

ORDINANCE NO. 2023-33
AN ORDINANCE OF WASHINGTON CITY AMENDING CITY CODE TITLE 2 CHAPTER 1:
HISTORIC PRESERVATION COMMISSION

WHEREAS the City has, since its inception, maintained a strong connection and respect for the history and heritage of this area; and

WHEREAS Washington City initially established a Historic Preservation Commission on March 8th, 1995 to survey, conserve, and educate the public on the historic sites and features within Washington City boundaries; and

WHEREAS the code governing this commission requires minor modifications in order to ensure effective service to the public going forward;

NOW THEREFORE, BE IT HEREBY ORDAINED by the City Council of Washington City as follows:

Section 1. Repealer. Title 2 Boards and Commissions, Chapter 1, Historic Preservation Commission of the Washington City Code is hereby repealed and replaced as follows.

Section 2. Enactment. Title 2 Boards and Commissions, Chapter 1, Historic Preservation Commission of the Washington City Code is hereby enacted to read as follows:

TITLE 2
BOARDS AND COMMISSIONS
CHAPTER 1
HISTORIC PRESERVATION COMMISSION

SECTION:

2-1-1: Purpose

2-1-2: Established

2-1-3: Duties Of Commission

2-1-4: Historic Places

2-1-5: Historic Sites List

2-1-6: Historic Landmark Register

2-1-1: PURPOSE:

The city recognizes that the historical heritage of the community is among its most valued and important assets. It is therefore the intent of the city to identify, preserve, protect and enhance historic areas and sites lying within the city limits.

- A. The role of the Washington City Historic Preservation Commission is to serve as an advisory group to encourage, educate and assist in establishing a local landmark register which provides historical recognition, and links that recognition to ascertain benefits.
- B. The Historic Preservation Commission shall establish and utilize nationally accepted rehabilitation guidelines-to assist the city and owners of historic property in preserving important features of their buildings.

2-1-2: ESTABLISHED:

A Historic Preservation Commission is hereby established by the city with the following provisions:

- A. The Historic Preservation Commission shall consist of five (5) voting members, each of whom shall be appointed by the Mayor, with the advice and consent of the City Council, and one (1) current member of the City Council as a non-voting member appointed by the Mayor. No person shall be appointed or serve as a voting member of the Historic Preservation Commission, unless he/she shall be a resident of the City.
- B. Professional Members: To the extent available in the community, two (2) Commission Members shall be professionals, as deemed by national park service regulations, for the disciplines of history, archaeology, planning, architecture or architectural history.
- C. Meetings: The Commission shall meet twice each year as established by the City Council, which meetings shall comply with applicable noticing and/or advertising provisions of Utah Public Meeting Laws.
- D. Minutes: Written minutes of each Commission meeting shall be prepared and made available for public inspection.
- E. Term: The term of office of a voting member of the Historical Preservation Commission shall be four (4) years and shall be filled in staggered terms every 2 years. The Mayor, with the advice and consent of the City Council, may reappoint Commission Members for any number of subsequent terms.
- F. The Historic Preservation Commission functions as an advisory board to the City Council and as such, is a recommending body only.

2-1-3: DUTIES OF COMMISSION:

The Historic Preservation Commission shall have the following duties:

- A. Survey And Inventory Community Historic Resources: The Historic Preservation Commission shall conduct or cause to be conducted a survey of the historic, architectural and archaeological resources within the community. The survey shall be compatible with the state inventory of historic and archaeological sites. Survey and inventory shall be maintained and shall be open to the public. The survey shall be updated at least every ten (10) years.
- B. Review Proposed Nominations To National Register Of Historical Places: The Historic Preservation Commission shall review and comment to the state historic preservation officer on all proposed national register nominations for properties within the boundaries of the city. When the Historic Preservation Commission considers a national register nomination which is not normally evaluated by professionals in a specific discipline and that discipline is not represented on the Commission, the Commission shall, with prior approval of the City Council, seek expertise in that area before rendering its decision.
 - 1. Public Hearing: Upon recommendation by the commission that property be nominated for inclusion on the national register, or upon recommendation by the planning commission that a site be designated as a landmark site pursuant to this chapter, the city council shall hold a public hearing preceded by giving sufficient written notice to the owners and occupants of the affected property and neighbors within 300 feet at least 14 days before the meeting. The notice shall designate whether the subject property is nominated for inclusion on the national register or whether it is being proposed as a landmark site because of its historical, architectural and cultural significance. The owners, occupants and any party known to be affected by a proposed historic landmark shall be given written notification of such recommendation or nomination as herein provided by utilizing the most current city and county records to obtain current addresses.
- C. Provide Advice And Information: The Historic Preservation Commission shall act in an advisory role to other officials and governmental departments regarding the identification and protection of local historic and archaeological resources. The Historic Preservation Commission shall work toward the continuing education of citizens regarding historic and community history.

2-1-4: HISTORIC PLACES

- A. Notice of Alteration: While a site nominated for the National Register of Historic Places shall be subject to federal and state regulations affecting the same, properties designated as landmark sites pursuant to this chapter may be

demolished, materially altered, remodeled, relocated or put to a different use only after one hundred twenty (120) days' written notice of the owner's proposed action has been given to the commission. During this one hundred twenty (120) day period, the commission may negotiate with the owner of the landmark and with any other parties in an effort to find a means of preserving the property. The commission may reduce the waiting period required by this section in any case where the owner would suffer extreme hardship, not including loss of profit, unless a reduction in the required period were allowed. On the other hand, where application for landmark site designation has been submitted to the planning commission and before decision by the city council, the commission may cause an additional waiting period to be imposed prohibiting demolition, material alteration, remodeling or relocation until there has been action of non-recommendation by the planning commission or action by the city council.

B. Maintenance: Neither the owner nor occupant of a structure nominated for inclusion on the national register or designated as a landmark site pursuant to this chapter shall permit such structure or landmark to fall into a state of disrepair which may result in the deterioration of any exterior appurtenance or architectural feature so as to produce or tend to produce, in the judgment of the commission, a detrimental effect upon the life and character of the landmark or structure in question, including, but not limited to:

1. The deterioration of exterior walls or other vertical supports;
2. The deterioration of roofs or other horizontal members;
3. The deterioration of exterior chimneys;
4. The deterioration or crumbling of exterior plaster or mortar;
5. The ineffective waterproofing of exterior walls, roofs and foundations, including broken windows or doors; or
6. The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe conditions.

C. Penalty: Any person who violates any provision of this chapter shall be guilty of a class C misdemeanor or lesser offense, as determined by the city attorney and, upon conviction, subject to penalty as provided in section 1-4-1. Any person who filed with the commission and who refused to furnish, upon demand by the commission, any information relating to such application or request, or who willfully makes any false statement in such application or request, shall be also liable for such misdemeanor or lesser offense. For the purpose of this chapter, each day during which there exists any violation of any provision herein shall constitute a separate violation of such provision.

