



Update
Administration and Human Services
Committee
Standing Committee Meeting Agenda
Monday, September 19, 2016
5:45 PM

Location:

Municipal Office Building
701 N 7th Street
Kansas City, Kansas 66101
5th Floor Conference Room (Suite 515)

Name

Absent

Commissioner Angela Markley, Chair

☐

Commissioner Melissa Bynum

☐

Commissioner Mike Kane

☐

Commissioner Harold Johnson

☐

Commissioner Jane Philbrook

☐

I. Call to Order/Roll Call

II. Revisions to September 19, 2016 Agenda

Blue Sheet

III. Approval of standing committee minutes from July 25, 2016.

IV. Measurable Goals

Item No. 1 - DISCUSSION: REVIEW OF DEPARTMENT GOALS

Synopsis: Presentation and discussion of measurable goals for various departments, submitted by the County Administrator's Office.

The list of measurable goals was presented to the Administration and Human Services Standing Committee on August 22, 2016.

For information only.

Tracking #: 16769

V. Committee Agenda

Item No. 1 - DISCUSSION: DE-ANNEXATION OF A PORTION OF HOLIDAY DRIVE NEAR LAKE QUIVIRA

Synopsis: Explanation and discussion of the statutory procedure and reasons for de-annexation of land near Lake Quivira, submitted by Ken Moore, Chief Legal Counsel.

For information only.

Tracking #: 16778

Item No. 2 - PROJECT: COMMUNITY HEALTH ASSESSMENT

Synopsis: The UG Public Health Department is currently initiating a comprehensive Community Health Assessment to begin October 2016 and be completed by March 2017, submitted by Terry Brecheisen, Health Department Director. This is one of the steps taken to achieve accreditation. Cost included in the budget.

For information only.

Tracking #: 16781

Item No. 3 - GRANT APPLICATION: MARCH OF DIMES

Synopsis: Request authorization to apply for a \$60,000 March of Dimes Grant, in collaboration with KU Medical Center and the Community Health Council, to provide a Medicaid Eligibility Specialist position who would work from multiple sites, submitted by Terry Brecheisen, Health Department Director. No match is required.

Tracking #: 16782

Item No. 4 - ORDINANCE AMENDMENT: SPECIAL USE PERMIT REQUIREMENTS

Synopsis: Revisions to Section 27-593 concerning special use permit requirements, submitted by Robin Richardson, AICP, Planning Director. While some changes were mandated, this will also address a request from BPU to take down old water towers and replace them with stealth telecommunication poles.

Request item be referred to the Planning Commission for review and recommendation.

Tracking #: 16788

VI. Public Agenda

VII. Adjourn

**AGENDA UPDATE
ADMINISTRATION AND HUMAN SERVICES
STANDING COMMITTEE MEETING
MONDAY, SEPTEMBER 19, 2016**

V. COMMITTEE AGENDA

DELETE

ITEM NO. 3 – 16782....GRANT APPLICATION: MARCH OF DIMES

Synopsis: Request by the Health Department to remove this request to apply for a \$60,000 March of Dimes grant in collaboration with KU Medical Center and the Community Health Council.

NEW ITEM

ITEM NO. 5 – 16794...NOTICE OF BUDGET HEARING: WYCO LIBRARY

Synopsis: Notice of budget hearing scheduled for September 29, 2016, to consider the Wyandotte County Library 2017 Budget, submitted by Kathleen VonAchen, Chief Financial Officer.



Staff Request for Commission Action

Tracking No. 16794

Full Commission Meeting Date: 9/29/16

Committee: Administration & Human Services

Date of Standing Committee Action: 9/19/16

(If none, please explain):

Publication Required: No

<u>Date:</u> 09/19/2016	<u>Contact Name:</u> Kathleen VonAchen	<u>Contact Phone:</u> x5186	<u>Contact Email:</u> kvonachen@wycokck.org	<u>Department/Division:</u> Finance
<u>Item Description:</u> Notice of budget hearing scheduled for September 29, 2016, to consider the Wyandotte County Library 2017 Budget.				
<u>Action Requested:</u> Set budget hearing date				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Blue Sheet, Wyco Library, Notice of Vote				

2017

NOTICE OF BUDGET HEARING

The governing body of
Wyandotte County Library
will meet on September 29, 2016 at 7:00 PM at Commission Chambers of the Municipal Office Building for the purpose of hearing and
answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax.
Detailed budget information is available at Unified Government Budget Office, 701 N 7th Street, Room 510 and will be available at this hearing.

BUDGET SUMMARY

Proposed Budget 2017 Expenditures and Amount of 2016 Ad Valorem Tax establish the maximum limits of the 2017 budget.
Estimated Tax Rate is subject to change depending on the final assessed valuation.

	Prior Year Actual for 2015		Current Year Estimate for 2016		Proposed Budget Year for 2017		
	Expenditures	Actual Tax Rate*	Expenditures	Actual Tax Rate*	Budget Authority for Expenditures	Amount of 2016 Ad Valorem Tax	Est. Tax Rate*
Library Fund	2,350,881	5.583	2,805,604	6.059	2,933,534	2,470,432	6.059
Assessed Valuation	368,982,049		389,836,140		407,729,254		

Kathleen VonAchen
Kathleen VonAchen, Chief Financial Officer

Notice of Vote - Wyandotte County
In adopting the 2017 budget the governing body voted to increase property taxes in an amount greater than the amount levied for the 2016 budget, adjusted by the 2015 CPI for all urban consumers. Nine members voted in favor of the budget and Zero members voted against the budget.

**ADMINISTRATION AND HUMAN SERVICES
STANDING COMMITTEE MINUTES
Monday, July 25, 2016**

The meeting of the Administration and Human Services Standing Committee was held on Monday, July 25, 2016, at 5:50 p.m., in the 5th Floor Conference Room of the Municipal Office Building. The following members were present: Commissioner Markley, Chairman; Commissioners Philbrook, Johnson, Kane, and Bynum. The following officials were also in attendance: Joe Connor, Assistant County Administrator; Gordon Criswell, Assistant County Administrator; Melissa Mundt, Assistant County Administrator; Ken Moore, Chief Counsel; Kathleen VonAchen, Chief Financial Officer; Rob Richardson, Director of Planning; and Chris Blake, Sergeant-At-Arms.

Chairman Markley called the meeting to order. Roll call was taken and all members were present as shown above.

Approval of standing committee minutes for April 25, and May 23, 2016. **On motion of Commissioner Kane, seconded by Commissioner Johnson, the minutes were approved.** Motion carried unanimously.

Chairman Markley said we do have a blue sheet associated with our Administration & Human Services Committee meeting. We'll actually handle that blue sheet, we'll make it Item No. 3 under the Committee Agenda. We'll handle all three Hollywood Casino Grant items together. Our blue sheet item is another Hollywood Casino Grant extension request related to the Vaughn-Trent Community Services, Inc. We'll handle that in order with the other three.

I don't have a guide today so if it looks like I'm winging it, I'm winging it.

Joe Connor is going to speak with us about three Hollywood Casino Grant extension requests and we'll handle those sort of one right after another in order to have some continuity.

Joe Connor, Assistant County Administrator, said to further confuse you, I'd like to start with Item #2 first.

Committee Agenda:

Item No. 2 – 16687...COMMUNICATION: 2015 UG-HOLLYWOOD CASINO GRANT ALLOCATION

Synopsis: A request for approval for the Argentine Betterment Association to expend \$5,123 of their 2015 grant allocation after the stated end of the grant period which is June 22, 2016. This request has been reviewed and is recommended for approval, submitted by Joe Connor, Assistant County Administrator.

Joe Connor, Assistant County Administrator, said with me is Mario Escobar, the Executive Director for Argentine Betterment Corporation. He had made a request for a little over \$5,000 that basically just didn't get spent by the end of our grant period. The expenses are totally appropriate. We're within his budget from the beginning. He just needs a little extra time to spend them.

Action: **Commissioner Kane made a motion, seconded by Commissioner Johnson, to approve.** Roll call was taken and there were five "Ayes," Philbrook, Johnson, Kane, Bynum Markley.

Chairman Markley said that was Item 2. Are we going to go to Item 3 on the blue sheet or Item 1 next?

Joe Connor, Assistant County Administrator, said Item 1, Marilyn Alstrom emailed me today and said she would be here. I don't see her here at this point. We could discuss 3 and then maybe come back to No. 1 and give her time to show up.

Item No. 4 – 16695...COMMUNICATION: UG-HOLLYWOOD CASINO GRANT EXTENSION

Synopsis: A request from Vaughn-Trent Community Services, Inc. to extend their 2015 Unified Government-Hollywood Casino Grant period since they were delayed in starting their program, submitted by Joe Connor, Assistant County Administrator. They also want to adjust the 2016 grant period to begin September 1, 2016, instead of June 2016.

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Joe Connor, Assistant County Administrator, said the blue sheet item is an extension request from Vaughn-Trent Community Services, Inc. Again, similar to what ABC was wanting. They got started a little late with their grant year. They hit their stride, but they just wanted to be able to spend their money past their grant period for 2015.

Action: **Commissioner Kane made a motion, seconded by Commissioner Johnson, to approve.**

Mr. Connor said before you do the roll call, I just want to clarify. She's asked for a 16 extension too. I'm not recommending that. I'd like to talk with her at the six-month period to see were they're at with this particular grant year and then come back with a second request if they need it. This is just for the 2015 grant only. **Chairman Markley** asked Commissioner Kane, is your motion just for 2015. **Commissioner Kane** said that's fine.

Roll call was taken and there were five "Ayes," Philbrook, Johnson, Kane, Bynum, Markley.

Item No. 1 – 16639...COMMUNICATION: 2015 UG HOLLYWOOD CASINO GRANT ALLOCATION

Synopsis: The Greater Kansas City Community Foundation has received a request from Marilyn Alstrom, Executive Director of Leadership 2020 for an extension to spend their 2015 UG-Hollywood Casino Grant allocation in the amount of \$24,990, submitted by Joe Connor, Assistant County Administrator.

Commissioner Kane said here's the issue. General Motors donated some money to the Piper School District. I don't know. It was not tri-county, eastern Kansas that I know of. The special events I don't know about that. I have more questions than answers. I don't want to hold anything off. Joe, if you and I can sit down, talk to her, and clarify that, I'm fine with that.

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Commissioner Philbrook said as I understood it, didn't she send us a letter talking about the fact that because of how many people were involved in this, how many moving parts there were, that it delayed the opportunity to even start doing anything because they didn't have the study done or the plans done yet. **Commissioner Kane** said and two of them may have even gotten into an argument.

