

Public Works and Planning Committee

March 24, 2017

Staff Summary of Proposed Demolition Ordinance

In September 2015, the Historic City of Jefferson (HCJ) brought forth a proposed demolition ordinance to the City of Jefferson Historic Preservation Commission. HCJ is a local non-for-profit organization that is not a City commission or board, but has an interest in historic preservation.

The City of Jefferson Historic Preservation Commission reviewed the HCJ demolition proposal and voted to amend the document. The City of Jefferson Historic Preservation Commission created a sub-committee to specifically review the City's Demolition Ordinance which is located within Chapter 8 of the City Code. During the February 28, 2017, Special Meeting, the City of Jefferson Historic Preservation Commission approved their version of the proposed demolition ordinance.

Staff are also proposing a number of other (mostly minor) amendments within Chapter 8 of the City Code. The Draft Council Bill is broken down into 6 sections. A brief summary of each section is as follows:

Section 8-32 Permit to demolish historic buildings

Section A - C

A "Historic Preservation Commission Boundary" is established for reviewing properties that are fifty (50) years and older. The boundary roughly covers Belair Dr. on the west, Stadium Blvd. on the south, Grant St. on the east and Missouri River on the north.

All other properties that do not lie within the designated boundary would not be subject to the historic preservation review unless designated as a local landmark, local historic district and/or National Register of Historic Places.

Section D

Definition of demolishing or removing was prepared from a variety of sources including other municipalities ordinances and commission research of available historic resources.

Section E

Specifically identifies items required to be submitted as part of the demolition application for historic buildings. Existing demolition application includes the historic preservation checklist, and interior & exterior photographs. The proposed ordinance would add the inclusion of a map identifying the location of the property, plot plan showing the principal and/or accessory building footprints, and statement from owner as to why property cannot be rehabilitated or sold at a reasonable price.

Section F

This section represents bulk of the changes to the current demolition ordinance

- Much like Planning and Zoning Commission, the property will be posted with a sign indicating demolition permit has been submitted, notification sent to affected property owners within 185 ft of the subject property including the time, date and place of public hearing. Also includes, posting of notice of public hearing at city hall and on city's website.
- City of Jefferson Historic Preservation Commission has 60 days from date of complete application submission to provide a recommendation on the issuance of the demolition permit. The 60 day review period is not a change from the current code. Recommendation on the demolition permit based on:
 - historic value by reason of age; association with important figures/events; history of Jefferson City, State of Missouri or United States; or architectural style, construction or work of an historically notable architect, designer or draftsman.
 - visual and spatial relationship to designated or potential historic landmarks or historic districts; and/or
 - a perceived state of deterioration or disrepair in relation to the historic integrity of the property.
- If City of Jefferson Historic Preservation Commission recommends denying the demolition permit application the application is then forwarded on to City Council.
- If City Council rejects the City of Jefferson Historic Preservation Commission recommendation to deny, the demolition permit application is suspended for at least 30 days after City Council determination.
 - During the 30 day suspension, the City of Jefferson Historic Preservation Commission may take action to consult with civic groups, agencies, and other interested parties; acquisition of the property by a 3rd party; explore moving the building(s); submittal of landmark application or initiate historic district designation.
- If City Council affirms the City of Jefferson Historic Preservation Commission denial recommendation, the applicant may appeal to the Circuit Court for a final decision.

Section 8-33 Penalties & permit fee for historic buildings

Sets the penalty for unlawful demolition at \$1,000 which is the maximum amount allowed by statute. Also identifies that the demolition permit fee for historic building is set differently than non-historic buildings. This fee would help offset posting of signs, mailings, staff time, etc. The City of Jefferson Historic Preservation Commission recommends setting the fee at \$210.00.

Sections 8-34 Permit to demolish buildings not meeting the definition of historic buildings in Sec. 8-32

Details the process for all demolition applications for buildings not meeting the definition of historic buildings.