



Neighborhood and Community Development
Standing Committee Meeting Agenda
Monday, January 3, 2022
Immediately upon adjournment of earlier committee

Location:

You are invited to a Zoom webinar.
When: Jan 3, 2022 05:00 PM Central Time (US and Canada)
Topic: EDF/NCD Standing Committee Meetings

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/82402702406?pwd=czJbXZoWUd6RWWhVNXJUZjJKSVpPUT09>

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<u>Name</u>	<u>Absent</u>
Commissioner Tom Burroughs, Chair	☐
Commissioner Brian McKiernan	☐
Commissioner Christian Ramirez	☐
Commissioner Andrew Davis	☐
Commissioner Chuck Stites	☐

I. Call to Order/Roll Call

II. Revisions to January 3, 2022 Agenda

III. Approval of standing committee minutes from October 11, 2021

IV. Committee Agenda

Item No. 1 – ORDINANCES: ADOPTION OF PROPOSED BUILDING AND FIRE CODE UPDATES

Synopsis: A proposal for the adoption of “The 2018 Suite of Codes and Amendments to Chapter 8 -Building and Building Regulations/ Chapter 15 -Fire Prevention and Protection”, submitted by Greg Talkin, Director of Neighborhood Resource Center.

Tracking #: 211251

Item No. 2 - UPDATE: LAND BANK

Synopsis: An update on the Land Bank, submitted by Jud Knapp, Interim Land Bank Manager.

For information only.

Tracking #: 211261

Item No. 3 - LAND BANK OPTION APPLICATIONS

Synopsis: Request consideration of the following Land Bank option applications, submitted by Jud Knapp, Interim Land Bank Manager

- A. New Construction - Single Family Homes – 19 Homes
 - 1. Mejia, Edwin Anahun Castellanos – 1 home addition
2915 Hiawatha St – 907117
 - 2. Habitat For Humanity – 3 Single family homes
1137 Pennsylvania Ave – 072545
1139 Pennsylvania Ave – 072546
1211 Pennsylvania Ave - 068246
1213 Pennsylvania Ave - 068247
1215 Pennsylvania Ave - 068248
 - 3. Habitat For Humanity – 3 Single family homes
704 S Valley St – 072290
1261 Shawnee Ave – 072287
1267 Shawnee Ave – 072546
 - 4. Chris Solutions Construction LLC – 2 Homes
820 N 78th St – 008600
900 N 78th St – 008601
 - 5. Innova Pro Construction & Pillar KC LLC – 1 home
649 Sandusky Ave – 081484
 - 6. Innova Pro Construction & Pillar KC LLC – 1 home
914 Argentine Blvd – 127802
 - 7. Innova Pro Construction & Pillar KC LLC – 2 homes
719 S Coy St – 073694
713 S 8th St – 073666
 - 8. Innova Pro Construction & Pillar KC LLC – 4 homes
1147 Armstrong Ave - 080814
1211 Ann Ave – 080937
1223 Ann Ave – 080943
1235 Ann Ave – 080947
 - 9. Steven Bashus – 1 home
1600 S 86th St - 145656
 - 10. Estralita Justice – 1 home
3429 N 31st St – 164306
3427 N 31st St – 164300
3425 N 31st St - 164301

- B. New Construction – Multi - Family
Multi-family
2416 S 51st St – 915601
- C. New construction – Garage
Cinthia Reyes – 1 garage
1131 Rowland Ave – 157068
- D. New Construction – Commercial - 3
 - 1. Chris Solutions Construction LLC
4815 Parallel Pkwy – 916619
 - 2. Omni Mccluney & Bilal Waajid
Requesting 35 Land Bank lots from 9th to 10th between Everett and Oakland. Going to build residential units, restaurants, shops, farmers market, and green space out of shipping containers.
 - 3. Kansas City Kansas Community College – Downtown Campus
632 State Ave – 082174
1101 N 7th St - 082176
- E. New Construction – Commercial – 500 Freeman Ave
500 Freeman Ave has two applications. The applicants will be presenting their projects.
 - 1. Metropolitan Leadership Institute
500 Freeman Ave – 153908
 - 2. Thatcher’s Family Life Center
500 Freeman Ave – 153908

Tracking #: 211262

Item No. 4 - LAND BANK PROPERTY TRANSFERS

Synopsis: Request consideration of the following Land Bank transfers, submitted by Jud Knapp, Interim Land Bank Manager.

Yard Extension

Ray Sawyer – Unbuildable lot
4808 Sortor Dr – 107600

Tracking #: 211263

V. Public Agenda

Item No. 1 - APPEARANCE: COLLEEN ROBERTS

Synopsis: Appearance of Colleen Roberts to discuss new development and updating the Piper Master Plan.

Tracking #: 211193

VI. Adjourn

**NEIGHBORHOOD AND COMMUNITY DEVELOPMENT
STANDING COMMITTEE MINUTES
Monday, October 11, 2021**

The meeting of the Neighborhood and Community Development Standing Committee was held on Monday, October 11, 2021, at 5:00 p.m., remotely via Zoom. The following members were present: Commissioner McKiernan, Chairman; Commissioners Burroughs, Townsend, Bynum (substituted for Johnson), and Walters. The following officials were also in attendance: Melissa Sieben, Emerick Cross and Bridgette Cobbins, Assistant County Administrators; Katherine Carttar, Director of Economic Development; Jud Knapp, Interim Land Bank Manager; Alley Porter, Commission Liaison; Patrick Waters, Deputy Chief Counsel; Jeffrey Conway and Wendy Green, Assistant Counsel; Kathleen VonAchen, Chief Financial Officer; Ashley Hand, Director of Strategic Communication and Carol Godsil, Deputy Unified Government Clerk.

Chairman McKiernan said before I call the meeting of the Neighborhood and Community Development Standing Committee to order, I want to announce that due to COVID-19, some committee members, staff, and members of the public are attending remotely via Zoom as well as some who are on-site.

All participants joining should be sure to mute their phones, or electronic devices when not speaking to avoid background noise. During the meeting, we ask that everyone please be sure to announce yourself by name and title every time you speak so the public that is observing knows who is speaking. This is critical given the number of remote participants and is current guidance from the Kansas Attorney General.

Due to COVID-19 requirements, and the fact that this meeting is being held virtually, in-person public comment has been suspended. The public is allowed to participate and offer comments on items coming before this committee by participating in this Zoom meeting, by submitting comments by email prior to this meeting that will be included in the record of the meeting, or by offering public comment in the public lobby of the City Hall building at 701 N. 7th.

With all of that said, we'd like to welcome everyone to this meeting of the Neighborhood and Community Development Standing Committee.

Chairman McKiernan called the meeting to order.

Carol Godsil, Deputy UG Clerk, said we did receive notification from Commissioner Johnson that he would not be able to attend the meetings this evening. **Chairman McKiernan** said and, Carol, if I could interrupt for just a moment. This is something that I should have said earlier. I had been notified that Commissioner Johnson was not going to be able to make it. I reached out to Commissioner Bynum and asked if she could substitute for him. She has agreed to do that for Neighborhood & Community Development. I communicated with Commissioner Burroughs and he said that he was fine with her continuing to stay on and substitute for Commissioner Johnson on Economic Development & Finance, as well. So, she'll sit in on both meetings. **Ms. Godsil** said very well. Thank you, Commissioner Bynum.

Roll call was taken and all members were present as shown above.

Chairman McKiernan said there were no revisions to the agenda after it was originally published. So, our first item of business is approval of the standing committee minutes from our August 9, 2021 meeting, and I'll ask Commissioner Townsend to share a couple of corrections that she would like entered into the record.

Commissioner Townsend said I noted that on page 18 and page 34 of the packet information that we were provided, two corrections I think need to be made. On page 18, the speaker was Ms. Rachel Jefferson and I'm going to quote what I think needs to be corrected and what is already in the record. So, I'm quoting off a page 18. I quote, "second of all, I want to mention that the medium, again, that word is medium income for northeast Kansas City, Kansas is \$20,000." I believe that word medium should be median, that's what I heard, during the meeting. So, that is the correction I would ask to be made. Also, on page 34 of the minute packet, the speaker was Mr. Guinn, and I'm going to quote the statement he made, near the bottom of page 34. "As far as the Medical Plaza, the third building, not the middle building, the third building, we secured a letter of intent from Vibra Health" and Vibra is spelled currently Vibra. The word should be Vibrant Health, that's the name of the company. So, those are the corrections that I proposed to be made. I have no other corrections for the minutes, so I would move that those minutes, be approved subject to those corrections and the corrections be made for the record.

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Action: Commissioner Townsend made a motion, seconded by Commissioner Walters, to approve the minutes of August 9, 2021, with the corrections as stated. Roll call was taken and there were five “Ayes,” Walters, Bynum, Townsend, Burroughs, McKiernan.

Chairman McKiernan said thank you Commissioner Townsend. That brings us to our committee agenda. We have two items, both come from the Land Bank. Item No. 1 is Land Bank Option Applications and so we will consider these as 1a, that group, 1b, that group and 1c, that group, unless we determine otherwise as we move along to do it differently. I’ll recognize Jud Knapp, who is our Interim Land Bank Manager.

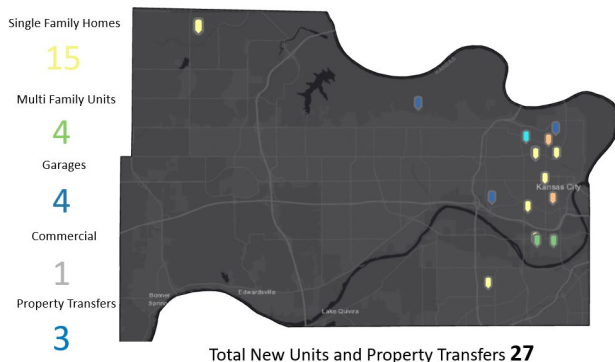
Item No. 1 – 211080...LAND BANK OPTION APPLICATIONS

Synopsis: Request consideration of the following Land Bank option applications, submitted by Jud Knapp, Interim Land Bank Manager.



Neighborhood &
Community Development
Standing Committee

October 11th, 2021



October 11, 2021



Option Agreements
Agenda Item – A
Single Family Homes
13

A. New Construction - Single Family Homes - 15

1. Aglahe D Montano – 1 home
2100 S. 37th St. – 118616

Jud Knapp, Interim Land Bank Manager, said today we're presenting 15 single family homes, 4 multi-family units, 4 garages, 1 commercial and 3 property transfers for a grand total of 27. Let's start out with single-family homes. We have 13 of them. The first one is at 2100 S. 37th St. It's for a single-family home. Staff and the Land Bank Advisory Board both recommend this project.

OPTION AGREEMENTS
AGLAHE D MONTANO

Requesting Land Bank Lot
2100 S 37th St – 168616

New Construction
Single Family Home

Zoning
R-1 Single Family District

Frontage
70ft

OPTION AGREEMENTS
AGLAHE D MONTANO

Building Details
3 Beds / 2 Baths
1,078 SqFt

Timeline
Project Start – November 2021
Project Completion – February 2022

Experience
My husband, have 10+ years of experience in concrete construction and we have various family members and friends working in every field of residential construction (Roofers, Painters, Carpenters, Etc.). Since my husband worked in many residential construction projects, he is comfortable building this single-family house.

Next Steps

1. Building permit
2. Proof of funds to cover building estimate

Recommendation

☒ Staff Advisory Committee

☒ Land Bank Advisory Board

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2. Oscar Garza – 1 home
129 S. 16th St. – 066600



OPTION AGREEMENTS
OSCAR GARZA



Requesting Land Bank Lot
129 S 16th ST - 066600

New Construction
Single Family Home

Zoning
R-1(B) Single Family District

Frontage
100ft






OPTION AGREEMENTS
OSCAR GARZA



Building Details
3 Beds / 2 Baths
1,188 SqFt

Timeline
Project Start – January 2022
Project Completion – August 2022

Experience
Has assisted in new residential construction

Next Steps
1. Building permit
2. Proof of funds to cover building estimate





OPTION AGREEMENTS
OSCAR GARZA



Recommendation

- ☒ Staff Advisory Committee
- ☒ Challenging build due to the lot being a hill
- ☒ Land Bank Advisory Board



The second one is that 129 S. 16th St. It's for a single-family home. So, staff said it would be a challenging build because there's a lot, and it's hilly so the last—but there was a house there previously that was previously demoed, so a home was there before. The next one—

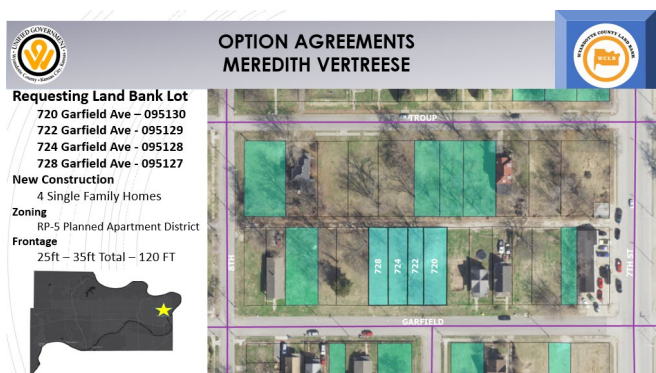
Chairman McKiernan said Mr. Knapp—**Mr. Knapp** said yes. **Chairman McKiernan** said I'm sorry. If I get interrupt for just a second. Could you go back one more slide? I've had questions about these pictures that you show in these. Are these submitted by the applicants for the options,

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and does the applicant say that this represents what the finished product will look like on that lot? **Mr. Knapp** said, Commissioner, I advise them to send me a picture of what they plan to build on that lot to give you like a picture of their plans. I also inform them not to spend money on creating plans until I get approval for the option from this standing committee.

Chairman McKiernan said and the reason that I asked this time is, the little caption that's in the lower right of this particular picture that says photographs may show modified designs. I'm not sure how to interpret that. It also strikes me that a lot of these pictures come in and they look fairly generic and they all have the nice puffy white clouds and a blue sky background and I just want to get some sense of whether or not they represent what the potential developer envisions as the finished product. **Mr. Knapp** said, Commissioner, that is what we ask for, is to provide—**Chairman McKiernan** said okay—**Mr. Knapp** said close to what they're going to build. **Chairman McKiernan** said I think this would be an interesting design. Actually, I think it would fit on that particular corner where there was a house that burned several years ago, but it just strikes me that every month I look at these and wonder. So, if you could please continue to stress that we'd like to see what the developer envisions as a finished product to the best of their ability, that would be great.

3. Meredith Vertreese – 4 homes
 720 Garfield Ave. – 095130
 722 Garfield Ave. – 095129
 724 Garfield Ave. – 095128
 728 Garfield Ave. – 095127



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OPTION AGREEMENTS

MEREDITH VERTREESE

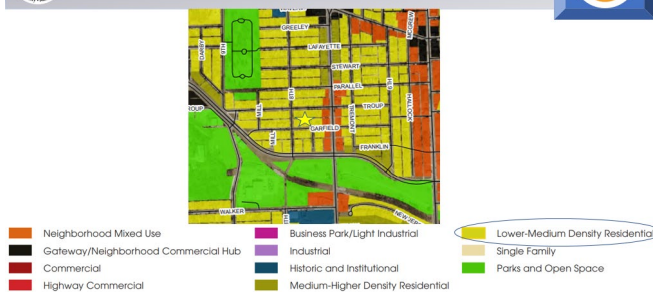


Experience

Mr. Olivares has over 20 years of construction. His passion and commitment to both is his community and family has driven him to make home building not just a goal but a reality. He has the approved plans for the city to build 3 bedroom, 2 bathroom, 2 car rear entry garage homes with a basement.

Mrs. Vertreese has over 16 years in real estate from helping clients, building homes and full rehab of homes. Graduate of UMKC school of Excellence for Realtors as well as development and ULI graduate 2021. Owner of Coldwell Banker Uplife Real estate. Currently working on development.

Mr. Fernandez has helped develop successful businesses over the years and has taken them from concept to full franchise. He wants to see Kansas City Kansas flourish and be a part of the positive outcome.



Mr. Knapp said the next one is four Land Bank lots, 720 Garfield Avenue. There are four lots there for four single-family homes. Their frontage range from 25 ft – 35 ft for a total of 120 ft for the four lots. They plan for these builds to be 3 beds, 2 baths, they have a two-car rear entry garage and 1,000 sq. ft. These will need a narrow lot review from Planning and staff's only comment was the garage access needs to be from the alley. Since this is in the northeast, this is the Northeast Area Master Plan map, and it is in lower medium density residential, so it matches.

4. Rebecca Davis – 1 home
5911 N. 123rd St. – 234011



OPTION AGREEMENTS
REBECCA DAVIS



Requesting Land Bank Lot
5911 N 123rd St - 234011
Currently owns
5917 N 123rd St - 234010
New Construction
Single Family Home
Zoning
AG Agriculture District
Frontage
59ft
Acre - 1.8







OPTION AGREEMENTS
REBECCA DAVIS



Building Details
applying for a vacation of the adjoining ROW, combining that with this lot, applying for a variance to the lot size of the agricultural zoning district, per master plan and build a house.

Timeline
Project Start - December 2021
Project Completion - December 2022

Experience

Next Steps

1. Change of zone (Public Meeting)
2. Vacation of right of way
3. Building permit
4. Proof of funds to cover building estimate



Recommendation

- ☒ Staff Advisory Committee
Due to the zoning of AG this project would require a change of zone, and a vacation of Right of Way
- ☒ Land Bank Advisory Board

The next one is requesting a Land Bank lot at 5911 N. 123rd St. to build a single-family home. They currently own 5917 N. 123rd St. That's to the north and it's separated by some right of way. So, their first step is going to be to eliminate that right of way and when you get rid of right of way, it automatically gets split in half between the two properties. Also, this property is zoned agricultural district and the next steps for that would be a change of zone because that would require a public meeting, vacation of the right-of-way, building permit, proof of funds to cover the building estimate. The staff comments were due to zoning of AG, this project would require a change of zone and vacation of right-of-way.

Chairman McKiernan said, Mr. Knapp, if I could ask another question. If you could go back one more please to that. Once again I should follow my own recommendations at the beginning and say this is Commissioner McKiernan, District Two. So, if I understand you, we have 5917 and 5911, and that blank area in between the two is the right of way that needs to be vacated and when it is, half of it will go to 5917 and half of it will go to 5911. Is that correct? **Mr. Knapp** said, that is correct. **Chairman McKiernan** said the applicant here who owns the adjoining property believes that 5911 will be sufficiently wide to build a house on after that split. **Mr. Knapp** said yes, they did. **Chairman McKiernan** asked, is that what they've indicated? **Mr.**

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Knapp said yes, they did I mean—**Chairman McKiernan** said okay. **Mr. Knapp** said I mean the lot is 59 feet as it sits right now before they split up the right of way. **Chairman McKiernan** said beautiful.



OPTION AGREEMENTS
KCK VALLEY OWNER, LLC



Requesting 7 Land Bank Lots
 837 FREEMAN AVE - 082352
 841 FREEMAN AVE - 082353
 843 FREEMAN AVE - 082354
 845 FREEMAN AVE - 082355
 847 FREEMAN AVE - 082356
 849 FREEMAN AVE - 082357
 851 FREEMAN AVE - 082358

New Construction
 2 Single Family Homes

Zoning
 RP-5 Planned Apartment District

Frontage
 204ft





OPTION AGREEMENTS
KCK VALLEY OWNER, LLC



Building 2 homes

Home 1
 837 FREEMAN AVE- 082352
 841 FREEMAN AVE- 082353
 Frontage – 50ft

Home 2
 845 FREEMAN AVE- 082355
 847 FREEMAN AVE- 082356
 Frontage – 58ft

Or
 843 FREEMAN AVE- 082354
 845 FREEMAN AVE- 082355
 Frontage – 76ft





OPTION AGREEMENTS
KCK VALLEY OWNER, LLC



Building Details
 3 Bed 2 Baths
 1,115 SqFt

Timeline
 Project Start – Late Fall 2021
 Project Completion – Construction completed 2 months after construction start

Experience
 Our partnership has collectively developed and rehabbed more than 20,000 multi-family and single-family residential units across the United States including seven HUD Hope IV and Hope VI developments. Select local developments include Hazelwood Villas, a 229 single family home residential community in Kansas City, KS and 200 market rate apartment units in North Kansas City. Our partnership has over 100 years of real estate development, management, construction and financing experience.



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OPTION AGREEMENTS

KCK VALLEY OWNER, LLC



- Will combine lots
- Depending on further diligence on site will determine which lots gets the new homes
- The lots that are not built on will not have an option agreement.

