

## CHAPTER 12

**HISTORICAL PRESERVATION ZONE**

## SECTION:

- 9-12-1: Development Permit
- 9-12-2: Planning And Zoning Commission
- 9-12-3: Review Standards For Granting Permit

9-12-1: **DEVELOPMENT PERMIT:** The planning and zoning commission may issue a development permit for construction, demolition, or development of facilities of any type within the historical preservation zone in accordance with the procedures and standards that follow:

- A. Purpose: The development permit process is intended to be the mechanism by which the purposes of establishing the historical preservation zone are fulfilled. It is the process by which the planning and zoning commission is authorized to review plans for work on structures within the historical preservation zone to assure that the work complies with protective standards created to preserve the special qualities of the historical preservation zones. The preservation work permit is intended to authorize review of exterior work only.
- B. Permit Required: A person shall not perform or cause to be performed any construction, alteration or demolition of any improvement of real property located within an historical preservation zone without having first obtained a development permit for such work.
- C. Improvement: "An improvement of real property" means any addition to a piece of real property as illustrated by, but not limited to: any building; structure; wall; house; gate; fence; corral; or barn.

- D. Demolition: "Demolition" of any improvement means a partial or total removal, destruction, wreckage or tearing down of an improvement as illustrated by, but not limited to:
1. Building: The tearing down of a building.
  2. Corral: The tearing down of a corral.
  3. Exterior Wall: The tearing down of an exterior wall.
  4. Total Removal: The total removal of an improvement by tearing it down to its foundation.
- E. Application: A person may initiate proceedings for obtaining a development permit by sending a permit application to the zoning administrator.
- F. Application Information: The zoning administrator may specify the information required in a permit application and may from time to time change the content of that information, but at all times the zoning administrator shall require the following information:
1. Applicant: The applicant's name and address.
  2. Owner: The owner's name and address if the owner is not the applicant.
  3. Owner's Consent: The owner's signed consent to the making of the application, if the owner is not the applicant.
  4. Legal Description: The location and legal description of the property.
  5. Photographs: Photographs of the current condition of the property.
  6. Work Plans: The plans for the work to be done including any surveys, drawings, and blueprints for the work.
  7. Reasons: A statement of the reasons for the work to be done.
  8. Permit Or Variance: A copy of any permit or variance required in connection with the work to be done.

- G. Application; Delivery To The Planning And Zoning Commission: The zoning administrator shall deliver a completed application for a development work permit to the planning and zoning commission.
- H. Planning And Zoning Commission Resolution: The planning and zoning commission shall review an application for a development work permit and adopt a resolution either granting or refusing the permit. The board shall take this action within twenty (20) days after the day on which the application was received from the zoning administrator. (Ord. 93-6-1, 6-28-1993; amd. Ord. 99-10-2, 10-18-1999)

9-12-2: **PLANNING AND ZONING COMMISSION REVIEW:**

- A. Basis: The planning and zoning commission shall base a review of an application for a development work permit upon the following:
  1. Purpose Of Permit: The purpose of development work permit.
  2. Purpose Of Zone: The purposes of the historical preservation zone designation.
  3. Standards: The standards for granting a permit as provided in section 9-12-3 of this chapter.
- B. Notification Of Grant Or Refusal: Within five (5) days after the date on which a resolution is adopted by the planning and zoning commission, the zoning administrator shall mail a copy of the resolution to the applicant.
- C. Issuance Of Permit: If the resolution of the planning and zoning commission grants the permit, the administrator shall immediately send the development work permit to the applicant including it with the notification required in subsection B of this section. (Ord. 93-6-1, 6-28-1993; amd. Ord. 99-10-2, 10-18-1999)

9-12-3: **STANDARDS FOR GRANTING PERMIT:**

- A. Visual Compatibility; Standards: The planning and zoning commission shall not grant a development work permit unless it finds that standards of visual compatibility consistent with the purpose of the historical preserva-

tion zone will be present upon completion of the work. Reference shall be had to the Cassia County design guidelines for the City of Rocks and related areas for examples of acceptable designs and architecture, and to the comprehensive management and development concept plan for the City of Rocks. (Ord. 99-1-1, 1-4-1999; amd. Ord. 99-10-2, 10-18-1999)

- B. Intent And Purpose: All improvements should conform to the intent and purpose for which the reserve was established.
- C. Permit Limitation: A development work permit is limited to an authorization of the work shown on plans required by this chapter.
- D. Permit Term: A development work permit expires two (2) years after the date on which the resolution granting it was adopted.
- E. Repeat Application: A person may make a repeat application for a development work permit as often as desired. The procedure for a repeat application is the same as the procedure for an initial application. (Ord. 93-6-1, 6-28-1993; amd. Ord. 99-10-2, 10-18-1999)