

TITLE II

BOARDS AND COMMISSIONS ORDINANCES

CHAPTER ONE

PLANNING COMMISSION

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2-1-1: **ESTABLISHMENT.** There is hereby created a Planning Commission pursuant to Section 10-9-201 of the Utah Code annotated 1953, as amended, whose primary duties shall be to act as an advisory commission to the Syracuse City Council on all matters pertaining to Planning and Zoning within and for the City, to be known as the Syracuse Planning Commission. The Planning Commission shall consist of seven members appointed by the Mayor with the advice and consent of the City Council plus one non-voting member representing the City Council. (1996)

Members shall serve without compensation except for reasonable expenses incurred in performance of duties as members of the Commission, which shall be established by resolution of the City Council. Appointments shall be non-political

and appointees shall be selected from different vocational interests insofar as possible. (1996)

- 2-1-2: TERM OF OFFICE.** The term of office for each appointive member of such Commission shall be for four years and until his successor is appointed. Two members of said Commission shall be appointed during the month of July in 2003 and one member appointed in July 2004. Two members of said Commission shall be appointed in July 2005 and each succeeding two years with one member being appointed each succeeding fourth year thereafter. The Mayor may remove any member of the Planning Commission for good cause as determined solely by the discretion of the Mayor and approved by a majority of the City Council. Any member of the Planning Commission so removed shall be entitled to a public hearing before the City Council if requested in writing by the member being removed within 54 days of a City Council vote. The purpose of the hearing is to allow the member being removed to be heard on the issue of good cause for the removal. (Ord. 02-06)
- 2-1-3: ORGANIZATION.** The Planning Commission shall elect one of its members to act as Chairman for a period of one year and a member to act as vice-Chairman. The Chairman and/or Vice Chairman may be elected for successive terms. The Chairman will preside at all meetings of the Commission unless absent, in which case the vice-Chairman will preside; and the Commission shall adopt such policies and procedures for its own organization and for the transaction of business not in conflict with City ordinances or state laws, which policies and procedures shall be approved by the City council before taking effect. Reports of official acts and recommendations of the Planning Commission shall be made by the Chairman in writing to the City Council and to such other municipal officials and persons as the City Council may direct, and shall indicate how each member of the Commission voted with respect to such act or recommendation. Any member of the Commission may also make a concurring or dissenting report or recommendation to the City Council whenever he deems advisable. In January of each year the Mayor shall appoint one member of the City Council to sit on the Planning Commission as a non-voting member. This member shall participate in all ways with the planning process and duties but shall not vote. (1996)
- 2-1-4: RECORDS.** All matters and requests to the Planning Commission shall be submitted to the Commission in writing on a form approved by the Commission. The minutes of each meeting of the Planning Commission shall be recorded and preserved in a permanent binder. Minutes of each meeting of said Commission shall bear thereon its approval as attested to by the Chairman. All official actions shall be recorded therein, and copies of all letters of approval or denial shall be preserved. All records of said Commission shall be made available for public inspection during reasonable hours. (1996)
- 2-1-5: EXPENSES.** The Planning Commission may requisition funds from the City Council for planning assistance or other services, or work, but it shall in no way obligate the City for any expense until or unless it is specifically authorized to do so by action of the City Council. (1996)
- 2-1-6: MANDATORY REFERRAL.** In order to correlate plans for the orderly and economical development of Syracuse City, it is hereby required that any board, commission, committee, administrative officer, or other employee of the City, or any other person having jurisdiction over or responsibility for the development of or the carrying out of plans, or other matters relating to the physical development of the municipality, shall first refer such matters to the Planning Commission and

receive its recommendation thereon before taking any action pertaining thereto. (1996)