Next Steps

1. Building inspection approval
2. Planning narrow lot review
3. Proof of funds to cover building estimate

Recommendation

☒ Staff Advisory Committee

☒ Land Bank Advisory Board






OPTION AGREEMENTS

KCK VALLEY OWNER, LLC





Neighborhood Mixed Use

Gateway/Neighborhood Commercial Hub

Commercial

Highway Commercial

Business Park/Light Industrial

Industrial

Historic and Institutional

Lower-Medium Density Residential

Single Family

Parks and Open Space

5. Circuit Avenue Partners LLC – 2 homes
- 837 Freeman Ave. - 082352
 - 841 Freeman Ave. - 082353
 - 843 Freeman Ave. - 082354
 - 845 Freeman Ave. - 082355
 - 847 Freeman Ave. – 082356
 - 849 Freeman Ave. – 082357
 - 851 Freeman Ave. - 082358

Mr. Knapp said the next one is a Land Bank request from an applicant that's already been approved for a project that is requesting a new location so they could build their two model homes before the end of the year. Now the reason for this request is because of delays on the original lots and getting the concrete poured before winter and having the two model homes built for public review before the next building season. So, that's why we're seeing—their original request was on North Valley. So, they want to move their request here, so they can build their two homes before winter. So, they requested seven lots, but they project the first home will be at 837 and 841 Freeman. That's a total—they will combine these lots to build a house and the frontage will be 50 ft. when those lots are combined. Home II is either in two spots, 845 and 847, or it's at 843 or 845.

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So, to their home, on these two lots are these two lots here. So, the 845 and 847 has a total frontage of 58 ft. 843 and 845 have a frontage of 76 ft.

Katherine Carttar, Director of Economic Development, said really quick, if you go back Jud, one. They are requesting a fast track for this due to the unforeseen challenges of the previous lots. **Chairman McKiernan** said I'm sorry Katherine, go ahead. They are requesting a what? **Ms. Carttar** said this to be fast tracked, so that would be heard on the 14th.

Commissioner Walters said yes, so do I understand that this application, they want all the lots, but they are only committing to build two houses so some of the lots, they have no current plans to develop. Is that correct? **Mr. Knapp** said that is correct. So, this is for the two model homes that they plan to have in the community (inaudible) **Commissioner Walters** said what category does that fall into? They don't plan to build homes on this property, they just want the property. It's not a side yard extension. **Ms. Carttar** said they would give them—either they would give them back, the lots that they not built on. So, the thought is that they just don't know what's under the ground here so they want to be able to kind of analyze, get someone out there, engineers to look at this whole area and decide kind of which areas makes sense for those first two homes and then I think they're goal would be to build, you know, homes in that entire stretch, but if they do not find suitable land, then they would give those, properties back. Well, we would actually just never deed them over.

Commissioner Walters said well, I guess I'm just trying to process this a little bit. I don't think we've ever given options on property when the recipient of the option has no plans to develop it. Have we? **Ms. Carttar** said well, we did this exact thing actually with the same developer on North Valley, so it was the same thing. He requested six lots with a promise to build two and then either, you know, build the rest at a later date, or, you know, remove the options on the remaining properties. **Commissioner Walters** said I thought that that particular proposal, they did tell us that they were going to build additional houses there. They were going to build two initially, but then build more. **Ms. Carttar** said yes, it's the same, their same thought is for this location as well. So, they're guaranteeing the two homes and hopeful that if the property works out and there

aren't, you know, really unforeseen site challenges that they would (inaudible) as well. **Commissioner Walters** said thank you.

Commissioner Burroughs said mine's right along with Commissioner Walters, his questions. So, we have seven vacant lots, and do those lots have to be replated in order to identify the properties because I see seven lots, which is potential for seven homes. If you build row houses or whatever you would choose to build there, and now I'm seeing seven lots being utilized to build just two homes. **Ms. Carttar** said so they would not just build two homes on those seven lots if that makes sense. I think what Jud is suggesting here is that they would combine, so for example, that 841 and 837, those are both 25-foot lots, so they would likely replat those and combine those for a single home. I do know the applicant is online if they have more information, but my guess is that they would have a minimum of four homes on these seven lots.

Chairman McKiernan said, Carol, I have seen Rick Warner, in the attendees list. I think he's had his hand up. If we could promote him, then maybe he could directly answer some of these questions.

Rick Warner said our plan would be to develop all of the lots, but the initial commitment is, we're going to build two model homes on these lots and then we're going to invite neighborhood groups, ministers, any interested parties, all the elected officials to tour the homes and tell us what changes to make and then so long as we don't find any environmental issues that would make the lots undevelopable; we would then develop the rest of the lots. So it's a little awkward in that we don't know. We haven't had a chance to do any environmental inspections on these lots. We're still trying to get those first two finished before the end of the year and so that's why we're asking for transferring seven lots. We'll commit to build two homes. If we didn't build out the rest of the lots in the agreement, we would agree to deed those back, but that's not our intent. Our intent is to develop all of the lots but we don't know environmentally what's on the site yet, and so that's why we're asking for more lots initially, so that at least we can get two houses done by the end of the year. **Chairman McKiernan** said thank you.

Commissioner Burroughs said, Mr. Warner, that's really not the question. The question is, you're taking, proposing you've got seven lots that are being requested, and if I read correctly, you say two homes, but you're wanting to combine four lots, that would leave the potential possibly for a third home, where in the past, these lots there—I guess I'm just a little confused as to why we were giving seven buildable lots for three homes, maybe four quite—it depends on how wide you want the last yard to be, but we're giving up seven lots for three homes, if that's how I read the issue. And then I have one other question, if I may.

Have you reached out to the neighborhood groups associated to this area as prior to building? **Mr. Knapp** said, Commissioner, I have an answer to the neighborhood group. We did email the neighborhood group and Groundworks, and they had a question about what was the size and quality of the construction that was, and the size is 3 bedrooms, 2 baths, 1,100 square feet. They were going to use high quality finishes, and each home will be 28 ft wide and 45 ft deep. So yes, we did reach out to the neighborhood groups. **Chairman McKiernan** said and then do I take from that, that other than getting those questions clarified, they had no objections to moving forward with this or did they? **Mr. Knapp** said their email did not have an objection in it. I believe they wanted more information before they made a decision. **Chairman McKiernan** said okay, thank you.

Ms. Carttar, I'm going to put this conversation on hold for just a second and then ask about the previous options that we had approved a couple of meetings ago on North Valley, just south of the Boys and Girls Club. Would this action then mean that we are terminating the options on those properties and we're taking them back into the Land Bank or keeping them in the Land Bank rather? **Ms. Carttar** said that is certainly up to you. Our request would be to keep those options with Mr. Warner's company for now as we keep working with the community group there to see if we can make this a win-win situation for all involved.

Commissioner Townsend said I didn't think I had a question until the answer to that last one. So, Mr. Warner was developing or planned to develop some homes on Valley that we dealt with in a previous committee meeting, so he currently has options. My understanding of this was, this is a new ask, and not an exchange. Is that correct? **Ms. Carttar** said correct. **Commissioner Townsend** said okay, so his Valley project is as it is, you know, months ago. So, this is a new ask, but it sounds to me as though it's the same approach. He's asking for these, I guess I was—

yes, seven lots. Two homes are going to be built as a demonstration homes for the neighborhood, anyone else who was interested to look at and help advise as to what the future home should look like. So the same process for these Freeman properties, correct? **Ms. Carttar** said correct. **Commissioner Townsend** said okay. It's not an exchange for the Valley homes? All right, thank you. I just want to make sure I was clear on that. **Chairman McKiernan** said I apologize for muddying the waters. I wasn't clear if this was an exchange. I appreciate you making that clarification. Any other questions or comments on what would end up being A5?

Chairman McKiernan said I do have Beverly Easterwood in the attendees. Carol, if we could promote her, or at least allow her to speak, because I believe, Ms. Easterwood is Douglass-Sumner Neighborhood Group and this is in the Douglass-Sumner area. Ms. Easterwood, it looks like we have unmuted you and you are allowed to address the committee. **Ms. Easterwood** said okay. **Chairman McKiernan** said Ms. Easterwood, I heard you say okay. It was a little faint, so, if you can just speak up. Go ahead and share your comments with the committee. Ms. Easterwood, we do have you unmuted. You should be able to address the committee. Carol, I don't know if Ms. Easterwood cannot hear us at the moment. **Ms. Godsil** said, well, I asked her to unmute which she did. We can move her over as a panelist to see if that helps. **Chairman McKiernan** said well it does now appear that she has disappeared. **Ms. Godsil** said, oh she did. **Chairman McKiernan** said, so, maybe she was having a connection difficulty. Committee, if it's okay with you, we do have two other groups of homes within this first group of Land Bank options. We could have Mr. Knapp present those, and when we get Ms. Easterwood back, we will bring her back to address the committee. Hearing no opposition to that, I will ask Mr. Knapp to go ahead with Bright Solutions.



OPTION AGREEMENTS
BRIGHT SOLUTIONS



Currently has 4 properties from the Land Bank

- 2 have completed options
- 2 are still in the option period

926 S Coy St



Requesting additional Land bank properties

- 10 lots
 - 6 homes
 - 2 duplexes

5121 Washington Ave



October 11, 2021



OPTION AGREEMENTS BRIGHT SOLUTIONS



Requesting Land Bank Lots
 810 N 10th ST – 080435
 1007 Armstrong Ave- 080438
 1013 Armstrong Ave- 080437
 1017 Armstrong Ave- 080436

New Construction
 4 Single Family Homes

Zoning
 R-1(B) Single Family District

Frontage
 200ft






OPTION AGREEMENTS BRIGHT SOLUTIONS



Bright Solutions, LLC has had more than twenty years of every aspect of building. We have built many developments in different areas of the country. For a sample of our work in Kansas City you can contact us. To mention a few 9 Townhomes in Independence, MO, 2 homes in Raytown, Mo. Using the land bank program, we built homes on Freeman Ave and Cessna. The community was vocally impressed with the workmanship of both homes. We have also constructed various commercial properties in the area. Proficient in all aspect of a build including plumbing, electrical, framing, ICF construction, cement construction, wood, including working in various climates.



OPTION AGREEMENTS BRIGHT SOLUTIONS



Building Details
 3 Beds / 2 Baths
 1,800 SqFt

Timeline
 Project Start – December 2021
 Project Completion – February 2022

Experience
 Home Builder

Next Steps
 1. Building permit
 2. Proof of funds to cover building estimate

Recommendation
☒ Staff Advisory Committee
 insulated concrete forms (ICF) construction an onsite engineer will be required for entire building process.
☒ Land Bank Advisory Board





OPTION AGREEMENTS BRIGHT SOLUTIONS

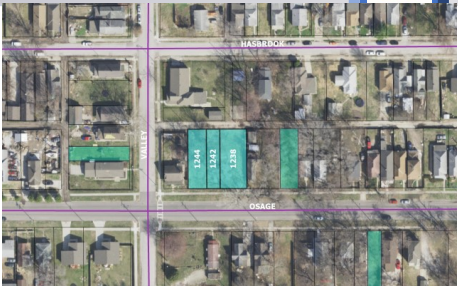


Requesting Land Bank Lots
 1238 Osage Ave- 072352
 1242 Osage Ave- 072353
 1244 Osage Ave- 072354

New Construction
 2 Single Family Homes

Zoning
 R-2(B) Two Family District

Frontage
 108ft

October 11, 2021



**OPTION AGREEMENTS
BRIGHT SOLUTIONS**



Building Details
3 Beds / 2 Baths
2,100 SqFt

Timeline
Project Start – March 2022
Project Completion – May 2022

Experience
Home Builder

Next Steps
1. Building permit
2. Proof of funds to cover building estimate

Recommendation
☒ Staff Advisory Committee
insulated concrete forms (ICF) construction an onsite engineer will be required for entire building process. Driveway off of alleyway
☒ Land Bank Advisory Board




6. Bright Solutions – 4 homes
810 N. 10th St. - 080435
1007 Armstrong Ave. - 080438
1013 Armstrong Ave. - 080437
1017 Armstrong Ave. – 080436

Mr. Knapp said Bright Solutions currently has four properties from the Land Bank. Two have completed options that you see construction on below, the two pictures below, and two are still in the option period but should move to the construction part very quickly. During this—in your packet here, the request is an additional Land Bank properties, a total of 10 lots to build six homes and two duplexes. Their first location is at 810 N. 10th St. and 1007, 1013, and 1017 Armstrong, to build four single-family homes. We plan it to be 3 beds, 2 baths, 1,800 sq. ft. Staff did say insulated concrete form construction and an on-site engineer will be required for the entire building process.

7. Bright Solutions – 2 homes
1238 Osage Ave. – 072352
1242 Osage Ave. – 072353
1244 Osage Ave. – 072354

The second location is at 1238, 1242 and 1244 Osage Avenue, to build two single family homes, that's combining three lots and building two homes on them. They plan to be 3 beds, 2 baths 2,100 sq. ft. Staff did say that the driveway will have to come off the alleyway so the picture will not represent actually what—the garage will be in the rear of the home and the Land Bank Advisory Board recommends the project. **Chairman McKiernan** said okay. Two things Mr. Knapp. If you could go back two slides. Right there and stay there for just a moment.

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I'm looking over and we do have Ms. Easterwood back with us now. She has been promoted over to a panelist and so let's put Bright Solutions on hold for just a moment. Move back to the 800 block of Freeman Avenue, The Circuit Avenue Partners LLC, and, Ms. Easterwood, if you would, please go ahead and share your comments with the committee.

Ms. Easterwood said I just saw the email that Jud had sent out today and so I didn't have any knowledge that this application was being put forth. I have not talked to the developer directly. He did send an email after I told Jud that I would like to have more information about the property, but we have not—it should not be considered an endorsement or approval of the project. We'd like to have some more information. The developer said that he had built several properties in the Kansas City, KS area, as well as across the country. Are there any properties that you could give us addresses of and we could go by and look at them and see, you know, what type of quality you're talking about, or even better in a similar design. Has he built any of those in the area that we could go look at?

Chairman McKiernan said, we thank you for those comments to the committee, and committee, I would ask if you have any follow-up questions or comments about this particular group of properties.

Commissioner Bynum said I would be inclined to hold this particular option agreement for the time being so that the builder can talk more with this neighborhood group.

Commissioner Townsend said, I'm inclined to support Commissioner Bynum's request for two additional reasons. One, the absence today of the in-district commissioner on the committee, and also what I believe the reasonable request from Ms. Easterwood, that was just made to get more information and more opportunity to talk with the developer.

Action: **Commissioner Townsend made a motion to hold A5. So, if it's appropriate, I would move to hold, I guess this is A5, those properties over to the next meeting of this committee, and allow for the presence, hopefully, of the in-district commissioner, and also to give Ms. Easterwood and the neighborhood group additional time to get their questions answered.**

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Chairman McKiernan said I do see that the applicant, Mr. Warner, has raised his hand again and give him some time here to supply some additional information to Ms. Easterwood and to us as a committee. **Mr. Warner** said sure. **Chairman McKiernan** said yes, go ahead. **Mr. Warner** said alright. Brian, I apologize I had that click on something so I lost you for a second, but our goal here was to try to get two houses built so everybody can look at them. The previous lots we were going to develop and they would have been in the ground already, except that there was a disagreement between the city and Mount Carmel on who had the right to those lots and so that's the only reason why we didn't proceed with those two lots. I'll be happy to get additional information to the neighborhood group. If she wanted to look at previous developments, at about 114th & Parallel, there's a senior development called Hazelwood that we developed a different—I had a different partner with that. Actually, the developer with Nebraska Furniture Mart and I developed Hazelwood at 114th & Parallel. We can show more pictures. We've sent Jud pictures, but our goal was to get these in so people could comment, just on the first two. The lots are—the reason why we're going for combining lots, the homes are 28 ft. wide. The carports 14 ft. wide. So, we're 42 ft. wide, and so that's why we need 50 ft frontage because of the size of the carport and the house but if we delay this again, there's no way we'll really get this by winter and so that was the reason for asking for consideration. We bowed to the city's request on Mount Carmel because of the disagreement with Mount Carmel who has the right to those lots, and so we're going with this. So, with that I'll shut up, but that was the rationale behind all this.

Chairman McKiernan said thank you Mr. Warner. The committee will take into consideration what you just said and we'll make a decision on these, this group of properties in just a moment.

Mr. Knapp, if you could move forward to the Armstrong and Osage properties. So, the Bright Solutions. I love the fact that these properties are being proposed for the 10th & Armstrong area. It's been vacant for a long time. We'd love to see some additional single-family homes in this area. These are going to be insulated concrete forms, right? **Mr. Knapp** said, this is what I was told Commissioner. **Chairman McKiernan** said and so I just want to confirm and again, this goes back to my earlier question about the rendering that the applicant is sending. Even though this is an ICF home, it will still have the gable roof and the more traditional elements in terms of the finish outside. Is that your understanding? So it will look like the picture. **Mr. Knapp** said that is what I tell the applicants. Yes. I believe, the developers on the call. They told me they

were going to be here. **Chairman McKiernan** said and so I just saw a hand go up in the attendees, someone whose screen name is Shelly. Would that be the developer? **Mr. Knapp** said yes. **Chairman McKiernan** asked Carol, if we could promote that person so, or at least unmute them so that they can talk.

Shelly Gross said yes, there will be a gable roof, but not as big a slant, as you see. Alright, it'll be a smaller slant. **Chairman McKiernan** said but still a more traditional exterior finish. **Ms. Gross** said yes, it will be traditional it's—yes, it definitely will be. **Chairman McKiernan** said okay. **Ms. Gross** said yes, if nothing else, just so you know. **Chairman McKiernan** said thank you so much, appreciate the update.

Chairman McKiernan said so that brings us to the end of the A group. Commissioner Townsend had suggested, or had made a motion actually, that we set aside A5, 800 Freeman properties and consider holding those over until the next meeting. I guess I'll take the direction of—I have somebody with their hand up. That is Commissioner Townsend, go ahead please.

Commissioner Townsend said with Mr. Warner's last comments, again, I found myself confused. The Valley properties that have been previously approved by this committee, is there a hold on that project, Mr. Warner, and that's why you want these 837 Freeman properties? I understand they're two different projects, but you made a point to talk about building, that you wanted to try to get going before the end of the year. So is that not going to happen with the Valley properties? **Chairman McKiernan** said so, Commissioner, I'll recognize Katherine Carttar to address that question.

Ms. Carttar said so, just what is going on with the Valley properties. Now if we had moved forward, those received an option a few months ago with the plan, as Mr. Warner has discussed that they would move forward, build the two properties. They were moving forward, spending money, getting things ready to do so at that site. Those properties are part of the Mount Carmel Master Plan so, they were hoping that they could also be involved or ideally, I believe, they still would like to develop those properties themselves. Now, they are Land Bank properties and they're in our ownership. So we were taking some time so that we could see if there was a ability for Mr.

Warner's project and Mount Carmel to work together and find a way through that, that is kind of a win-win but it would just take, it's taking longer than the desired time period where Mr. Warner would like to get those two model homes done before the end of the year so that they can get ready for the next construction season where they can really ramp up in and build a significant number of homes.

Commissioner Townsend said so his request for these properties at 837 Freeman, essentially, if approved, would allow his company to move forward with two homes. He still has the option on the Valley property but there's some other issues that would prevent that development now. Okay. **Ms. Carttar** said this would just be to build those two homes still this year in 2021, in the next two months, and then hopefully by the time that we get to construction season next spring, we'd be in a situation where we could move forward on Valley properties or there's some other agreement with Mount Carmel. **Commissioner Townsend** said okay, with that explanation. Then, Mr. Chairman, I will withdraw my motion. It's a little bit clearer to me now what's happening. I recall the discussions a month or two ago about the Valley properties, but something has come up. So, if these are approved, then that would clear the way for his company to go ahead and get going before the end of the year on the model homes at least. So, I'm going to withdraw my motion to clear the way for whatever my colleagues want to decide to do. **Chairman McKiernan** said thank you, Commissioner. If we do move forward with this, I would ask Mr. Warner to make it his highest priority to communicate with Ms. Easterwood at his earliest convenience so that we can get an active dialogue going with the neighborhood group and they can be brought on board and brought up to speed as to what the plan is for that block. Okay, at this point in time committee, I'll get direction from you. We have in Group A, we have numbers 1 – 7, seven different groups of properties. We can entertain a motion for one, two or all seven of those groups of properties for options for single-family home construction.

Action: **Commissioner Walters made a motion, seconded by Commissioner Townsend to approve all seven proposals.**

Chairman McKiernan said we have a motion and a second to approve all of the options for new single-family home construction. Is there any further comment from the committee and before we take a vote is there any public comment that we have not already received? **Ms. Godsil** said the

Clerk's Office received no public comment, but we do have Shelly and Beverly Easterwood, both have their hands up again, but both have already spoken. **Chairman McKiernan** said alright well, at this point in time I also see—at this point in time, I'm going to go ahead and recognize, Ms. Easterwood, and then Shelly, hang on for just a moment. I'll get to you in a moment. Ms. Easterwood, any other comments. If you could unmute, any other comments for the committee.

