

HISTORICAL PRESERVATION COMMITTEE MINUTES

WEDNESDAY - JUNE 21, 2023

PAROWAN CITY OFFICES – 35 EAST 100 NORTH – 10:00 AM

MEMBERS PRESENT: Jim Shurtleff (Chairman), Kristen Robinson, Liz Zaleski

MEMBERS ABSENT: Leon Hollingshead

STAFF PRESENT: Dan Jessen (City Manager), Keith Naylor (Assistant Zoning Administrator), Heather Shurtleff (Deputy Recorder)

STAFF ABSENT: Mollie Halterman (Mayor)

PUBLIC PRESENT: Heather Peet, Jay Wilcken

CALL TO ORDER: Jim Shurtleff called the meeting to order at 10:00 AM

DO ANY MEMBERS OF THE BOARD HAVE CONFLICTS WITH ANY AGENDA ITEMS TO DECLARE?
No conflicts were declared.

APPROVAL OF MINUTES: Liz Zaleski moved to approve the minutes of January 19, 2023. Kristen Robinson seconded the motion. All members present voted in favor of the motion. The motion carried. The minutes were approved.

Heather Peet – 177 S 500 W – Exterior Color of Home: Heather Peet began by saying she didn't realize that her home was in the Historic District. Ms. Peet was aware of the Historic District because when she moved to Parowan, she had considered purchasing one of two homes that were in the Historic District.

Jim Shurtleff discussed some of the regulations in the Historic Preservation ordinance, including a change that had been made to the ordinance - Currently, properties with portions facing the streets which are included in the Historic District, where formerly, all properties within 300 feet from the center line of all streets in the Historic District were included. Mr. Shurtleff had asked Dan Jessen and Keith Naylor to attend the meeting so they might understand more about the Historic Preservation Committee. One of the concerns of the Historic Preservation Committee was the color scheme on buildings and properties in the Historic District.

The committee was all in agreement that the color of purple on Heather Peet's home was very bright and they felt the color wasn't in keeping with the feeling in the Historic District. The committee had always leaned toward a more earth tone and neutral palette. Jim Shurtleff said he understood that changing the paint color would be a financial burden on Ms. Peet.

The committee agreed that it was a little confusing that Heather Peet's address doesn't include 200 South, and faced 500 West; UDOT wanted to minimize driveways opening up onto 200 South. Also, Ms. Peet didn't think about her home being in the Historic District because it was a relatively new home and not a historic home at all. Ms. Peet said she had spoken with Cleve Matheson, former Parowan City Manager, when she first moved in. Jim Shurtleff read about the boundaries of the Historic District from the ordinance (please see attached for full Historic Preservation ordinance). It was mentioned that on 200 South, the properties facing both sides of the street were included in the Historic District.

Heather Peet had read the Historic Preservation ordinance and said she couldn't see anything referencing paint color. Jim Shurtleff said paint color was one of the areas that was left to the discretion of the committee. Ms. Peet asked about several other homes within the district that had very bright colors on either the body of the home or the trim. The committee let Ms. Peet know that the majority of the homes mentioned had been painted those colors for a very long time, since before the Historic Preservation Committee was established, and as long as the paint was maintained in those same colors it would be grandfathered in.

Heather Peet mentioned that she is on the Parowan Planning and Zoning committee and she doesn't see where these regulations are defined, it's just opinion. Jim Shurtleff said that what the committee was, it was the opinion of the committee; another committee might have a different view and opinion in the future. Dan Jessen said the Historic Preservation ordinances were arbitrary by code, and it included color schemes and designs. Mr. Jessen continued, saying that this is the one area where municipal government can have a say in the design and aesthetics of a home. Modifying something after the fact is difficult, and in this case, it is extra difficult because the painting is already done. Jim Shurtleff added that it is one exception to private property rules allowed by the state, through land use code, that the local government was allowed to dictate aesthetics of private property in the Historic District.

Jim Shurtleff read from Parowan City Ordinance 15.42.030 (D), "Jurisdiction of the Historic Preservation Committee shall be limited to the Historic District, landmarks and monuments. The committee shall be concerned only with those elements of development, redevelopment, rehabilitation, and preservation that affect visual quality of the Historic District or landmark or monument. The committee isn't concerned about the interior design or arrangements or building features not subject to public view, nor shall it make any requirements except for the purpose of preventing development or demolition inconsistent with the standards set forth."

Jim Shurtleff read a portion of the Parowan City Ordinance 15.42.100, "A passing upon an application to demolish, or demolition in part, or remove, or alter the exterior architectural appearance of any existing building or structure located within any Historic District or landmark or monument area, or an application for new construction or remodeling, the Historic

Preservation Committee shall consider, along with the Planning and Zoning Commission, among other things, the historic, architectural, and aesthetic features of the structure, the nature and character of the surrounding area, the use of such structure and its importance to the City, and the feasibility and desirability of preservation of the area. General guidelines to be followed in this consideration are attached hereto and labeled "Appendix A".