- 2-1-7:** **SCOPE.** All matters pertaining to (1) the physical development of the City, except as concerned with the Uniform Building Code, (2) the use and zoning of land for private or public purposes, (3) location, widening, narrowing, abandonment, extension or re-location of proposed or existing streets, also the acquisitions of land for new streets, for the acceptance of private streets for public use, and the sale of or lease of municipally-owned streets, (4) the acquisition or acceptance of land for any public property, public way, ground, place, or structure, also the sale or lease of municipally-owned property, and the location of public buildings, parks or other open spaces, (5) the location and extent of public or private utilities, and (6) the subdivision of land, shall be submitted to the Planning Commission for consideration and recommendation before action is taken thereon by the City Council or other City official. (1996)
- 2-1-8:** **TIME LIMIT.** The Planning Commission shall submit its recommendation for approval or disapproval of any application or proposal in writing to the City Council after complying with all requirements regarding public hearings and notice to the necessary parties. Normally the Planning Commission should act within 30 days of a matter being submitted to it, but may extend this time by motion and vote of a majority of the Commission as necessary to obtain additional information or for other good reasons. (1996)
- 2-1-9:** **FAILURE TO ACT.** The failure of the Planning Commission to act within the maximum period of time granted shall be deemed approval. No action or vote by the Planning Commission shall be valid unless supported by four members. (1996)
- 2-1-10:** **DENIAL, PROCEDURE.** Upon approval or disapproval by the Planning Commission a proposal shall be referred to the City Council to be acted upon by that body, except that where the ordinances of Syracuse City so require, proposals shall be referred to the City Engineer for his approval before referral to the City Council. Where the Planning Commission sees fit to disapprove or deny any proposal, it shall communicate its reasons for such disapproval in writing to the City Council. (1996)
- 2-1-11:** **GENERAL PLAN.** It shall be the function and duty of the Planning Commission, to make and recommend to the City Council a proposed general plan for the physical development of the City, including other areas outside of its boundaries which, in the Planning Commission's judgement, bear relation to the planning of Syracuse. The Planning Commission may from time to time recommend to the City Council to amend, extend, added to or carry any part or subject matter of the general plan into greater detail. Where the plan involves territory outside of the boundaries of the City, action shall be taken with the concurrence of the county or other legislative body concerned. The general plan shall show the Planning Commission's recommendations and may include, among other things, the general location, character, and extent of streets, parks, parkways, playgrounds, airports, and other public spaces; the general location and extent of public utilities and terminals, whether publicly or privately owned; the acceptance, widening, removal, extension, relocation, narrowing, vacation, abandonment, or change of use of any of the foregoing; the general location, character layout, and extent of community centers and neighborhood units, and the extent and layout of the replanning of blighted areas. (1996)

In the preparation of the general plan, the Planning Commission shall make careful and comprehensive surveys and studies of the existing conditions and probable future growth of Syracuse and its environs. The plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the City of Syracuse in accordance with existing and future needs.

No street, park or other public way, ground, place or space, no public building or structure, and no public utility, whether publicly or privately owned, shall be constructed or authorized until and unless the location and extent thereof shall conform to the master plan or shall have been submitted to and approved by the Planning Commission, with such exceptions as provided for in section 10-9-21 of the Utah Code Annotated, 1953, as amended. (1971)

2-1-12:

POWERS AND DUTIES. The Planning Commission, its members and employees, in the performance of its functions, may enter upon any land at reasonable times to make examinations and surveys, and place and maintain necessary monuments and marks thereon. In general, the Planning Commission shall have such powers as may be necessary to enable it to perform its functions and promote municipal planning.

The planning commission shall:

- (A) prepare and recommend a general plan and amendments to the general plan to the City Council as provided under state law;
- (B) recommend zoning ordinance and maps, and amendments to zoning ordinances and maps, to the City Council as provided under state law;
- (C) administer provisions of the zoning ordinance as specifically provided in the zoning ordinance;
- (D) recommend subdivision regulations and amendments to those regulations to the City council as provided under state law;
- (E) recommend approval or denial of subdivision applications as provided under state law;
- (F) advise the City Council on matters as directed by the City Council;
- (G) hear and decide conditional use permits;
- (H) exercise any other powers necessary to enable it to perform or function.