Ms. Easterwood said I'd just like to say that I think it's unfortunate that the things could not move forward with Mount Carmel, but I feel like we're being pushed into a corner, because of the developer's guidelines that he's trying to meet and not giving us proper time to adequately investigate what's even going to be taking place in our neighborhood.

Chairman McKiernan said thank you, Ms. Easterwood, appreciate that, and Shelly, if you could go ahead and unmute. **Ms. Gross** said I just want to make sure I know what got approved. The Armstrong properties—**Chairman McKiernan** said nothing yet has been approved. **Ms. Gross** said I know it hasn't been approved, and then—**Chairman McKiernan** said okay. **Ms. Gross** said tentatively, okay. Yeah, it is Armstrong, also 10th. Is that correct? **Chairman McKiernan** said what is on our agenda, are a total of seven properties. **Ms. Gross** said okay. **Chairman McKiernan** said one on N. 10th. Three in the 1000 block of Armstrong and three in the 1200 block of Osage. Those are up for consideration as submitted. **Ms. Gross** said okay, wait, I have just one other question. What about the commercial one? **Chairman McKiernan** said that has not yet been considered. We'll get to that in a bit. **Ms. Gross** said oh, okay, it's a separate thing. Okay, thank you. **Chairman McKiernan** said it is. **Ms. Gross** said that's all I wanted to know. Thank you very much.

Commissioner Bynum said with regard to Ms. Easterwood's comment, and I suppose the procedure question in general. The Land Bank applications go to the members of the Land Bank Advisory Committee, I believe. Jud, what I don't know is how soon ahead of this meeting the Land Bank Advisory group looks at these applications, and at what point in that process is there an opportunity to make sure a neighborhood group and I would say, in particular, a long standing still active group notified? In other words, what were the missed opportunities to bring the Douglass-Sumner neighborhood into the conversation around the properties on Freeman?

Mr. Knapp said so, this is a fast tracked item, and it got added to our agenda after our agenda review. So, I did send out an email to the neighborhood groups and Groundwork on October 6th, stating that this was—stated in the case like—so, usually what we do is we give the neighborhood groups a month of notice before this meeting date, but because it was a fast tracked item it got sped up a little bit. **Ms. Carttar** said and I want to add as well that we encourage and highly recommend that above and beyond Jud's notification to the NBRs and the neighborhood groups that the applicant does work with the neighborhood group throughout the whole process. So it is, you know, that's kind of part of the option time period is to work with the neighborhood group. So we would anticipate Mr. Warner is planning to do so at this point as well.

Commissioner Bynum said I'm going to state that I'm very torn because I don't want to cause the delay for the developer and I understand the desire, and that is why everything here is being asked to be fast tracked and plus you have the challenge with the prior lots, and it's just so unfortunate that all of that is occurring within the confines of a very active neighborhood area that for that reason alone, and in general just the reason that they have the right to, I think participate in the betterment of their neighborhood. You know that this is all occurring within the boundaries of one of our longest serving neighborhood groups. That's just very unfortunate, in my opinion. **Chairman McKiernan** said thank you Commissioner. To follow up on that Jud, it's my understanding that this group was—that The Land Bank Advisory Board as a whole was just notified of this five days ago, and this is not the usual time period that we have set up for disseminate to—for sending out information and getting back feedback. **Mr. Knapp** said it is not the normal timeline. No, this was sped up. **Chairman McKiernan** said all right. Thank you.

Commissioner Townsend said I am distressed now and I try very hard not to be a person that vacillates unnecessarily, but I am distressed to just now know that this item was fast tracked and back in February, March of this year, members of this committee went to great lengths to talk to members of the NBR Advisory Committee and neighborhood groups to deal with the notice issue, and increase the amount of time that the advisory committee would have to evaluate these proposals. So, I am distressed to now know, much to the conflict of what I expected with this, that these items were fast tracked and without a note to the members of the committee, that the notice provisions had not run their normal course. So I too regret that there have been roadblocks that

were unanticipated for the other project, the Valley project, but I do believe it is essential that we stick to the procedures that we assure the neighborhood groups would have with this notice.

So, for that reason, I'm going to withdraw my second to the motion and from here forth, I would just ask that if something is going to be fast tracked, this committee knows that ahead of time. This is the thing that we are trying to avoid with the neighborhood groups and not giving them enough time and notice and that meeting back in March and February of this year to resolve that issue, I think meant a lot to those groups so that's where I am on it. This is not as it appeared to be in our packet. I'll just leave it at that, so, thank you. **Chairman McKiernan** said thank you, Commissioner. With the second withdrawn, we have a motion. There still can be a second on that. If we don't get a second, that original motion will die for lack of a second. There is a hand that keeps going up in the attendees. There was a Roger that I keep seeing. Carol, can—I would ask that person, if you want to comment on this group of applications or any of those, and if so, let's go ahead and get him unmuted Carol, so that we can hear that comment. Roger, whoever you are, if you would go ahead and state your name and address for the record and then you are free to address the committee.

Roger Avalos, 315 S. 82nd St., said I just want to support the investors for investing here in the city. I've seen it grow in the last 15 years. So, that's the comment that I want to make, and then, I've seen a lot of projects delayed or turned down by neighborhood groups. Is there—I guess this question is for Jud, is there something that can be added to the Dotte maps like the areas that need to go to these groups for approval? **Chairman McKiernan** said and so, Mr. Avalos, this really is a time for comment. We appreciate your questions. Mr. Knapp has taken note of those and we are constantly trying to refine our procedure so that we can balance all of the desires of all groups, and make sure that we have the best possible progress in all of our neighborhoods that is beneficial to all involved, both the developers who are coming in, as well as the folks who have lived in those neighborhoods in many cases, for decades. So, we're always trying to strike a balance there, but Mr. Knapp if you would please make note. I do believe Mr. Avalos, there is communication with any applicant, about the relevant NBR, Neighborhood and Business Revitalization Organization, as well as the neighborhood groups that are involved in any particular area. **Mr. Avalos** said thank you. **Chairman McKiernan** said you are welcome and I do see that Mr. Warner has his hand raised again. One last comment for the committee please.

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Mr. Warner said I would just make a commitment that if the neighborhood group is available, I'd be available to meet with Ms. Easterwood pretty much anytime on Thursday, and so she could pick a time, you know, any time after say 8:15, all day Thursday and I'll bring plans. We've submitted for building permits on the other sites, so we've got the full plans, the finishes, everything submitted to the city, and I'd be happy to sit down with her Thursday morning and go through and answer any questions she could—I'd also have some of the other partners on the phones so we can address any concerns she has as well. I just want to make that commitment, that's all. **Chairman McKiernan** said thank you so much. I just would point out that that meeting would come after the potential approval of the options. So we are back to where we were. We had a motion by Commissioner Walters to accept all of Group A, as submitted. Is there a second? I do not hear a second for that motion. That motion dies for lack of a second. Do we have any other motions on this group of properties?

Commissioner Bynum said if the developer, Mr. Warner, were to satisfactorily meet with Beverly and her neighborhood group, which I'm going to point out, had their neighborhood group meeting on October 5th one day before this communication, but nonetheless, if that group were to be able to pull together a meeting so that Mr. Warner could work with them and we gave approval to this tonight in an attempt to try to help him stay on his desired timeline, is it possible that this singular batch could fast track to us on Thursday, the 28th of October? **Chairman McKiernan** said I'll defer the answer. **Commissioner Bynum** said I got a lot of ifs in there and I apologize for that. I'm trying to negotiate a place to the middle. **Chairman McKiernan** said I appreciate that Commissioner. I would ask either Ms. Carttar or Mr. Knapp. **Ms. Carttar** said yes, that would be the normal time for anything that is approved today, to—if you approve the normal batch as is, it would automatically go to the 28th to be heard by the full commission as the Land Bank Commission. There was a request, I'll just reiterate, on the property in question on Freeman to be fast tracked to this Thursday, the 14th which you can obviously do as you desire, but, if approved as normal, it would go to the 28th. **Commissioner Bynum** said you know what I had originally suggested was a hold, which would push it to the end of November, so again I'm coming in the spirit of a compromise. **Chairman McKiernan** said and so Commissioner, would I take that as—let's see I've got Commissioner Townsend.

Commissioner Townsend said I have a question along the same line then. Instead of approving this tonight and let that meeting take place later in the week, could we not address this in its option agreement phase, solely on the 28th? In other words, not take any action on it tonight, let that meeting happen, and then address it on the 28th. **Ms. Carttar** said so, when you—you're not, you don't actually approve anything really. You're recommending something for approval by the full commission, if you move it forward tonight, nothing actually gets approved tonight. So, regardless if you, again, take the normal path, that would be advancing this and recommending approval on the 28th. **Commissioner Townsend** said right, but we would have to take some vote to move it forward under normal circumstances, that's what we've been talking about for the last 20 minutes. So, what I'm saying is we—you let that meeting happen and then forward this on, that this committee, you know just moved to forward with this on without a recommendation and take the vote on the 28th. So, there's only one vote because we're—that way we recognize what the neighborhood group has said and Mr. Warner's willingness and desire to meet with the neighborhood group but that meeting is not going to take place within the next 10 minutes when we would vote. So, that's my point. **Chairman McKiernan** said Wendy Green from our Legal Department is about to, I think, set us straight on what options we have here.

Wendy Green, Assistant Counsel, said what I would suggest is to get it to the Commission, even itself, it's going to require a vote from this committee. So, whether it's a unanimous vote or not a unanimous vote, as long as the majority votes to move it forward to the Commission, that's all you're voting on tonight is to move it forward to the Commission. It could go on a consent agenda but then you could just ask for it to be removed so that you could then make sure that Mr. Warner had a chance to meet with the neighborhood group, and find out what happened with that meeting before you then vote on whether or not to approve this option. So, if you vote to move it to the—not the fast track, if you don't want to fast track, to the to the regular commission meeting where this would appear, then you're just voting to move it forward to that Commission. You're not actually voting to approve the option, if that makes sense. So then that way they could have the meeting, and then you could always remove it from a consent agenda to discuss it at the Commission meeting, but you would have to do some other type of procedure outside of the standing committee in order to get it to that Commission meeting, if you don't vote on it tonight. I hope I'm making sense. **Chairman McKiernan** said thank you Ms. Green, you

are making sense. I guess the question that I would have for the committee is—oh, I do see Commissioner Burroughs.

Commissioner Burroughs said, Wendy, if we follow—I want to make sure that I understand. So, if we chose not to have a unanimous decision tonight, this would go to the non-consent calendar. So, at that time the public would have a chance to weigh in at the 28th meeting, that has been that has been suggested by Commissioner Townsend versus the fast tracked meeting that's being requested for Thursday night. **Ms. Green** said right, you would need to make sure that you are clear in your motion that you're—that this was approved to move ahead to the Commission on the 28th and not the one this Thursday. **Commissioner Burroughs** said great, thank you for that and the reason why I state that is because I think this addresses what Commissioner Townsend has brought forward as well as the conferees that are concerned about the questions they may have for the neighborhood groups. So, I just wanted clarification. I believe I fully understand. Thank you Wendy. **Ms. Green** said yeah, absolutely.

Bridgette Cobbins, Assistant County Administrator, said I do want to just make note also that that item was added to the agenda for this Thursday. It was contingent upon it being fast tracked so it is on the agenda for this Thursday and is not on the Consent Agenda of the Land Bank. **Chairman McKiernan** said thank you, Ms. Cobbins. I think the concern of the committee on that is that is not enough time for the neighborhood group and the developer to meet and have a substantive discussion and, therefore, the desire is to move it back to the 28th. I might suggest to the committee that one way we could approach this is to deal with all of the other 1,2,3,4,6 and 7, all of the other option agreements, and then hold this one out as a separate, so that those others if unanimously approved by this body could be on consent for the meeting of the 28th, which is when they would normally be considered anyway and then we could deal with Group A5 separately.

Commissioner Burroughs said I would make that motion, 1 – 7, excluding 5. **Chairman McKiernan** said there is a motion to approve A 1,2,3,4,6, and 7, as submitted. Is there a second for that?

Action: Commissioner Burroughs made a motion, seconded by Commissioner Townsend, to approve A1, A2, A3, A4, A6 and A7, as submitted. Roll call was taken and there were five “Ayes,” Walters, Bynum, Townsend, Burroughs, McKiernan.

Thank you so much that leaves us with A5 and we could have a motion to forward to full commission but to do so separately.

Action: Commissioner Townsend made a motion that Item A5 be moved to—out of committee onto the agenda for October 28th for a fuller discussion and action.

Chairman McKiernan said, Commissioner Bynum, I’ll recognize you. I think I can anticipate your question but go ahead. **Commissioner Bynum** said I really just want to add to the motion as stipulation of a required neighborhood group meeting with a report of the results of that meeting to the full commission on the 28th. **Chairman McKiernan** said thank you so much.

Commissioner Burroughs said I'm assuming that this will be a vote to advance it on the consent calendar to the 28th or will this be a vote just to advance it with no recommendation? **Chairman McKiernan** said that's a great question and that's the one I thought the Commissioner Bynum was going to ask. My understanding, and Wendy can correct me if I'm wrong, is that if we vote unanimously, it will go on the consent agenda for the meeting of the 28th, but by voting on this item separately, it makes it easier for us to pull this out of consent and deal only with it without affecting all of the other properties. Wendy, did I get that right? **Ms. Green** said exactly. You sure did.

Commissioner Townsend said my question to counselor was, would my motion get us there? What I want is discussion and I would not be offended if there is at least one no vote to my motion because that would get us on the discussion agenda, the non-consent. So, I think everybody wants to get there. I think that's the point. **Ms. Green** said to clarify, if you want to amend your motion to state specifically that it is—you are moving to advance it to that commission meeting to go on

the agenda but not the consent agenda, you could even make it that clear, as well. **Commissioner Townsend** said okay, I like that revisions so moved.

Action: **Commissioner Townsend** said I amend my motion that it advance to the **October 28th full commission and not on the Consent Agenda.**

Chairman McKiernan said I have to confess I've lost track. Have we had a second to that motion? **Ms. Godsil** said we have not. **Chairman McKiernan** asked is there a second to Commissioner Townsend's motion?

Commissioner Burroughs said I guess I want to make sure that we're following the proper procedure. I would think that we would go ahead and make—the motion would need to be to take action on this particular issue and if the issue should fail to get the unanimous consent, then it would go to the non-consent. Then the next motion could be to put it on the 28th versus trying to combine the motion. I am just trying to ensure that we're following the proper procedures, Mr. Chairman. **Chairman McKiernan** said well, my understanding, and correct me, Wendy if I'm wrong on this, is that all of these items that we have considered would be on the agenda of the 28th, that the request was that this be moved to the agenda of the 14th. We would now not put this on the agenda of the 14th, but on the agenda of the 28th, allowing time for that neighborhood group meeting and Commissioner Townsend's motion will ensure that this item is not on consent on the 28th but rather, it will ensure that we have a discussion of this item as a commission. Is that correct? **Ms. Green** said that's correct, and that can be done by a motion. It doesn't necessarily require that one person not vote to get in on the—so it's not on the consent agenda. You can move that it not go on the Consent Agenda as well and that's absolutely fine. **Commissioner Burroughs** said, Wendy, thank you for that clarification. I would just want to ensure that we're aware of how the process is going to work here this evening, so that we don't find it on the consent calendar on the 28th to send the message and we're—so the committee is supportive of the project by consent, so thank you for that clarification. **Ms. Green** said you're welcome. **Chairman McKiernan** said with that clarification, is there a second for Commissioner Townsend's motion?

Action: Commissioner Walters seconded the motion that Item A5 be moved to—out of committee onto the agenda for October 28th for a fuller discussion and action.

Chairman McKiernan said there's been a motion and a second.

Roll call was taken on the motion and there were five “Ayes,” Walters, Bynum, Townsend, Burroughs, McKiernan.



Option Agreements
 Agenda Item – B
 Multi Family Homes
 4 Units



**OPTION AGREEMENTS
BRIGHT SOLUTIONS**



Requesting Land Bank Lots
 829 S Mill St- 073742
 831 S Mill St- 073741
New Construction
 1 Duplex
Zoning
 R-2(B) Two Family District
Frontage
 126ft





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**OPTION AGREEMENTS
BRIGHT SOLUTIONS**



Unit Building Details
3 Beds / 2 Baths
1,100 SqFt

Timeline
Project Start – December 2021
Project Completion – February 2022

Experience
Home Builder

Next Steps
1. Building permit
2. Proof of funds to cover building estimate

Recommendation
☒ Staff Advisory Committee
insulated concrete forms (ICF) construction an onsite engineer will be required for entire building process.
☒ Land Bank Advisory Board





**OPTION AGREEMENTS
BRIGHT SOLUTIONS**



Requesting Land Bank Lots
1220 Pennsylvania Ave- 068242

New Construction
1 Duplex

Zoning
RP-5 Planned Apartment District

Frontage
193ft




B. New Construction – Multi Family – 4 Units

1. Bright Solutions – 1 Duplex
829 S. Mill St. – 073742
831 S. Mill St. – 073741



**OPTION AGREEMENTS
BRIGHT SOLUTIONS**



Unit Building Details
3 Beds / 2 Baths
1,100 SqFt

Timeline
Project Start – December 2021
Project Completion – February 2022

Experience
Home Builder

Next Steps
1. Building permit
2. Proof of funds to cover building estimate

Recommendation
☒ Staff Advisory Committee
insulated concrete forms (ICF) construction an onsite engineer will be required for entire building process. Duplex will face Pennsylvania Ave.
☒ Land Bank Advisory Board



Mr. Knapp said the first one is at 829 S. Mill St, 831 S. Mill. That's for a duplex. **Chairman McKiernan** said, Mr. Knapp, if you would go ahead and share your screen again, please. **Mr. Knapp** said alright, so it's 829 and 831 S. Mill Street. It's for a duplex that is already zoned R-2(B) for a two family district that will allow this duplex. They both are going to be—both units are going to be 3 bed, 2 bath and under 1,100 sq. ft. Staff said, insulated concrete form construction

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will require an on-site engineer requiring for the entire building process and the Land Bank Advisory Board recommends the project.

2. Bright Solutions – 1 Duplex
1220 Pennsylvania Ave. – 068242

Bright Solution's second duplex is at 1220 Pennsylvania Ave., is for a duplex, this is zoned RP-5. I did check the Land Bank history and ownership of this lot and the Land Bank does in fact own it currently. This is the same duplex as before. The only comment from staff was the duplex will have to face on Pennsylvania Ave.

Chairman McKiernan said If you could go back to, go back one more slide, right there. So, it'll be on the diagonal of Pennsylvania. Mr. Knapp, I appreciate you checking it. I could have sworn that several years ago we had transferred this parcel to someone who lives on the north side of Taylor, but I guess my memory is faulty on this. So, does the committee have any comments or questions for Mr. Knapp. **Chairman McKiernan** said I will just say that all three of these locations are in my district. I would say that these would be really interesting and excellent additions to Armourdale. I would hope that we will get product that is as nice looking as the photos that have been submitted to put in your presentation.

Commissioner Townsend said, Mr. Chairman, might I offer that we just, as we've done in past, just take action on each of these sections and that might move this a little bit you know along and it keeps the record maybe clearer, B1 and B2.

Action: **Commissioner Townsend made a motion to approve Item B1 and B2.**

Chairman McKiernan said there is a motion to approve Items B1 and B2, all of the multifamily option proposals. Is there a second?

Action: **Commissioner Burroughs seconded the motion.**

Chairman McKiernan asked is there anyone from the public who would like to comment on these particular applications? I'll ask Ms. Godsil if we received any communication about these

applications? **Ms. Godsil** said no communication has been received and I see no hands raised. **Chairman McKiernan** said there's been a motion and a second to approve as submitted.

Roll call was taken on the motion and there were five "Ayes," Walters, Bynum, Townsend, Burroughs, McKiernan.



Option Agreements Agenda Item – C Garages 5

C. New Construction – Garages

1. Evelyn Janeth Amador Portillo – 1 garage
327 Franklin Ave.
2. Maria Barrios – 1 garage
845 Reynolds Ave. – 120219



Chairman McKiernan said Mr. Knapp that takes us to Group C, new construction garages. **Mr. Knapp** said so, the first one is—request in the Land Bank at 327 Franklin Ave. They currently own 329 Franklin Avenue.



OPTION AGREEMENTS
EVELYN JANETH AMADOR PORTILLO



Timeline
 Project Start – November 2021
 Project Completion – June 2023

Next Steps

1. Building permit
2. Proof of funds to cover building estimate
3. Join lots




Recommendation

☐ Staff Advisory Committee
 Could build garage on current property. Would have to demo current accessory structure. Garage entrance off alley way

☒ Land Bank Advisory Board

So the plans that were submitted, staff said to build a garage on the current property would have to demo the current accessory structure and the garage entrance would have to come in off the alleyway and the Land Bank Advisory Board recommended the project, but staff did not.



OPTION AGREEMENTS
EVELYN JANETH AMADOR PORTILLO





It's in the lower medium density residential for the master plan.