Mr. Connor said I think if you look at her letter that's attached, she's claiming it's a \$400,000 project. **Commissioner Kane** said it is a \$400,000 project. **Mr. Connor** said this is a little less than \$25,000 of her \$400,000. She hasn't spent any of it while she continued to do additional fundraising to try and make this project a reality. **Commissioner Philbrook** said she has to have a certain amount of money to pull in some other grants for matching. **Commissioner Kane** said if she gets x amount of money, then they'll be a grant and they'll be some other stuff. General Motors didn't donate money. General Motors is talking about having a memorial golf tournament out there which would generate that amount of money, but they haven't done it. General Motors has it's own politics. Can you believe that? Joe, if you and I can sit down and talk to her and clarify some of this, that'd be fine. **Commissioner Philbrook** asked so does that mean you want to put it off still or—**Commissioner Kane** said well, I guess we can vote on it and go ahead and push it forward; but I want clarification with her on some of the stuff that's on here.

Action: **Commissioner Philbrook made a motion, seconded by Commissioner Kane, to approve the extension pending a satisfactory conversation/clarification.** Roll call was taken and there were five "Ayes," Philbrook, Johnson, Kane, Bynum, Markley.

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Item No. 3 –16693...UPDATE ON DIGITAL BILLBOARDS AND SMALL BOARD REMOVAL

Synopsis: Update on digital billboards and small board removal, submitted by Robin H. Richardson, AICP, Director of Planning.

**DIGITAL BILLBOARD/
BILLBOARD REMOVAL UPDATE**

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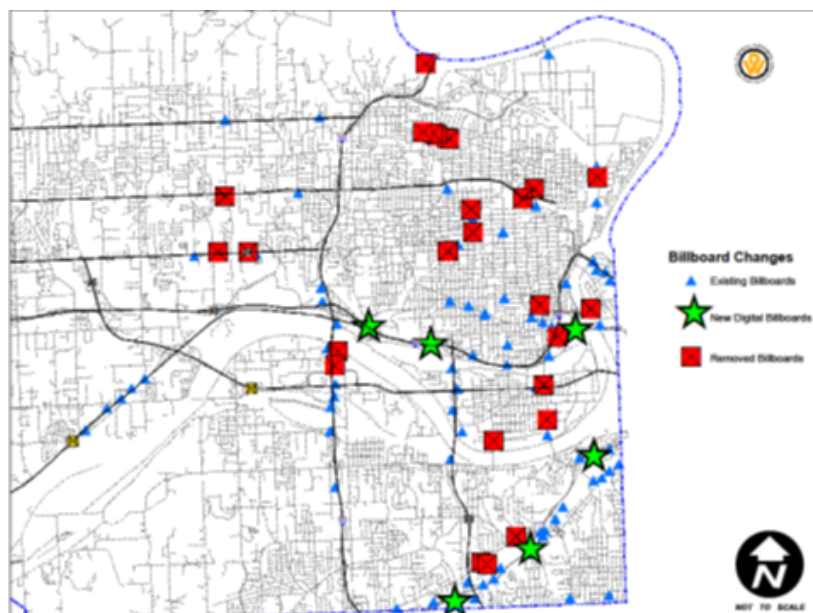
Rob Richardson, Director of Planning, said I guess about this time last year you all adopted a revision to the digital billboard ordinance that allowed for additional billboards provided that they took down other billboards in the community in exchange for the new digital face. We have 70 digital billboard faces operating at 6 locations, one of them is double sided. The code requires two times the new face size removal for small boards. It's not an existing great big highway billboard that they have to take down double the size, face and square footage. If they are taking down a regular highway billboard, they only have to take down 1.5 times that much space.

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Digital Billboards

- 7 new digital board faces operating at 6 locations
- Code required 2 times new face removal for small boards and 1.5 times new face removal for large boards measured in square feet.
- 64 signs on 31 structures removed totaling 12,228 square feet of old boards removed
- Slightly more area has been removed than was required and banked toward future conversions
- We have received all required affidavits of removal.
- Staff considers the process complete and successful.

We had 64 signs removed on 31 structures totalling over 12,000 sq. ft. of old billboards removed. Slightly more area than was required has been removed and I have allowed them to bank that towards the future removal. I thought it would be wise for them to go ahead and take down the old boards that we don't like and give them that extra incentive. We have received all the required affidavits of removal so all the signs are down. We consider this process successful and complete.

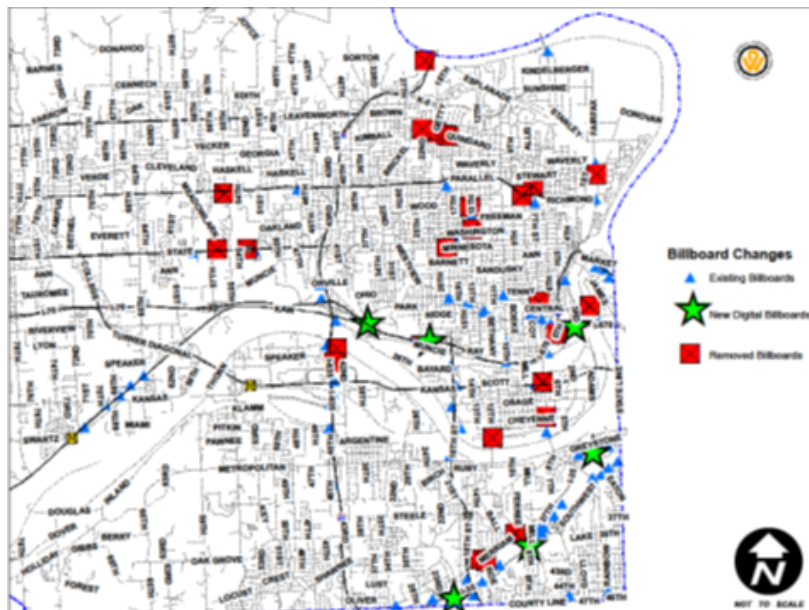


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I've got a couple of maps. One of them doesn't have street names on it. The first one doesn't have the street names but it gives you an idea of where they are.

Commissioner Philbrook asked are these only the billboards that have been removed.

Mr. Richardson said on this slide, this is the eastern portion of the community and we have I-635, I-70, Parallel, State, this is 18th St., I-35 at the bottom. The blue triangles are existing boards. The green stars are where the new digital billboards were located. The red box indicate locations where the old billboards were removed. In some cases you don't see all of the boards because they're stacked on top of each other because some locations had four, six, or eight of them in one location. These are the general vacinities where they occurred. You'll notice that there is still quite a few urban billboard locations around in the central core of the city but many, many were removed including some of the ones that were on the most obnoxious list.



On the next slide, you can see all the street names. They kind of hide the other things. If you have particular questions, I have the full data set with me and we can go through those. Like I

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said, I think the ordinance did what it was intended to do and we have some new digital billboards that are functioning, and we have a lot of old billboards that weren't well maintained that are gone.

Commissioner Bynum said can you refresh our memory. Maybe you told us this last year. Did the billboards come down at their expense? **Mr. Richardson** said yes.

Commissioner Philbrook said I have two really nasty looking billboards at 59th on the south side of State. They are raunchy. I was surprised when I saw that they were still standing because you did remove the ones that were just a little bit further east on the north side. **Mr. Richardson** said these were all done at the discretion of the companies. We did not have anything to do with that. **Commissioner Philbrook** said but I mean these are really raunchy. Don't we have codes that tell them they have to keep them painted and kept up? **Mr. Richardson** said yes we do. **Commissioner Philbrook** said well then guess what. **Mr. Richardson** said I'll convey that to the Codes Department. I will convey that to Codes. **Commissioner Philbrook** said that you very much because they are nasty looking on a beautiful street we have called State Avenue and we've got those things sitting there. **Mr. Richardson** asked are they on the north or south side of State. **Commissioner Philbrook** said south side, sir, 59th, just east of 59th Street. **Mr. Richardson** said okay. **Commissioner Philbrook** said two of them. Thanks.

Chairman Markley adjourned the meeting at 6:00 p.m.

Adjourn

tk

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Staff Request for Commission Action

Tracking No. 16769

Full Commission Meeting Date: NA

Committee: Administration & Human Services

Date of Standing Committee Action: 9/19/16

(If none, please explain):

Publication Required: No

Date:	Contact Name:	Contact Phone:	Contact Email:	Department/Division:
09/08/2016	Melissa Mundt	x5017	mmundt@wycokck.org	Administrator's Office

Item Description:

Presentation and discussion of measurable goals for Administration and Human Services.

List of measurable goals:

Aging Services	Health
Chief Knowledge Office	Human Resources
County Clerk	Human Services
Community Development	Legal Counsel Office
County Administration	Municipal Court
Election Commission	

Action Requested:

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Blue Sheet - Goals, Aging, CKO, Clerk, Comm Dev, County Admin, Election Comm, Health, Human Resources, Human Services, Legal, Municipal Court

**AGENDA UPDATE
ADMINISTRATION AND HUMAN SERVICES
STANDING COMMITTEE MEETING
MONDAY, AUGUST 22, 2016**

IV. MEASURABLE GOALS

ADDITIONAL INFORMATION

ITEM NO. 1 – 16750...DISCUSSION: REVIEW OF DEPARTMENT GOALS

Synopsis: List of measurable goals:

Aging Services	Health
Chief Knowledge Office	Human Resources
County Clerk	Human Services
Community Development	Legal Counsel Office
County Administration	Municipal Court
Election Commission	

V. COMMITTEE AGENDA

ADDITIONAL INFORMATION

ITEM NO. 1 – 16740...COMMUNICATION: ASSESSMENT OF FAIR HOUSING

Synopsis: The following documents are submitted as part of the Assessment of Fair Housing (AFH):

- AFH Timeline
- Draft AFH Goals & Strategies
- AFH Public Meetings Handout

Standing Committee	Neighborhood Comm. Dev.	Administration Services	Human		Eco. Dev.		Pub. Works Pub. Safety	Comments
Commission Priority	Housing- Multimodal Transportation Healthy Community/Recreation	Education/Workforce Social Services Innovation Customer Service			Economic Development Fiscal Sustainability		Infrastructure - Environment Public Safety	

Aging Services Reduce the number eligible clients waiting for services through the Senior Care Act	x x x	Look for more community partners
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Standing Committee	Neighborhood Comm. Dev.			Administration Human Services			Eco. Dev.		Public Works Public Safety		Comments
Commission Priority	Housing-	Multimodal Transportation	Healthy Community/Recreation	Education/Workforce	Social Services	Innovation	Customer Service	Economic Development	Fiscal Sustainability	Infrastructure - Environment Public Safety	

Chief Knowledge Office

Implement upgrades to the 311 system to improve the customer experience, both internal and external customers. The upgrades include portal and CRM upgrades, System Center Service Manager and the re-establishment of x8800 as internal Technical Support.