The Planning Commission may hold public hearings and shall do so as required by law. It may make reports and recommendations relating to the plan and development of the municipality to public officials and agencies, other organizations, and citizens. It may recommend to the executive or legislative officials programs for public improvements and the financing thereof. (1996)

2-1-13:

APPOINTMENT OF ZONING ADMINISTRATOR. The Mayor with the consent of the City Council shall appoint a Zoning Administrator to carry out the duties and responsibilities relative to zoning issues. (1996)

2-1-14: **DUTIES.** The Zoning Administrator shall enforce the provisions of the Syracuse City Zoning Ordinance or other ordinances affecting or regulating the physical development of the municipality which are now in effect or which may hereafter be adopted. (1996)

CHAPTER 2

BOARD OF ADJUSTMENT

2-2-1: Establishment

2-2-2: Term of Office

2-2-3: Organization

2-2-4: Powers of Board of Adjustment

2-2-5: Procedure of Appeals

2-2-6: Variances of Official Map

2-2-7: Special Permits

2-2-8: Judicial Review of Board's Decision

2-2-1: ESTABLISHMENT. There is hereby created a Board of Adjustment, which shall consist of five members, one member of which shall be a member of the Planning Commission. The members of the Board of Adjustment shall be appointed by the City Council. The City Council may fix per diem compensation for the members of the Board of Adjustment, based on necessary and reasonable expenses and on meetings actually attended. (1971)

2-2-2: TERM OF OFFICE. Each member of the Board of Adjustment shall serve for a term of five years, and until his successor is appointed, provided, that the term of the members of the first Board so appointed shall be such that the term of one member shall expire each year. One member shall be appointed in the month of July of each year. Any member may be removed for cause by the City Council upon written charges and after public hearing, if such public hearing is requested. Vacancies shall be filled in the same manner as the original appointment for the unexpired term. (1971)

2-2-3: ORGANIZATION. The Board of Adjustment shall elect a chairman and may adopt such rules for its own proceedings as are consistent with law. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. The Chairman, or in his absence the Acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions; all of which shall be immediately filed in the office of the Board and shall be a public record. (1971)

2-2-4: POWERS OF BOARD OF ADJUSTMENT. The Board of Adjustment shall have the following powers:

- (A) To hear and decide appeals where it is alleged that there is error in any order, requirement, decision, or determination made by the administrative

official in the enforcement of any of the planning or zoning provisions of the Ordinances of this City.

- (B) To hear and decide requests for special exceptions or for decisions upon other special questions, upon which such Board is authorized to pass.
- (C) To authorize upon appeal such variances from the terms of the planning and zoning provision of the Ordinances of this City as will not be contrary to the public interest, where owing to special conditions a literal enforcement of such provisions will result in unnecessary hardship; provided, that the spirit of such provisions shall be observed and substantial justice done. Before any variance may be authorized, however, it shall be shown that:
 - (1) The variance will not substantially affect the comprehensive plan of zoning in the City and that adherence to the strict letter of the planning and zoning provisions of the Ordinances of this City will cause difficulties and hardships, the imposition of which upon the petitioner is unnecessary in order to carry out the general purpose of the plan.
 - (2) Special circumstances attach to the property covered by the application which do not generally apply to the other property in the same district.
 - (3) That because of said special circumstances, the property covered by the application is deprived of privileges possessed by other properties in the same district; and that the granting of the variance is essential to the enjoyment of a substantial property right possessed by other property in the same district. (1971)

2-2-5: PROCEDURE OF APPEALS.

- (A) Initiation of Appeal. Appeals to the Board of Adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of the City affected by any decision of the administrative officer. Such appeal shall be taken within a reasonable time as provided by the rules of the Board by filing with the office from whom the appeal is taken and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board of Adjustment all the papers constituting the record upon which the action appealed from was taken.
- (B) Stay of Proceedings Pending Appeal. An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board of Adjustment after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case proceedings shall not be stayed otherwise than by restraining order which may be granted by the Board of Adjustment or by the district court on application and notice on due cause shown.
- (C) Decision by Board of Adjustment. In exercising the powers stated in Section 2-2-4, the Board of Adjustment may, in conformity with the provisions of law, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end

shall have all the powers of the officer from whom the appeal is taken. The concurring vote of three members of the Board shall be necessary to reverse any order, requirement, or determination of any such administrative official, or to decide in favor of the appellant on any matter upon which it is required to pass or to effect any such variation in the planning and zoning provisions of the Ordinances of this City. (1971)

2-2-6: VARIANCES TO OFFICIAL MAP. In order to preserve the integrity of the official map, no permit shall be issued for any building or structure or part thereof on any land located between the mapped lines of any street as shown on the official map. Any person aggrieved by his inability to obtain such a permit may appeal to the Board of Adjustment. The Board of Adjustment shall have the power, upon an appeal filed with it by the owner of any such land, to authorize the grant of a permit for a building or structure or part thereof within any mapped-street location in any case in which the Board of Adjustment, upon the evidence, finds:

- (A) That the property of the appellant of which such mapped-street location forms a part will not yield a reasonable return to the owner unless such permit be granted; or
- (B) That, in balancing the interest of the City in preserving the integrity of the official map and the interest of the owner in the use and benefits of the property, the grant of such permit is required by consideration of justice and equity.