OPTION AGREEMENTS
EVELYN JANETH AMADOR PORTILLO






I did go by and take some photos of the house. The house is currently in the process of being rehabbed.

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OPTION AGREEMENTS
MARIA BARRIOS



Requesting Land Bank Lot
845 Reynolds Ave - 120219

Currently owns
843 Reynolds Ave- 120218

New Construction
Garage and patio with outdoor kitchen.

Zoning
R-1(B) Single Family District

Frontage
30ft




For the next one is at 845 Reynolds Ave. They currently own 843 Reynolds. They want to build a garage and patio and an outdoor kitchen.



OPTION AGREEMENTS
MARIA BARRIOS



Timeline
Project Start – December 2021
Project Completion – December 2022

Next Steps

1. Building permit
2. Proof of funds to cover building estimate
3. Join lots

Recommendation

☐ Staff Advisory Committee
Would have to demo current accessory structure. Garage entrance off alley way

☒ Land Bank Advisory Board




Staff, again, did not recommend the project. They would have to demo their current accessory structure and the garage entryway. The entrance would have to be off the alley. The Land Bank Advisory Board did recommend the project.



OPTION AGREEMENTS
MARIA BARRIOS





I went by and took a photo of the lot.

3. Jesus Leyva – 1 garage
919 Cleveland Ave. – 157928

(This item was held over from last month because of unanswered questions.)

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OPTION AGREEMENTS
JESUS LEYVA



Requesting Land Bank Lot
919 Cleveland Ave- 157928

Currently Owns
913 Cleveland Ave- 157926

New Construction
2 Car Garage

Zoning
R-1(B) Two Family District

Frontage
33Ft



The next one we have seen before, is they're requesting the lot at 919 Cleveland Ave. They currently on 913 Cleveland Ave. They want to build a two-car garage.



OPTION AGREEMENTS
JESUS LEYVA



Building Details
2 Car Garage

Timeline
Project Start – Fall 2021
Project Completion – Spring 2022

Recommendation
☐ Staff Advisory Committee
 Can build garage on current property
☒ Land Bank Advisory Board



Staff said that it's not recommending the project, that they can build a garage on their current property. The Land Bank Advisory Board did recommend for approval.



OPTION AGREEMENTS
JESUS LEYVA





 Neighborhood Mixed Use	 Business Park/Light Industrial	 Lower-Medium Density Residential
 Gateway/Neighborhood Commercial Hub	 Industrial	 Single Family
 Commercial	 Historic and Institutional	 Parks and Open Space
 Highway Commercial	 Medium-Higher Density Residential	

This is a medium higher density residential area.

4. Robert Moreno - 1 garage
 1. 1210 Waverly Ave. – 157285
 2. 1214 Waverly Ave. – 157254

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(This item was held over from last month for further review.)



OPTION AGREEMENTS
ROBERT MORENO



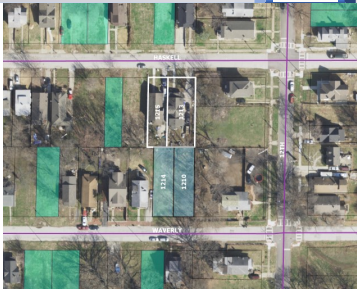
Requesting Land Bank Lots
 1210 Waverly Ave- 157285
 1214 Waverly Ave- 157284

Currently owns
 1213 Haskell Ave- 157262
 1215 Haskell Ave- 157263

New Construction
 1 garage with ADU

Zoning
 R-2 Two Family District

Frontage
 75ft



So, we have seen this one also before at 1210 and 1214 Waverly Ave. They currently own 1213 and 1215 Haskell Ave. They want to build a garage with an accessory dwelling unit above it.



OPTION AGREEMENTS
ROBERT MORENO



Building Details
 2 Bed 1 Baths
 1000 Sq Ft

Timeline
 Project Start – November 2021
 Project Completion – November 2022

Next Steps

1. Building permit
2. Combine parcels
3. Proof of fund to cover building estimates

Recommendation

☐ Staff Advisory Committee
 Don't think it is appropriate to extend their parcel to become a through parcel thereby making their garage the front facing building on Waverly

☒ Land Bank Advisory Board

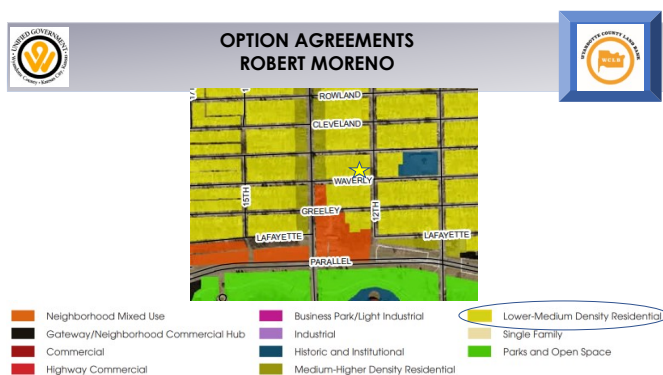


So, there was—in the last standing committee meeting, there was questions on can they just turn the building so the garages do not face the street? The question—the answer I got from staff is they don't really think it's appropriate to extend their parcel to be going through a parcel thereby making their garage front facing building on Waverly. So, the staff still does not recommend approval with just turning the building because then the garage doors would be facing the neighbors.

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I did take a picture. The first picture on the left here is from the back of the—they're requesting these parcels here. The second picture is the front of the homes that they currently own. So, the garage will be built back here. That concludes my garage section.



Chairman McKiernan said I will just say before I recognize Commissioner Townsend that I just am not in favor of those last two requests on Waverly Ave. Although, I am open to further information.

Commissioner Townsend said thank you, Mr. Chairman and for your comments. What I wanted to recommend, if you don't mind, is starting at C1 and taking each of these individually to allow time for further discussion. I have revisited each of these and do have some comments. So, if you don't mind with regard to C1, the property at 327 Franklin. Staff is not recommending it, but I've visited that location and I was distressed because the property that's already owned by the applicant is in serious need of work and I would be more inclined to consider the kind of steward the applicant would be once the house that they own at 329 has undergone its renovations. It may well be large enough to build the garage they need, but aside from that I have concerns given the way that the current property looks. I saw stickers on the house and so I would not recommend

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favorably this application at the time. **Chairman McKiernan** said you said you saw stickers on the house. Mr. Knapp, we don't forward applications where there's a history of code violations or do we? **Mr. Knapp** said we do not. Those stickers may have been building permits maybe. **Chairman McKiernan** said okay. **Mr. Knapp** said I'm guessing here. **Chairman McKiernan** said alright.

Commissioner Walters said well, this is a comment about Item No. 4, and I know it's listed as a garage, but to me that's a house with a garage underneath it and I don't know that it really matters whether we call it a house or we call it a garage, but if it's got living quarters in it, it's a house that could be sold as a standalone house. And I don't know if people look at it differently, if they call it a garage versus a house, but to my mind, that's a house that's being proposed to be built on Waverly and I think we should evaluate it in that way. **Chairman McKiernan** said so, you're looking at the fact that there's an accessory dwelling unit with each of these structures as effectively making it a house with a garage. **Commissioner Walters** said that's correct. **Chairman McKiernan** said I appreciate that clarification.

Commissioner Townsend said yes. What I'd like to do, if you don't mind and colleagues don't mind, is to act on C1 first so we can go down the list of applications here because I appreciate Commissioner Walters comments and I do have some additional comments for that property, just so we're not kind of lost on the discussions and clarification from counsel. If there is no recommendation, these applications die or not processed further? We actually don't have to deny them. Is that correct, Counsel? **Ms. Green** said that's correct. If there's no move to approve them to go on to Commission, then effectively it gets denied. **Commissioner Townsend** said okay. Thank you. Well, I'll just restate, having visited the property and my concerns for the state of the current property owned by the applicant, I would not recommend it. So, that's not a motion, but there it is.

Chairman McKiernan said thank you, Commissioner I appreciate that. For the committee, is there a motion on Items C1, 327 Franklin? I do not hear a motion from the committee. Just to be sure I'll ask one more time if there's a motion on Item C1? I don't see any hands and don't hear a motion. So, C1 does not move forward by lack of no—I mean by virtue of no motion. That would

bring us Item C2, 845 Reynolds Ave. **Commissioner Townsend** said one last thing with regard to the applicant for 327 Franklin. I want to encourage them to keep going forward with whatever improvements are being made to 329. I think we would be better able to evaluate their requests for Land Bank properties if we could see improvement in the type of steward they are with the current property there. So, just that comment, thank you.

Chairman McKiernan said I would remind anyone that if an item does not move forward in any given committee meeting, the applicant can reapply in the future. I continue to see a hand that disappears in the attendees. It appears that it's Mr. Avalos. Carol, if we could go ahead and unmute Mr. Avalos and do you have comments? First of all your name and address for the record and then do you have something for the committee on Item C1, 327 Franklin?

Roger Avalos, 315 S. 82nd St., Kansas City, Kansas, said I'm the representative for Ms. Amador Portillo. I just want to let you guys know that they just bought the property at the end of July from Robin E. Stewart. They have cleaned the property, you know, picking up trash, cutting the grass and this is going to be their first home. They're renting currently. So, they bought this as their home. So, just to clarify the state of the house, they just bought it like that. So, they would like to improve it, make an addition and build that garage.

Chairman McKiernan said thank you, Mr. Avalos. What I would say is that since it did not move forward tonight, the family can continue to make the improvements to the house that they own and can come back to the Land Bank with a new application at some point in the future.

So, committee that brings us to Item C2—I'm sorry. Have we—Carol, keep me straight. Have we—there was no motion, so there's nothing to act on on C1. Item C2, 845 Reynolds. Is there a motion for action from the Committee on that? I will say that this one is in my district. While I appreciate the input from the Staff Advisory Committee, at this point I would not be averse to allowing the current property owner to acquire this particular property, one lot up from Mill St., east of Mill St. **Commissioner Walters** said I agree with you Brian.

Action: **Commissioner Walters made a motion, seconded by Commissioner Townsend, to approve C2 as submitted.** Roll call was taken and there were five “Ayes,” Walters, Bynum, Townsend, Burroughs, McKiernan.

Chairman McKiernan said I think it will be a good addition to Reynolds Ave.

That brings us to Item C3, 919 Cleveland Ave., Mr. Jesus Leyva. I believe we held this over last time and I would ask Commissioner Townsend if she has any insight on this property. **Commissioner Townsend** said yes, I have since that last meeting last month visited this area. I would have to or would like to commend the owner/applicant Mr. Leyva. He owns the property at 913 which is a delight to look at; beautiful. To the north of the 913 property, he is landlocked. There's, well it's formerly Land Bank, but it's not a Land Bank anymore, but he can't go that way, he can't go east. And while it is true that he could probably build a garage on what he has, he has been a good steward in keeping the lot for which he has applied cut—I've driven by there several times—didn't know that this was part of the request, but it's always well done as is his other property. So, here's just the opposite situation. I would move to approve his application.

Action: **Commissioner Townsend made a motion, to approve C3 as submitted.**

Chairman McKiernan said there's a motion to approve Item C3 as submitted. Is there a second? Hearing none, as a member of the committee, I would offer a second on this based on the comments of Commissioner Townsend.

Action: **Chairman McKiernan seconded the motion.**

Chairman McKiernan asked any additional comment or questions from the committee? Any comment on this particular—**Commissioner Burroughs** said this was not recommended by staff, correct? **Mr. Knapp** said, yes, that is correct. **Commissioner Burroughs** said thank you Jud. Thank you, Mr. Chairman.

Chairman McKiernan asked, Carol, did we receive any comment about this particular application? **Ms. Godsil** said no public comments were received. **Chairman McKiernan** said

thank you. Is there any member who was in attendance tonight who would like to comment on this particular application? **Ms. Godsil** said there are no hands raised.

Roll call was taken on the motion and there were three “Ayes,” Bynum, Townsend, McKiernan; and two “Nos,” Walters, Burroughs.

Chairman McKiernan said that makes the vote three to two. This motion requires four votes to advance to full commission, so it does not advance.

That brings us to Item C4. Any comments or questions from the committee?

Commissioner Townsend said prior to our last meeting, I had visited these properties. The block in which the requesters want to acquire the property it's well kept. The other neighbors small houses cut properties, however, I would not be in favor of this proposal. I believe the applicant owns property on Haskell that abuts from the rear to the north and I was very taken aback by the appearance of those properties. What was in front of them and what was in the rear to the multiple vehicles and things that I don't believe would belong there. So, I have some concerns about the stewardship of the Waverly property that they're asking for and I just don't believe from the designs I saw that that would fit or blend in with what's already on that block. So, I would not recommend the proposal as put forward. It may be right for somebody else for other houses but for this proposal, I would not recommend it.

Chairman McKiernan said asked are there other comments or questions from members of the committee? Seeing none, is there a motion from the Committee on Item C4? I don't hear a motion nor do I see any hands raised? I'll just clarify, is there a motion for C4? Carol it does appear that the applicant is in the attendees. So, if we could give Mr. Moreno the opportunity to address the committee. **Ms. Godsil** said he's unmuted.

Chairman McKiernan said if you would please give us your name and address for the record and then share your comments with the committee.

Roberto Moreno said my parents are the ones that own 1213 and 1215 Haskell and I'm about to turn 22 and I have a construction and roofing background and I wanted to build like a garage or

like a house/garage so I can fit—because I have three work trucks. So, I wanted to fit them in because in this neighborhood I recently got like, both of my property stolen, a lot of tools and stuff like that. So, I wanted somewhere I could live because I want to like not live with my parents anymore and also like to where I put all my tools and trucks. Or if you guys don't agree on the garage, I could essentially build a house there as well. **Chairman McKiernan** said thank you Mr. Moreno. **Mr. Moreno** said no problem. **Chairman McKiernan** said we appreciate that.

Commissioner Townsend said well, Mr. Moreno, I'm encouraged if you're going to build a house. Please come back to us with that application and I am again concerned also when you're talking about work trucks and that type of thing that that may not in and of itself, that's another discussion may blend into the neighborhood. As I said, I saw some things over on the Haskell property that gave me pause, but I just couldn't endorse the application as it currently sits. So, if you want to amend your application and come back later with something else for that property, we could consider that. As Commissioner McKiernan says, you can come back with a different application. I think that would be the cleaner thing to do, but to take care of this application, I can't support it as it is, and maybe we need to have some other discussions about the adjoining property and what your real plans are. **Chairman McKiernan** said a moment ago when I asked for a motion on this application, C4, I did not receive one. I just want to ask one more time among the committee, is there a motion on C4. I do not hear a motion. That item does not move forward to full commission. The applicant is free to—I would suggest have a discussion with Commissioner Townsend and then to apply again in the future.

That gets us through Item No. 1. Takes us to Item No. 2. I'm sorry, no I'm sorry. We still have 1D, new construction commercial.



Option Agreements
Agenda Item – D
Commercial
1

October 11, 2021

D. New Construction - Commercial

1. Bessie M. Robinson
2536 N. 17th St. – 115863



OPTION AGREEMENTS
BESSIE M ROBINSON



Requesting Land Bank Lot
2536 N 17th ST – 115863

Currently owns
2534 N 17th St – 115862
2532 N 17th St – 115861
2530 N 17th St – 115860

New Construction
Daycare / Mentoring center

Zoning
R-1(B) Single Family District

Frontage
70ft





Mr. Knapp said so, this is our only commercial application that we have this month. This is for—I'll give you a little summary of it.



OPTION AGREEMENTS
BESSIE M ROBINSON



Timeline
Project Start – November 2021
Project Completion – June 2023

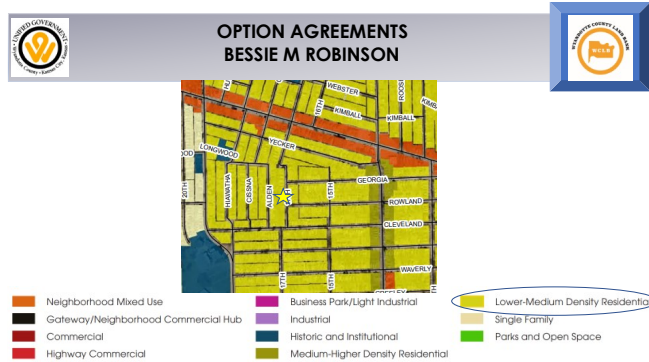
Next Steps

Recommendation
☐ Staff Advisory Committee
 it is inappropriate to build a commercial building in the middle of residential block
☒ Land Bank Advisory Board



They want to build a daycare/mentoring center. Their first submission was for a commercial building, but from the Staff Advisory meeting, it's inappropriate to build a commercial building in the middle of a residential block. They were provided, the applicant was provided two options, move the commercial building where zoning will allow or you can build a house to get a special use permit to run a daycare. The applicant has chosen to build the house and get the special use permit. So, they are requesting 2536 N. 17th St. They currently own 2534, 2532 and 2530 N. 17th St. They did not provide me with an updated photo of what they wanted, but they did tell me that they were going to build a home and get the special use permit for the daycare.

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This is in the lower medium density area for the plans for the plan use map. That will conclude this item Commissioner.

Chairman McKiernan asked any members of the committee have comments or questions on this particular application? **Commissioner Townsend** said I would—I appreciated the fact the applicant is choosing to build a home here so they understand that this would be more appropriate for the block in the area of this address and I would move to approve your application.

Action: **Commissioner Townsend made a motion to approve Item D1.**

Chairman McKiernan asked is there a second?

Commissioner Townsend said point of clarification to—even though this is showing commercial, this would now be residential. Is that not correct Mr. Knapp? **Mr. Knapp** said that is correct. It would move to the residential side. **Commissioner Townsend** said okay, thank you.

Action: **Commissioner Bynum seconded the motion to approve Item D1.**

Commissioner Burroughs said well they haven't submitted any plans or drawings or anything of what the house might look like. Right Jud? **Mr. Knapp** said they have not Commissioner.

Chairman McKiernan said so there's been a motion and a second to approve this understanding that the new construction would be residential, not commercial, and that before any daycare center was established, they would need to go through the special use permit process in order to do that.

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Chairman McKiernan asked, any other comments or questions from the committee? Carol, did we get any public comment on this particular application? **Ms. Godsil** said no public comments received. **Chairman McKiernan** asked is there anyone in the attendees who would like to comment on this application? **Ms. Godsil** said there are no hands raised. **Chairman McKiernan** said we have a motion and a second to approve as submitted.

Roll call was taken on the motion and there were five “Ayes,” Walters, Bynum, Townsend, Burroughs, McKiernan.

Chairman McKiernan said that completes Item No. 1 and takes us to Item No 2. We have three different—well we have one property transfer and two yard extensions. Mr. Knapp, let’s just deal with the property transfer first please.



Option Agreements
 Agenda Item – E
 Property Transfer
 1

A. Property Transfer

1. The Homes, Inc.
 2926 N. Allis St.

Mr. Knapp said this is for The Homes area. They are requesting a Land Bank lot at 2926 to build a parking lot so their residents can park.



OPTION AGREEMENTS
THE HOMES, INC



Details
10 parking spaces

Timeline
Project Start – Spring 2022
Project Completion – Spring 2022

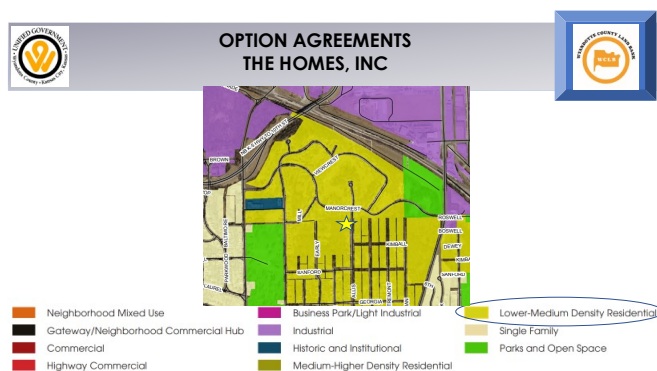
Next Steps

Recommendation

- ☒ Staff Advisory Committee
- ☐ No parking lots in a residential zones would require a special use permit, and a sidewalk
- ☒ Land Bank Advisory Board



So, you see a 2926 they would park here and then walk to their homes. The plan—this is a picture they provided me of another parking lot that they have. They would have. They plan for 10 spaces. They plan to start this project of spring in 2022 and the plan completed in spring of 2022. The Staff Advisory Committee said no parking lots in residential zones, but it would require a special use permit and to build a sidewalk. They are recommending for approval.



It is in the lower medium density residential. That would conclude this item. **Chairman McKiernan** said so, the staff is saying that they do recommend, but with the special use permit and the construction of a sidewalk, is that correct? **Mr. Knapp** said that is correct.