2-1-5: HISTORIC SITES LIST:

The Historic Preservation Commission may designate historic properties to the historic sites list as a means of providing recognition to and encouraging the preservation of historic properties in the community.

- A. Criteria For Designating Properties To City Historic Sites List: Any district, building, structure, object or site may be designated for the historic sites list if it meets all the criteria outlined below:
1. It is located within the official boundaries of the city.
 2. It is at least fifty (50) years old.
 3. It retains its historic integrity, in that there are no major alterations or additions that have obscured or destroyed the significant historic features. Major alterations that would destroy the historic integrity include, but are not limited to, changes in pitch of the main roof, enlargement or enclosure of windows on the principle facades, addition of upper stories or the removal of original upper stories, covering the exterior walls with non-historic materials, moving the resource from its original location to one that is dissimilar to the original, or additions which significantly detract from or obscure the original form or appearance of the structure when viewed from the public way.
 4. It has been documented according to the state historic preservation office standards for intensive local surveys (January 1990 version or subsequent revisions) and copies of this documentation have been placed in the local and state historic preservation files.
- B. Designation Procedure: Any person, group or government agency may nominate a property for its listing in the city historic sites list. The nomination and listing procedures are as follows:
1. Completed intensive level survey documentation for each nominated property must be submitted in duplicate to the Historic Preservation Commission.
 2. The Commission will review and consider properly submitted nominations at its next scheduled meeting. The Commission will notify the nominating party, either orally or in writing, one week prior to the meeting that the nomination will be considered and will place that item on the agenda posted for the meeting. The one week notification may be waived at the nominating party's option in order to accommodate "last minute" submittals, though no nomination will be reviewed if it is submitted to the Commission less than forty eight (48) hours prior to the meeting.

3. The Historic Preservation Commission will review the documentation for completeness, accuracy and compliance with the criteria for designating historic properties to the city historic sites list and will make its decision accordingly.

C. Results Of Designation To Historic Sites List:

1. Owners of officially designated historic sites may obtain a historic sites certificate from the Historic Preservation Commission. The certificate contains the historic name of the property, the date of designation, and signatures of the mayor and the Historic Preservation Commission chairperson.
2. If a historic site is to be demolished or extensively altered, efforts will be made to document its physical appearance before action takes place.
 - a. The city will delay issuing a demolition permit for a maximum of one week and will notify a member of the Historic Preservation Commission which will take responsibility for the documentation.
 - b. Documentation will include, at a minimum, exterior photographs of all elevations of the historic structure. When possible, both exterior and interior measurements of the structure will be made in order to provide an accurate floor plan or other plan drawing of the structure.
 - c. The demolition permit will be issued one week after the initial application, whether or not the Commission has documented the building. The permit may be issued earlier if the Commission completes its documentation before the one week deadline. The time limit may also be waived in the event of extreme damage by an earthquake or act of God.
 - d. A structure, object or place of national, state or local significant integrity, or vital historic value, shall not be issued a demolition permit for a period of time, not to exceed thirty (30) days, for negotiations for maintenance or preservation of said item; by an agreement to preserve said item by the current owners, or of its purchase by historically sympathetic persons and/or organizations.
 - e. Documentation will be kept in the Commission's historical site files, which are open to the public.

- D. Removal Of Properties From Historic Sites List: Properties which, in the opinion of the Historic Preservation Commission, no longer meet criteria for eligibility may be removed from the historic sites list after review and consideration by the Commission.

2-1-5: HISTORIC LANDMARK REGISTER:

Significant historic properties may be designated to the historic landmark register for the purposes of recognizing their significance and providing incentives and guidelines for their preservation.

- A. Criteria For Designating Properties To City Historic Landmark Register: Any district, building, structure, object or site may be designated to the historic landmark register if it meets all the criteria outlined below:

1. It is located within the official boundaries of the city.
2. It is currently listed in the National Register of Historical Places, or it has been officially determined eligible for listing in the National Register of Historical Places. Properties listed on or determined eligible for the national register must, in addition to retaining their integrity, meet at least one of the following national register criteria. The property must:
 - a. Be associated with events that have made a significant contribution to the broad patterns of our history; or
 - b. Be associated with the lives of persons significant in our past; or
 - c. Embody the distinctive characteristics of a type, period or method of construction or that represent the work of a master, or possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
3. Have yielded, or may be likely to yield, information important in prehistory or history (archeological sites, for example).
4. The owner of the property approves of the action to designate his/her property to the historic landmark register and has submitted to the Commission a written statement to that effect.

- B. Designation Procedure:

1. Official designation proceedings must begin with the submission of a written request for designation by the property owner to the Commission chairperson. The letter must identify the property by its address and

historic name, give the date the property was listed in the national register or officially determined eligible, and include a statement verifying that the property owner is indeed the owner of the legal record of the property proposed for designation. This official request may be preceded by informal contact with the property owner by Commission Members, private citizens, legal officials or others regarding designation of the property.

2. Upon receipt of the written request for designation, the Commission Chairperson shall arrange for nomination to be considered at the next Commission meeting, which shall be held at a time not to exceed thirty (30) days from the date the request was received.
3. The decision by the Commission shall be based on eligibility of the property in terms of meeting the criteria for designating properties to the city historical landmark register. The Commission shall forward its recommendation in writing to the City Council within fourteen (14) days.
4. The City Council may, by approval and passage of an appropriate resolution, designate properties to the historic landmark register. Following designation, a notice of such shall be mailed to the owners of record, together with a copy of this chapter.
5. After property has been formally designated to the historical landmark register, the designation may be amended or rescinded in the same manner as the original designation was made.
6. Upon official designation, the property owner shall record the designation with the county recorder's office to indicate such designation as the official title thereof.

C. Results Of Designation To Historic Landmark Register:

1. Properties designated to the historic landmark register may receive special consideration in the granting of zoning variances or conditional use permits in order to encourage their preservation.
2. In the event of rehabilitation of the property, local building officials will consider waiving certain code requirements in accordance with the building code, which deals with national buildings, or the code for building conservation, a special code for existing buildings.
3. Owners of historic landmarks may seek assistance from the Historic Preservation Commission in applying for grants or tax credits for

rehabilitating their properties.