Before taking any such action, the Board of Adjustment shall hold a public hearing thereon. In the event that the Board of Adjustment decides to authorize a building permit, it shall have the power to specify the exact location, ground area, height, and other details and conditions of extent and character and also the duration of the building, structure, or part thereof to be permitted. (1971)

2-2-7: SPECIAL PERMITS. The Board of Adjustment may, in appropriate cases, after public notice and hearing, and subject to appropriate conditions and safeguards, determine and vary the application of the use district regulations herein established in harmony with their general purpose and intent as follows:

- (A) Permit the extension of a use into a more restricted use district immediately adjacent thereto where the boundary line divides a lot in single ownership as shown of record at the time of the passage of this ordinance; such use may extend to the entire lot, provided that in no case shall the use be extended more than 50 feet beyond the boundary line of such district in which such use is authorized.
- (B) Permit in a residential district a temporary building for commerce or industry which is incidental to the residential development, such permit to be issued for a period of not more than one year. (1971)

2-2-8: JUDICIAL REVIEW OF BOARD'S DECISION. The City or any person aggrieved by any decision of the Board of Adjustment may have and maintain a plenary action for relief therefrom in any court of competent jurisdiction; provided petition for such relief is presented to the Court within 30 days after the filing of such decision in the office of the Board. (1971)

CHAPTER 3

TRAFFIC COMMISSION

2-3-1: Establishment

2-3-2: Term of Office

2-3-3: Duties

2-3-1: ESTABLISHMENT. There is hereby created a Traffic Commission within the City which shall consist of the Mayor, the Marshal, and such other persons interested in problems relative to the regulation of motor vehicle traffic or representatives of the unofficial boards as may be determined and appointed by the City Council upon the recommendation of the Mayor. All members of the Traffic Commission shall serve without compensation. The Mayor shall act as Chairman of the Commission.

2-3-2: TERM OF OFFICE. All members of said Commission, except City officials, shall be appointed for and shall serve a term of one year. Vacancies shall be filled in the same manner as the original appointment for the unexpired term.

2-3-3: DUTIES. It shall be the duty of the Traffic Commission to coordinate traffic activities, carry on educational programs related to traffic safety, supervise the preparation and publication of traffic reports, and recommend to the City Council ways and means for improving traffic conditions and the administration and enforcement of traffic regulations. (1971)

CHAPTER 4 CITY TREE BOARD

2-4-1: Creation and Establishment of a City Tree Board.

2-4-2: Term of Office

2-4-3: Compensation

2-4-4: Duties and Responsibilities

2-4-5: Operation

2-4-1: Creation and Establishment of a City Tree Board. There is hereby created and established a City Tree Board for the City of Syracuse, Utah, which shall consist of six members, five of whom shall be citizens and residents of Syracuse and, who shall be appointed by the Mayor with the approval of the Council. The City Forester shall serve as one member of this board. (1997)

2-4-2: Term of Office. The term of the five persons to be appointed by the mayor shall be three years, except that the term of two of the members appointed to the first board shall be for one year and the term of two members of the first board shall be for two years. In the event that a vacancy shall occur during the term of any member, a successor shall be appointed for the unexpired portion of the term. (1997)

2-4-3: Compensation. Members of the Board shall serve without compensation. (1997)

2-4-4: Duties and Responsibilities. The Board shall serve in an advisory role to the City Council. It shall be the responsibility of the Board to study, investigate, counsel and develop and/or update annually, and administer a written plan for the care, preservation, pruning, planting, replanting, removal or disposition of trees and shrubs in parks, along streets and in other public areas. Such plan will be presented annually to the City Council and upon their acceptance and approval shall constitute the official comprehensive City Tree Plan for the City. The Board, when requested by the City Council, shall consider, investigate, make findings, report and recommend upon any special matter ~~of~~or question coming within the scope of its work. The City Council shall approve as part of its annual budgeting process any funds that shall be spent by the City to carry out the recommendations of the Board. (1997)