Commissioner Bynum said well, I would ask Commissioner Townsend to confirm, but I've been in The Homes' neighborhood on multiple occasions and I don't think there are sidewalks in any part of that neighborhood. So that's—**Chairman McKiernan** said I'll ask Commissioner Townsend to add some clarification to that.

Commissioner Townsend said thank you, Commissioner Bynum. The answer to your questions depends on which part of The Homes you're in and I did visit this exact location. The picture shown there is a bit misleading because you go straight north down Allis from say Quindaro

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and the lot that they are seeking is just wooded area on a relatively narrow street in there so some people have separate driveways but The Homes is constantly in need of places to park and if the—if they can get the desired permit and agree to the sidewalk because from where this is they would need a sidewalk, I would think to get to their homes from what I saw. Then it would be beneficial to The Homes and it would be beneficial to us to have what now is just wooded looking area, overgrown area, put to beneficial use for The Homes. Mr. Knapp, correct me if I'm wrong, this option period, would the applicants have to go through Planning & Zoning first before the title would change hands or what? I thought this was, you know really the kind of thing that the option period allowed for. **Mr. Knapp** said that is correct Commissioner. We will not transfer the property until Planning & Zoning gives us the okay that they can build their parking lot. **Commissioner Townsend** said okay. So, from what I saw, of the lots and their proximity to homes on the—what is really one of the most western borders of The Homes. I was surprised that The Homes extended that far west, but it would certainly be beneficial to them in an area where parking, safe parking is hard to come by. So, I would move to approve the application.

Action: **Commissioner Townsend made a motion, seconded by Commissioner Walters, to approve.**

Chairman McKiernan said there's a motion and a second to approve as submitted. Any further comment or questions from the committee? Carol, did we get any comment regarding this particular application? **Ms. Godsil** said no comments received. **Chairman McKiernan** asked is there anyone among the attendees who would like to make public comment on this application? **Ms. Godsil** said I see no hands raised. **Chairman McKiernan** said there's a motion and a second to approve as submitted, roll call please.

Roll call was taken on the motion and there were five “Ayes,” Walters, Bynum, Townsend, Burroughs, McKiernan.

Item No. 1 – 211081...LAND BANK OPTION TRANSFERS

Synopsis: Request consideration of the following Land Bank transfers, submitted by Jud Knapp, Interim Land Bank Manager.

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Option Agreements

Agenda Item – F

Yard Extensions

2

B. Yard Extensions

1. Bryant T. Crosby, Sr.
3541 R N. 60th St. – 031424
2. David Jennings
3533 Ford Ave. – 065612



**YARD EXTENSION
BRYANT T CROSBY SR.**



Requesting Land Bank Lots
3541 R N 60th St - 031424

Currently owns
3621 N 60th St – 031420
3525 N 60th St - 031426

Frontage
0 Feet – Unbuildable / Land Locked

Zoning
R-1





Chairman McKiernan said, Mr. Knapp, Item B1. **Mr. Knapp** said alright, so these are yard extensions. This is the is—the first one is at 3541R N. 60th St. The applicant currently owns 3621 and 3525 N. 60th St. It is landlocked, so it is an unbuildable parcel wedged in between two properties that the applicant owns.



**YARD EXTENSION
BRYANT T CROSBY SR.**



Recommendation

☒ Staff Advisory Committee

☒ Land Bank Advisory Board



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I did drive by and take a picture of the applicant's property provided here and staff and the Land Bank Advisory Board both recommended for approval.



The next one is a 3533 Ford Ave. They currently own 3701 Ford Ave. This lot has—it's unbuildable because it is landlocked.



I did try to take a picture of it. It's somewhere up in those woods up there. It's up there and then there's a picture of their driveway going to their home. Commissioner, that would conclude Item 2B.

Chairman McKiernan said we have the two items here, two yard extensions.

Action: Commissioner Burroughs made a motion, seconded by Commissioner Walters, to approve both yard extensions.

Chairman McKiernan said there's a motion and a second to approve these yard extensions as submitted. Any further comments or questions from the committee? Carol, did we receive any

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comment about these applications? **Ms. Godsil** said no comments received? **Chairman McKiernan** asked is there anyone among the attendees who'd like to make public comment on these applications? **Ms. Godsil** said no hands raised.

Roll call was taken on the motion and there were five "Ayes," Walters, Bynum, Townsend, Burroughs, McKiernan.

Chairman McKiernan said thank you very much for your work. That is the conclusion of the Neighborhood & Community Development standing committee meeting.

Adjourn

Chairman McKiernan adjourned the meeting at 6:47 p.m.

tpl



Staff Request for Commission Action

Tracking No. 211251

Full Commission Meeting Date: 1/27/2022

Committee: Neighborhood & Community Development

Date of Standing Committee Action: 1/3/2022
(If none, please explain):

Publication Required: No

<u>Date:</u> 12/14/2021	<u>Contact Name:</u> Greg Talkin, Anthony Hutchingson, John Droppelmann, Patrick Holton	<u>Contact Phone:</u> x8628, x8630, x5938	<u>Contact Email:</u> gtalkin@wycokck.org, ahutchingson@wycokck.org, jdroppelmann@kckfd.org	<u>Department/Division:</u> Neighborhood Resource Center
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Item Description:

The most recent building code adoption for the City of Kansas City, KS occurred in 2016 with the 2012 I-Codes and the 2009 IECC. The International Code Council (ICC), a developer and publisher of model codes, is on a 3-year update cycle. The City of Kansas City, KS has opted in the past to adopt the International Codes, or I-Codes, every other cycle, which equates to every 6 years. The 2018 Suite of Building Codes is the next round in the 6-year cycle. These codes are identified as follows:

2018 International Building Code (IBC)
2018 International Residential Code (IRC)
2018 International Existing Building Code (IEBC)
2018 International Mechanical Code (IMC)
2018 International Energy Conservation Code (IECC)
2018 Uniform Plumbing Code (UPC)
2017 NFPA 70 - National Electrical Code (NEC)
2018 International Property Maintenance Code
2018 International Fire Code (IFC)
2018 Life Safety Code NFPA 101

Action Requested:

To review and approve "The 2018 Suite of Codes and Amendments to Chapter 8 -Building and Building Regulations / Chapter 15 – Fire Prevention and Protection."

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

UGKCK Request to adopt New Codes- 2018 Suite Set, Ord. Form 2018 IBC, Ord. Form 2018 IEBC, Ord. Form 2018 IECC, Ord. Form 2018 IFC & NFPA 101, Ord. Form 2018 IMC, Ord. Form 2018 IPMC, Ord. Form 2018 IRC, Ord. Form 2018 NEC, Ord. Form 2018 UPC



Neighborhood Resource Center

Unified Government of Wyandotte County/ Kansas City, Kansas
4953 State Avenue, Kansas City, Kansas 66102
p. (913) 573-8600 | f. (913) 573-8631 | www.wycokck.org/NRC

To: Neighborhood and Community Development Standing Committee

From: Greg Talkin, Neighborhood Resource Center

Date: December 21, 2021

RE: Proposed Adoption of "The 2018 Suite of Codes and Amendments to Chapter 8 -Building and Building Regulations / Chapter 15 – Fire Prevention and Protection"

The most recent building code adoption for the City of Kansas City, KS occurred in 2016 with the 2012 I-Codes and the 2009 IECC. The International Code Council (ICC), a developer and publisher of model codes, is on a 3-year update cycle. The City of Kansas City, KS has opted in the past to adopt the International Codes, or I-Codes, every other cycle, which equates to every 6 years. The 2018 Suite of Building Codes is the next round in the 6-year cycle. These codes are identified as follows:

2018 International Building Code (IBC)

2018 International Residential Code (IRC)

2018 International Existing Building Code (IEBC)

2018 International Mechanical Code (IMC)

2018 International Energy Conservation Code (IECC)

2018 Uniform Plumbing Code (UPC)

2017 NFPA 70 - National Electrical Code (NEC)

2018 International Property Maintenance Code

2018 International Fire Code (IFC)

2018 Life Safety Code NFPA 101

The Importance of ICC:

- Updated codes promote safe, resilient, efficient, and cost-effective construction.
- Current codes protect the building owner's investment, enhance safety and foster innovation in the marketplace.
- For consumers, updated codes mean lower maintenance costs such as lower energy and water bills, less mechanical noise, and an overall higher quality of life.
- Current building codes spur innovation and are an incentive for American manufacturers to invest in product development.
- Current building codes also create a demand for new jobs including code enforcers, technical experts, tradesmen, construction workers, quality control assessors, and building and systems commissioning agents.

Financial Impact:

The Commission's adoption of "The 2018 Suite of Codes and Amendments to Chapter 8 -Building and Building Regulations / Chapter 15 – Fire Prevention and Protection" will not have a financial or budgetary impact on the organization. There could be a positive or negative impact to the consumer depending on type and size of project.

Has There Been Previous Council Decision on This:

The current Suite of Building Codes was adopted by Council in 2016. There is the need to discuss and approve or provide direction on the adoption of "The 2018 Suite of Codes and Amendments to Chapter 8 "Building and Building Regulations". These codes are now presented to the Commission for review and adoption.

Connection to Commission Goals:

Code Compliance - Achieve comprehensive and equitable code compliance.

Foster a Resilient and Economically Prosperous Community

- Deliver outstanding services through a healthy environment, resources and infrastructure. Promote policies that reflect a positive and safe community.

Work in Partnership to Enhance a Safe and Livable Community

- Foster a safe, healthy, equitable and accessible community.
- Promote a high quality of life through consistent standards, rules, and regulations.

UNIFIED GOVERNMENT STRATEGIC PLAN
2017-2022

**Background/History:**

A model building code is developed and maintained by a standards organization independent of the jurisdiction responsible for enacting the building code. A local government can choose to adopt a model building code as their own. This saves them the expense and trouble of developing their own codes. Model codes are intended to be adopted in accordance with the laws and procedures of a governmental jurisdiction. When adopting a model code, some jurisdictions amend the code in the process to reflect local practices and laws.

Local codes are diverse in the extent to which the base model code is amended. Most local amendments are limited to administrative provisions, which are subject to change to meet other local regulations regarding implementation of ordinances. Engineering provisions are among the least amended, with a common reason for amendments related to unique site conditions that affect foundation design or applied wind and snow loads. The International Building Code and International Residential Code are generally considered more comprehensive codes while the rest are considered specialty codes.

Where are the International Codes (I-Codes) Adopted?

- The *International Building Code* (IBC) is adopted in all 50 states and the District of Columbia.
- The *International Fire Code* (IFC) is in use in 41 states and the District of Columbia.
- The *International Residential Code* (IRC) is in use in 49 states and the District of Columbia.
- The *International Mechanical Code* (IMC) is in use in 46 states and the District of Columbia.
- The International Codes are in use in Puerto Rico, Guam, U.S. Virgin Islands, American Samoa and the Northern Mariana Islands.

Local-Regional Adoptions:

City/County	IBC	IRC	IPC/UPC	IMC	NEC	IECC	IFC	NFPA 101	IEBC	IPMC
	International Building Code	International Residential Code	International/Uniform Plumbing Code	International Mechanical Code	National Electric Code	International Energy Conservation Code	International Fire Code	Life Safety Code	International Existing Building Code	International Property Maintenance Code
KCK - current	2012	2012	2012	2012	2011	2009	2012	2003	n/a	2012
KCK - proposed	2018	2018	2018	2018	2017	2018	2018	2018	2018	2018
Bonner Springs	2015	2015	2015	2015	2014	n/a	2015	n/a	n/a	2015
Edwardsville	2012	n/a	n/a	n/a	n/a	n/a	2012	n/a	n/a	n/a
Shawnee	2018	2018	2018	2018	2017	2018	2018	n/a	n/a	n/a
Lenexa	2018	2018	2018	2018	2017	2012	2018	n/a	n/a	2108
Overland Park	2018	2018	2018	2018	2017	2018	2018	n/a	n/a	2018
Prairie Village	2018	2018	2018	2018	2017	2018	2018	n/a	2018	2018
Leawood	2018	2018	2018	2018	2017	2018	2018	n/a	2018	2018
Olathe	2018	2018	2018	2018	2017	2018	2018	n/a	2018	2018
Gardner	2018	2018	2018	2018	2017	n/a	2018	n/a	n/a	2018
Johnson County	2018	2018	2018	2018	2017	2018	2018	n/a	2018	2018
Kansas City Mo	2018	2018	2018	2018	2017	2012	2018	2018	2018	n/a
Spring Hill	2006	2006	2006	2006	2005	n/a	2006	n/a	n/a	2006

- Try to be similar/ consistent with surrounding jurisdictions
 - Easier for designers and contractors to design and build
 - Easier to educate contractors
 - Easier for us to enforce

Community Benefits and Considerations:

- Protect public health, safety, and welfare
- Keep construction costs down
- Provide consistent minimum standards in construction
- Contribute to the well-being of the community
- Help control or lower cost of insurance premiums by providing the insurance industry with a baseline for mitigating risk.

The City of Kansas City, KS is currently under an audit with the Insurance Service Office (ISO) to determine its current Building Code Effectiveness Rating Schedule where a lower score, on a scale from 1 to 10, indicates exemplary commitment to code enforcement. The current building codes adopted affect this rating.

Community Outreach:

- Posted on the UG website 90 days, May-June 2021, and comments were received during that period.
- The target audience for public outreach included the design community, contractors, property owners and community members.
- Topic was discussed in Livable Neighborhoods Task Force meetings on at least three occasions

- Correspondence was sent to neighborhood groups, designers, and contractors we had in our records asking for comments.
- Reached out to those that had questions or concerns associate with the proposed adoption
 - Met with the KCHBA
 - Phone conversation with Metropolitan Energy and ongoing email communication

Items we Heard/Learned about from Community Outreach:

- Energy Conservation Provisions
 - There is a growing push and/or need for increases in energy conservation
 - Can be a significant upfront construction cost for many of the new Energy Codes
 - Proposing some amendments to balance construction cost vs energy conservation
- International Residential Codes
 - KCHBA concerns with increased cost vs benefits on some of the changes.
- International Plumbing Code (IPC) vs. Uniform Plumbing Code (UPC)
 - Ongoing support for UPC from larger organized plumbing contractors
 - From past experiences requesting 2018 UPC with this code update.
- Design professionals prefer new updated standards
 - Provides them more options
 - Assists when working in multiple jurisdictions

Options and Alternatives:

- Adopt Ordinance(s) to adopt the “The 2018 Suite of Codes and Amendments to Chapter 8 - Building and Building Regulations /Chapter 15 – Fire Prevention and Protection”.
- Modify and adopt Ordinance(s)
- Do not adopt Ordinance(s)

Upon Approval -Timeline of Implementation

- New Codes or Old Codes will be allowed to be used for a period of 120 days after the approval of the governing body.
- If a project has already been submitted for review it will be allowed to stay with the code set originally submitted under. If the project becomes stagnant for a period requiring resubmittal, then the new project may have to be submitted under codes in place at the time of resubmittal.

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter 8, Article II – Building Code.

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

Section 1. That Sections 8-23, 8-24, 8-25, and 8-58 are hereby amended to read as follows.

Sec. 8-23. - Violations and penalty.

Any person who shall violate a provision of this article, fail to comply with any of the requirements of this article, erect, construct, alter, or repair a building or structure in violation of the approved construction documents or directive of the building official or fire chief, or act in violation of a permit or certificate issued under the provisions of this article shall, upon conviction, be sentenced to pay a fine of not less than \$100.00 nor more than \$2,500.00, by imprisonment not exceeding six months, or by both such fine and imprisonment, in addition to any other penalties prescribed by law, including civil penalties in accordance with unified government code Chapter 2, Article IX. The office of chief counsel shall, at the request of the board or the building official, render such legal assistance as may be necessary in carrying out the provisions of this article. Upon the request of the building official, the office of chief counsel shall institute, in the name of the unified government, the proper proceedings against any person regarding whom a complaint has been made charging the violation of any provisions of this article. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(Code 1964, § 7-27; Code 1988, § 8-16; Ord. No. 64936, § 7, 12-19-1985; Ord. No. 66271, § 1, 9-4-1997; Ord. No. O-57-04, § 3, 9-16-2004; Ord. No. O-44-11, § 3, 10-20-2011; Ord. No. O-29-12, § 3, 5-3-2012)

Sec. 8-24. - ~~2012~~ 2018 International Building Code—Adopted.

- (a) *Building code adopted.* There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications for the control of buildings and structures within the city, the issuing, suspension, and revocation of permits, the collection of fees, the making of inspections, the execution of plan reviews, the enforcement of this chapter, and fixing of penalties for violations thereof, the ~~2012~~ 2018 International Building Code and referenced standards and specified appendices C, H and J, dated ~~May 2014~~ August 2017, as published by the

International Code Council, Inc., excepting only such parts or portions thereof as are specifically deleted or amended by this chapter. Further, if there exists or arises any conflict between the provisions of the publication and this code, then the provisions of this code are controlling.

- (b) ~~Marked copies~~ copy of code on file. There shall be ~~not fewer than three copies~~ one copy of the standard code, adopted by reference in subsection (a) of this section, kept on file in the office of the unified government clerk, to which shall be attached a copy of the incorporating ordinance from which this section is derived, and which shall be marked or stamped "Official ~~Copies~~ Copy as Incorporated by Ordinance No. O-_____", with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and said code shall be open to inspection and available to the public at all reasonable hours. The Neighborhood Resource Center, ~~Code Enforcement Division, Rental Inspections Division and Building Inspection Division~~ Property Maintenance Compliance Division, Building Inspection Division and Administrative Division, municipal judges and all administrative departments of the unified government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient.

(Code 1964, §§ 7-1, 7-2; Code 1988, § 8-17; Ord. No. 64936, §§ 4, 5, 12-19-1985; Ord. No. 65407, § 1, 3-23-1989; Ord. No. 66271, § 1, 9-4-1997; Ord. No. O-57-04, § 4, 9-16-2004; Ord. No. O-44-11, § 4, 10-20-2011; Ord. No. O-29-12, § 4, 5-3-2012; Ord. No. [O-43-16](#), § 1, 7-28-2016)

State Law reference—Adoption by reference authorized, K.S.A. 12-3009 et seq., 12-3301 et seq.

Sec. 8-25. - Same—Amendments.

The 2012 2018 International Building Code is amended in the following respects: *Sections 101.1—116* are hereby deleted.

Sections 100—176 Administration are hereby added as follows:

Section 100 Title. The 2012 2018 International Building Code, as published by the International Code Council, Inc., and the deletions, changes, and additions contained in the Unified Government Code, chapter 8, sections 8-1 through 8-351, shall be known as the Building Code of the Unified Government of Wyandotte County/Kansas City, Kansas, hereinafter referred to as "this code" or "the building code."

Section 101 Scope. This Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy,

location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures. Detached one- and two-family dwellings not more than three stories in height with separate means of egress shall comply with article VIII (International Residential Code) of this chapter.

Section 102 Intent. The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, property maintenance, and safety to life and property from fire and other hazards attributed to the built environment.

Section 103 Applicability. Where, in any specific case, different sections of this code specify different materials, methods of construction, or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

Section 104 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state, or federal law.

Section 105 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number shall be construed to refer to such chapter, section, or provision of this code.

Section 106 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply. Any reference to the ICC Electrical Code in the International Building Code, International Residential Code, International Mechanical Code, International Existing Buildings Code, International Property Maintenance Code or Uniform Plumbing Code shall be replaced with the NFPA 70 National Electric Code, 2011 Edition.

Section 107 Partial invalidity. In the event any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

Section 108 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the Property Maintenance Code or the International Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

Section 109 Duties and powers of building official. The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall comply with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code. The building official shall be known as public officer, and such term shall include his/her authorized representatives. Further, whenever the term or title "administrative authority," "responsible official," "codes administrator," "codes director," or other similar designation is used in any of the codes adopted by reference by this code, it shall be construed to mean the building official.

Section 110 Applications and permits. The building official shall receive applications, review construction documents and issue permits for the erection, alteration, demolition or moving of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

Section 111 Notices and orders. The building official shall issue all necessary notices or orders to ensure compliance with this code.

Section 112 Inspections. The building official shall make all of the required inspections or shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

Section 113 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that, if such structure or premises be occupied, that credentials be presented to the occupant and entry requested. If such structure or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

Section 114 Records. The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of

inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

Section 115 Liability. The building official, member of the building and fire code board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action; suit or [proceeding] that is instituted in pursuance of the provisions of this code.

Section 116 Approved materials and equipment. Materials, equipment, and devices approved by the building official shall be constructed and installed in accordance with such approval.

Section 117 Used materials and equipment. The use of used materials, which meet the requirements of this code for new materials, is permitted. Used equipment and devices shall not be reused unless approved by the building official.

Section 118 Sanitary facilities for construction workers. The contractor, builder, or other person having the management and control of construction work shall prevent the commission of any nuisance by the workers on the premises connected therewith and if a temporary privy is located on the premises it shall be properly screened and maintained in a sanitary manner.