4. Proposed repairs, alterations or additions to historic landmarks are subject to the review of the Historic Preservation Commission and the subsequent review and approval of the City Council. The purpose of this review is to ensure the preservation of historic materials and features to the greatest degree possible.
 - a. Applications for permits pertaining to historical landmark properties shall be forwarded by the building official to the Commission prior to their issuance.
 - b. At its next scheduled meeting, the Commission shall review the applications and proposed work for compliance with the standards for rehabilitation.
 - c. The Commission's recommendation shall be forwarded to the Mayor and City Recorder within three (3) days for consideration by the City Council. The recommendation must indicate which of the "standards" the Commission's decision was based on and, where appropriate, a brief explanation. Copies of the recommendation shall be sent to the building official and the property owner at the same time.
 - d. The City Recorder shall schedule the matter for a public hearing by the City Council at its next regular scheduled for the next available Regular City Council Meeting. After the hearing, the City Council shall make a decision regarding the appropriateness of the proposed action. Approved projects will be issued a certificate of historical appropriateness which authorizes the building permit to be issued.

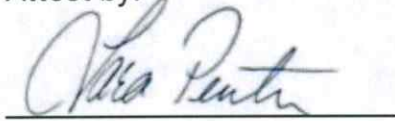
- D. Enforcement: The provisions of this section are subject to the enforcement provision established in the building code.

Section 3. Severability. If any provision of this Ordinance or application thereof to any person or entity or circumstance is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses or applications thereof which can be implemented without the invalid provision(s), clause(s) or application(s) hereof.

Section 4. Effective Date. This Ordinance shall take effect immediately upon publication or posting in the manner required by law.

PASSED AND ORDERED POSTED on this 6th day of December, 2023.

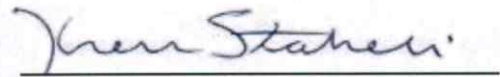
Attest by:



Tara Pentz, City Recorder



Washington City



Kress Staheli, Mayor

NATIONAL REGISTER NOMINATION EVALUATION SHEET

Certified Local Governments / Historic Landmark Commissions

The following property is being nominated to the National Register of Historic Places and will be reviewed by the Utah State Historic Preservation Review Board at its next meeting

PROPERTY NAME:

ADDRESS:

☐ OK	☐ Concerns	INTEGRITY:	Major alterations or additions? New materials? Altered setting? Moved? etc.
☐ OK	☐ Concerns	DESCRIPTION:	Is the property adequately described? Have contributing and non-contributing features been clearly identified?
☐ OK	☐ Concerns	SIGNIFICANCE and CONTEXT:	Has the appropriate criterion been used? Has it been justified? Is the context sufficient in breadth and depth to support the claims of significance?
☐ OK	☐ Concerns	FACTS AND SOURCES:	Are the appropriate and best sources used? Are key dates and facts accurate?
☐ OK	☐ Concerns	SUPPORTING MATERIALS:	Adequate photos, maps, drawings, etc.?

☐ The Commission recommends that the property or properties appear to meet the National Register criteria and should be listed in the National Register.

☐ The Commission recommends that the property or properties do not appear to meet the National Register criteria and should not be listed in the National Register.

Signature of Commission Chair (or Designee)

Date

Name of Local Historic Preservation Commission

Return to: Utah Historic Preservation Office
ATTN: National Register Coordinator
300 S. Rio Grande Street
Salt Lake City, UT 84101

2024 CLG Grant Application Instructions

Each year the Utah State Historic Preservation Office (SHPO) must pass-through a minimum of 10% of the State's annual apportionment of the Historic Preservation Funds (HPF) to Certified Local Governments (CLGs) for eligible activities. Previously, the CLG grant has been non-competitive with a 'first come, first served' acceptance policy. Two factors have worked in concert to change the type of grant process, first being the number of communities requesting funds are higher than the allotted funds in a grant cycle, which is exacerbated by changes in funding limits for certain types of activities.

In 2022, updated federal policies from the National Park Service have allowed the SHPO to increase grant awards for Development grant projects (rehabilitation on National Register-listed properties). The SHPO recognizes that the demand for development grant projects will increase with the higher grant amounts. In order to create a fair process for CLGs to apply for higher grant amounts, the 2024-2025 CLG Grant Application is a competitive process. This means that it is important that CLGs carefully plan out their proposed projects and submit a strong application. CLG Grant Applications will be reviewed by a panel of Secretary of Interior Qualified individuals. Any panel review members will recuse themselves from discussion and scoring of any application for which they may have a conflict of interest. It is anticipated that not all grant applications will receive funding and some applications may not receive their full grant requested amount.

WHO CAN APPLY?

Any Utah CLG with 'active' status and no current grant is eligible to compete for these funds by submitting an application. The SHPO is available and happy to assist CLGs in identifying and developing acceptable projects. CLGs are strongly encouraged to consult with SHPO staff before they submit any application. If you have questions about the application or your proposed project, contact Alena Franco, afranco@utah.gov.

STATE FUNDING PRIORITIES

The SHPO has established the following funding priorities for the 2024-2025 grant cycle in keeping with the Statewide Preservation Plan. Grants will be awarded based on funds available and alignment with priorities. Funding preference will be given to rural communities and project types **in the following order**: [Refer to Appendix A for project descriptions and details regarding documentation for grant application submission].

1. **Survey**: Reconnaissance Level Surveys

- CLGs may apply for up to \$12,000 to \$15,000 for larger cultural resource surveys.

2. **Development:** Rehabilitation work on National Register-listed properties. A CLG may include 1-2 different properties at the maximum for this project.

- CLGs may apply for up to \$10,000 for projects that lack a current feasibility study, drawings, plans, specifications or other necessary pre-construction work. *Submit photos showing the overall view of the building and all proposed work areas.*
- CLGs with projects that have pre-construction documentation such as studies, drawings, plans, etc. may apply for up to \$20,000. *Pre-construction documentation must be submitted with CLG Grant Application with photos showing the overall view of the building and all proposed work areas.*

3. **National Register Nominations**

- CLGs may apply for up to \$12,000 to \$15,000 for Historic District or Multiple Property Submissions (with lower thresholds for individual listings).

4. **Pre-Development**

- While this is a lesser priority for funding, this is a good opportunity for a CLG to receive grants to make themselves more competitive in the next cycle for having a pre-development plan. CLGs may apply for up to \$10K.

5. **Preservation Planning**

- CLGs should be availing themselves of planning opportunities early to ensure effective strategic targeting of future grants to address above priorities. CLGs may apply for up to \$10K.

6. **Education and Outreach**

- CLGs are always encouraged for creative public outreach and education opportunities and applications are not discouraged for this category, but will receive less priority in funding if competition is tight. CLGs may apply for up to \$10K.

GRANT DISTRIBUTION STRUCTURE

It is the intent of the SHPO that every reasonable effort be made to distribute CLG-designated funds among as many eligible governments as possible. Each grant application will be reviewed by the following rubric metrics.

1. Demonstrated Need (10 pts)

- a. Why is this project needed in your community?
- b. What is the rationale and significance of this project?
- c. Have you looked for other funding sources for this project?

2. Preparedness (10 pts)

- a. Is the project description well written and descriptive of the details?
- b. Does the applicant provide the necessary information/documentation for the project type?
- c. Does the budget include costs that are necessary and reasonable?