2-4-5: Operation. The Board shall operate in conformity with state open and public meeting laws. Each year in January the Mayor shall designate one member of the Board as chairman, another member as vice-chairman, and a third member as secretary. The Chair shall have the responsibility to see that regular meetings are held in an orderly manner, assignments are made and completed, agenda's are prepared, and that the work of the Board fills the purpose for which the Board was established as set forth in this chapter. The vice-chairman shall act in the absence of the chairman. The secretary shall keep the minutes and records of the Board's meetings. A majority of the members shall be a quorum for the transaction of business. (1997)

CHAPTER 5

HISTORIC PRESERVATION COMMISSION

2-5-1: Purpose

2-5-2: Historic Preservation Commission

2-5-3: Commission Duties

2-5-4: Syracuse Historic Sites List

2-5-5: Syracuse Historic Landmark Register

2-5-6: Standards for Rehabilitation

2-5-1: PURPOSE. The City of Syracuse recognizes that the historical heritage of the community is among most valued and important assets, and it is, therefore, the intent of the City to identify, preserve, protect, and enhance historic areas and sites lying within the City limits. (1990)

2-5-2: HISTORIC PRESERVATION COMMISSION. A Historic Preservation Commission is hereby established by the City with the following provisions:

- (A) The Commission shall consist of a minimum of five members, with a demonstrated interest, competence, or knowledge in historic preservation, appointed by the City Council for terms of not less than two years.
- (B) To the extent available in the City, two Commission members shall be professionals, as defined by National Park Service regulations, from the disciplines of history, archaeology, planning, architecture, or architectural history.
- (C) The Commission shall meet at least twice each year and conduct business in accordance with the Open Public Meeting laws of Utah. This includes public notification of the meeting place, time, and agenda items.
- (D) Written minutes of each Commission meeting shall be prepared and made available for public inspection. (1990)

2-5-3: COMMISSION DUTIES. 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 Utah Inventory of Historic and Archaeological Sites, Survey and inventory documents shall be maintained and shall be open to the public. The survey shall be updated at least every ten years.

- (B) Review Proposed Nominations to the National Register of Historic 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 normally evaluated by professionals in a specific discipline and that discipline is not represented on the Commission, the Commission shall seek expertise in that area before rendering its decision.
- (C) Provide advice and information:
 - (1) The Historic Preservation Commission shall act in an advisory role to other officials and departments of government regarding the identification and protection of local historic and archaeological resources.
 - (2) The Historic Preservation Commission shall work toward the continuing education of citizens regarding historic preservation and community history.
- (D) Enforcement of State Historic Preservation Laws. The Commission shall support the enforcement of all State laws relating to historic preservation. These include, but are not limited to: U.C.A. 11-18-2, "The Historic District Act"; U.C.A. 63-18-25, 27, and 30 regarding the protection of Utah antiquities; and U.C.A. 63-18-37 regarding notification of the State Historic Preservation Office of any known proposed action which will destroy or affect a site, building, or object owned by the State of Utah and included on or eligible for the State of National Registers. (1990)

2-5-4:

SYRACUSE 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 resources in the community.

- (A) Criteria for Designating Properties to the City Historic Sites List. Any building, structure, object, or site may be designated to 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 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 of the resource. 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 principal facades, addition of upper stories or the removal of original 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, additions which significantly detract from or obscure the original form and appearance of the house when viewed from the public way..

- (4) It has been documented according to the Utah State Historic Preservation Office standards for intensive level surveys (March 1987 version or subsequent revisions) and copies of that documentation have been placed in the local and State historic preservation files.
- (B) Designation Procedures. Any person, group, or government agency may nominate a property for 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 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 Syracuse Historic Sites List".
- (C) Results of Designation to the Historic Sites List.
- (1) Owners of officially designated historic sites may obtain a historic site 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 Chairperson of the Historic Preservation Commission.
 - (2) If a historic site is to be demolished or extensively altered, efforts will be made to document its physical appearance before that action takes place.
 - (a) The City will delay issuing a demolition 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 minimum, exterior photographs (both black-and-white and color slides) of all elevations of the historic building. When possible, both exterior and interior measurements of the building will be made in order to provide an accurate floor-plan drawing of the building.
 - (c) The demolition permit will be issued after one week of 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.