Address the electronic storage needs of the Unified Government, the Department of Technical Services will deploy a new Storage Area Network that will increase storage capacity in 2015. The ongoing goal is to maintain storage utilization at 80%.

Maintain a 99% system and service availability based on issues related to unscheduled downtime.

Standing Committee	Neighborhood Comm. Dev.	Administration Services	Human	Eco. Dev.	Pub. Works Pub.Safety	Comments
Commission Priority	Housing- Multimodal Transportation Healthy Community/Recreation	Education/Workforce Social Services Innovation Customer Service		Economic Development Fiscal Sustainability	Infrastructure - Environment Public Safety	

County Clerk

Maintain property ownership integrity by ensuring the follow measure are adhered to for routine filings:

- o Pull deed filing reports on a daily basis and update conveyances within a 48 hour turn-around or 2 business days
- o Send same day “acknowledgment of receipt” notifications internally and externally to confirm ownership update or Mailing Address Change Form documents received
- o Tax Mailing Address Change Forms will be updated in CIC within 5 business days of date received

Senior Citizen Utility Rebate Program

A program to service low-income elderly citizens of Kansas City, Kansas which helps them recover a portion of taxes paid in the previous year. To qualify for the refund you must be a Kansas City, Kansas resident, be 65 years of age or older for the entire previous calendar year and have a gross income from all sources (including that of spouse) shall not exceed \$25,000 per year. Staff will track:

x

- o Yearly Rebate Amounts
- o Age of Program Participants
- o Income of Program Participants
- o Number of Rebates by Commission Districts
- o Number of Eligible Participants by Age & Income

Kansas Homestead Refund

Standing Committee	Neighborhood Comm. Dev.	Administration Services	Human	Eco. Dev.	Pub. Works Pub.Safety	Comments
Commission Priority	Housing- Multimodal Transportation Healthy Community/Recreation	Education/Workforce Social Services Innovation Customer Service		Economic Development Fiscal Sustainability	Infrastructure - Environment Public Safety	

A real estate tax rebate program for homeowners in Wyandotte County. This program provides eligible homeowners with an opportunity to directly apply a portion of their expected Homestead Property Tax Refund toward the first half of their real estate taxes. To qualify for the refund you must be a homeowner, with a total income for everyone in the household of \$32,900 or less and, born before January 1, 1959; or dependents under the age of 18 who live with you; or totally and permanently disabled or blind; or a Veteran with 50% or more permanent disability while on active duty; or surviving spouse of disabled veteran or active duty who died in x

- o Yearly Rebate Amounts
- o Age of Program Participants
- o Income of Program Participants
- o Number of Rebates by Commission Districts
- o Number of Rebates by City
- o Number of Eligible Participants by Age & Income
- o Delinquent Property Tax Participants
- o Amount Applied Directly to Taxes

Standing Committee	Neighborhood Comm. Dev.			Administration Services				Eco. Dev.		Pub. Works Pub. Safety			Comments
Commission Priority	Housing-	Multimodal Transportation	Healthy Community/Recreation	Education/Workforce	Social Services	Innovation	Customer Service	Economic Development	Fiscal Sustainability	Infrastructure -	Environment	Public Safety	

Community Development

Strategic Goal #1: Provide an effective and transparent CDBG process that allows for revitalization in qualified areas of the community. This will allow CDBG to be used for housing investments, infrastructure improvements, and as a tool for economic development activities in target areas. Community Development will do this by working with a variety of community partners that will help the UG utilize funding provided by the federal government to its maximum benefit.

Objectives to move toward Goal #1 for 2015-2016:

- Community Development Block Grant Application for Funding Process Enhancement 2015-2016
 - o Develop and finalize application for Administration and Human Service Standing Committee review and approval by October 26, 2015
 - o Issues requests for 2016 Applications for CDBG Funding by November 6, 2015
 - o Develop an internal evaluation system for vetting application received to ensure meeting requirements for the CDBG program from HUD by December 10, 2015.
- o Successfully complete first utilization of CDBG application process by presenting application evaluations and recommendations to Administration and Human Service Standing Committee on February 22, 2016
- o Seek input from applicants through utilization of a survey on the process for 2016, prior to issuing solicitation for next round of grant dollars in 2016-2017.

x

x

x

Standing Committee	Neighborhood Comm. Dev.	Administration Services	Human	Eco. Dev.	Pub. Works Pub. Safety	Comments
Commission Priority	Housing- Multimodal Transportation Healthy Community/Recreation	Education/Workforce Social Services Innovation Customer Service		Economic Development Fiscal Sustainability	Infrastructure - Environment Public Safety	

Strategic Goal #2: Community Development Department will continue to enhance web based information that is available to its customers and future customers within Kansas City, KS.

x

x

Objectives to move toward Goal #2 for 2015-2016:

- To increase customer service and transparency in 2015-2016, Community Development will:

o Create Community Development Department webpage for Section 3 with the following information: UG Section 3 Policy, UG Section 3 Reports section, and links to HUD Section 3 pages by January 30, 2016

o Create Community Development Department webpage for Fair Housing with the following information: UG information regarding contracts for deed, tenant videos, fair housing brochure, Regional Fair Housing Plan, links to Human Resources Department, and links to HUD Fair Housing pages by January 30, 2016

Standing Committee	Neighborhood Comm. Dev.	Administration Services	Human	Eco. Dev.	Pub. Works Safety	Pub.	Comments
Commission Priority	Housing- Multimodal Transportation Healthy Community/Recreation	Education/Workforce Social Services Innovation Customer Service		Economic Development Fiscal Sustainability	Infrastructure - Environment Public Safety		

County Administration

Administration

- Successfully negotiate and secure new Memorandums of Understanding with all labor unions during calendar year
- Complete Fire Study, Jail Study, Police Study and Compensations Study during calendar year 2015.
- Develop request for proposal, hire consultant and start study for law enforcement services in 2015 and complete implementation during 2016.
- Complete hiring of the following new department directors and other critical organizational positions during calendar year 2015:
 - o Assistant County Administrator
 - o Health Director
 - o Parks and Recreation Director
 - o Purchasing Director
 - o Emergency Management Director
 - o Chief Counsel
 - o Chief Knowledge Officer
 - o General Services Director

Media Relations

Continue to promote the UG Facebook page and grow its followers from 1,900 who use the page to receive and communicate information with the Unified Government to more over the course of the year.

x

x

x

x

x

x

x

Standing Committee	Neighborhood Comm. Dev.	Administration Services	Human	Eco. Dev.	Pub. Works Safety	Pub.	Comments
Commission Priority	Housing- Multimodal Transportation Healthy Community/Recreation	Education/Workforce Social Services Innovation Customer Service		Economic Development Fiscal Sustainability	Infrastructure - Environment Public Safety		

Election Commission

Maintain the perception of Wyandotte County voters and residents that the quality of the election office as well as the quality of community elections remain firmly in the quadrant of exceeds expectations in the community survey. (This will be measured through a new community wide survey to be conducted in 2016. Election Commission staff will also look at other means to report satisfaction and quality service.)

x x

Standing Committee	Neighborhood Comm. Dev.	Administration Services	Human	Eco. Dev.	Pub. Works Pub. Safety	Comments
Commission Priority	Housing- Multimodal Transportation Healthy Community/Recreation	Education/Workforce Social Services Innovation Customer Service		Economic Development Fiscal Sustainability	Infrastructure - Environment Public Safety	

Health

Increase the percent of Health Department adolescent clients who are up-to-date with their Human Papilloma Virus (HPV) vaccine series of 3 shots, from 43% to 60%, by September 1, 2016.

Provide the new March of Dimes' Becoming a Mom prenatal educational program series to 200 pregnant women at community settings in Wyandotte County by June 30, 2016.

Healthy Communities Wyandotte will seek to establish partnerships with 10 new Wyandotte County organizations that serve children and families, by June 30, 2016, for purposes of promoting the 1-2-3-4-5 Fit-Tastic healthy lifestyles initiative to help combat childhood obesity.

As a part of our Healthy Communities Wyandotte outreach efforts to create a healthier community through environmental infrastructure change, 3 new miles of off-road walking/bike trails will be created by the end of summer 2016.

Assist 300 individuals/families at the Health Department enroll in health insurance through the ACA Marketplace, during the 2015-2016 open enrollment.

Standing Committee	Neighborhood Comm. Dev.	Administration Services	Human		Eco. Dev.		Pub. Works Pub. Safety	Comments
Commission Priority	Housing- Multimodal Transportation Healthy Community/Recreation	Education/Workforce Social Services Innovation Customer Service			Economic Development Fiscal Sustainability		Infrastructure - Environment Public Safety	

The Division of Air Quality will conduct 61 comprehensive air quality inspections of our community’s most significant air pollution sources between October 1, 2015 and September 30, 2016, to determine compliance with regulations and permit conditions, and to offer compliance assistance.

Standing Committee	Neighborhood Comm. Dev.	Administration Human Services	Eco. Dev.	Public Works Public Safety	Comments
Commission Priority	Housing- Multimodal Transportation Healthy Community/Recreation	Education/Workforce Social Services Innovation Customer Service	Economic Development Fiscal Sustainability	Infrastructure - Environment Public Safety	

Human Resources

Develop Firefighter Trainee Program

Working with Fire Department on results of Facets study

- o Working towards quarterly testing for Fire

On-going recruiting process for Public Safety

- o Police Department – implemented monthly testing

- o Sheriff Department – working towards monthly testing and physical agility course for deputies

Continue to review and revise HRG policies

- o Selection/Transfer of Employees 2.6

- o Selection/Transfer of Public Safety Employees 2.6A

- o Residency Requirement

Benefits

- o Healthcare 4.1

Pay Practices

- o Classification and Compensation 3.1

FLSA changes

Create a Safety Manual to be utilized for all UG employees in 2015.

Continue safety initiatives that will reduce the number of workers compensation claims by 5% in 2015 as compared to 2014.

Standing Committee	Neighborhood Comm. Dev.	Administration Human Services	Eco. Dev.	Public Works Public Safety	Comments
Commission Priority	Housing- Multimodal Transportation Healthy Community/Recreation	Education/Workforce Social Services Innovation Customer Service	Economic Development Fiscal Sustainability	Infrastructure - Environment Public Safety	

Human Services

The goal of Human Services is to improve the quality of life for people in Wyandotte County through engagement of citizens and community-based organizations

Complete BASIS assessment for eligibility of services within seven days of application per our contract with the Kansas Department of Children and Families.

