size and mass of the wall. Simple boardformed concrete, stone, and other historic materials are recommended over concrete block, asphalt, or other modern concrete treatments.

The Historic Preservation Board Meeting adjourned at 6:25 p.m.

Approved by _____
Randy Scott, Chair
Historic Preservation Board