(d) The documentation will be kept in the Commission's historic site files, which are open to the public.

(D) Removal of Properties from the Historic Sites List. Properties which, in the opinion of the Historic Preservation Commission, no longer meet the criteria for eligibility may be removed from the Historic Sites List after review and consideration by the Commission. (1997)

2-5-5:

SYRACUSE 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 the City Historic Landmark Register. Any 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 Historic Places, or it has been officially determined eligible for listing in the National Register of Historic Places under the provisions of 36 CFR 60.6 (s). 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:
 - (a) Associated with events that have made a significant contribution to the broad patterns of our history; or
 - (b) 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 that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
 - (d) Have yielded, or may be likely to yield, information important in prehistory or history (archaeological sites, for example).
- (3) 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 Procedures.

- (1) Official designation proceedings must begin with the submittal 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 legal record of the property proposed for designation. This official request may be preceded by informal contacts with the property owner by Commission

members, private citizens, local officials, or other regarding designation of the property.

- (2) Upon receipt of the written request for designation, the Commission Chairperson shall arrange for the nomination to be considered at the next Commission meeting, which shall be held at a time not to exceed 30 days from the date the request was received.
- (3) The decision by the Commission shall be based on the eligibility of the property in terms of meeting the "Criteria for Designating Properties to the Syracuse Historic Landmark Register". The Commission shall forward its recommendation in writing to the City Council within 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 Ordinance.
- (5) After a property has been formally designated to the Historic Landmark Register, the designation may be amended or rescinded in the same manner as the original designation was made.
- (6) Upon official designation, the Commission shall record the designation with the County Recorder's Office to indicate such designation on the official title thereof.

(C) Results of Designation to the Historic Landmark Register.

- (1) Properties designated to the Historic Landmark Register may receive special consideration in the granting of conditional use permits in order to encourage their preservation.
- (2) Owners of Historic Landmarks may seek assistance from the Historic Preservation Commission in applying for grants or tax credits for rehabilitating their properties.
- (3) Proposed repairs, alterations, or additions to Historic Landmarks are subject to 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 Historic Landmark properties shall be forwarded by the Building Inspector to the Historic Preservation Commission prior to their issuance.
 - (b) At its next scheduled meeting, the Commission shall review the application and proposed work for compliance with the Secretary of the Interior's "Standards for Rehabilitation", hereafter referred to as the "Standards" (see Section 9-5-6).
 - (c) The Commission's recommendation shall be forwarded within 3 days to the City Council for its consideration in reviewing the applications. The recommendation must indicate which of the

"Standards" the Commission's decision was based on and, where appropriate, a brief explanation. Copies of the recommendations shall be sent to the Building Inspector and the property owner at the same time.

- (d) The City Council shall schedule the matter for its next meeting and, upon review of the Historic Preservation Commission's recommendation and other comments given at the meeting, 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 provisions established in the Revised Ordinances of the City pertaining to non-compliance with Building Codes of the City, and to other applicable provisions of City Ordinances relating to Ordinance violations. (1990)

2-5-6:

STANDARDS FOR REHABILITATION. The following "Standards for Rehabilitation" shall be used by the Historic Preservation Commission and City Council when determining the historic appropriateness of any application pertaining to Historic Landmark properties:

- (A) Every reasonable effort shall be made to provide a compatible purpose for a property which requires minimal alteration of the building, structure, or site and its environment.
- (B) The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (C) All building, structures, and sites shall be recognized as products of their own time. Alterations that have no historic basis and which seek to create an earlier appearance shall be discouraged.
- (D) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (E) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.
- (F) Deteriorated architectural features shall be repaired rather than replaced wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.

- (G) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
- (H) Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any rehabilitation project.
- (I) Contemporary design for alteration and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historic, architectural or cultural materials, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood or environment.
- (J) Whenever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were removed in the future, the essential form and integrity of the structure would be unimpaired.
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