Standing Committee	Neighborhood Comm. Dev.	Administration Human Services	Eco. Dev.	Public Works Public Safety	Comments
Commission Priority	Housing- Multimodal Transportation Healthy Community/Recreation	Education/Workforce Social Services Innovation Customer Service	Economic Development Fiscal Sustainability	Infrastructure - Environment Public Safety	

Legal Counsel Office

Claims/Litigation

- Refine existing database to better monitor status of claims/lawsuits by the end of 2015.
- Establish benchmark to complete preliminary investigation and evaluation.
- Evaluate the percentage of claims/lawsuits handled internally compared to by outside counsel to monitor and better control legal fees and expenses and establish a benchmark.

Training

- Provide 40 training sessions to law enforcement personnel annually.
- Offer training tailored to specific departments/divisions with a target of providing 6

Contract Review/Requests for service

- Establish a database to track receipt and monitor status of request.
- Establish benchmark to complete initial turn around.

Customer Service/Communication

- Require all staff to complete Customer Service
- Schedule staff meetings to improve communication and more effectively manage time and effort.

Standing Committee	Neighborhood Comm. Dev.			Administration Human Services			Eco. Dev.	Public Works Public Safety			Comments
Commission Priority	Housing-	Multimodal Transportation	Healthy Community/Recreation	Education/Workforce	Social Services	Innovation	Customer Service	Economic Development	Fiscal Sustainability	Infrastructure - Environment Public Safety	

Municipal Court

Implementation of new court tracking system that tracks cases by the number of tickets issued instead of by the number of charges filed.

Increased cooperation between the Sheriff, District Attorney, District Court and Municipal Court to reduce the average number of KCK only prisoners in order to reduce farm outs.



Staff Request for Commission Action

Tracking No. 16778

Full Commission Meeting Date: NA

Committee: Administration & Human Services

Date of Standing Committee Action: 9/19/16

(If none, please explain):

Publication Required: No

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
09/01/2016	Ken Moore	x5070	kjmoore@wycokck.org	Legal

Item Description:

Explanation and discussion of the statutory procedure and reasons for de-annexation of land near Lake Quivira.

Action Requested:

Discussion item, no action requested.

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:



Staff Request for Commission Action

Tracking No. 16781

Full Commission Meeting Date: N/A

Committee: Administration & Human Services

Date of Standing Committee Action: 9/19/2016

(If none, please explain):

Publication Required: No

<u>Date:</u> 09/06/2016	<u>Contact Name:</u> Terry Brecheisen	<u>Contact Phone:</u> x6707	<u>Contact Email:</u> tbrecheisen@wycokc.org	<u>Department/Division:</u> Health Department
<u>Item Description:</u> The Public Health Department of the Unified Government of Wyandotte County and Kansas City, Kansas is currently initiating a comprehensive Community Health Assessment to be initiated in October 2016 and completed in March 2017.				
<u>Action Requested:</u> Information only				
<u>Budget Impact: (if applicable)</u> Amount: \$0.00 Source: Included In Budget: \$25,000.00 Other (explain): Contractual services				
<u>Attachments List:</u> CHA				

Community Health Assessment and Planning: Wyandotte County

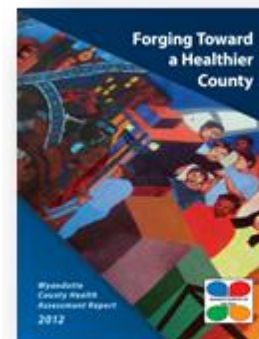


Public Health
Prevent. Promote. Protect.



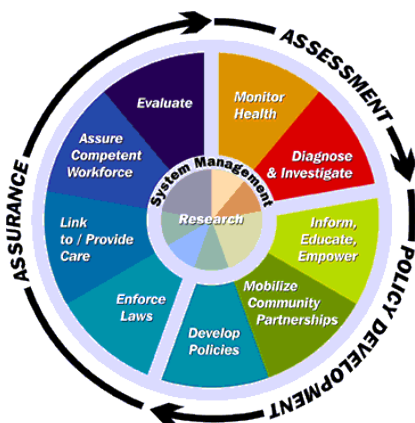
Background

The fundamental purpose of Public Health is defined by three functions: Assurance, Assessment and Policy Development (see graphic below). Public health departments should lead their communities in an assessment and planning process every five years (PHAB Standards, v 1.5). Wyandotte County's last Community Health Assessment was in 2012.



The Public Health Department of the Unified Government of Wyandotte County and Kansas City, Kansas is currently initiating a comprehensive [Community Health Assessment](#) to be initiated in October 2016 and completed in March 2017. This will include:

- ✓ Identifying and describing the community's health and areas for improvement
- ✓ Collecting data and information about factors contributing to the county's health, including specific health inequities and populations at risk
- ✓ Conducting a concerns survey and focus groups and working with community partners to gather data from assessments and surveys already conducted
- ✓ A large amount of community stakeholder participation



Community Health Improvement Plan

The Community Health Assessment collects and presents data. The second stage in the process is completing a comprehensive community health improvement plan (CHIP). This plan creates a [community-driven blueprint for community health improvement](#) for the next five years. The CHIP builds on Healthy Communities Wyandotte's Recommendations for a Better Future and outlines a health improvement plan for the next 5 years with strategies that:

- Are measurable and time-framed
- Are evidence-based, practice-based, promising or innovative practices
- Consider social determinants and health inequities
- Include plans for policy change
- Consider state and national health improvement priorities
- Identify individuals or organizations responsible for each strategy's implementation
- Are based on data and community priorities identified by the Community Health Assessment
- Include significant community stakeholder participation

Sample Section from a Community Health Improvement Plan (CHIP)

OBJECTIVE #2: Increase the participation in the RSVP Bone Builders Program in Logan County					
STRATEGY: Expand the Bone Builders Program.					
Source: Logan County Community Health Assessment					
Justification: 70.7% of respondents very concerned/concerned about Lack of Physical Activity and Access to fitness facilities					
Evidence Base: Bone Builders Program developed by Rutgers University					
Policy Change (Y/N): No					
ACTION PLAN					
Activity	Target Date	Year	Lead Person/ Organization	Anticipated Result	Framework Level
Research funding prospects to cover start-up costs	Dec. 31, 2012	One	Tami Dillman - Central Valley Health	Funding Prospect List	Motive
Provide an update to Interagency Group and Promote the process	Jan. 14, 2013	Two and Three	Robin Iszler and Jean Johnson - Central Valley Health	Community Support	Education
Work with RSVP+ND Program to determine Gackle location and establish program	Dec. 2015	Two and Three	Deb Lee - South Central RSVP+ND Program Coordinator	Gackle Program	Ability

Highlight: What is PHAB?

PHAB is the Public Health Accreditation Board. PHAB has developed standards for excellence for city, county, state and tribal health departments across the nation. PHAB accreditation is voluntary but is expected to eventually be required or impact funding (the State of Ohio has required all Ohio health departments to become accredited).

PHAB has developed standards for both Community Health Assessments and Community Health Improvement Plans to ensure these processes are high quality. Wyandotte County will want to meet these standards in order to guarantee quality outcomes and to include these required processes in the health department's PHAB accreditation application.



Staff Request for Commission Action

Tracking No. 16782

Full Commission Meeting Date: 9/29/2016

Committee: Administration & Human Services

Date of Standing Committee Action: 09/19/2016

(If none, please explain):

Publication Required: No

<u>Date:</u> 09/06/2016	<u>Contact Name:</u> Terry Brecheisen	<u>Contact Phone:</u> x6707	<u>Contact Email:</u> tbrecheisen@wycokc.org	<u>Department/Division:</u> Health Department
<u>Item Description:</u> The UG Public Health Department in collaboration with KU Medical Center and The Community Health Council is applying for a March of Dimes grant in the amount of \$60,000.00 to provide Medicaid "Eligibility Specialist" position who would work from multiple sites. There is no match required.				
<u>Action Requested:</u> Approval of grant application.				
<u>Budget Impact: (if applicable)</u> Amount: \$0.00 Source: Included In Budget: Other (explain): Application for grant funds				
<u>Attachments List:</u> March of Dimes				

March of Dimes Chapter Community Grants Program

This grant has three priority areas for projects which include 1) have the operational infrastructure to implement new programs/provide program enhancements, 2) focus on multiple sites or are collaborative in nature and 3) increase access to health care and/or prevention services to help reduce disparities in preterm births. The RFP more specifically states projects may include increasing pregnant women's participation in state or local maternal child health programs such as Medicaid, CHIP, WIC through enhanced outreach, education and public awareness.

Through a collaborative effort between The Wyandotte County Health Department, KU Medical Center and the Community Health Council of Wyandotte County a joint proposal is being submitted to the March of Dimes. The proposal is to fund an "Eligibility Specialist" who would work from multiple sites completing applications and determining eligibility for Medicaid for pregnant women and children. We are requesting \$60,000 which covers the salary, benefits and incidentals such as mileage, equipment and marketing. The "Eligibility Specialist" would be an employee of the Health Department. This grant does not require any matching for funding.

This particular grant does not have set objectives or outcomes. Each grantee is to develop their own measureable objectives and outcomes dependent on the benefits to the client population they are serving.



Staff Request for Commission Action

Tracking No. 16788

Full Commission Meeting Date: Planning Commission

Committee: Administration & Human Services

Date of Standing Committee Action: 9/19/16

(If none, please explain):

Publication Required: No

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
09/08/2016	Robin H. Richardson	x5774	rrichardson@wycokck.org	Urban Planning & Land Use

Item Description:

Zoning code amendment to Section 27-593 concerning special use permit requirements.

Recent changes in State law necessitates certain amendments. As some changes were mandated, we are taking this opportunity to address a request from BPU to take down old water towers and replace them with stealth telecommunications poles.

Action Requested:

Authorize proceeding to the Planning Commission for review and recommendation

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

Amendments

Sec. 27-593. - Allowable special uses.

- (a) The following uses may be permitted under special use permit in any zoning district except as specifically limited herein:
- (1) Amusement parks, privately owned and operated athletic fields, and race tracks.
 - (2) Assembly halls, community centers, exhibition halls, and convention centers.
 - (3) Bingo parlors.
 - (4) Children's day care and nursery facilities.
 - (5) Concert halls, discotheques, and dance halls.
 - (6) Crematories, when not an accessory use to a funeral home.
 - (7) Electronic message centers in districts C-2 through M-3.
 - (8) Extraction of raw material, such as rock, gravel, and sand.
 - (9) Farm wineries.
 - (10) Golf driving ranges, miniature golf courses.
 - (11) Home occupations.
 - (12) Hospitals, special purpose hospitals and other facilities for treatment of humans.
 - (13) Institutions of an educational, religious, philanthropic or eleemosynary nature.
 - (14) Keeping of livestock on acreage between one and five acres.
 - (15) Microbreweries.
 - (16) Motels, hotels, motor hotels.
 - (17) Nursery sales office, building, greenhouse or area.
 - (18) Nursing and convalescent homes.
 - (19) Off-site directional signs for residential land developments.
 - (20) Off-street parking lots for passenger vehicles.
 - (21) Outdoor advertising signs whenever the zoning lot has a minimum of 2,500 square feet in area and is located abutting a freeway or expressway in the C-2 through M-2 districts.
 - (22) Outdoor motion picture theatres.
 - (23) Private or commercial facilities for tennis, handball, racquet ball or similar recreation.
 - (24) Production or assembly of measuring and controlling instruments, optical, medical, and photographic equipment, and semiconductors and electric components which are small, precision made and of relatively low production bulk in the C-D and C-3 districts.
 - (25) Public utility services or public service corporations, which buildings or uses are deemed reasonable and necessary for the public convenience and welfare.
 - (26) Riding stables and tracks.
 - (27) Temporary use of land for commercial or industrial uses; provided, however, that any building or structure constructed thereon which is not otherwise permitted in the district in which such land is situated shall be temporary and any stored equipment or material shall be removed upon the date of expiration of the special use permit, which permit shall not be approved for more than two years.
 - (28) Veterinary clinics, dog kennels.