3. Public Benefit (10 pts)

- a. Who will benefit from the completion of your project?
- b. What impact will the project have on your community?
- c. Does the community support the project?

4. Does the project further the State Historic Preservation Goals/Objectives? (10 pts)

- a. Is the project one of the high priority grant projects? [Survey, Development, or National Register Nomination?]
- B. How does the proposed project have a beneficial impact on present and future preservation efforts of the CLG?

APPENDIX A -- Grant Project Types

SURVEY

Reconnaissance Level Surveys (RLS): Systematic architectural surveys conducted by professional consultants or archaeological surveys conducted by qualified archaeologists. In the grant application, describe the survey area and the approximate number of buildings or sites. RLS products include photographs of buildings in the survey area, a survey map, computerized survey data (entered into Preservation Pro), and a survey report with recommendations for future research. The consultant rate is approximately \$20-\$30 per building. Archaeological surveys must generate completed UAS (Utah Archeological Site Form) forms for each site. Please consult with the SHPO when planning RLS projects. *Describe the geographic area of the survey (street boundaries if applicable) and the estimated total # of properties to be surveyed.*

Intensive Level Surveys (ILS): Historical documentation of buildings, OR, systematic archaeological survey involving comprehensive survey of all areas within survey boundaries. In the grant application, describe the survey area and the approximate number of buildings or sites. Archaeological and historic site consultants must meet professional requirements (contact SHPO for details). Whether completed by professional consultants or trained volunteers, the documentation must meet SHPO standards. Costs vary but consultants can typically charge \$1,000-\$2,000 per building and potentially \$30/acre for archaeological survey (above a baseline report writing cost). Please consult with the SHPO when planning ILS projects. *List the street addresses of properties to be surveyed.*

DEVELOPMENT

Development activities include labor and material costs for rehabilitating National Register properties and stabilizing and/or testing archaeological resources (must be on the National Register prior to application). As part of the development grant, the property owner will be required to sign a Preservation Agreement (SHPO will provide). A Preservation Agreement obligates the owner to maintain the property for a period of five years so as to preserve its historical significance and character-defining features.

List the National Register property (street address) that will have rehabilitation work done. Describe the proposed work items in detail. All proposed work must meet the Secretary of the Interior's "Standards for Rehabilitation." Detailed answers give the panel a better understanding of your project and will be helpful in the panel review. A CLG may include 1-2 different properties at the maximum for this project.

Submit with your application the following documentation:

1. Pre-construction documentation such as feasibility studies, reports, plans, etc. if applying for more than \$10K.
2. Photos (JPEGs) of an overall view of the building and each proposed work area.

NATIONAL REGISTER NOMINATIONS

This involves completing registration forms and all supporting documentation (maps, prints, image files on CD, copies of research, etc.) required for National Register designation. It is usually best to hire a consultant to complete these complex forms. Consultants must meet professional requirements (see Appendix B). While the range of costs vary the typical amount is roughly \$2,000-\$4,000 per individual nomination; \$8,000-\$15,000 for historic district nominations (if surveys are already completed); and \$10,000-\$15,000 for Multiple Property Submission (MPS) overview documents.

PRE-DEVELOPMENT (architectural/engineering studies)

Preparation of feasibility studies, working drawings, and specifications for the rehabilitation, preservation, and stabilization of properties eligible for the National Register. Projects must meet the Secretary of the Interior's "Standards for Rehabilitation and should be performed by appropriate professionals.

PRESERVATION PLANNING

Includes administering a local historic preservation program, conducting historic preservation commission meetings, preparing or updating local historic preservation plans, ordinances, design guidelines, and related activities.

EDUCATION & OUTREACH

Projects that involve historic buildings and archaeological sites are eligible. Briefly describe the proposed project, specify the type and quantity of the "products," and break down the costs as specifically as possible.

Eligible educational activities include:

- Developing websites, apps, and social media offerings focused on historic properties;
- Preparing and printing walking-tour brochures;
- Archaeology and Preservation Month activities (lectures, presentations, awards, etc.);
- Attending/participating in historic preservation-related conferences and workshops.

Ineligible educational activities include:

- General local history research and educational materials (e.g. local history books);
- Museum-related activities such as collection care and exhibits;
- Most interpretive markers and plaques, including National Register plaques, are not an eligible expense (consult with SHPO for details).

Please note that all **published/printed materials**, whether hard-copy or electronic, must include two paragraphs of specific language required by the National Park Service. Contact the SHPO for details.

PROGRAM ADMINISTRATION

Includes staff and office expenses associated with administering the CLG grant, including contract management, soliciting bids, preparing reimbursement requests, etc. Expenses for conducting historic preservation commission meetings and related activities should be included under Preservation Planning. **Program administration costs are limited to 15% of the total project budget.**

UTAH CERTIFIED LOCAL GOVERNMENT HANDBOOK



Utah
SHPO

Utah State Historic Preservation Office
Highland Office
3760 S. Highland Dr
Millcreek, UT 84106
ushpo.utah.gov

This handbook describes the Utah State Historic Preservation Office's administration of the Certified Local Government (CLG) Program. This document details program requirements and provides guidance to local governments who wish to participate in the program. Those who are CLGs and those who wish to join the program are encouraged to reach out to the CLG Coordinator and visit our website at ushpo.utah.gov.

The program described in this document is financed in part with federal funds from the National Park Service, U. S. Department of the Interior, under provisions of the National Historic Preservation Act of 1966, as amended. While approved by the National Park Service in meeting the requirements of the Act, the contents and opinions do not necessarily reflect the view or policies of the Department of the Interior.

Under Title VI of the Civil Rights Act of 1964 and section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, as amended, the U. S. Department of Interior prohibits discrimination on the basis of race, color, national origin, or disability or age of its federally assisted programs. If you believe you have been discriminated against in any such program, activity, or facility or in the information presented, or if you desire more information, please write to:

Office of Equal Opportunity
U. S. Department of the Interior
1849 C Street, NW
Washington, DC 20240

DOCUMENT UPDATED DECEMBER 2022

Table of Contents

Title Page.....	1
Acknowledgement of Support.....	2
Table of Contents.....	3
Introduction to the State Historic Preservation Office (SHPO).....	4
The Certified Local Government (CLG) Program.....	5
Requirements for Certification.....	6
4-Year Program Reviews.....	6
CLG Participation in the Section 106 Process.....	7
CLG Grants.....	8
Eligible Grant Projects.....	8
Contact Information and Helpful Resources.....	9
Other SHPO programs.....	10
National Register of Historic Places.....	10
Historic Tax Credit Programs.....	10
Utah Main Street Program.....	11
Appendix	
Secretary of the Interior's Standards for Rehabilitation.....	12
National Historic Preservation Act (applicable sections)	
Certification of CLG.....	13
Section 106.....	15

Introduction to the State Historic Preservation Office (SHPO)

In 1966, Congress passed the National Historic Preservation Act (NHPA) (54 USC 300101 et seq.) which established preservation as a national priority and created programs that encourage historic preservation at the federal, state, and local levels. This included the establishment of State Historic Preservation Offices (SHPOs) to guide each state's preservation activities in coordination with the U.S. Department of the Interior, National Park Service (NPS). In Utah, the program is administered through the State Historic Preservation Office (SHPO) and is a division of the Department of Cultural and Community Engagement.