Jim Shurtleff said that the findings of the committee are purely subjective, and the way the ordinance is written it gives a lot of leeway and interpretation to the committee. This committee may view it one way, and future committee may view things differently. This committee needs to decide what will fit in with the area. Heather Pete asked what the vision of the committee is for the area. Mr. Shurtleff mentioned that they wouldn't want things like strip malls or big metal garages, etc., and however the majority of the committee votes will be the decision. Mr. Shurtleff and Dan Jessen both talked about it feeling a bit arbitrary, but the code is arbitrary by design; putting a whole list together of things that would be considered appropriate or not appropriate would be difficult. Mr. Jessen talked about this situation being more involved, because the work has already been done; however, if the committee deems the changes as not allowed, it must be abated per land use code. Mr. Jessen said if it came down to it, the City has teeth to force the abatement. Mr. Jessen said that it feels heavy handed, and it is, but the state code allows cities to preserve a historic area. Mr. Jessen talked about being contacted about the change of color of Miss Peet's home. Mr. Jessen hadn't noticed the purple color. Ms. Peet said to her point, if Mr. Jessen drives past every day and didn't notice it, is it a concern. Mr. Shurtleff said it was mentioned to the committee as a concern. Ms. Peet asked if the color was mentioned to the committee by more than one person, because Ms. Peet knew of one person that nonchalantly said something to the City; saying, "Wow, the Historic Committee has broadened their horizons". At this, members of the Historic Preservation Committee were quite offended. Ms. Pete quickly assured the committee members that she had been paraphrasing and those were not the exact words used.

The discussion continued, during which the clarification was made that Keith Naylor is not the Zoning Officer, Mr. Naylor is the Assistant Zoning Administrator. Jim Shurtleff restated that any changes to the exterior of the property need to come before the Historic Preservation Committee, period. Mr. Shurtleff said the committee realizes that Heather Peet didn't realize her home was in the Historic District, but that does not preclude her from adherence to the code.

Heather Peet spoke with the committee to see if there may be any leeway as to the resolution of this issue. Ms. Peet wondered if she could keep the rest of the home purple if she repainted the side facing 200 South in a more neutral color. Kristen Robinson said she would be open to a compromise like that. Liz Zaleski said she felt good about that compromise as well. Jim Shurtleff invited Ms. Peet to bring in her color pallet to let the committee take a look.

Jim Shurtleff said he would entertain a motion to deny the current color of the exterior of the home at 177 S 500 W, and in addition allow the petitioner to return to the Historic Preservation Committee with a color palette of lighter, more earth tone colors for the portion of the house that faces 200 South. Kristen Robinson moved upon the statement from Jim Shurtleff. Liz Zaleski seconded the motion. Jim Shurtleff asked for a roll call vote. Kristen Robinson voted aye. Liz Zaleski voted aye. Jim Shurtleff voted aye. The motion carried.

The committee let Heather Peet know that they could meet as soon as Ms. Peet had picked her color palette, even as early as Friday, due to the fact that the committee was meeting again that day.

Jim Shurtleff told Heather Peet that he wished this hadn't been necessary, and wished that the education of the public would have been in place. Dan Jessen said the City would explore how best to get the word out about the Historic District.

Heather Peet asked the committee if they had ever thought about mandating commercial buildings within the Historic District to have a business on the bottom and living space on the top. Jim Shurtleff said a decision or mandate like that would not be within the purview of the Historic Preservation Committee; the committee could say the architecture should look a certain way, or the color scheme should look a certain way, but that the committee has no say at all about the function of the inside of a building. The Historic Preservation Committee only has a say about the outside view of the building/property. Kristen Robinson suggested Heather Peet take a suggestion like that to the Planning and Zoning Commission.

Heather Peet left the meeting at 10:45 AM.

JAY WILCKEN – REPAIRING OF HISTORIC PIONEER MONUMENTS – VARIOUS LOCATIONS: Jay Wilcken began by saying the Sons of the Utah Pioneers (SUP) has been actively pursuing repair to the historic monuments around town, particularly the Fremont monument on the southwest corner of 100 South and Main Street. The Fremont monument is in dire need of repair. Mr. Wilcken was wondering how to go about the repair, and what the Historic Preservation Committee would require. Mr. Wilcken asked if it would be possible to repair with something simpler than rock, because it has been very difficult finding a rock mason to do the work. Mr. Wilcken is in favor of maintaining the rock and the current look of the monuments. Mr. Wilcken asked if the committee members might know who does rock work, or if the members know who did the rock work around the new part of the cemetery and the rock around the flagpole at the library. Mr. Wilcken said any help from the committee would be much appreciated.

Dan Jessen mentioned that most of the rock work done these days was fake rock, and that if any moisture gets under the rock it doesn't last.

Jim Shurtleff suggested looking into doing it the old way if possible, and the new way if the old way isn't possible.

The committee members agreed with Jay Wilcken, and unanimously encouraged keeping the historic look of rock if at all possible. The committee gave Mr. Wilcken a few names and contact information of local masons.

Jay Wilcken asked if it would be okay to contact someone to do the work. The committee asked Mr. Wilcken to bring this matter back to the Historic Preservation Committee when there was a plan.

The committee only discussed the matter today, no motion was made at this time. Jay Wilcken said he would come before the commission at a later date.

STAFF AND MEMBER COMMENTS: The committee discussed specifics and suggestions about Heather Peet's home.

Dan Jessen left the meeting at 10:55 AM.

Jim Shurtleff spoke about the Historic Preservation Committee being the only board that by ordinance is arbitrary and capricious, the decisions are based on opinion.

The committee discussed how to go forward with educating the public about the Historic District and the requirements. Liz Zaleski suggested putting something in the city newsletter. The committee discussed briefly the idea of passing out door hangars to those already in the Historic District to inform and also as a reminder.

Jim Shurtleff spoke with the committee about ideas for one additional permanent member and one alternate member for the Historic Preservation Committee. Mr. Shurtleff mentioned Leon Hollingshead needing to spend more time supporting his wife with regards to her health concerns.

Jim Shurtleff wanted to complement Kristen Robinson for her work at the veteran's monument and Liz Zaleski for her work on the Old Rock Church Days. Both projects turned out great!

PUBLIC COMMENTS: None

ADJOURN: Kristen Robinson moved to adjourn the meeting. Liz Zaleski seconded the motion. All members present voted in favor of the motion. The meeting adjourned at 11:05 AM.

July 20, 2023

Date minutes were approved