(29) The unified government board of commissioners may, upon application by the proponent, issue a special use permit for the use of a specified parcel of land for such temporary shortterm uses as trade shows, street fairs, expositions, promotional ventures and entertainment, without publication or posted notice and without referral to the planning commission, provided the following conditions are met:

- a. The applicant shall submit in written form a complete description of the proposed use, including estimated accumulation of automobiles and persons, hours of operation, and other characteristics and effects on the neighborhood.
- b. The short term special use shall not be operated longer than ten consecutive days.
- c. Upon the cessation of the short term special use, all materials and equipment shall be promptly removed and the property restored to its normal condition.

If, after giving full consideration to the effect of the requested special use on the neighborhood and the community, the unified government board of commissioners deems the special use reasonable, the special use permit for the short term use may be approved. Conditions of operation, provision for surety bond, and other reasonable safeguards may be written into the special use permit. Such permit may be approved in any zoning district, and the required fee shall be paid.

(30) *Wireless communication facilities.*

- a. *Findings.* The Telecommunications Act of 1996 granted authority to local jurisdictions over decisions regarding the placement, construction, and modification of wireless communication facilities. Kansas law, Senate Sub. For HB 2131, added certain regulations pertaining to the siting of wireless telecommunications infrastructure and pertaining to the permit application process between wireless service providers and municipalities, but maintained municipalities' home rule power in their administration and regulation related to the management of the public right-of-way. Notably, the right of a wireless service provider or wireless infrastructure provider to use and occupy the public right-of-way shall always be subject and subordinate to the reasonable public health, safety and welfare requirements and regulations of the unified government. The unified government has diverse and unique landscape features, natural resources, and residential, commercial and historic neighborhoods that must be protected with quality land use development regulations, including regulations governing the location and design of wireless communication facilities.
- b. *Purpose.* The purpose of these regulations is to ensure that wireless communication facilities are appropriately designed and sited to ensure compatibility with current and future land uses, while ensuring that wireless service providers are able to provide customers with adequate wireless service. Compatibility touches upon several key factors, including:
 1. Aesthetics, including scale (both in terms of mass and height) in association with onsite and offsite land uses.
 2. Preservation of open space.
 - ~~3. Use of existing structures to blend wireless communication facilities into existing structures.~~
 34. Safety.
 45. Compliance with existing development guidelines.
 56. Siting of wireless communication facilities to ensure minimal disruption to future development patterns, both onsite and offsite.

~~Compatibility in light of the above factors may be more readily achieved by applicants through (i) long-range planning for the needs of wireless service providers; (ii) technical documentation of the need for certain wireless communication facilities; (iii) collocation on existing structures and integration of those facilities with existing architectural features; (iv)~~

~~use of design techniques that minimize the visual appearance of wireless communication facilities; (v) use of stealth communication towers where existing structures are not available upon which to place wireless communication facilities; and (vi) neighborhood participation in the siting and design of wireless communication facilities.~~

- c. *Definitions.* The following definitions control this chapter. Other terms used throughout this chapter shall have the same meaning as elsewhere defined in the zoning ordinance, if defined therein.

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

Applicant. The person or entity making application for a wireless communication facility pursuant to this chapter.

Base station equipment. Base transceiver station equipment, whether stand-alone "outdoor equipment", wall-pack equipment, or equipment located within an equipment shelter.

City. The City of Kansas City, Kansas.

Collocation. The act of placing a wireless communication facility on an existing (i) building, (ii) water tank, (iii) billboard, (iv) communication tower, or other previously approved structure within the city's boundaries.

Collocation installation. A wireless communication facility located on an existing (i) building, (ii) water tank, (iii) billboard, (iv) communication tower, or other previously approved structure within the city's boundaries.

Communication tower. An uninhabitable man-made support structure constructed for the primary purpose of placement of antennas for the transmission and distribution of radio frequency signals.

Distributed antenna system. A network that distributes radio frequency signals and consisting of: (A) Remote communications or antenna nodes deployed throughout a desired coverage area, each including a least one antenna for transmission and reception.

Governing body. The elected political body of the city.

Guyed communication tower. A communication tower structurally supported by guy wires.

Lattice communication tower. A communication tower structurally supported through the cross-bracing of steel members, and sometimes also referred to as a "self-support tower".

Monopole communication tower. A concrete spun or prefabricated tubular steel or carbon communication tower.

Planning department. The city's urban planning and land use department.

Property owner. The owner or owners of real property in fee simple.

Small cell facility. A wireless facility that meets both of the following qualifications: (A) Each antenna is located inside an enclosure of no more than six cubic feet in volume, or in the case of an antenna that has exposed elements, the antenna and all of the antenna's exposed elements could fit within an imaginary enclosure of no more than six cubic feet; and (B) primary equipment enclosures that are no larger than 17 cubic feet in volume, or facilities comprised of such higher limits as the Federal Communication Commission has excluded from review pursuant to 54 U.S.C. § 306108. Associated equipment may be located outside the primary equipment, and if so located, is not to be located in the calculation of equipment volume. Associated equipment includes, but is not limited to, any electric meter,

concealment, telecommunications demarcation box, ground-based enclosures, back-up power systems, grounding equipment, power transfer switch, cut-off switch and vertical cable runs for the connection of power and other series.

Small cell network. A collection of interrelated small cell facilities designed to deliver wireless services.

Stealth communication tower. A monopole communication tower designed, in order of preference (i) with antenna mounting hardware and antenna mounts that are concealed within a canister so that the antennas are not visible; (ii) with antennas that are flush mounted to the pole to minimize the horizontal profile of the structure; or (iii) to be integrated into stadium lights at public parks or schools, or as light standards in parking lots.

Tower owner. An owner of a communication tower.

Wireless communication facility. An antenna installation, associated coaxial cable and associated base station equipment used by a wireless service provider to provide wireless service to customers. If a wireless communication facility is located on a communication tower, the communication tower and wireless communication facility are collectively the wireless communication facility. For purposes of this code, “wireless communications facilities” shall include all facilities and structures that fall within the definition of “wireless facility” and “wireless support structure” found in Senate Sub. for HB 2131.

Wireless services. Means “personal wireless service” and “personal wireless services facilities” as defined in 47 U.S.C. § 332(c)(7)(C), including commercial mobile services as defined in 47 U.S.C. § 332(d), provided to personal mobile communications devices through wireless facilities or any fixed or mobile wireless services provided using wireless facilities.

Wireless service provider. An entity holding a license issued by the Federal Communications Commission to send and receive radio frequency signals in the cellular and PCS band spectrums within the jurisdictional boundaries of the city.

Zoning ordinance. The zoning ordinance of the city of Kansas City, Kansas, codified in chapter 27 of this Code.

- d. *Burden of proof.* As to the contents of the application for any wireless communication facility required hereby, the burden of proof of establishing (i) compliance with this chapter; ~~and (ii) the need for the wireless communication facility, from a technical perspective,~~ rests squarely on the applicant for the wireless communication facility to establish compliance by clear and convincing evidence.
- e. *Applicability of chapter—Conflict.* This chapter applies to the construction and maintenance, repair, upgrade and operation of wireless communication facilities and communication towers. Wireless communication facilities may be permitted subject to administrative determination, permitted by special use permit, or prohibited based upon the present zoning designation of the property on which an application for a wireless communication facility is made. The differences in designations recognize that, in certain circumstances, wireless communication facilities and communication towers may not be compatible with adjacent land uses or the health, safety and welfare of the community as a whole.

This chapter is supplementary to other dimensional and density standards set forth in the zoning ordinance. In the event of conflict between this chapter and any other chapter of the zoning ordinance, the provisions of this chapter shall control.

- ~~f. *Wireless master plan required.* At the time of making application for a wireless communication facility, whether administratively or specially permitted, the wireless service provider which is the underlying user of the wireless communication facility, shall file with the city planning department a wireless master plan documenting the current location from which~~

~~it operates wireless facilities in and within one-half miles of the jurisdictional limits of the city. The plan shall include the existing locations of wireless communication facilities currently operated by the user and any location at which the wireless service provider plans to construct new wireless communication facilities in the next three years. For each existing site location shown, the plan shall include the address, the name of the property owner, the height and orientation of the antennas at the site and a depiction of service coverage from the site (e.g., through a propagation map).~~

~~For proposed sites, the plan shall document the location(s) at which a wireless communication facility is anticipated to be constructed, the time in which it is anticipated to be constructed, and an explanation of the existing service deficiency.~~

~~The submission of a master plan in compliance with this section does not vest a wireless service provider with any right to construct a wireless communication facility in a region designated for future network expansion. If the wireless service provider's network design changes, so as to render the presently filed master plan outdated or inaccurate, the burden to modify, supplement or amend the master plan is on the wireless service provider.~~

~~g. *Statement of cooperation.* To minimize the aesthetic concerns associated with the proliferation of communication towers, any applicant for a new communication tower shall sign a statement indicating that it intends to rent space to other wireless service providers and allow collocation on its existing towers within the city's jurisdictional boundaries on commercially reasonable terms if it is technologically feasible. The provider shall not intentionally create technological issues for other carriers. This policy is designed to encourage the modification and/or reconstruction of existing communication towers in lieu of constructing new communication towers adjacent or in close proximity to existing communication towers.~~

~~All applicants further agree to cooperate with the city to provide the city and any technical consultant the city may retain with sufficient data to analyze an application filed pursuant to the provisions of this article.~~

~~h. *Designation of uses as administrative determination, specially permitted, and prohibited.* Wireless communication facilities are authorized subject to the following:~~

	AG Zone	Residential Zones	Commercial Zones	Industrial Zones	<u>Public Right-of-Way</u>
Guyed Tower	Prohibited	Prohibited	Prohibited	Prohibited	<u>Prohibited</u>
Self Support Tower	Prohibited	Prohibited	Prohibited	Prohibited	<u>Prohibited</u>
Monopole Tower under 199 feet	Prohibited	Prohibited	Prohibited	Specially Permitted*	<u>Specially Permitted*</u>
Stealth Tower between 80 and 199 feet	Specially Permitted*	Prohibited	Specially Permitted*	Administrative Determination*	<u>Specially Permitted*</u>

Stealth Tower Under 80 feet	Specially Permitted	Specially Permitted	Administrative Determination*	Administrative Determination*	<u>Specially Permitted*</u>
Collocation Installation	Administrative Determination**	Administrative Determination**	Administrative Determination**	Administrative Determination**	<u>Administrative Determination**</u>
<u>Small cell netowrk</u>	<u>Administrative Determination**</u>	<u>Administrative Determination**</u>	<u>Administrative Determination**</u>	<u>Administrative Determination**</u>	<u>Administrative Determination**</u>
<u>Distributed Antenna System</u>	<u>Administrative Determination**</u>	<u>Administrative Determination**</u>	<u>Administrative Determination**</u>	<u>Administrative Determination**</u>	<u>Administrative Determination**</u>

*Subject to separation, setback and application submission requirements specified in this chapter.