Section 119 Excavations. Any excavation for foundations and/or footings of buildings and structures shall be backfilled within 28 days from the date of permit issuance unless otherwise approved by the building official.

Section 120 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of inspection services.

Section 121 Alternative materials, design, and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of

any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

Section 122 Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

Section 123 Permits. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical, plumbing, or elevator system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit. In addition, a hazardous materials permit may be required based upon the type and quantities of materials proposed to be used or stored. When required by the fire chief, a hazardous materials permit application must be submitted prior to the issuance of the building permit.

Section 124 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

(a) *Building.*

- (1) Retaining walls that are not over four feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding class I, II or III-A liquids. In addition, the building official may waive the requirements for a permit or engineered drawings for walls over four feet in height if it is deemed unnecessary to require such submittals due to the location and type of wall to be installed.
- (2) Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

- (3) Temporary motion picture, television, and theater stage sets and scenery.
- (4) Swings and other playground equipment.
- (5) Window awnings supported by an exterior wall of group R-3 and group U occupancies.
- (6) Movable cases, counters and partitions not over five feet, nine inches (1,753 mm) in height.
- (7) One-story detached accessory structures associated with one- and two-family dwellings, used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet.
- (8) Fences not over six feet (1829 mm) high.
- (9) Prefabricated swimming pools accessory to a group R-3 occupancy, which are less than 24 inches deep, do not exceed 5,000 gallons, and are installed entirely above grade.
- (10) Oil derricks.
- (11) Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1.
- (12) Reinstalling roof coverings on existing buildings when no structural elements are being repaired or replaced.
- (13) Detached pergolas and other detached structures associated with one- and two-family dwellings, which do not exceed 400 square feet, are entirely open, and do not have solid roofs.
- (14) Sidewalks, driveways, decks, and platforms not more than 30 inches (762 mm) above grade and not over any basement or story below and which is not part of an accessible route.

(b) *Electrical.*

- (1) Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
- (2) Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions,

but does apply to equipment and wiring for power supply, the installations of towers and antennas.

- (3) Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

(c) *Gas.*

- (1) Portable heating appliance.
- (2) Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
- (3) The repair, replacement or installation of less than six feet of gas piping.

(d) *Mechanical.*

- (1) Portable heating appliance;
- (2) Portable ventilation equipment;
- (3) Portable cooling unit;
- (4) Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code;
- (5) Replacement of any part which does not alter its approval or make it unsafe;
- (6) Portable evaporative cooler;
- (7) Self-contained refrigeration system containing ten pound (4.54 kg) or less of refrigerant and actuated by motors of one horsepower (746 W) or less.

(e) *Plumbing.*

- (1) The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
- (2) The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.

- (f) *Emergency repairs.* Where equipment replacements and repairs must be performed in an emergency, the permit application shall be submitted within the next working business day to the building official.
- (g) *Repairs.* Application or notice to the building official is not required for ordinary repairs to structures. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drain, leader, gas, soil, waste, vent or similar piping, electric wiring, electrical system, mechanical system, or other work affecting public health or general safety.
- (h) *Public service agencies.* A permit shall not be required for the installation, alteration, or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

Section 125 Application for permit. To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the building official for that purpose.

Section 126 Action on application. The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefor as soon as practicable.

Section 127 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued, except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section 128 Validity of permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the

correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.

Section 129 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Work progress must be documented by a routine inspection. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. Permit extensions shall be charged a fee at one half the original permit fee provided no changes have been made or will be made in the original plans and specifications for such work. The extension shall be requested in writing and justifiable cause demonstrated upon finding by the same that substantial progress has been made toward completion. Substantial progress is to mean that the project is over 50 percent complete and, in the opinion of the building official, the project applicant has the capability to finish the work permitted within one time period extension. If questionable, the building official may require proof of performance, i.e., a list of contractors and subcontractors under contract for the completion of the project, before the granting of the time extension. Failure to complete a project in the time limits stated above or failure to maintain a valid permit constitutes a violation of this code.

Section 130 Suspension or revocation. The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or based on incorrect, inaccurate, or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

Section 131 Placement of permit. All permits shall be posted to be visible from the street and kept on the site of the work until the completion of the project. Exceptions:

- 1) Permits for the construction of one- and two-family dwellings are not required to be posted on the site when the property address is clearly identified and visible from the street.
- 2) Permits for other than one- and two-family dwellings are not required to be visible from the street when kept on the site in a location accessible to the building official. Whenever permits are not visible from the street, the property address must be clearly identified. Failure to clearly identify the address or display permits may result in inspections not being performed.

Section 132 Submittal documents. Construction documents, special inspection and structural observation programs, and other data shall be submitted in two or more sets with each application for a permit. A registered design professional licensed by the State of Kansas shall prepare the construction documents. Where special conditions exist, the building official is authorized to require additional

construction documents to be prepared by a registered design professional licensed by the State of Kansas.

Exceptions:

- 1) Plans for the construction of one- and two-family dwellings using conventional construction techniques prescribed by the codes are not required to be prepared by a registered design professional licensed by the State of Kansas.
- 2) The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to verify compliance with this code.

Section 133 Information on construction documents. Construction documents shall be dimensioned and drawn to scale upon suitable material. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official. The construction documents shall show in sufficient detail the location, construction, size, occupancy classification, construction type and character of all portions of the means of egress in compliance with the provisions of this code. In other than occupancies in groups R-2, R-3, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code.

Section 134 Fire protection system shop drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with this code and the construction documents and shall be approved before the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in this code.

Section 135 Site plan. There shall be a site plan, showing to scale, the size and location of all the new construction and all existing structures on the site including easements, distances from lot lines, established street grades, existing and proposed finished grades, sewer elevations. All decks, balconies, overhangs, or other building protrusions shall be indicated and dimensioned. In the case of partial demolition, the plot plan shall show all construction to be demolished and the location and size of all existing structures and construction that are to remain on the site of the plot. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair and does not affect the exterior features of the building.

Section 136 Examination of documents. The building official shall examine or cause to be examined the accompanying construction documents and shall

ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

Section 137 Approval of construction documents. When the building official issues a permit, the construction documents shall be stamped "Approved." The building official shall retain one set of construction documents so reviewed. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or his or her authorized representative. Failure to maintain city-stamped construction documents on site may result in inspections not being performed.

Section 138 Previous approvals. This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

Section 139 Phased approval. The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

Section 140 Design professional in responsible charge. When it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The owner shall notify the building official in writing if the registered design professional in responsible charge is changed or is unable to continue to perform the duties. The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phrased and deferred submittal items, for compatibility with the design of the building. Where structural observation is required by this code, the inspection program shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur.

Section 141 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the

time of the application and that are to be submitted to the building official within a specified period. Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official. Submittal documents for deferred submittal items shall be submitted to the registered design professional in responsible charge, who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until the building official has approved their design and submittal documents.

Section 142 Amended construction documents. Work shall be installed in accordance with the reviewed construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

Section 143 Establishment of fees. Permit and building inspection administrative fee schedule shall be established by the unified government county administrators' office and may be reviewed on an annual basis.

Section 144 Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

Section 145 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid prior to issuance of said permit, in accordance with the unified government fee schedule.

Section 146 Building permit valuations. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including current market value of materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment, and permanent systems. If, in the opinion of the building official, the valuation is underestimated on the application, the valuation shall be determined by using the most current building valuation data provided by the International Codes Council.

Section 147 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical, elevator equipment, or plumbing system before obtaining the necessary permits shall be subject to an additional fee equal to the amount of the permit as established by the unified government fee schedule. The payment of such fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law. Work that has commenced on a building, structure, electrical,

gas, mechanical, elevator equipment, or plumbing system before obtaining the necessary permits constitutes a violation of this code.

Section 148 Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection with or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

Section 149 Inspections general. Construction or work for which a permit is required shall be subject to inspection by the building official or his designee and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval because of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

Section 150 Preliminary inspection. Before issuing a permit, the building official or his designee is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed. A fee shall be charged for such examination of an existing building called a "status report," and a fee shall be charged according to the fee schedule established by the county administrator.

Section 151 Required inspections. The building official or his designee, upon notification, shall make the inspections set forth in this code and the policies and procedures for required inspections.

- A. *Footing or foundation inspection.* Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place before inspection. Materials for the foundation shall be on the job, except that where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.
- B. *Under-floor inspection.* Under-floor inspections shall be made after under-floor building service equipment, wiring, conduit, piping accessories and other ancillary equipment items are in place, but before floor sheathing is installed, including the sub floor. This inspection is for areas such as crawlspaces where access is very limited or impossible at a latter date.
- C. *Under-slab plumbing inspection.* Under-slab plumbing inspections shall be made when all under-floor plumbing pipes are in place, but before the installation is covered with gravel or concrete.

- D. *Sewer line inspection.* The sewer line from the building out to the property line shall not be concealed from view until inspected and approved. There are separate requirements for the tap into the sewer main by the unified government water pollution control department.
- E. *Elevations.* Elevation certification may be required when determined necessary by the building official to confirm compliance with provisions prescribed by law.
- F. *Rough-in inspections.* All rough-in inspections for R-1, R-2 and R-3 occupancies will be done at the same time.
1. *Frame inspection.* Framing inspections shall be made after the roof deck or sheathing, all framing, fire blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete.
 2. *Electrical.* Rough electrical inspection shall be made when all wiring, boxes, and/or conduits have been installed. All metal box devices must be grounded at this time.
 3. *Plumbing.* Rough plumbing inspection shall be made when all water, drain, waste and vent piping has been completed.
 4. *HVAC.* Rough mechanical inspection shall be made when all duct and flue installations have been completed. This also includes the completion of ducts for ventilation fans and devices.
 5. *Fireplace.* Inspection of fireplace installations shall be made before any work is concealed. All factory-built fireplaces shall be listed by a testing agency recognized by the codes adopted by the unified government.
 6. *Fire-resistant penetrations.* Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.
- G. *Lath or gypsum board inspection.* Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or before gypsum board joints and fasteners are taped and finished.
- Exceptions:
1. Gypsum board that is not part of a fire-resistive assembly or a shear assembly.
- H. *Electrical service inspection.* This inspection shall be done when the meter base, overhead or underground riser, panel/switchgear, main breaker, grounding and at least on load circuit is installed. No new electrical service shall be energized

without first receiving the approval of the building official. On new one- and two-family dwellings, this inspection shall be done with the rough-in inspections.

- I. *Complete gas.* This inspection shall be done when all interior gas piping is installed and at least one appliance connected. The test shall be in accordance with the plumbing code adopted by the unified government. On new one- and two-family dwellings, this inspection shall be done with the rough-in inspections.
- J. *Other inspections.* In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the building official.
- K. *Special inspections.* Special inspections, as required by this code and the building official.
- L. *Fire protection inspections.* Inspection of all fire protection systems. The fire chief or his designee conducts this inspection.
- M. *Final inspection.* The final inspection shall be made after all work required by the building permit is completed.

Section 152 Inspection agencies. The building official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

Section 153 Inspection requests. It shall be the duty of the holder of the permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspection of such work for any inspections that are required by this code. Inspection requests shall be made in advance and in accordance with the most current written policies of the inspection services division.

Section 154 Reinspections. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. The provision is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection. Reinspection fees may be assessed when the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, not having the address clearly posted and visible from the street, or for deviating from plans requiring the approval of the building official. To obtain a reinspection, the applicant shall file an application thereof in writing upon a form furnished for that purpose, and pay the reinspection fee as established by the unified government fee schedule. In instances where reinspection fees have been

assessed, no additional inspection of the work will be performed until the required fees have been paid.

Section 155 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

Section 156 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of any other ordinance.

Section 157 Changes in uses. Changes in the character or use of an existing structure shall not be made except as specified in this code. The building official may require a design professional registered within the state to perform a code analysis and submit plans and/or other information as deemed necessary to determine the proposed use will be in compliance with this code.

Section 158 Certificate issued. It shall be the responsibility of the permit holder to request a final inspection and to apply for a certificate of occupancy when required. The permit holder shall be excused from this responsibility only if the owner of property has applied for and secured a certificate of occupancy. After the building official inspects the building or structure and finds no violations of the provisions of this code or other ordinances of the unified government, the building official shall issue a certificate of occupancy.

Section 159 Posting the certificate of occupancy. The certificate of occupancy, or a copy, shall be posted in a conspicuous place on the premises and shall not be removed except by the building official.
Exception: R-1, R-2 and R-3 occupancies.

Section 160 Temporary occupancy. The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid. A fee shall be charged for the issuance of a temporary certificate of occupancy in accordance with the unified governments fee schedule.

Section 161 Revocation. The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

Section 162 Connection of service utilities. No person shall make new connections from any source of energy, fuel, or power to any building or system that is regulated by this code for which a permit is required, until released by the building official.

Section 163 Temporary connection. The building official shall have the authority to authorize the temporary connection of the building or system to the source of energy, fuel, or power.

Section 164 Authority to disconnect service utilities. The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the codes referenced in case of emergency where necessary to eliminate an immediate hazard to life or property. The building official shall notify the serving utility, and wherever possible, the owner and occupant of the building, structure or service system, of the decision to disconnect before taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

Section 165 Board of Code Appeals. Effective December 1, 2016, any prior board authorized by this section is abolished, and the term of any member is terminated. After December 1, 2016, in order to hear and decide appeals of orders, decisions or determinations made by the building official and fire chief relative to the application and interpretation of this code, there shall be and is hereby created The Board of Code Appeals. The Board of Code Appeals shall consist of three members with one member appointed by the mayor, one member appointed by the at large district 1 commissioner, and one member appointed by the at large district 2 commissioner. The board shall convene to hear any appeal properly before it. After the board has rendered its decision for any appeal properly before it, it shall be dissolved and re-constituted for any subsequent appeal.

A. *Qualifications.* The members of the board of appeals shall consist of persons qualified by experience and training to pass on matters pertaining to building construction, skilled in diversified building or construction trades or professions such as architect, engineer, builder, general contractor, licensed master contractor and one layman to represent the general public. Employees of the unified government are prohibited from being members of the board.

- B. *Limitations on authority.* An application for appeal to the board of appeals shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, that the provisions of this code do not fully apply, or that an equally good or better form of construction is proposed. The board of appeals shall have no authority to waive requirements of this code or the fire code.
- C. *Fee for appeal.* Any person who appeals an order, decision, or determination made by the building official or fire chief, relative to the application and interpretation of this code, shall file an application and pay a fee in accordance with the unified government fee schedule.

Section 166 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause the same to be done, in conflict with or in violation of any of the provisions of this code.

Section 167 Notice of violation. The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure or systems in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

Section 168 Prosecution of violation. If the notice of violation is not complied with within the established abatement period, the code official is authorized to request the office of chief counsel to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

Section 169 Stop work order. Whenever the building official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or other ordinance in the Code of the Unified Government of Wyandotte County/Kansas City, Kansas, or in a dangerous or unsafe manner, the building official is authorized to issue a stop work order.

Section 170 Issuance of stop work orders. The stop work order shall be in writing and shall be given to the owner of the property involved or to the owner's agent, to the person doing the work or posted upon the property. Upon issuance of a stop work order, the cited work shall immediately cease or as otherwise determined by the building official. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume. Any violation of a stop work order will constitute a violation of this code.

Section 171 Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

Section 172 Unsafe structures and equipment conditions. Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, which constitute a fire hazard, which are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section.

A vacant structure that is not secured against entry shall be deemed unsafe.

Section 173 Record. The building official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

Section 174 Notice. If an unsafe condition is found, the building official shall serve on the owner, agent or person in control of the structure a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the building official acceptance or rejection of the terms of the order.

Section 175 Method of service. Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; or (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or (c) delivered in any other manner as prescribed by state and local law or posted upon the property. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

Section 176 Restoration. The structure or equipment determined to be unsafe by the building official is permitted to be restored to a safe condition. To the extent that repairs, alterations, or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions, or change of occupancy shall comply with the requirements of this code.

Section 406.3.2.1 Dwelling unit separation is amended to read as follows:

Section 406.3.2.1 Dwelling unit separation. Garages beneath habitable rooms shall be separated from all habitable rooms by not less than $\frac{5}{8}$ inch (15.9 mm) type

X gypsum board and 5/8 inch (15.9 mm) type X gypsum board applied to structures supporting the separation from habitable rooms above the garage. Door openings between a private garage and the dwelling unit shall be equipped with either solid wood doors or solid or honeycomb core steel doors not less than 1 3/8 inches (34.9 mm) in thickness, or in compliance with section 716.5.3 with a fire protection rating of not less than 20 minutes. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted.

Section 420.11 Group R-1 and R-2 hotel and motel cooking facilities is added to read as follows:

Section 420.11 Group R-1 and R-2 hotel and motel cooking facilities.

Domestic cooking appliances within guest rooms of Group R-1 and R-2 hotels and motels shall be provided with timers limiting unattended operation to 175 minutes and protection in accordance with Section 904.13.1.2 as adopted and amended.

Exception: Coffee makers and microwave ovens are not required to comply with Section 904.13.1.2. of the IBC as adopted and amended.

Section 901.3 is amended to read as follows:

Section 901.3 *Modifications*. No person shall remove or modify any fire protection system installed or maintained under the provisions of this code or the International Fire Code without approval of the fire chief.

Section 904.13 Domestic cooking systems is amended to read as follows:

(4) In Group R-1 and R-2 hotels and motels where domestic cooking facilities are installed in accordance with Section 420.11.

Section ~~1013.4~~ 1015.2 Guards is amended to read as follows:

Section ~~1013.4~~ 1015.2 Guards. Where required, guards shall be located along open-sided walking surfaces, mezzanines, industrial equipment platforms, stairways, ramps and landings which are located more than 30 inches (762 mm) above the floor or grade below. Guards shall be adequate in strength and attachment in accordance with section 1607.7. Guards shall also be located along glazed sides of stairways, ramps and landings that are located more than 30 inches (762 mm) above the floor or grade below where the glazing provided does not meet the strength and attachment requirements in section 1607.7. In addition, guards are required at retaining walls over 30 inches above grade when walking surfaces are within ten feet of the high side of the retaining wall.

Section 1030.2 Minimum size is amended to read as follows:

Section 1030.2 Minimum size: Exception is deleted.

Section 1209.2.2 walls and partitions is amended to read as follows:

Section 1209.2.2 walls and partitions. Walls and partitions within 2 feet (610 mm) service sinks, lavatories, urinals, and water closets shall have a smooth hard, nonabsorbent surface to a height of not less than 4 feet (1219mm) above the floor

shall be of a type that is not adversely affected by moisture other than masonry/concrete, tile/frp. Exceptions shall remain.

(Code 1988, § 8-17.5; Ord. No. O-57-04, § 4, 9-16-2004; Ord. No. O-44-11, § 5, 10-20-2011; Ord. No. O-29-12, § 5, 5-3-2012; Ord. No. [O-43-16](#), § 1, 7-28-2016; Ord. No. [O-65-16](#), § 1, 11-17-2016)

Sec. 8-58. - Permit, etc.

- (a) No sign structure or sign surface shall be erected, altered, rebuilt, or refaced without first obtaining a building permit; provided, however, that the sign surface of an outdoor advertising sign may be repainted or reposted without obtaining a new permit. Permits shall be issued only to licensed and bonded sign hangers as provided hereinafter for all signs except wall bulletins and monument signs. Any owner or authorized person may be issued a permit for wall bulletins and monument signs. No permit shall be issued without first filing a written application with the building official. The application shall include proposed plans showing dimensions, materials, details of construction, site location, illumination, and any other information, including site plans and specifications that shall be requested by the building official.
- (b) Only those signs permitted in section 27-122 of chapter 27, article VIII _____, division 11 _____ shall be granted a sign permit.
- (c) No sign surface or sign structure shall be rebuilt, refaced, altered, or relocated which does not meet the requirements of section 27-388(5) and chapter 27, article VIII, division 11.
- (d) No sign shall be erected without the prior written consent of the owner or authorized agent of the tract upon which the sign is to be placed being filed with the building official at the time an application for a building permit is filed.
- (e) All persons shall plainly show the name and building permit number of the persons erecting and/or maintaining the sign.
- (f) At the time the application is submitted, the applicant shall deposit with the unified government director of revenue an application fee in the amount established by the county administrator, no portion of which shall be returned. If the building permit expires before the sign for which it was issued is erected, the building official may issue a renewal of the building permit issued pursuant to this section upon the expiration thereof or within 30 days thereafter, upon payment by the applicant of a renewal fee in the amount established by the county administrator and surrender of the old permit, accompanied by satisfactory proof that the sign is the sign for which the permit was originally issued.

(Code 1964, § 7-25(7-58.1, 7-58.21, 7-58.22); Code 1988, § 8-53; Ord. No. 64702, § 1, 9-6-1984; Ord. No. 64861, § 1, 8-29-1985)

Section 2. These ordinances shall take effect and be in full force from and after its passage, approval, and publication in the *Wyandotte Echo*.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____, 2022.**

Tyrone Garner, Mayor/CEO

Attest:

Unified Government Clerk

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter 8, Article XVII – International Existing Building Code.

