

130310

(Published 3-6-14)

ORDINANCE NO. 0-16-14

AN ORDINANCE relating to Planning and Development, Historic Landmarks and Historic Districts, Chapter 27 Planning and Development, adding new Section **27-152** of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas;

BE IT ORDAINED BY THE UNIFIED GOVERNMENT COMMISSION OF WYANDOTTE/COUNTY/KANSAS CITY, KANSAS:

Section 1. That the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas is hereby amended by adding new Section 27-152 to read as follows:

Sec. 27-152

Environs Review—Prerequisite to building permit

Purpose. The purpose of this regulation is to reinforce the policy set in Section 27-81 of this code

Definitions. The following definitions control this section.

Administrative determination: A final decision by the director of planning or his/her designee

Construction: The act of building, adding to or remodeling of a structure.

Environs: The historic property's associated surroundings and the elements or conditions which serve to characterize a specific place, neighborhood, district, or area. More specifically, a 500 foot area surrounding a historic property or district listed on the National Register of Historic Places, the Register of Historic Kansas

Places or has obtained designation as a Kansas City, Kansas Historic Landmark or District.

Historically listed property: Historical properties, buildings and sites that are listed on the National Register of Historic Places, the Register of Historic Kansas Places or has obtained designation as a Kansas City, Kansas Historic Landmark or District

(a) Environs standard

No building or demolition permit shall be issued within 500 feet of a historically listed property until it has been determined that the proposed construction will not damage or destroy the environs of the historically listed property.

(b) Environs review will be provided as follows:

| Application | Administrative determination | Appeal** (As recommending body) | Appeal** (Final decision) |
|-----------------|------------------------------|---------------------------------|---------------------------|
| Environs review | Planning Department Staff | Landmarks Commission | Board of Commissioners |

** If necessary. As a Certificate of Appropriateness

(c) Environs review standards

In making a determination concerning the environs of a historically listed property the following standards shall be considered:

1. The character of a historic property's environs should be retained and preserved. The removal or alteration of distinctive buildings, structures, landscape features, spatial relationships, etc. that characterize the environs should be avoided.
2. The environs of a property should be used as it has been historically or allow the inclusion of new uses that require minimal change to the environs' distinctive materials, features, and spatial relationships.
3. The environs of each property will be recognized as a physical record of its time, place, and use. Changes to the environs that have acquired historic significance in their own right should be retained and preserved.
4. Demolition of character-defining buildings, structures, landscape features, etc. in a historic property's environs should be avoided. When the severity of deterioration requires removal within the environs, compatible reconstruction shall occur. (All demolitions require Landmark Commission approval.)

5. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures shall be undertaken.
6. New additions, exterior alterations, infill construction, or related new construction should not destroy character-defining features or spatial relationships that characterize the environs of a property. The new work shall be compatible with the historic materials, character-defining features, size, scale and proportion, and massing of the environs.
7. Moved historic properties that have not retained or acquired historic significance in their new environs shall be considered as artifacts without environs.

(d) Environs Application Submission Requirements

All submission for historical environs review are required to have the following:

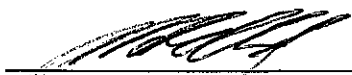
1. A letter of explanation that gives a detailed scope of work, the applicant's name, address, phone numbers, and e-mail, along with the name and contact information for the landowner. If applicable, contact information for the architect, engineer, surveyor, planner, and/or contractor.
2. If applicable, existing site pictures, detail sheets for significant elements, detailed construction or demolition drawings.
3. Other plans, miscellaneous details and studies as deemed necessary by the Director of Planning.
4. Completion of the basic information and pictures needed in the Kansas Historic Resource Inventory for the Kansas State Historic Preservation Office.

(e) Activities omitted for an environs review

The following activities are omitted from the historical environs review:

1. Replacement or repair of same size doors and windows. Door replacement should have a similar style to the one being replaced and window glass size cannot be reduced.
2. Interior remodeling or renovation
3. Roof repair with similar in-kind materials and no expansion of roof area.
4. In-kind siding repair and replacement
5. Landscaping and irrigation, excluding structures
6. Signs
7. Walkways
8. Replacement of existing driveways
9. Other routine maintenance deemed appropriate by the Director of Planning

PASSED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF WYANDOTTE
COUNTY/KANSAS CITY, KANSAS,
THIS 27th DAY OF February, 2014.



Mark Holland, Mayor/CEO

Attest:



Unified Government Clerk

Approved as to form:

Jody Boeding
Chief Counsel