**Subject to application submission requirements specified in this chapter, and provided that collocation in single family, two-family residential and agricultural zones is limited to nonresidential structures. Provided further that no collocation installation may be placed on any residential structure shorter than 30 feet in height, and any collocation on a structure shorter than 60 feet in height shall be integrated into the structure on which the wireless communication facility is placed.

The administrative determination, decision rests solely in the discretion of the director of planning, who may consider the future land use designation of the property or the area surrounding the property, based upon the city's comprehensive plan or any applicable area plan, neighborhood conditions, the existing or potential for the proliferation of wireless communication facilities in the surrounding area, or any other matter that, in the director of planning's discretion, warrants additional consideration or relates to the application. The applicant may appeal the administrative decision by filing for a special use permit within one month of the administrative determination.

- i. *Who may apply for communication tower.* No application for a communication tower will be accepted by the planning department unless accompanied by an affidavit by a wireless service provider that it is constructing and will own and operate the tower, or, if it will not own and/or operate the tower, that it will collocate on the communication tower within six months of issuance of a certificate of occupancy for the tower. Failure to comply with this statement will render the communication tower subject to the provisions for removal set out in [subsection n.2.] below. The purpose of this provision is to discourage the construction of speculative communication towers within the city's jurisdictional boundaries and to make clear that, if approved, these towers are constructed "at risk" and in the absence of use of the tower by a wireless service provider, the city retains the right to require its removal.
- j. *Development standards applicable to construction of all wireless communication facilities.*

1. The following standards shall apply to all wireless communication facilities:
 - i. No commercial advertising shall be allowed on a wireless communication facility, unless that wireless communication facility is actually located on an existing, approved sign. wireless communication facilities may have safety or warning signs in appropriate places;
 - ii. No signals, lights or illumination shall be permitted on a wireless communication facility, unless required by the Federal Aviation Administration. Should lighting be required by state or federal law, the lighting shall be placed on the communication tower and designed in a way as to minimize, to the fullest extent possible, glare onto adjacent residential properties;
 - iii. Light fixtures may be attached if required by the FAA, as described in (vi) below or if part of a stealth communication tower design of or incorporated into and used for the illumination of athletic fields, parking lots, streets or other similar areas. Lighting of the accessory buildings for basic security purposes is permissible but may not result in glare on adjacent properties;
 - iv. The height of a communication tower or wireless communication facility shall conform to the height limitations of an applicable overlay district, if an overlay is used;
 - v. All wireless communication facilities shall be sited to have the least intrusive visual effect, as is practical, on the environment and adjacent properties.
 - vi. For existing communication towers, lighting and painting requirements shall be in accordance with FAA guidelines. For new communication towers, if an option exists to light a tower in lieu of painting the tower, applicant must agree to light the tower.

k. Application submission requirements for wireless communication facilities.

Prior to submission of an application for a communication tower or a wireless communication facility, the applicant shall arrange a pre-application conference with the director of planning. The director of planning will advise the applicant of the process that will be employed by his or her designee and discuss alternative designs, if appropriate.

The materials listed below must be submitted by the applicant to the planning department before the application shall be deemed complete and before an administrative determination is made or the submittal is forwarded to the planning commission for consideration. On receipt of an application, within one week thereof, the director of planning or his/her designee will notify the applicant if the application is complete. A finding that an application is complete has no bearing on the appropriateness of the use applied for and does not mitigate the director of planning's authority to (i) continue the matter for further investigation for review of the application materials provided; (ii) request additional technical information relating to compliance with the standards adopted herein.

At the time of application for a wireless communication facility or a communication tower, the applicant shall submit:

1. Written authorization from the owner of the property on which the wireless communication facility will be located.
2. A final development plan in accordance with subsection 27-277(g) of the zoning ordinance, showing existing and proposed structures, the location of the proposed wireless communication facility and/or other uses, access road(s) location, access road surface material, parking area, screening walls and materials, location and content of warning signs, exterior lighting specifications, a landscaping plan, land elevation contours, existing land uses and zoning designations surrounding the site. If any

accessory structure is proposed, details of the structure, including elevations and proposed use of the structure, shall be included.

3. A title report and vesting deed, or certification of current ownership from the county register of deeds, documenting ownership of the property.

The following additional information is required for communication towers and [collocation] installations except for collocations on existing telecommunication tower facilities, as applicable:

- (a) Application submission requirements for communication towers and wireless communication facilities ~~communication towers~~ (regardless of whether subject to approval by administrative determination or special use permit.

~~1. *Technical documentation of need for communication tower.* No new communication tower shall be permitted unless the applicant demonstrates, based on substantial evidence and to the reasonable satisfaction of the city, that no existing communication tower or other collocation structure can accommodate the wireless service provider's proposed wireless communication facility. The applicant for a communication tower must present the following:~~

- ~~i. A collocation study documenting the efforts of the wireless service provider to locate on existing structures within the area of deficient service;~~
- ~~ii. Propagation studies documenting deficiencies in wireless service by the wireless service provider;~~
- ~~iii. Drive test data, if requested by the director of planning or the planning commission or board of commissioners, to support the data depicted in the computer-generated propagation study models;~~
- ~~iv. Dropped call data from adjacent wireless communication facilities, separated according to site and by sector, to document the wireless service provider's deficiency in coverage and to document that a new communication tower in the precise region in which it will be located will alleviate the coverage deficiency if requested by the director of planning, or the planning commission or board of commissioners;~~
- ~~v. Documentation showing how a greater number of shorter towers or collocation on existing structures would not sufficiently satisfy the deficiency in service coverage;~~
- ~~vi. For any special use permit for a monopole tower, documentation explaining why a stealth communication tower cannot accommodate the wireless service provider's coverage needs, even if the use of a stealth communication tower results in the need for additional or shorter towers;~~
- ~~vii. If asserted as a reason for applying for a new communication tower, documentation that existing communication towers or structures do not have sufficient structural capacity to support the wireless service provider's wireless communication facility, and that existing or approved communication towers cannot be reinforced or modified; and~~
- ~~viii. Other limiting factors the applicant can demonstrate, not including the provisions of this chapter, that render existing communication towers or structures unsuitable for the wireless service provider's needs.~~

- ~~2. *Security deposit.* In addition to the special use permit and/or administrative determination filing fee applicable to all requests for wireless communication facilities except collocation facilities, an applicant for a communication tower may be required to deposit a fee of \$4,000.00 with the planning department to cover the cost of an independent study of the level of service in the area in question, and shall sign a form~~

~~(i) authorizing the city to use those funds to hire consulting engineers to review the application and to advise the city on the extent to which the applicant has, or has not, met the burden of proof documenting the need for the tower as required by this chapter. Upon the conclusion of this technical review process funds remaining unexpended, if any, shall be refunded to the applicant, and the applicant shall be provided with an accounting for the funds expended. Any unused portion of the deposit will be returned to the applicant within 30 days of disposition of the application.~~

13. ~~Additional cCriteria for review.~~ In addition to the standards and conditions listed in subsections 1 and 2 above, the ~~The unified government~~ city shall consider the following factors in determining whether or not to issue a special use permit or an administrative determination allowing the ~~communication tower~~ wireless communication facility:

- i. The height of the proposed communication tower;
- ii. Proximity of the communication tower or wireless communications facility to residential structures and to residential district boundaries and property master planned for residential use;
- ~~iii. Technical or engineering requirements limiting placement of the wireless communication facility at other, more appropriate areas, to provide the required coverage;~~
- ~~iiii.~~iv. Nature of uses on adjacent and nearby properties;
- iv. Surrounding topography, tree coverage and foliage (natural ~~clutter~~ screening);
- vi. Design of the communication tower or wireless communications facility, based upon consideration of the preferences set out in the definition of stealth communication tower, to mitigate the visual obtrusiveness of the communication tower or wireless communications facility.
- vi. input from neighboring property owners;
- vii. the effect of the proposed communication tower or wireless communications facility on the public health, safety and welfare requirements and regulations of the unified government.

4. *Setbacks and design standards.* The following standards shall apply to communication towers:

- i. No communication tower may exceed 199 feet in height.
- ii. The communication tower shall be set back from the property line in all directions a distance equal to at least the height of the communication tower, if the site is in the AG zone. The communication tower shall be set back from the property line in all directions a distance that is equal to at least one-half its height, if the site is zoned for commercial or industrial purposes. These setbacks may be waived upon receipt of a notarized letter from the fee owner(s) of the parcel from which the waiver is sought acknowledging consent to the waiver and the precise distance of the waiver required from this section.
- iii. Communication towers other than stealth communication towers shall be set back from residential structures by a distance of 300 feet.
- iv. Communication towers other than stealth communication towers shall be set back from all property zoned for residential use or planned for residential use, according to an adopted future land use plan or map, by a distance of 300 feet.
- v. Distance to other communication towers. communication towers shall not be located closer than one-half mile from another communication tower, unless an

applicant proposes a stealth communication tower less than 80 feet in height. In certain circumstances where existing towers are at capacity, the planning commission may recommend a variance to this requirement to the board of ~~commissioners~~zoning appeals.