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

Section 1. That Sections 8-655, 8-656, 6-657, and 8-658 are hereby added to read as follows.

Sec. 8-655 – Purpose

The provisions of this code shall apply to the repair, alteration, change of occupancy, addition to or relocation of existing buildings.

Exception: Detached one and two-family dwellings and townhouses shall comply with this code or the International Residential Code.

Sec. 8-656 – 2018 International Existing Building Code – Adopted

- (a) *Building code adopted.* There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications for the control of buildings and structures within the city, the issuing, suspension, and revocation of permits, the collection of fees, the making of inspections, the execution of plan reviews, the enforcement of this chapter, and fixing of penalties for violations thereof, the 2018 International Existing Building Code and referenced standards and specified appendices A and C dated August 2017, as published by the International Code Council, Inc, excepting only such parts or portions thereof as are specifically deleted or amended by this chapter. Further, if there exists or arises any conflict between the provisions of the publication and this code, then the provisions of this code are controlling.
- (b) *Marked copy of code on file.* There shall be one copy of the standard code, adopted by reference in subsection (a) of this section, kept on file in the office of the unified government clerk, to which shall be attached a copy of the incorporating ordinance from which this section is derived, and which shall be marked or stamped "Official Copy as Incorporated by Ordinance No. O-_____", with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and said code shall be open to inspection and available to the public at all reasonable hours. The Neighborhood Resource Center, Building Inspection Division and Administrative Division, municipal judges and all administrative departments of the

unified government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient.

Sec. 8-657 – Same-Amendments

The International Existing Building Code (2018), promulgated by the International Code Council, is adopted and incorporated in this article by reference as if fully set forth, except as it is amended by the following provisions of this section. Provisions of this article are in addition to the provisions of the International Existing Building Code. The following provisions coinciding with provisions of the International Existing Building Code supersede, or delete, when indicated, the corresponding provisions of the International Existing Building Code.

All references within the model codes to any building, electrical, gas, mechanical, plumbing, sewage disposal, elevator, energy conservation, or existing building code shall be construed to be a reference to the respective building, electrical, gas, mechanical, plumbing, elevator, energy conservation, or existing building code specifically adopted by reference in articles II through XIV of this chapter.

[*Chapter 1, Scope and Administration*](#) — This chapter is deleted

(see Article I of this chapter):

Section 401.3 Flood hazard areas is deleted. See Code of Ordinances [chapter 27](#), floodplain management.

Section 502.3 Flood hazard areas is deleted. See Code of Ordinances [chapter 27](#), floodplain management.

Section 505.2 Replacement window opening control devices is hereby deleted.

Section 701.3 Flood hazard areas is deleted. See Code of Ordinances [chapter 27](#), floodplain management.

Section 702.4 Replacement window opening control devices is hereby deleted.

Section 803.2 Automatic sprinkler systems is amended to read as follows:

Section 803.2 Automatic sprinkler systems. Automatic sprinkler systems, related monitoring and notification shall be provided throughout buildings undergoing Level 2 alterations that include exits or corridors shared by more the one tenant or that serve an occupant load greater than 30 where all the following conditions occur:

1. The work area is required to be provided with automatic sprinkler protection in accordance with the International Building Code as applicable to new construction.

2. The work area exceeds 50 percent of the floor area of the building.

Exception: If the building does not have sufficient municipal water supply for design of a fire sprinkler system available to the floor without installation of a fire pump, work areas shall be protected by an automatic smoke detection system throughout all occupiable spaces other than sleeping units or individual dwelling units that activates the occupant notification system in accordance with Section 907.4 907.5 and 907.6 of the International Building Code. Section 803.2.1 Windowless stories. Work located in a windowless story, as determined in accordance with the International Building Code, shall be sprinklered where the work area is required to be sprinkled under the provisions of the International Building Code for newly constructed buildings and the buildings have sufficient municipal water supply without installation of a new fire pump.

Section 1011.7.2.1 Stairways is amended to read as follows:

Section 1011.7.2.1 Stairways. Means of egress stairways shall be enclosed as required by the International Building Code or in accordance with Section 1011.4.

Section 1103.3 Flood hazard areas is deleted. See Code of Ordinances [chapter 27](#), floodplain management.

Section 1201.4 Flood hazard areas is deleted. See Code of Ordinances [chapter 27](#), floodplain management.

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Sec. 8-658 - Violations and penalty.

Any person who shall violate a provision of this article, fail to comply with any of the requirements of this article, erect, construct, alter, or repair a building or structure in violation of the approved construction documents or directive of the building official or fire chief, or act in violation of a permit or certificate issued under the provisions of this article shall, upon conviction, be sentenced to pay a fine of not less than \$100.00 nor more than \$2,500.00, by imprisonment not exceeding six months, or by both such fine and imprisonment, in addition to any other penalties prescribed by law, including civil penalties in accordance with unified government code Chapter 2, Article IX. The office of chief counsel shall, at the request of the board or the building official, render such legal assistance as may be necessary in carrying out the provisions of this article. Upon the request of the building official, the office of chief counsel shall institute, in the name of the unified government, the proper proceedings against any person regarding whom a complaint has been made charging the violation of any provisions of this article. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 2. These ordinances shall take effect and be in full force from and after its passage, approval, and publication in the *Wyandotte Echo*.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____, 2022.**

Tyrone Garner, Mayor/CEO

Attest:

Unified Government Clerk

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter 8, Article XVI - Energy.

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

Section 1. That Sections 8-653 and 8-654 are hereby amended to read as follows.

Sec. 8-653. - 2009 2018 International Energy Conservation Code—Adopted.

- (a) *Energy code adopted.* There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications for the control of buildings and structures within the city, the issuing, suspension, and revocation of permits, the collection of fees, the making of inspections, the execution of plan reviews, the enforcement of this chapter and the fixing of penalties for violations thereof, the 2009 2018 International Energy Conservation Code, dated ~~January 2009~~ August 2017, as published by the International Code Council Inc., excepting only such parts or portions thereof as are specifically added or amended in this chapter. Further, if there exists or arises any conflict between the provisions of the publication and this Code, then the provisions of this Code are controlling.
- (b) *Marked copies of code on file.* There shall be ~~not less than three copies~~ one (1) copy of the standard code adopted by reference in subsection (a) of this section kept on file in the office of the unified government clerk, to which shall be attached a copy of this article, and which shall be marked or stamped "Official Copies as Incorporated by Ordinance No. O-29-12 _____," with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and said code shall be open to inspection and available to the public at all reasonable hours. The neighborhood resource center, code enforcement division, rental inspections division and building inspection division, municipal judges and all administrative departments of the unified government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient.

(Ord. No. O-44-11, § 25, 10-20-2011; Ord. No. O-29-12, § 25, 5-3-2012)

Sec. 8-654. - Same—Amendments.

The 2009 2018 International Energy Conservation Code, incorporated by reference in section 8-281(a), is amended in the following respects:

Sections R101.2 Scope is amended to add the following exception:

Exception: The energy efficiency of detached one- and two-family dwellings, and townhouses not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height shall be governed by the provisions contained in the International Residential Code as adopted and amended by the Unified Government of Wyandotte County/Kansas City, Kansas.

Table R402.1.2. Under Climate Zone 4, the following item is amended:

'Wood Frame Wall R-Value' — 13

(Remainder of table unamended.)

Table R402.1.4 Under Climate Zone 4, the following item is amended:

'Wood Frame Wall U-Factor' — 0.082

(Remainder of table unamended)

Section R402.4.1.2. Testing is amended to read as follows:

Section R402.4.1.2. Testing The building or dwelling unit shall have an air leakage rate of not exceeding 5 air changes per hour when tested with a blower door at a pressure of 0.2 inches w.g. (50 Pascals). Building leakage testing shall be conducted where required by the building official. Testing shall be conducted in accordance with RESNET/ICC 380, ASTM E779 or ASTM E1827 and reported at a pressure of 0.2 inch w.g. (50 Pascals). Where required by the building official, the testing shall be conducted by an approved third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the building official. Testing shall be performed at any time after creation of all penetrations of the building thermal envelope.

During testing:

1. Exterior windows and doors, fireplace and stove doors shall be closed, but not sealed, beyond the intended weatherstripping or other infiltration control measures.
2. Dampers including exhaust, intake, makeup air, backdraft and flue dampers shall be closed, but not sealed beyond intended infiltration control measures.
3. Interior doors, if installed at the time of the test, shall be open.

4. Exterior or interior terminations for continuous ventilation systems shall be sealed.
5. Heating and cooling systems, where installed at the time of the test, shall be turned off; and,
6. Supply and return registers, where installed at the time of the test, shall be fully open.

Section R402.4.4 Rooms containing fuel-burning appliances is deleted.

Section R403.3.2.1 Sealed Air Handler is deleted.

Section R403.3.3 Duct Testing (Mandatory) is amended to read as follows:

R403.3.3 Duct Testing (Mandatory). Where required by the Building Official, duct tightness shall be verified by either of the following:

1. Post construction test: Total leakage shall be less than or equal to 4 cfm (113.3 L/min) per 100 square feet (9.29 m²) of conditioned floor area when tested at a pressure differential of 0.1 inches w.g. (25 Pascals) across the entire system, including the manufacturer's air handler enclosure. All register boots shall be taped or otherwise sealed during the test.
2. Rough - in test: Total leakage shall be less than or equal to 4 cfm (113.3 L/min) per 100 square feet (9.29 m²) of conditioned floor area when tested at a pressure differential of 0.1 inches w.g. (25 Pascals) across the system, including the manufacturer's air handler enclosure. All registers shall be taped or otherwise sealed during the test. If the air handler is not installed at the time of the test, total leakage shall be less than or equal to 3 cfm (85 L/min) per 100 square feet (9.29 m²) of conditioned floor area.

EXCEPTIONS:

1. The total leakage test is not required for ducts and air handlers located entirely within the building thermal envelope.
2. On the post construction test, it is permissible to test for "leakage to the outdoors" versus a "total leakage." Leakage to the outdoors shall be less than or equal to 8 cfm (226.5 L/min) per 100 square feet (9.29 m²) of conditioned floor area.

Section R403.3.5 Building Cavities (mandatory) is deleted.

Section R403.3.3 Duct Testing (Mandatory) is amended to read as follows:

Section R406.2 Mandatory Requirements. Compliance with this section requires that the provisions identified in Sections 401 through 404 indicated as "mandatory"

be met. The building thermal envelope shall be greater than or equal to the levels of efficiency and Solar Heat Gain Coefficients in Tables R402.1.2 and R402.1.4.

EXCEPTIONS:

1. Supply and return ducts not completely inside the building thermal envelope shall be insulated to an R-value of not less than R-6.

2. Section R403.5.1 shall not be "mandatory".

Table R406 Maximum Energy Rating Index) is amended to read as follows:

Climate zone 4: Energy rating index: 68

(Ord. No. O-44-11, § 25, 10-20-2011; Ord. No. O-29-12, § 25, 5-3-2012)

Section 2. These ordinances shall take effect and be in full force from and after its passage, approval, and publication in the *Wyandotte Echo*.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____, 2022.**

Tyrone Garner, Mayor/CEO

Attest:

Unified Government Clerk

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter 15-Fire Prevention and Protection, amending Sections 15-21, 15-52, and 15-54.

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

Section 1. That Sections 15-21, 15-52, and 15-54 are hereby amended to read as follows.

Sec. 15-21. - Adopted.

- (a) *Life Safety Code adopted.* The NFPA 101 Life Safety Code, ~~2003~~ 2018 edition, and referenced standards and all appendices, dated ~~May 2004~~ September 2017, as published by the National Fire Protection Association, Inc., is hereby adopted and incorporated by reference, excepting only such portions as are specifically deleted or amended in this article. If there exists or arises any conflict between the provisions of the Life Safety Code and this Code, then the provisions of this Code are controlling.
- (b) *Marked copies of code on file.* Not less than three copies of the Life Safety Code, adopted by reference in subsection (a) of this section, shall be kept on file in the office of the unified government clerk and shall be marked or stamped "Official Copies as Incorporated by Ordinance No. O-90-04," with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and shall be open to inspection and available to the public at all reasonable hours. A copy of this article shall be attached to each copy of the Life Safety Code. The city fire department, municipal judges, and all administrative departments of the unified government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient.

(Code 1988, § 15-16; Ord. No. 65006, §§ 1, 2, 5-22-1986; Ord. No. 65545, § 1, 6-21-1990; Ord. No. O-90-04, § 1, 12-2-2004)

State Law reference— Adoption by reference authorized, K.S.A. 12-3009 et seq., 12-3301 et seq

Sec. 15-52. - Adopted.

- (a) *International Fire Code adopted.* The ~~2012~~ 2018 International Fire Code, including referenced standards, and specified appendices B, C, D, E, F, G, H and I, dated

April 2014 August 2017, as published by the International Code Council, Inc., is hereby adopted and incorporated by reference, excepting only such portions thereof as are specifically deleted or amended in this section and sections 15-53 and 15-54. Further, if there exists or arises any conflict between the provisions of the International Fire Code and this Code, then the provisions of this Code are controlling.

- (b) *Marked copies of code on file.* Not less than three copies of the International Fire Code, adopted by reference in subsection (a) of this section, shall be kept on file in the office of the unified government clerk and be marked or stamped "Official Copies as Incorporated by [Ordinance No. O-45-11]," with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and shall be open to inspection and available to the public at all reasonable hours. A copy of this article shall be attached to each copy of the International Fire Code. The city fire department, municipal judges, and all administrative departments of the united government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient.

(Ord. No. O-45-11, § 2, 10-20-2011; Ord. No. [O-47-16](#), § 1, 7-28-2016)

State Law reference— Adoption by reference authorized, K.S.A. 12-3009 et seq., 12-3301 et seq.

Sec. 15-54. - Amendments and additions.

The 2012 2018 International Fire Code adopted by reference in section 15-52 is amended in the following respects:

Section 101.1 is amended to read as follows:

Section 101.1 Title. These regulations shall be known as the Fire Code of the Unified Government of Wyandotte County/Kansas City, Kansas, hereinafter referred to as "this Code."

Section 101.2.1 is hereby deleted.

Section 102.3 is amended to read as follows:

Section 102.3 Change of use or occupancy. No change shall be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless such structure is made to comply with the requirements of this Code and the International Building Code and/or NFPA 101 Life Safety Code. Subject to the approval of the fire code official, the use or occupancy of an existing structure shall be allowed to be changed and the structure is allowed to be occupied for purposes in other groups without conforming to all the requirements of this Code and the

International Building Code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

Section 102.4 is amended to read as follows:

Section 102.4 Application of building code. The design and construction of new structures shall comply with the International Building Code, and any alterations, additions, changes in use or changes in structures required by this Code, which are within the scope of the International Building Code, and/or NFPA 101 Life Safety Code, shall be made in accordance therewith.

Section 108.1 109.1 is hereby deleted.

See administrative provision chapter 8-25 Code of Ordinance, section 167 Board of Appeals.

Section 111.4 112.4 is amended to read as follows:

Section 111.4 112.4 Failure to comply. Any person who shall continue to work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$100.00 or more than \$2,500.00.

Section 310.7.1 is amended/added to read as follows:

Section 310.7.1 Smoking receptacles required. Owners of commercial and multi-family properties, where smoking is permitted, shall be responsible for providing approved receptacles for discarded smoking material in locations approved by authority having jurisdiction.

Section 403.6 is amended/added to read as follows:

Section 403.6 Group F and S1 Occupancies. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for buildings containing Group F or S1 occupancies where any of the following conditions apply:

1. The Group F or S1 occupancy has an occupant load of 500 or more persons.
2. The Group F or S1 occupancy has an occupant load of more than 100 persons above or below the level of exit discharge.
3. Group F pallet manufacturing and recycling facilities as required by section 2810.

Section 403.6.1 Employee training. Employees shall be periodically instructed and kept informed of their duties and responsibilities under the plan. Records of instruction shall be maintained. Such instruction shall be reviewed by employees at intervals not exceeding 3 months. A copy of the plan shall be readily available at all times within the facility.

Section 403.6.2 Drill frequency. Employees of S1 occupancies meeting the conditions of Section 406.3 shall participate in drills according to Section 405.2 under the Group F requirements.

Section 503.3 is amended to read as follows:

Section 503.3 Marking. Where required by the fire code official, approved signs and painted curb, or pavement if a curb is absent, shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. The curb, or pavement if a curb is absent, shall be painted red, 4-inch wide stripes when pavement is marked, with white 3 inch letters indicating "NO PARKING FIRE LANE". Lettering shall occur every 25 feet of the fire lane. Signs used to indicate fire lanes shall meet the requirements of section D103.6 of the 2018 International Fire Code

Section 503.4.2 is amended/added to read as follows:

Section 503.4.2 Authority to tow vehicles. The Fire Code Official shall have the authority to issue a municipal summons and/or tow illegal parked vehicles in designated fire apparatus access lanes and parked within 15-feet of a fire hydrant, at the owner's expense.

Section 603.3.3.2 is amended/added to read as follows:

Section 607.3.3.3.2 Fusible link replacement verification. When a commercial kitchen hood or duct system is inspected, the fusible links that were replaced shall be secured along the conduit leading to the manual pull station that initiates the suppression system.

Section 901.6.2.1 901.6.3.1 is amended to read as follows:

Section 901.6.2.1 901.6.3.1 Records information. Initial records shall include the name of the installation contractor, type, of components installed, manufacturer of the components, location and number of components installed per floor. Records shall also include the manufacturers' operation and maintenance instruction manuals. A record of the periodic inspections, tests, servicing, and other operations and maintenance shall be maintained on the premises or other approved location for a minimum of 3-years the life of the installation. Records shall be made available for inspection by the fire code official, and a copy of the records shall be provided to the fire code official upon request. The fire code official has the authority to prescribe the form and format of such recordkeeping. The fire code official has the authority to require that certain required records including but not limited to automatic fire sprinkler systems, fire alarm systems, commercial kitchen hood suppression systems, commercial hood cleaning, active smoke control systems private fire hydrant systems, fire pumps, spray booths, special suppression systems, foam systems, and standpipes be filed with the fire code official.

Section 912.3 is amended to read as follows:

Section 912.3 Fire hose threads. Fire hose threads used in conjunction with standpipe systems and/or fire department connections shall be *approved* and shall be a 5-inch Storz connection on a 30-degree downward extension.

~~Section 3206.6.1 is amended to read as follows:~~

~~Section 3206.6.1 Access doors.~~ Where building access is required by Table 3206.2, fire department access doors shall be provided in accordance with this section. Access doors shall be accessible without the use of a ladder.

~~3206.6.1.1 Number of doors required.~~ A minimum of one access door shall be provided in each 110 lineal feet (33,528 mm), or fraction thereof, of the exterior walls that face required fire apparatus access roads. The required access doors shall be distributed such that the lineal distances between adjacent access doors does not exceed 110 feet (33,528 mm).

Section 5608.3 is amended to read as follows:

Section 5608.3 Approved fireworks displays. Approved fireworks displays shall include only the *approved* fireworks 1.3G, fireworks 1.4G, fireworks 1.4S and pyrotechnic articles 1.4G, which shall be handled by a minimum of 2 *approved*, competent operators. The *approved* fireworks shall be arranged, located, discharged and fired in a manner that will not pose a hazard to property or endanger any person.

Appendix D, section D 107.1 is amended to read as follows:

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 75 shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3. This requirement does not affect development plated prior to the effective date of this Code adoption.

Exceptions:

- (1) Where there are 75 or more dwelling units on a single public or private fire apparatus access road ~~access way~~ and all dwelling units are equipped throughout with an ~~protected by~~ approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, residential sprinkler systems, access from two directions shall not be required.
- (2) The number of dwelling units on a single fire access road shall not be increased unless fire apparatus roads will connect with future development as determined by the fire code official.

(Ord. No. O-45-11, § 2, 10-20-2011; Ord. No. [O-47-16](#), § 1, 7-28-2016; Ord. No. [O-16-19](#), § 1, 3-7-2019)

Section 2. These ordinances shall take effect and be in full force from and after its passage, approval, and publication in the *Wyandotte Echo*.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____, 2022.**

Tyrone Garner, Mayor/CEO

Attest:

Unified Government Clerk

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter 8, Article V – Mechanical Systems and Mechanical Contractors.

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

Section 1. That Sections 8-281 and 8-282 are hereby amended to read as follows

Sec. 8-281. - ~~2012~~ 2018 International Mechanical Code—Adopted.

