Introduced by		_
First Reading	Second Reading	
Ordinance No.	Council Bill No.	B 359-12

#### AN ORDINANCE

amending Chapter 6 of the City Code as it relates to the Historic Preservation Commission and demolition permits; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 6 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in strikeout; material to be added underlined.

Sec. 6-17. Amendments.

The code adopted by this article is hereby amended by substituting the following sections in lieu of those sections with corresponding numbers in the code, or, where there is no corresponding section in the code, the following sections shall be enacted as additions to the code:

. . .

3303.7 Historic Preservation Commission review of demolition permits. An application for any permit that authorizes the demolition of an historic resource shall include notice of the application addressed to the Historic Preservation Commission. The notice shall be on a form provided by the building official. The building official, upon verification that the application is complete, shall promptly forward the notice to the Historic Preservation Commission in care of the Community Development Department. The building official shall not issue the permit authorizing the demolition until ten (10) the lesser of thirty (30) calendar working days after the notice has been sent to the Community Development Department or until the Historic Preservation Commission notifies the building official that the Commission has no objection to the immediate demolition of the structure. The thirty (30) day review period shall not begin until the application requesting demolition has been deemed to be complete.

The building official shall post notice of the proposed demolition in a conspicuous place facing each street abutting the property on which the structure to be demolished is located. The sign face shall be at least five square feet.

To allow for the thirty (30) day review period and no more than six (6) months to pass following notice to the public of the demolition, no more than seven (7) months shall elapse between making application for a demolition permit and the actual removal of a structure. Failure to remove an authorized structure within this timeframe shall require that a new application for demolition be filed.

The following definitions apply to this secti	on:
SECTION 2. This ordinance shall passage.	be in full force and effect from and after its
PASSED this day of	, 2013.
ATTEST:	
City Clerk	Mayor and Presiding Officer
APPROVED AS TO FORM:	
City Counselor	



Source: Community Development - Planning

Agenda Item No:

To: City Council

From: <u>City Manager and Staff</u> / 1

Council Meeting Date:

Dec 17, 2012

Proposed ordinance revisions to Chapter 6 of the City Code in response to Council Tracker

#3443: HPC to work with staff to review demolition ordinance issues and make

recommendation to the Council (Case #12-101).

#### **EXECUTIVE SUMMARY:**

Re:

In October of 2011, the Council reviewed a report by the Historic Preservation Commission (HPC) recommending four changes to present policy. The recommendations included:

- 1) Adopting the State Historic Preservation Office Model HP Ordinance which would allow the HPC to initiate historic district zoning nominations through a defined process with final action by the Council;
- 2) Extend the existing ten working day hold period for demolition permits to a not more than 30 (calendar) days hold to allow the HPC to review the demolition permit at their next regularly scheduled meeting;
- 3) Allow the City's Community Development Department to issue a notice of violation for "demolition by neglect" when property is not maintained under the existing demolition ordinance;
- 4) Allow the Community Development Department to issue a hold on the permit issuance for reasons of administrative cause.

Following discussion of the report, the Council directed staff and HPC to continue study on the issue and come back to the Council with proposed ordinance revisions. After more than a year of work, the HPC has prepared revisions to Chapter 6 of City Code for Council consideration. The proposed revisions would extend the demolition permit review period to no more than 30 calendar days, require complete applications prior to demolition permit issuance, and allow demolition permits to expire after six months if unused. The development of these three provisions is described in detail below.

#### DISCUSSION:

The HPC worked on proposed ordinance changes, both to Chapter 6 (building regulations) and Chapter 29 (zoning code) for six meetings following the Council directive. As an active agenda item, the HPC invited public comment and engaged stakeholder groups throughout the community during this period. Input from stakeholder groups was found to be mixed: there was general support for a longer review period but concerns about amending to the HP Zoning Overlay. In May 2012, proposed ordinance revisions were endorsed by the HPC and forwarded to the Planning and Zoning Commission for review.

By ordinance, the Planning and Zoning Commission (PZC) makes recommendation on any revisions to Chapter 29 following a public hearing. To provide context, the HPC forwarded all the proposed revisions (including those in Chapter 6) to the PZC for review. The PZC worked on the ordinance revisions at work sessions throughout the summer and fall, providing a revised draft for review by the HPC at their November 6, 2012 meeting. PZC Chair Doug Wheeler attended and discussion centered around revisions having and lacking consensus.

The HPC also asked the PZC to review a six-month "sunset" or expiration addition to the code so notice to the public regarding an impending demolition would be timely. The HPC noted public notice of demolition (via a posted sign) alerts neighbors to the impending dust and noise associated with demolition, and encourages neighbor-to-neighbor architectural salvage/deconstruction. This addition was reviewed at the November 8, 2012 PZC work session without objection.

After the demolition permit expiration language was added, HPC voted unanimously at their December 4, 2012 meeting to forward to the Council the Chapter 6 revisions supported by PZC. HPC will do additional research and outreach before bringing proposed changes to Chapter 29 back to the PZC for a public hearing and recommendation to the Council.

## **FISCAL IMPACT:**

None.

# **VISION IMPACT:**

## http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php

2.2 Goal: Historic areas will be identified, valued, and preserved through education, enforcement, and incentives.

## **SUGGESTED COUNCIL ACTIONS:**

Approval of the ordinance revision as recommended by the Historic Preservation Commission.

FISCAL and VISION NOTES:								
City Fiscal Impact Enter all that apply Program Imp		act	Mandates					
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No			
Amount of funds already appropriated	\$0.00	Duplicates/Expands an existing program?	No	Vision Implementation impact				
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site				
Estimated 2 year net costs: Resources Required		Vision Impact?	Yes					
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	2.2			
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #				
		Requires add'l capital equipment?	No	Fiscal year implementation Task #				