The SHPO, is responsible for the following activities:

- Maintaining a State Historic Preservation Plan.
- Overseeing the National Register of Historic Places (NRHP) program and process.
- Coordinating the survey and inventory of cultural resources within the state to evaluate them for NRHP eligibility and maintaining an inventory of cultural resources in the Utah Cultural Resource Information System (HUB and SEGO).
- Reviewing and making recommendations on applications for the Federal Historic Tax Credit program and the State Historic Tax Credit program for certified rehabilitation projects.
- Reviewing federally-funded, licensed, or permitted projects for their potential impact on cultural resources under Section 106 of the NHPA.
- Reviewing State projects for their effect on cultural resources under Utah Code Annotated 9-8-404.
- Administering the Certified Local Government program.
- Providing technical assistance and guidance to individuals and federal, tribal, state, and local government agencies on historic preservation issues.
- Implementing the Cultural Site Stewardship Program connecting volunteers to monitor sensitive cultural resource sites.
- Coordinating the Ancient Human Remains Program protecting human remains on non-federal lands.
- Managing the Utah Main Street Program, helping community's historic and economic character through technical assistance, trainings and funding.

The Certified Local Government (CLG) Program

In recognition of the value of preservation and community engagement at the local level, the NHPA was amended in 1980 to include a new federal-state-local partnership, the CLG program. Through this program, local units of government are empowered to shape the future of the historic fabric of their communities and provide an incentive to build strong preservation programs in partnership with NPS and SHPOs, which provide technical assistance and funding support for local efforts. Because both the SHPO and the NPS must certify local governments before they can access funding, participating entities were thus named Certified Local Governments (CLGs).



Pine Valley Chapel, Pine Valley

A CLG, is any local government in the State of Utah – such as a city, county, town, or municipality – that has met specific eligibility requirements and has been certified through the SHPO and the NPS. A CLG demonstrates its commitment to historic preservation by enacting a preservation ordinance and establishing a historic preservation commission to oversee the local preservation program. As a CLG, the community is a partner in preservation with the SHPO and the NPS.



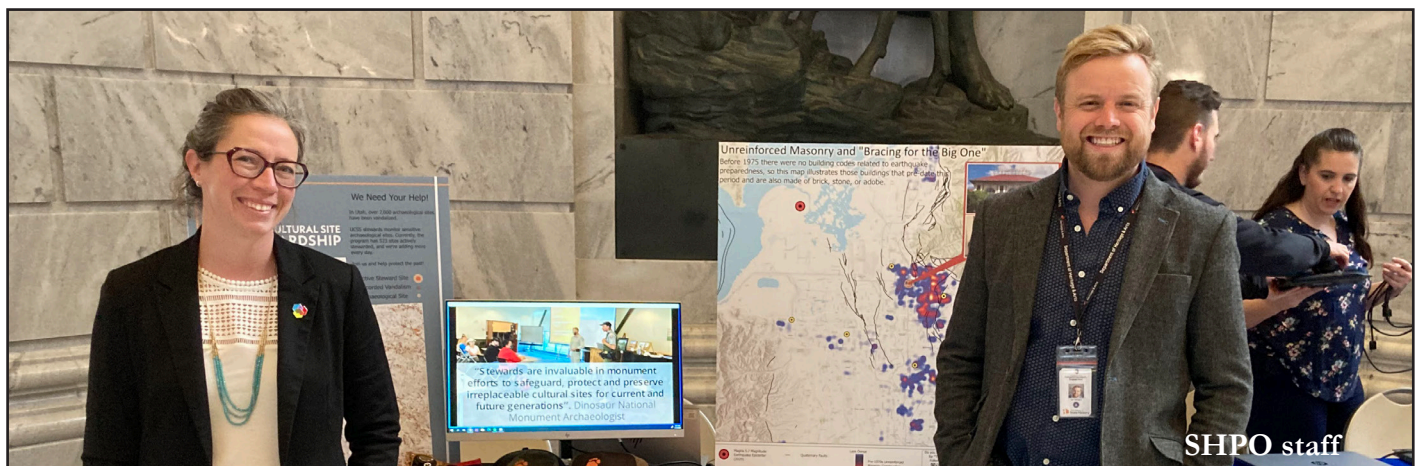
Art Castle, Salt Lake City

Rooted in best practice approaches, the CLG program gives credibility to local preservation activities, their relationship to broader planning processes, and their role in sustaining vibrant, culturally rich communities. The program also promotes preservation activities consistent with national and state legislation and standards, which encourage responsible decision-making for the treatment of important historic resources in the community. The CLG program also recognizes the role of local stakeholders in the success of preservation activities. Participation in the CLG program signals that a community is committed to empowering local stakeholders who wish to protect, celebrate, and invest in historic resources and working with them to proactively engage opportunities to sustain the places that contribute to the community's sense of place and cultural identity.

Requirements for Certification

The basic certification requirements for a local government is the following:

- Establish a historic preservation commission and appoint interested and qualified residents to serve. To the extent they are available, at least some of the commission members should meet “professional” qualifications in the disciplines of history, architecture, architectural history, archaeology, or related fields.
- Pass a preservation ordinance that outlines how the local government will address historic preservation issues. The SHPO has an example of an ordinance that can serve as a starting point; many communities have adopted it almost word-for-word.
- Agree to participate in updating and expanding the state’s historic building inventory program. SHPO takes the lead in this effort by maintaining the master database and the files for the statewide inventory, and by providing grants to survey additional properties.
- Agree to review and comment on any NRHP nominations of properties within the local government boundaries. Nominations are usually submitted by the property owners themselves or other members of the public. SHPO administers the NRHP program in Utah.
- Affirm that it will fulfill its obligation to enforce existing state preservation laws. (Local governments are required to enforce state laws already, so this is not a new requirement).



4-Year Program Reviews

Program Reviews of CLGs are required every four years. It is the State Historic Preservation Office’s (SHPO) responsibility to coordinate program reviews and track the ongoing “certified” status of CLGs.

In Utah, a CLG will either be ‘active’ or ‘inactive’. Active status means that the CLG completed their most recent program review and continues to maintain the requirements. Inactive status means that the CLG did not complete their most recent program review or have not maintained the requirements needed for CLG certification. Only ‘active’ CLGs are eligible to apply for grant funds.