- ~~vi. Communication towers shall be designed and built to allow expansion at a later date to accommodate collocation by at least one additional wireless service provider for each additional 20 feet of height in excess of 60 feet; provided, however, that no communication tower is required to accommodate more than three wireless service providers.~~
- ~~vii. With the exception of necessary electric and telephone service and connection lines approved by the city, no part of any wireless communication facility, nor any lines, cable, equipment, wires or braces in connection with the facility, shall at any time extend across or over any part of the right-of-way, public street, highway, sidewalk or property line.~~

No wireless support structure, nor any lines, cable, equipment, wires or braces in connection with the facility, shall at any time extend across or over any part of the public right-of-way, public street, highway, sidewalk or property lines if it is reasonably determined to be contrary to the public health, safety or welfare requirements and regulations of the unified government.

- ~~viii.~~ Coaxial cable and conduit from base station equipment to the wireless service provider's antennas shall be routed through entry and exit ports and shall be concealed from view (by traversing the distance between the base station equipment to the antennas through the internal portion of the tower) to the greatest extent possible.

~~viiiix.~~ Screening.

- A. Wireless communication facility compounds shall be screened with minimum ten-foot walls, from grade. These walls must be composed of either (a) solid masonry or (b) wooden fencing set on steel rails with a maximum one-quarter-inch gap between wood slats and masonry columns with a minimum width of two feet and a maximum separation of 16 feet per column. The director of planning or his/her designee must approve all designs or variations to this standard.
- B. Landscaping. The applicant must submit a landscaping plan in accordance with section [27-699] of this chapter. Further, an applicant must provide the planning department with a watering plan/schedule for the first 12 months subsequent to the issuance of a certificate of occupancy for the wireless communication facility to ensure the landscaping will survive. The director of planning or his/her designee must approve all designs or variations to this standard.
- C. All compound entry gates must be constructed of wooden slats set on steel rails.
- x. All compound facilities enclosing wireless communication facilities must be kept free of invasive weed and noxious plant species.
- xi. Driveways. All driveways to compound facilities enclosing wireless communication facilities must be improved with a minimum three-inch thick asphaltic or cement surface.
- xii. Compound size. No special use permit or administrative determination will be issued unless the applicant demonstrates that adequate base station equipment

space is available for the number of collocators the communication tower is intended to accommodate.

- xiii. Power and telephone line burial. Overhead power and telephone lines are prohibited. All power and telephone lines must be buried to a depth of 36 inches below grade, from the source of the utility to the base station equipment or other equipment requiring power associated with the communication tower or wireless communication facility.
- xiv. Every communication tower shall be protected from trespass by unauthorized persons and shall contain an anti-climbing device to discourage climbing the communication tower.
- xv. communication towers and wireless communication facilities shall be constructed using best available engineering practices to ensure life and property safety.
- xvi. Mobile or immobile equipment not used in direct support of a wireless communication facility shall not be stored or parked on or adjacent the compound, unless repairs to the wireless communication facility are currently and actively being made.
- xvii. Lighting of building entries that are part of wireless communication facilities for security is permissible, provided the lights are downward facing 180 degree fixtures with no greater than one foot candle power and are otherwise compliant with section [27-699(b)(9)] of this chapter.
- xviii. All accessory buildings or structures accessory to communication towers shall meet all building design standards as listed in chapter 8, and require a building permit issued by the codes enforcement officer.
- xix. All visible buildings, structures and equipment accessory to a communication tower shall be designed to blend in with the surrounding environment through the use of color, camouflage and architecture.
- xx. No communication tower site may be situated in a designated historic overlay district unless the city's historic preservation commission approves the location and design.
- xxi. Notwithstanding any other provision of this chapter to the contrary, if an existing operable or abandoned water tower is torn down, a new monopole tower no more than 160 feet tall may be built within 200 feet of the former water tower within five years from the date that the water tower is torn down, subject and subordinate to the reasonable public health, safety and welfare requirements and regulations of the unified government.

(b) *Application submission requirements for collocation facilities.*

- 1. Applications for collocation facilities, wherever located, shall be submitted as final development plans subject to administrative determination by the director of planning pursuant to section [27-212(g)] of this chapter.
- 2. The following standards apply to any proposal to attach a wireless communication facility to an existing structure:
 - i. Except for public utility poles, the structure upon which collocation is proposed shall be at least 30 feet in height before a collocation facility may be erected upon, or attached to, it;
 - ii. The structure to which the collocation facility is proposed to be attached may not be a structure designated by the historic preservation commission as a historic structure or be in a designated historic overlay district unless the historic preservation commission approves that collocation;

- iii. The addition of wireless communication facilities to an existing structure shall not cause the height of that structure to increase by more than the greater of (i) ten feet in height, or (ii) (a) 20 percent of the structure's then-existing height or (b) the maximum height allowed in that zoning district, whichever is greater but not to exceed 20 feet. Any proposed increase in height beyond these height restrictions shall require approval through the special use permit process;
 - iv. Collocation facilities erected upon, or attached to, existing structures shall not be subject to standard setback requirements;
 - v. Subject to applicable codes, collocation facilities, including accessory buildings and structures to be located on the same property, shall be located on the roof of the structure when the collocation structure is a building. If the accessory equipment, buildings and other structures can be safely located on the roof of the structure, the equipment (not including antennas) shall be set back from the edge of the roof at least five feet, and shall be painted to match the building or concealed with a screening wall;
 - vi. Ground-mounted base station equipment shall be screened with a screening wall and landscaping as specified in [subsection (a)(30)k(a)4.ix of this section], unless an existing screening wall has already been constructed (e.g., around an existing communication tower);
 - 3. Expansion of communication tower compounds. A communication tower compound may be expanded administratively if the base station equipment complies with the requirements set out in [subsection (a)(30)k(a)4.], and if the communication tower would be allowed subject to administrative determination pursuant to this chapter if newly proposed. The compound may additionally be expanded by administrative determination if the communication tower would not be subject to administrative determination under this chapter, but was a permitted use under the city's previously adopted zoning regulations. The compound may additionally be expanded by administrative determination if the expansion is within a previously approved special use permit boundary. All other communication tower compound expansions must adhere to the special use permit process.
 - 4. Modifications to existing communication towers and wireless communication facilities. Any communication tower or wireless communication facility may be increased in height by not more than 20 percent of its originally approved height through the administrative determination process, provided that if the height increase would have rendered the communication tower prohibited in the first instance under this chapter, that increase is not authorized; provided further, if the increase would have rendered an otherwise administratively approved site subject to a special use permit under this chapter, the request shall be subject to the special use permit notice and hearing requirements.
- I. *Governing body action.*
- 1. A request for the placement ~~or, construction of a or modification to a~~ wireless communication facility or communication tower shall be acted upon within 150 calendar days a reasonable period of time from the receipt of a complete submittal of an application, site plan and supporting documentation, as required in this chapter.
 - 2. A request for a substantial modification to a wireless communication facility or communication tower shall be acted upon within 90 calendar days from the receipt of a complete submittal of an application, site plan and supporting documentation, as required in this chapter.
 - 3. A request for the placement or construction of a small cell facility shall be acted upon within 60 calendar days from the receipt of a complete submittal of an application, site plan and supporting documentation, as required in this chapter.

2. Denial of an application to place, construct or modify a wireless communication facility or communication tower shall be supported by findings based on substantial evidence and shall be provided in written form to the applicant.
- m. *Maintenance and certification standards applicable to all communications facilities.* The following maintenance and operating standards shall apply to any communication tower or wireless communication facility;
1. Any wireless communication facility that is not in use for a period of two or more years shall be removed by the owner at the owner's expense. Failure to remove the wireless communication facility, pursuant to non-use or for any other reason set out in this chapter, may result in removal and assessment of cost to the property pursuant to K.S.A. 12-6a17.
 2. Any owner of a communication tower shall submit a letter to the director of planning by July 1 of each year listing the current users and types of collocation facilities located on the facility.
 3. A sign shall be posted on every wireless communication facility, or on the exterior fence around the wireless communication facility, noting the name and telephone number of the wireless communication facility owner and operator.
 4. The owner/operator shall at all times employ at least ordinary care and shall install, maintain and use commonly accepted methods and devices for preventing failures and accidents that are likely to cause damage, injuries or nuisances to the public.
 5. All communication towers and wireless communication facilities antennas shall conform to the requirements of the Occupational Safety and Health Administration (OSHA).
- n. *Bonding required.*
1. *Safety.* Before a communication tower is erected on publicly owned property, the owner of the communication tower must file with the county clerk a written indemnification of the city and proof of liability insurance sufficient to respond to claims up to \$1,000,000.00, in the aggregate, that may arise from operation of wireless communication facilities within the city.
 2. *Removal.* Before a building permit is issued for any communication tower, the applicant shall present a removal bond to the chief counsel in the amount of \$50,000.00, which bond shall be available for use by the city for the removal of the communication tower should the communication tower ever be abandoned. The bond shall contain the following endorsement:

"It is hereby understood and agreed that this instrument may not be canceled nor any intention not to renew be exercised until 60 days after receipt by the city, by registered mail, of written notice of such intent."
- o. *Inspections.* All communication towers, whether existing or new, shall be inspected every five years by a Kansas licensed professional engineer at the tower owner's expense and an inspection report shall be filed with the director of planning. All communication towers and wireless communication facilities may be inspected at any time by the director of planning. The building official or their designee to determine compliance with original construction standards. Deviation from the original approved construction standards constitutes a violation of this Code and the zoning ordinance.
- Notice of violations will be sent by registered mail to the tower owner, who will have 30 days from the date the notification is issued to make adjustments or repairs. The tower owner shall notify the director of planning. The building official or their designee in writing that the adjustments or repairs have been made, and, as soon as reasonably possible thereafter, another inspection will be made by the director of planning. The building official or their designee to assess compliance. The tower owner shall then be notified of the results of the

second inspection. An appeal of the decision of the codes enforcement officer can be made to the board of zoning appeals in accordance with section 27-53 of this chapter.

- p. *Amateur radio, receive-only and broadcast antennas.* This chapter shall not govern any communication facility that is:
 - 1. Less than 50 feet in height;
 - 2. Located in the rear yard of a residentially zoned parcel;
 - 3. Owned and operated by a federally licensed amateur radio operator; provided, however, that communications towers covered under this paragraph shall not be available for co-location by wireless service providers; or
 - 4. Used solely to transmit and receive commercial AM, FM or television broadcast signals.
- q. *Failure to enforce does not constitute waiver.* No failure by the city or any of its departments to enforce any provision of this section shall constitute a waiver of the provisions thereof. Any failure of a owner or a section provider to comply with the terms of this section may subject the owner and/or provider to revocation of administrative or special permits, and penalties and municipal violations as set out below.
- r. *Violations.* Failure to comply with this chapter or any condition specified in an administratively or specially approved permit constitutes a code violation for which penalties and fines may be imposed.
- s. *Severability.* If any provision of this chapter shall be found to be invalid, that provision shall be severed from this and the remainder of the chapter shall remain in full force and effect.

(31) Farmers' markets in the R through C-0 districts.