CLG Participation in the Section 106 Process

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects that their proposed work might have on historic resources listed, or eligible for listing, in the National Register of Historic Places (NRHP). Examples of the types of projects subject to Section 106 include work on federally owned or controlled property; a project receiving federal funds, grants, or loans, in whole or in part, including pass-through funds, projects requiring a federal permit, license, or approval.

Once certified, CLGs may be called on as a consulting party to participate in the Section 106 review process and provide feedback on undertakings that might have the potential to affect historic properties in their community. SHPO encourages CLGs to actively participate in the review process. As a consulting party, a CLG can help in the identification of historic properties and participate in conversations about the project's effects and can also help determine appropriate mitigation if there is an adverse effect.

For more information on the Section 106 Review Process, visit the UT SHPO website: <https://ushpo.utah.gov/shpo/shpo-compliance/>



CLG Grants

Each year, the SHPO receives funding from the National Park Service to be used for preservation activities in the state. The funding source is called the Historic Preservation Fund (HPF). A minimum of 10% of the SHPO's annual apportionment from the HPF must be designated for CLG grants. At this time, only CLGs with active status and no current grant can apply for grant funds. CLGs may also elect to sponsor a project for a nonprofit organization, other public entities, or private individuals within its jurisdiction, but the CLG, as the eligible applicant, must submit the application.

The CLG Grant is a reimbursement matching (50/50) grant and typical grant awards range from \$10,000 to \$20,000 depending upon the grant project. Generally federal grants cannot be matched with other federal funds, however, funds from the Community Development Block Grant (CDBG) program can be applied as a matching share for a CLG grant. The SHPO publishes annual guidance and application materials for the grant program, which outline eligible and ineligible activities and requirements associated with the grant funds. SHPO is also available to talk through potential grant projects with interested CLGs in advance of their applications.

Eligible Grant Projects

In Utah, CLG grants can be used for several categories which are defined below:

- **Development:** Rehabilitation/stabilization work on National Register Properties. Activities include labor and material costs for rehabbing National Register properties and stabilizing/ or testing archaeological resources. (Properties must be on the National Register prior to application).
- **Education & Outreach:** Potential projects can be any of the following: Developing websites, apps, and social media focused on historic properties. Preparing and printing walking-tour brochures of historic properties. Archaeology and Preservation Month activities (lectures, presentations, awards, etc.). Attending/participating in historic preservation-related conferences and workshops.
- **National Register Nominations:** Completing a nomination (including forms and documentation) for a historic property/site(s) to the National Register of Historic Places.
- **Pre-Development:** Feasibility studies, working drawings, and specifications for the rehabilitation, preservation, and stabilization of properties eligible for the National Register of Historic Places.
- **Preservation Planning:** Administering a local historic preservation program, conducting historic preservation commission meetings, preparing or updating local historic preservation plans, ordinances, design guidelines, and related activities.
- **Survey & Inventory:** Architectural surveys or historical documentation of buildings conducted by professional consultants. [i.e. Reconnaissance Level Survey or Intensive Level Survey] Limited Archaeological Survey is also eligible.

Contact Information and Helpful Resources

State Historic Preservation Office (SHPO)

ushpo.utah.gov

Contact

Alena Franco

CLG Coordinator

afranco@utah.gov

801-245-7233

Historic Utah Buildings (HUB) Database

SHPO GIS database of historic building records in Utah

hub.utah.gov

SHPO Youtube Channel

Webinars and videos about historic buildings, archeology, and SHPO programs

www.youtube.com/c/UtahStateHistoricPreservationOffice

National Park Service

Resources for CLGs

<https://www.nps.gov/subjects/clg/index.htm>

National Alliance for Preservation Commissions (NAPC)

National organization for local preservation commissions and supporting CLG networks.

Training opportunities, biennial conference (FORUM), timely webinars, access to a network of preservation professionals listserv, and quarterly newsletter, The Alliance Review.

www.napcommissions.org/

Other SHPO programs

National Register of Historic Places

The National Historic Preservation Act of 1966 established not only the State Historic Preservation Office, but also the National Register of Historic Places (NRHP). The NRHP is the official federal list of properties that are significant in American history, architecture, archaeology, or engineering. Places may be listed individually, as part of a Historic District, or as part of a multiple property or statewide thematic category. The properties listed on the NRHP are eligible for CLG grants for rehabilitation work and historic tax credit programs. Historic properties are regularly listed through this program, usually these nominations are funded as part of the CLG grant program or through Historic Tax Credit Programs. For more information, visit <https://ushpo.utah.gov/shpo/national-register/>

Historic Tax Credits

Federal Historic Tax Credit

One of the most significant tools in the United States to spur rehabilitation and restoration of historic buildings is the Federal Historic Tax Credit program, established in 1976. In this program, overseen jointly by SHPO and the National Park Service, rehabilitation projects on income-producing buildings listed on the National Register of Historic Places (NRHP) can be eligible for a 20% income tax credit. Income-producing can include commercial, industrial, office, residential rental, etc. Project costs must meet a “substantial rehabilitation” test. It is highly recommended to talk to SHPO before starting work to avoid disqualification or increased project costs. For more information, visit ushpo.utah.gov/shpo/financial-incentives/ or contact historictaxcredits@utah.gov

State Historic Tax Credit

In addition to the Federal Historic Preservation Tax Credit Program, the SHPO also administers a similar program at the State level. Utah is one of 37 states with an adopted and active historic preservation tax credit program. Utah’s state program provides a 20% credit for residential-use properties that include both owner-occupied and non-owner-occupied buildings. A minimum investment of \$10,000 over up to three years is required, and rehabilitation work must follow the same standards as the federal program: The Secretary of the Interior’s Standards for Rehabilitation. A building does not need to be listed on the NRHP at the beginning of the rehabilitation, but it must be within three years of completion of the project. Eligible tax credit activities include a variety of interior and exterior repairs and restoration of any historic or structural elements. It is highly recommended to talk to SHPO before starting work to avoid disqualification or increased project costs. For more information, visit ushpo.utah.gov/shpo/financial-incentives/ or contact historictaxcredits@utah.gov

Utah Main Street Program

The SHPO administers the Utah Main Street Program (UMSP), a state program designed to help communities revitalize their economy, appearance, and image of downtown commercial districts. This program builds a strategy centered on a community's unique heritage and attributes that make it a great place to live and visit. The program provides a framework and resources to support a community's downtown revitalization efforts. The UMSP is a Main Street America™ Coordinating Program. As such, the Utah Main Street Program (UMSP) is affiliated with the National Main Street Center, which helps to lead a powerful, grassroots network consisting of over 46 coordinating programs and over 2,100 neighborhoods and communities across the country committed to creating high-quality places and to building stronger communities through preservation-based economic development. For more information, visit <https://community.utah.gov/umps/>

The Secretary of the Interior's Standards for Rehabilitation

These Standards and Guidelines provide a critical part of the framework of the national preservation program. They are widely used at the federal, state, and local levels to guide work on historic buildings, and they also have been adopted by Certified Local Governments and historic preservation commissions across the nation.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

NATIONAL HISTORIC PRESERVATION ACT

54 U.S.C. 3025

(FORMERLY SECTION 101 (C))

Chapter 3025—Certification of Local Governments

Sec.