- a. Farmers' markets are allowed in A-G and C-1 through M-3 districts upon submitting an annual agreement with the department of urban planning and land use in these districts.

(b) The following uses are permitted only on approval of a special use permit regardless of the zoning district of the proposed location:

- (1) Airport or landing field.
- (2) Salvage yards only on M-3 or MP-3.
- (3) Campgrounds.
- (4) Cemeteries.
- (5) Firing ranges, gun clubs, skeet shoots.
- (6) Halfway houses, group dwellings.
- (7) Hazardous waste transfer stations, storage, processing or disposal sites only in M-3 or MP-3.
- (8) Massage parlors, adult live theaters, body painting salons, nude modeling studios, adult night clubs or cabarets only in C-3, M-2 or M-3 except that such uses shall not be approved if within 500 feet of any church, school (those permitted in residential districts), or residentially zoned area. The 500 feet shall be measured from the exterior of the building in which the specified business is to operate along the shortest line to the property line of the property to be separated.
- (9) Penal or correctional institutions.
- (10) Drinking establishments in which sales of alcoholic beverages are greater than restaurant food sales, class A or class B private clubs, taverns.
- (11) Radio, telephone, and television towers and appurtenance structures.
- (12) Solid waste transfer stations, solid waste storage, processing or disposal sites.
- (13) Special on-site signage as allowed under section 27-739.

- (14) Underground commercial and industrial development limited to uses permitted in the zoning district of the main entrance.
- (15) Any site, location, described or identified parcel of real estate, where earth material is to be brought in, removed, relocated or otherwise taken from one place to another, whether titled under the same, common, or different ownership, except no special use permit shall be required:
- a. Where the amount of earth material is less than 50 cubic yards;
 - b. Where grading is a part of an approved subdivision development for which street and utility plans have been approved;
 - c. Where grading, excavation or filling is required for a building project for which a building permit has been issued;
 - d. Where the quantity of material is less than 5,000 cubic yards and is to be brought in or removed over a period shorter than 60 days to a site in commercial or industrial zoning districts accessible via commercial or industrial streets or major streets as designated on the major street plan; or
 - e. Where the administrator determines that the proposed earth material moving is:
 1. Necessary to abate an emergency situation which otherwise threatens health, safety, or the natural environment; or
 2. Necessary to carry out a public capital improvements project.
- Grading and hauling permits shall be required as determined by the chief building inspector and unified government engineer respectively, regardless of these exceptions.
- (16) Flea markets, only in the C-1 limited business, C-2 general business, C-3 commercial, C-D central business, M-1 light industrial and industrial park, M-2 general industrial, and M-3 heavy industrial districts.
- (17) Lottery gaming facilities, racetrack gaming facilities, lottery gaming enterprises, and pari-mutuel license locations and their related facilities or campuses only in the CP-2 planned general business district subject to the following criteria:
- a. Any approval shall be for one year unless the facility is granted a lottery gaming license or a pari-mutuel gaming license from the state. In the case that a facility is granted a lottery gaming license or a pari-mutuel gaming license from the state, the term of the special use permit shall be for the initial term of the state license.
 - b. The special use permit must be renewed prior to the expiration of any lottery gaming license or a pari-mutuel gaming license. The renewal will only be valid if a lottery gaming license is granted by the state.
 - c. In addition to the standards of the CP-2 planned general business district, any lottery gaming facility, racetrack gaming facility, lottery gaming enterprise, or pari-mutuel license location and their related facilities or campuses shall be subject to the development standards of the overlay district for commercial design guidelines (Ordinance No. 0-50-06) regardless of the location within the city.
 - d. A racetrack gaming facility may be located at any existing pari-mutuel racetrack location without securing a special use permit under this subsection (b)(17). Any new building or any substantial modification to site improvements would be a significant revision of the preliminary plan approved for the special use permit for a pari-mutuel thoroughbred, quarter horse and greyhound racing facility and would require approval following the procedures applicable to revisions to preliminary plans under section 27-211. Any improvement to the exterior of any building or to site improvements at an existing pari-mutuel location shall be subject to the development standards of the Overlay District for Commercial Design Guidelines and the standards of the CP-2 Planned General Business District.

- (18) Liquor stores with a minimum separation distance of 1,300 feet between any new liquor store location and any existing or proposed liquor store location, church, school, or public park. These distances are to be measured from the nearest property lines of each location.
- (19) Used car/truck lots and light automotive service and maintenance only in C-2 general business district, C-3 commercial district, M-1 light industrial and industrial park district, M-2 general industrial district, and M-3 heavy industrial district subject to the following criteria:
- a. *Repurposing of structure(s) for used car/truck lots or light automotive service and maintenance.*
 - 1. Upgrade parking, including striping and/or resurfacing of parking lots, if deemed necessary by staff.
 - 2. Landscaping, screening, and façade improvements to meet commercial design guidelines.
 - b. *Signage.*
 - 1. Following all permanent sign requirements under section 27-727.
 - 2. Following all special event display requirements under section 27-734.
 - 3. No display on sidewalks.
 - c. *Façade, landscaping, and screening.*
 - 1. For new buildings:
 - i. All commercial design guidelines and district regulations shall be upheld in C-3 commercial districts including, but not limited to, the creation of quality development with respect to site planning, architectural design and landscaping.
 - ii. Commercial uses in industrial districts shall be subject to commercial design guidelines.
 - 2. For existing structures:
 - i. Such modifications as:
 - A. Restoring original brick.
 - B. Any necessary repair of the facade.
 - C. New doors or windows if existing fixtures are in disrepair.
 - D. Substantial effort beyond simply painting the building is necessary. Brick structures must be cleaned, paint removed and tuck pointed.
 - E. For non-brick buildings in addition to paint, additional architectural embellishments such as a brick wainscot may be required.
 - b. *Condition of automobiles/trucks.*
 - 1. Automobiles/trucks available for sale, rent or lease must not be inoperable, ruined, dismantled or wrecked.
 - c. *Parking.*
 - 1. The display area shall not be placed within a required parking/paving setback area and shall not reduce the capacity of a parking lot below that required by sections 27-466 through 27-470.
 - 2. Parking shall be upgraded to current standards and regulations including medians, landscaping, and screening.
 - 3. Each automobile shall be in a striped, designated parking space.

- d. *Install/repair sidewalks per code.*
- (20) Heavy automotive/truck service, repair, and mechanics only in C-3 commercial district, M-1 light industrial and industrial park district, M-2 general industrial district, and M-3 heavy industrial district subject to the following criteria:
- a. *Repurposing of structure(s) for heavy automotive/truck service, repair, and mechanics.*
 - 1. Upgrade parking, including striping and/or resurfacing of parking lots, if deemed necessary by staff.
 - 2. Landscaping, screening, and façade improvements to meet commercial design guidelines.
 - b. *Signage.*
 - 1. Following all permanent sign requirements under section 27-727.
 - 2. Following all special event display requirements under section 27-734.
 - 3. No displays on sidewalks.
 - c. *Façade, landscaping, and screening.*
 - 1. For new buildings:
 - i. All commercial design guidelines and district regulations shall be upheld in C-3 commercial districts including, but not limited to, the creation of quality development with respect to site planning, architectural design and landscaping.
 - ii. Commercial uses in industrial districts shall be subject to commercial design guidelines.
 - 2. For existing structures:
 - i. Such modifications as:
 - A. Restoring original brick.
 - B. Any necessary repair of the facade.
 - C. New doors or windows if existing fixtures are in disrepair.
 - D. Substantial effort beyond simply painting the building is necessary. Brick structures must be cleaned, paint removed and tuck pointed.
 - E. For non-brick buildings in addition to paint, additional architectural embellishments such as a brick wainscot may be required.
 - d. *Parking.*
 - 1. Parking of the automobiles under heavy service, repair, or mechanics shall not be placed within a required parking/paving setback area and shall not reduce the capacity of a parking lot below that required by sections 27-466 through 27-470.
 - 2. Parking shall be upgraded to current standards and regulations including medians, landscaping, and screening.
 - 3. Each automobile shall be in a striped, designated parking space.
 - e. *Install/repair sidewalks per code.*
- (21) Dollar retail stores only in C-2 general business district, C-3 commercial district, M-1 light industrial and industrial park district, M-2 general industrial district, and M-3 heavy industrial district subject to the following criteria:
- a. *Separation requirements.*

1. No dollar retail store shall be located within 10,000 feet of any other dollar store or within 200 feet of any property used primarily for a single-family residence, a two-family residence, a town home, or any apartment building. The separation distances shall be measured from property line of the dollar retail store to the property line of the property containing the residential use. This separation provision shall not apply to any dollar store that can demonstrate to the Unified Government that they were in operation at the location requested in the license application prior to the effective date of this article, and that they have operated continuously under the same business name since that time.
- b. *Signage.*
1. Following all permanent sign requirements under section 27-727.
- c. *Façade, landscaping, and screening.*
1. All commercial design guidelines must be met for all façades including, but not limited to, the creation of quality development with respect to site planning, architectural design and landscaping.
 2. Commercial uses in industrial districts shall be subject to commercial design guidelines.

(Code 1988, § 27-1252; Ord. No. 64690, § 1(27-59.2), 8-30-1984; Ord. No. 64884, § 1, 10-3-1985; Ord. No. 65079, § 7, 11-6-1986; Ord. No. 65417, § 21, 4-6-1989; Ord. No. 65552, § 3, 8-9-1990; Ord. No. 65567, § 2, 9-20-1990; Ord. No. 65602, § 1, 2-7-1991; Ord. No. 65629, § 1, 6-6-1991; Ord. No. 65658, § 2, 9-5-1991; Ord. No. 65688, § 1, 12-19-1991; Ord. No. 65716, § 1, 5-7-1992; Ord. No. 65814, § 11, 7-8-1993; Ord. No. 66089, §§ 1, 2, 3-7-1996; Ord. No. 66177, § 4, 12-5-1996; Ord. No. 66255, § 2, 8-7-1997; Ord. No. O-65-98, § 1, 7-30-1998; Ord. No. O-31-99, § 2, 4-29-1999; Ord. No. O-85-00, § 1, 8-31-2000; Ord. No. O-48-02, § 2, 6-27-2002; Ord. No. O-91-02, § 1, 10-31-2002; Ord. No. O-41-05, § 3, 5-26-2005; Ord. No. O-55-07, § 1, 6-28-2007; Ord. No. O-16-08, § 1, 2-28-2008; Ord. No. O-1-10, § 1, 1-7-2010; Ord. No. O-66-10, § 1, 11-18-2010; Ord. No. [O-42-15](#), § 1, 7-30-2015; Ord. No. [O-66-15](#), § 1, 12-10-2015; Ord. No. [O-13-16](#), § 1, 3-31-2016)