302501. Definitions.

302502. Certification as part of State program.

302503. Requirements for certification.

302504. Participation of certified local governments in National Register nominations.

302505. Eligibility and responsibility of certified local government.

§ 302501. Definitions

In this chapter:

(1) DESIGNATION.—The term “designation” means the identification and registration of property for protection that meets criteria established by a State or locality for significant historic property within the jurisdiction of a local government.

(2) PROTECTION.—The term “protection” means protection by means of a local review process under State or local law for proposed demolition of, changes to, or other action that may affect historic property designated pursuant to this chapter.

§ 302502. Certification as part of State program

Any State program approved under this subdivision shall provide a mechanism for the certification by the State Historic Preservation Officer of local governments to carry out the purposes of this division and provide for the transfer, in accordance with section 302902(c)(4) of this title, of a portion of the grants received by the States under this division, to those local governments.

§ 302503. Requirements for certification

(a) APPROVED STATE PROGRAM.—Any local government shall be certified to participate under this section if the applicable State Historic Preservation Officer, and the Secretary, certify that the local government—

(1) enforces appropriate State or local legislation for the designation and protection of historic property;

(2) has established an adequate and qualified historic preservation review commission by State or local legislation;

(3) maintains a system for the survey and inventory of historic property that furthers the purposes of chapter 3023;

(4) provides for adequate public participation in the local historic preservation program, including the process of recommending properties for nomination to the National Register; and

(5) satisfactorily performs the responsibilities delegated to it under this division.

(b) NO APPROVED STATE PROGRAM.—Where there is no State program approved under sections 302301 and 302302 of this title, a local government may be certified by the Secretary if the Secretary determines that the local government meets the requirements of subsection (a). The Secretary may make grants to the local government certified under this subsection for purposes of this subdivision.

§ 302504. Participation of certified local governments in National Register nominations

(a) NOTICE.—Before a property within the jurisdiction of a certified local government may be considered by a State to be nominated to the Secretary for inclusion on the National Register, the State Historic Preservation Officer shall notify the owner, the applicable chief local elected official, and the local historic preservation commission.

(b) REPORT.—The local historic preservation commission, after reasonable opportunity for public comment, shall prepare a report as to whether the property, in the Commission's opinion, meets the criteria of the National Register. Within 60 days of notice from the State Historic Preservation Officer, the chief local elected official shall transmit the report of the commission and the recommendation of the local official to the State Historic Preservation Officer.

(c) RECOMMENDATION.—

(1) PROPERTY NOMINATED TO NATIONAL REGISTER.—Except as provided in paragraph (2), after receipt of the report and recommendation, or if no report and recommendation are received 14 days within 60 days, the State shall make the nomination pursuant to section 302104 of this title. The State may expedite the process with the concurrence of the certified local government.

(2) PROPERTY NOT NOMINATED TO NATIONAL REGISTER.—If both the commission and the chief local elected official recommend that a property not be nominated to the National Register, the State Historic Preservation Officer shall take no further action, unless, within 30 days of the receipt of the recommendation by the State Historic Preservation Officer, an appeal is filed with the State. If an appeal is filed, the State shall follow the procedures for making a nomination pursuant to section 302104 of this title. Any report and recommendations made under this section shall be included with any nomination submitted by the State to the Secretary.

§ 302505. Eligibility and responsibility of certified local government

Any local government—

(1) that is certified under this chapter shall be eligible for funds under section 302902(c)(4) of this title; and

(2) that is certified, or making efforts to become certified, under this chapter shall carry out any responsibilities

NATIONAL HISTORIC PRESERVATION ACT

54 U.S.C. 306108

(FORMERLY SECTION 106)

§ 306108. Effect of undertaking on historic property

The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to license any undertaking, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license, shall take into account the effect of the undertaking on any historic property. The head of the Federal agency shall afford the Council a reasonable opportunity to comment with regard to the undertaking.



Certified Local Government Program

Utah State Historic Preservation Office



Utah
SHPO

What is a Certified Local Government?

A Certified Local Government (CLG) is a local government that has been “certified” by the National Park Service.



How does a local government become a CLG?

- Pass a preservation ordinance
- Appoint a historic preservation commission



Commission Duties

- Advise the City Council and others in the community on matters related to historic preservation.
- Coordinate surveys of local historic properties in compliance with standards set by the SHPO.
- Participate in planning and land-use processes with the City that have the potential to affect historic properties.
- Promote educational and interpretive programs related to the community's history and historic properties.
- Review and comment to the SHPO regarding all proposed National Register nominations of properties in the community
- Apply for and administer grants/ financial aid for historic preservation projects in the city.



Grant Information

- CLG Grants are available every January.
- These are reimbursement matching (50/50) grants.
- CLG Grant awards are limited to \$20,000 maximum depending on project type.
- Grant cycle runs for 16 months.

CLG Grant Projects

Survey

National Register Nomination

Pre-Development

Development

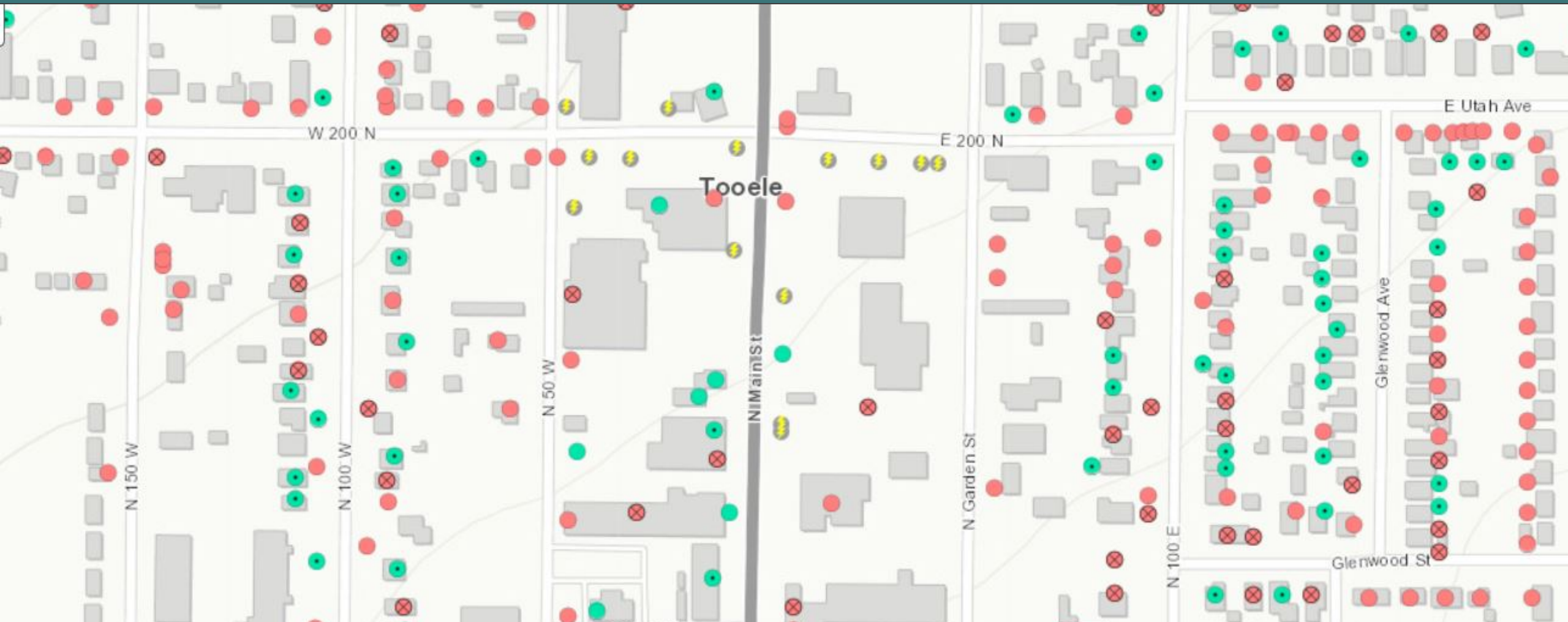
Preservation Planning

Education and Outreach



Survey

Reconnaissance Level Survey Intensive Level Survey



National Register Nomination



**Individual
Historic District
Multiple Property
Submission**

Pre-Development

Architectural/Engineering Studies

CAHOON MANSION



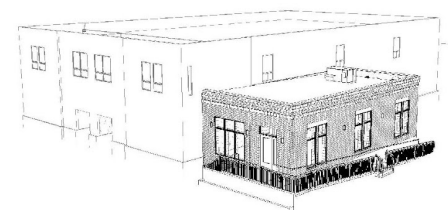
ENVELOPE STABILIZATION ASSESSMENT

Entelen Design-Build, LLC. + FFKR Architects

ELITE HALL ADDITION 98 WEST MAIN ST HYRUM, UTAH

Case, Lowe and Hart, Inc.
2484 Washington Blvd. Ste 510
Ogden, Utah 84401

Reeve & Associates
5160 1500 W
Riverdale, Utah 84405



DRAWING INDEX	
0001	TITLE SHEET
0100	CODE REVIEW & LIFE SAFETY
0101	SITE PLAN
0102	MECHANICAL AND PLUMBING DEMOLITION PLAN - 2ND FLOOR/ATTIC
0103	GENERAL STRUCTURAL NOTES
0104	FOUNDATION PLAN
0105	FOUNDATION BRACE PLAN
0106	FLOOR PLAN
0107	FINISH FLOOR PLAN AND WALL TYPES
0108	REFLECTED CEILING PLAN
0109	REFLECTED CEILING PLAN
0110	SECOND FLOOR PLANS
0111	SECOND FLOOR REFLECTED CEILING PLAN
0112	ROOF PLAN
0201	EXTERIOR ELEVATIONS
0202	EXTERIOR ELEVATIONS
0203	BUILDING SECTION
0204	ENLARGED PLAN
0205	ENLARGED 2ND FLOOR PLAN
0206	ENLARGED PLAN
0207	DETAILS
0208	DETAILS
0209	DOOR TYPES AND SCHEDULE AND WINDOW TYPES
0210	PLUMBING SCHEDULES
0211	PLUMBING PLANS
0212	PLUMBING DETAILS
0213	MECHANICAL SCHEDULES
0214	NEW ADDITION MECHANICAL PLANS
0215	EXISTING SECOND FLOOR MECHANICAL PLAN
0216	MECHANICAL DETAILS
0217	ELECTRICAL LEGEND & SCHEDULES
0218	ELECTRICAL DEMOLITION
0219	ELECTRICAL LIGHTING PLANS
0220	ELECTRICAL POWER PLANS
0221	ELECTRICAL ELEVATION
0222	ELECTRICAL DETAILS



Case, Lowe and Hart, Inc. • 2484 Washington Blvd.
Ste 510 • Ogden, UT 84401
801.225.1111 • Fax 801.225.1112 • www.clh.com

CONSULTING



**ELITE HALL
ADDITION**
98 WEST MAIN ST.
HYRUM, UTAH

DATE: 11/11/2019

DATE: 11/11/2019

PROJECT NO: 1803

DRAWN BY: [Signature]
CHECKED BY: [Signature]

BID/PERMIT SET

DATE: 11/11/2019

SHEET TITLE

TITLE SHEET

SHEET NO.

G001

Development

Rehabilitation of National Register-listed properties





Preservation Planning

Center Street **Historic District**



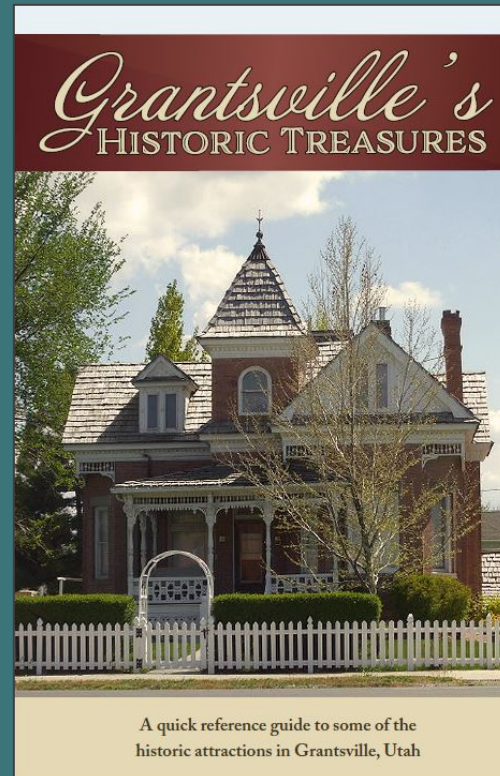
Design Standards



Historic Preservation Commission meetings

Local historic preservation plans, ordinances, design guidelines, etc.

Archeology & Preservation Month



Alena Franco
CLG Coordinator
afranco@utah.gov

Website:
**[ushpo.utah.gov/shpo/
certified-local-
governments-clgs/](https://ushpo.utah.gov/shpo/certified-local-governments-clgs/)**