- (a) *Mechanical code adopted.* There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications for the control of buildings and structures within the city, the issuing, suspension, and revocation of permits, the collection of fees, the making of inspections, the execution of plan reviews, the enforcement of this chapter and the fixing of penalties for violations thereof, the ~~2012~~ 2018 International Mechanical Code, dated ~~April 2011~~ August 2017, as published by the International Code Council Inc., excepting only such parts or portions thereof as are specifically added or amended in this chapter. Further, if there exists or arises any conflict between the provisions of the publication and this code, then the provisions of this code are controlling.
- (b) *Marked copies of code on file.* There shall be ~~not less than three copies~~ one (1) copy of the standard code adopted by reference in subsection (a) of this section kept on file in the office of the unified government clerk, to which shall be attached a copy of this division, and which shall be marked or stamped "Official Copies as Incorporated by Ordinance No. ~~O-57-04~~ _____," with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and said code shall be open to inspection and available to the public at all reasonable hours. The neighborhood resource center, code enforcement division, rental inspections division and building inspection division, municipal judges and all administrative departments of the unified government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient.

(Code 1964, §§ 7-71, 7-72; Code 1988, § 8-218; Ord. No. 64937, §§ 14, 15, 12-19-1985; Ord. No. 65407, § 12, 3-23-1989; Ord. No. 66271, § 1, 9-4-1997; Ord. No. O-57-04, § 18, 9-16-2004; Ord. No. O-44-11, § 15, 10-20-2011; Ord. No. O-29-12, § 15, 5-3-2012; Ord. No. O-44-16, § 1, 7-28-2016)

Sec. 8-282. - Same—Amendments.

The ~~2012~~ 2018 International Mechanical Code, incorporated by reference in section 8-281(a), is amended in the following respects:

Sections 101.1—110 of Chapter 1, Administration are hereby deleted. See Administration provisions in section 8-25 of this chapter.

Section 301.7. is amended to read as follows:

Section 301.10. Electrical. Electrical wiring, controls and connections to equipment and appliances regulated by this code shall be in accordance with the NFPA 70 National Electrical Code, ~~2011~~ 2017, as adopted in section 8-125 of this chapter.

(Code 1964, §§ 7-73, 7-74; Code 1988, § 8-219; Ord. No. 64937, §§ 16, 17, 12-19-1985; Ord. No. 65407, § 13, 3-23-1989; Ord. No. 66271, § 1, 9-4-1997; Ord. No. O-57-04, § 20, 9-16-2004; Ord. No. O-44-11, § 16, 10-20-2011; Ord. No. O-29-12, § 16, 5-3-2012; Ord. No. O-44-16, § 1, 7-28-2016)

Section 2. These ordinances shall take effect and be in full force from and after its passage, approval, and publication in the *Wyandotte Echo*.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____, 2022.**

Tyrone Garner, Mayor/CEO

Attest:

Unified Government Clerk

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter 8-Buildings and Building Regulations, Article VIII.-Property Maintenance Code, amending Sections 8-431 and 8-432.

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

Section 1. That Sections 8-431 and 8-432 are hereby amended to read as follows.

Sec. 8-431. - ~~2012~~ 2018 International Property Maintenance Code—Adopted; purpose.

- (a) *Property maintenance code adopted.* There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications for the control of buildings and structures within the city, the issuing, suspension, and revocation of permits, the collection of fees, making of inspections, the execution of plan reviews, the enforcement of this chapter and the fixing of penalties for violations thereof, the ~~2012~~ 2018 International Property Maintenance Code, as published by the International Code Council, Inc., excepting only such parts or portions thereof as are specifically added or amended by ordinance. Further, if there exists or arises any conflict between the provisions of the publication and this code, then the provisions of this code are controlling.
- (b) *Marked copies of code on file.* There shall be not less than three copies of the standard code adopted by reference in subsection (a) of this section kept on file in the office of the unified government clerk, to which shall be attached a copy of Ordinance No. O-29-12, and which shall be marked or stamped "Official Copies as Incorporated by Ordinance No. O-29-12," with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and said code shall be open to inspection and available to the public at all reasonable hours. The neighborhood resource center, code enforcement division, rental inspections division and building inspection division, municipal judges and all administrative departments of the unified government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient.
- (c) *Penalty for violation.* Any person who shall violate any of the provisions of this article or the ~~2012~~ 2018 International Property Maintenance Code herein adopted shall be guilty of a violation of this article, and shall upon conviction, be sentenced to pay a fine of not less than \$100.00 nor more than \$2,500.00, be imprisoned for not exceeding six months, or both. The office of chief counsel shall, at the request of the public officer, render such legal assistance as may be necessary in carrying out the provisions of this article.

(Code 1988, § 8-336; Ord. No. 65300, §§ 1, 2, 8, 4-7-1988; Ord. No. 66075, § 1, 1-4-1996; Ord. No. 66271, § 1, 9-4-1997; Ord. No. O-57-04, § 26, 9-16-2004; Ord. No. O-44-11, § 26, 10-20-2011; Ord. No. O-29-12, § 26, 5-3-2012; Ord. No. [O-46-16](#), § 1, 7-28-2016)

State Law reference— Adoption by reference authorized, K.S.A. 12-3009 et seq., 12-3301 et seq.

Sec. 8-432. - Same—Statement of purpose, definitions, amendments, etc.

- (a) *Statement of purpose.* It is the intent of the code adopted in section 8-431 to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the use and occupancy, location and maintenance of all real properties of all types, including buildings and structures within this jurisdiction.
- (b) *Code official changed to public officer.* All references responsibilities, duties, powers and obligations referred and conveyed upon the "code official" in the 2012 2018 International Property Maintenance Code is hereby amended to and designated upon the "public officer."
- (c) *Amendments.* The 2012 2018 International Property Maintenance Code is amended in the following respects:

Section 101.1 is amended to read as follows:

Section 101.1 Title. These regulations shall be known as the Property Maintenance Code of the Unified Government of Wyandotte County/Kansas City, Kansas, hereinafter referred to as "this code."

Section 102.3 is amended to read as follows:

Section 102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the International Building Code, International Energy Code, International Fire Code, International Mechanical Code, Uniform Plumbing Code, NFPA 70, International Residential Code and as referenced the International Existing Building Code. Nothing in this code shall be construed to cause, modify or set aside any provision in the Code of Ordinances for Kansas City, Kansas. Nothing in this code shall be construed to cancel, modify or set aside any provision in the Code of the Unified Government of Wyandotte County/Kansas City, Kansas.

Section 102.7 is amended to read as follows:

Section 102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in this chapter and considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

Section 102.7.1 and 102.7.2 is added to read as follows:

102.7.1 Electrical Code. The ICC Electrical Code referenced in chapter 6 has been deleted and replaced with NFPA 70 (National Electrical Code.) Wherever the term ICC Electrical Code has been used in this code, it shall be used synonymously with the term "NFPA 70" listed in chapter 6.

102.7.2 Plumbing Code. The ICC Plumbing Code referenced in chapters 5 and 6 has been deleted and replaced with the 2018 Uniform Plumbing Code. Wherever the term ICC Plumbing Code has been used in this code it shall be used synonymously with the term 2018 Uniform Plumbing Code listed in chapters 5 and 6.

Section 103.1 is amended to read as follows:

Section 103.1 General. The public officer and his/her designees are hereby authorized to enforce the provisions of this code.

Section 103.2 is amended to read as follows:

Section 103.2 Appointment. The public officer shall be appointed by the county administrator.

Section 103.3 is amended to read as follows:

Section 103.3 Deputies. In accordance with the prescribed procedures of the unified government and with the concurrence of the appointing authority, the public officer shall have the authority to appoint his or her designees. Such employees shall have the authority as delegated by the Public Officer. Such Employees shall have the authority as delegated by the Public Officer.

Section 103.5 is amended to read as follows:

Section 103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be set by the county administrator.

Section 104.3 is amended to read as follows:

Section 104.3 Right of entry. The public officer is authorized to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the public officer is authorized to pursue recourse as provided by law. In cases of emergency where extreme hazards are known to exist which may involve the potential loss of life or severe property damage, the public officer shall take whatever acts are necessary to protect the public health and safety.

Section 106.2.1 is hereby added to read as follows:

Notice of violation. The public officer shall serve a notice of violation or order in accordance with Section 107.

Exception: Notice and opportunity to remedy a violation shall be considered given if a previous notice has been sent according to the notice provisions of section 107.1 and 107.3 within the previous 24 months. Failure to provide such notice of violation shall not invalidate a citation or complaint.

Section 106.3 is amended to read as follows:

Section 106.3 Violations. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any real property, building or structure or cause or permit the same to be done in violation of this code.

Section 106.4 is amended to read as follows:

Section 106.4 Violation; penalties. The violation of any provision of this code or failure to comply therewith or with any of the requirements thereof, shall be a public offense, and any person convicted thereof shall be sentenced to a fine of not less than \$100.00 nor more than \$2,500.00, be imprisoned for a term not exceeding six months, or both. Each day that a violation of this chapter shall continue shall constitute a separate offense. The prosecution of any violation as a public offense pursuant to this section may be in addition to, or as an alternative to, any other remedy or course of action available to the unified government.

Section 106.5 is amended to read as follows:

Section 106.5 Abatement of violations. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Section 107.1 is amended to read as follows:

Section 107.1 Notice. Whenever the public officer determines that there has been a violation of this code or has reasonable grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in sections 107.2 and 107.3 to the person responsible for the violations as specified in this code. Notices for unfit procedures shall also comply with section 8-451 of the Code of Ordinances for Kansas City, Kansas.

Exception: Notice and opportunity to remedy a violation shall be considered given if a previous notice has been sent according to the notice provisions of sections 107.1 and 107.3 within the previous 24 months. Failure to provide such notice of violation shall not invalidate a citation or complaint.

Section 107.2 is amended to read as follows:

Section 107.2 Form. Such notice prescribed in section 107.1 shall be in accordance with all of the following:

- (a) Be in writing.
- (b) Include a description of the real estate sufficient for identification.
- (c) Include a statement of the violation or violations and why the notice is being issued.

- (d) Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code.
- (e) Inform the property owner of the right to appeal abatement proceedings.
- (f) Include a statement of the right to file a lien in accordance with section 106.5 in abatement proceedings.

Section 107.3 is amended to read as follows:

Section 107.3 Method of service. Such notice shall be deemed to be properly served if a copy thereof is:

- (a) Delivered personally;
- (b) Sent by certified or first-class mail addressed to the last known address; or
- (c) In abatement proceedings, if the owner or agent of the owner of the property has failed to accept delivery or otherwise failed to effectuate receipt of a notice sent pursuant to this section during the preceding 24-month period, the public officer may provide notice of the issuance of any further orders to abate or remove a nuisance from such property in the manner provided in subsections (2) and (3). Except as specifically provided in this subsection, the public officer may provide notice of the order to abate a nuisance by such methods including, but not limited to, door hangers, conspicuously posting notice of such order on the property, personal notification, telephone communication or first class mail. If the property is unoccupied and the owner is a nonresident, notice provided by this section shall be given by telephone communication or first class mail.

Section 108.1 is amended to read as follows:

Section 108.1 General. When a structure or equipment is found by the public officer to be unsafe or when a structure is found unfit for human use, occupancy or habitation or is found unlawful, such structure shall be deemed unfit pursuant to the provisions of this code.

Section 108.1.4 is amended to read as follows:

Section 108.1.4 Unlawful structure. An unlawful structure is one that is found in whole or in part to be occupied by more persons than permitted under this code or that was erected, altered, occupied or is being maintained in violation of the Code of Ordinances for Kansas City, Kansas, or any other applicable laws, statutes, rules or regulations.

Section 108.2 is amended to read as follows:

Section 108.2 Closing of vacant structures - permit required. If the structure is vacant and unfit for human habitation and occupancy and is not in danger of structural collapse, the public officer is authorized to post the structure as unfit for human use, habitation and/or occupancy and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the public officer may cause the premises to

be closed and secured through any available public agency or by contract or arrangement by private persons, and the cost thereof shall be charge against the real estate upon which the structure is located, shall be a lien upon such real estate, and may be collected by any other legal recourse.

- (a) For purposes of this section, "board," "boarding," or "boarded," shall mean to limit, restrict, or otherwise interfere with the means of ingress or egress, natural light or ventilation of a structure, as required by applicable code, by the placement of wood, metal or other material.
- (b) It shall be unlawful to board any structure without first obtaining a permit from the public officer. The public officer may designate another to administer the provisions of this ordinance.
- (c) To obtain a permit, the applicant must have the authority of the property owner, complete an application, and pay the required fee as established by the county administrator. The application shall be in the form approved by the public officer and shall include the applicant's detailed proposal to return the structure to habitability during the term of the permit. The structure must be boarded within 14 calendar days of issuance of permit. A permit shall be valid for a period of six months from the date of issuance. Subsequent permits may be issued for the structure upon a showing of good cause, as determined by the public officer. If no detailed proposal for rehabilitation is included with the permit application, an inspection of the property is a prerequisite to issuing a permit.
- (d) Unless otherwise required or authorized by the public officer, a structure that is permitted to be boarded pursuant to this ordinance shall comply with the boarding procedures and specifications in effect at the time. Such procedures and specifications will be available at the Neighborhood Resource Center.
- (e) The provisions of this ordinance shall not apply to structures that are boarded by order of the public officer in the exercise of the police powers to protect the health, welfare, and safety of the public, or pursuant to any applicable ordinance or statute.

Section 108.3 is amended to read as follows:

Section 108.3 Notice. Whenever a complaint is filed with the public officer by a resident of the municipality charging that any structure is unfit for human use, habitation or occupancy, or whenever the public officer, on the officer's own motion, has deemed a structure unfit under the provisions of this section, the public officer shall, if the preliminary investigation discloses a basis for such charges, cause to be served upon the owner, every mortgagee of record and all parties in interest in such structure, including persons in possession, a notice and placard in a conspicuous place on the structure. If the notice pertains to equipment, it may also be placed on the condemned equipment. The notice shall be served in accordance with the provision in section 8-451 of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas.

Section 108.4 is hereby deleted.

Section 108.4.1 is amended to read as follows:

Section 108.4.1 Placard removal. The public officer shall remove the unfit placard or shall authorize removal of the unfit placard by the owner of the property whenever the defect or defects upon which the placarding action was based have been eliminated. Any person who defaces or removes an unfit placard without the approval of the public officer shall be subject to the penalties provided by this code.

Section 108.5 is amended to read as follows:

Section 108.5 Prohibited occupancy. Any occupied structure deemed unfit for human use or habitation and placarded by the public officer shall be vacated as ordered by the public officer. Any person who shall occupy an unfit placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment, shall be liable for the penalties provided by this code.

Section 109.1 is amended to read as follows:

Section 109.1 Imminent danger. When, in the opinion of the public officer or chief building inspector, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the public officer is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The public officer shall cause to be posted at each entrance to such structure a notice reading as follows: "Dangerous Structure." It shall be unlawful for any person to enter such structure except for the purposes of securing the structure, making the required repairs, removing the hazardous condition or demolishing the same.

Section 109.2 is amended to read as follows:

Section 109.2 Temporary safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the public officer, there is imminent danger due to an unsafe condition, the public officer shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe, whether or not the legal procedure herein described has been instituted, and shall cause such other action to be taken as the public officer deems necessary to meet such emergency.

Section 110.1 is amended to read as follows:

110.1 General. The public officer shall order the owner of any premises upon which is located any structure, which in the public officer's judgment is so old, dilapidated or has become so out of repairs as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure, or if such structure is capable of being made safe by repairs, to repair and make safe

and sanitary or to demolish and remove at the owner's option, or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure.

Section 110.2 is amended to read as follows:

Section 110.2 Notices and orders. All notices and orders shall comply with section 107 of this code and section 8-451 of the Code of Ordinances for Kansas City, Kansas.

Section 111.1 is amended to read as follows:

Section 111.1 Application for appeal. Effective December 1, 2016, any prior board authorized by this section is abolished, and the term of any member is terminated. After December 1, 2016, any person directly affected by a decision of the public officer or order issued under this code shall have the right to appeal to The Board of Code Appeals, provided that written application for appeal is filed within 20 days after the day the decision, or order was served and an appeal fee is paid. The application for appeal shall be accompanied by a fee set by the county administrator. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

Section 111.2 is amended to read as follows:

Section 111.2 Membership of board. Appointment to the Board of Code Appeals shall consist of three members with one member appointed by the mayor, one member appointed by the at large district 1 commissioner, and one member appointed by the at large district 2 commissioner. The board shall convene to hear any appeal properly before it. After the board has rendered its decision for any appeal properly before it, it shall be dissolved and re-constituted for any subsequent appeal.

Sections 111.2.1, 111.2.2, 111.2.3, 111.2.4, 111.2.5, 111.3, 111.4, 111.4.1, 111.5, 111.6, 111.6.1, 111.6.2 and 111.7 are hereby deleted.

Section 112.4 is amended to read as follows:

Section 112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as the person is directed to perform to remove a violation an unsafe condition, shall be liable to a fine of not less than \$100.00 or more than \$2,500.00.

Section 201.3 is amended to read as follows:

Section 201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the International Building Code, International Fire Code, Uniform Plumbing Code, International Mechanical Code, International Residential Code or the NFPA 70 National Electrical Code, such terms shall have the meanings ascribed to them as in those codes.

Section 201.5 is amended to read as follows:

Section 201.5 Parts. Whenever the words "dwelling unit," "dwelling," "premises," "building," or "story" are stated in this code, they shall be construed as though they were followed by the words "or any part thereof."

Section 202 is amended to read as follows:

Section 202 General definitions. The definitions for "condemn," "housekeeping unit," "person," "rooming house," and "rooming unit" are hereby deleted, and any references to these terms in this code are hereby deleted. The term "rubbish" shall also mean trash. A definition for tarpaulin/tarp has been added.

The term "nuisance" is added to read as follows:

"Nuisance" means any of the following:

1. Any public nuisance known at common law or in equity jurisprudence. Nuisance conditions are defined as any attractive nuisance which may prove detrimental to children or others, whether in a building, on the premises of a building, or on an unoccupied lot. This includes, but is not limited to, any abandoned wells, shafts, basements, or excavations; abandoned refrigerators or other appliances, and motor vehicles; or any unsound fences or structures or portions thereof, or any lumber, trash, debris, scrapping materials, salvage, or vegetation which may prove a hazard for inquisitive minors.
2. Whatever is dangerous to human life or is detrimental to health, as determined by the health official.
3. Overcrowding a room with occupants.
4. Insufficient ventilation or illumination.
5. Inadequate or unsanitary sewage or plumbing facilities.
6. Uncleanliness, as determined by the health officer.
7. Whatever renders air, food or drink unwholesome or detrimental to the health of human beings, as determined by the health officer.

The term "person" is amended to read as follows:

"Person" means any individual, individuals, corporation, partnership, unincorporated association, other business organization, committee, board, trustee, receiver, agent or other representative who has charge, care, control or responsibility for maintenance of any premises, regardless of status as owner, renter, tenant or lessee, whether or not in possession.

The term "tarpaulin"/"tarp" means the following:

1. A heavy hard-wearing waterproof material such as canvas, coated canvas or polyester coated with urethane or made of plastics, such as polyethylene, which is used as an outdoor protective covering to guard against moisture or sun damage.
2. Construction tarp is a tarp between 5-16 mils, 0.14-0.41 mm, thick. (1 mil is equal to one (1) one thousand (1,000) of an inch.)

Section 302.3.1 is added to read as follows:

All parking, loading or maneuvering areas installed on residential property in 1988 or before, which were originally constructed of gravel, must be maintained at a minimum four-inch depth.

Section 302.4 is hereby deleted.

Section 302.5 is amended to read as follows:

Rodent harborage. All structures and exterior property shall be kept free from rodent harborage and infestation. Rodent harborages shall include the placement and/or storage of any furniture outside that is intended for interior use, or any other nuisance conditions. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation.

Section 302.7.1 is added to read as follows:

Storage containers. The use of storage pods, and similar metal shipping containers, roll off dumpsters and similar containers used for the storage or disposal of materials, possessions, products, or other items, may be permitted, subject to one container per business or residence for no more than two non-consecutive months in any twelve month period. The one month periods that the storage containers are positioned or located on a property must be separated by a minimum of one month before the second month in a twelve month period may occur. Containers must be positioned or located on private property, not in the public right of way or easements, and must be positioned or located on a driveway or other improved surface. Storage containers shall not be positioned or located in the yard or in other landscaped surface areas.

Exception: These time constraints shall not apply to properties with an active building permit conducting work that constitutes the use of such containers.

Section 302.8 is amended to read as follows:

Motor vehicles. Except as provided for in other regulations, no inoperative motor vehicle(s) shall be parked, kept or stored on any premises, including any inoperative motor vehicle parked on a trailer of any type. The term "inoperative motor vehicle," shall mean any motor vehicle(s) not currently registered or tagged pursuant to the applicable state law, or which is incapable of moving under its own power or in a condition of being junked, wrecked, wholly or partially disabled and/or dismantled, except that said provision shall not include motor vehicle(s) stored inside a completely enclosed structure. Inoperative motor vehicles are hereby declared a public nuisance.

No motor vehicle(s) shall be parked, kept or stored on unimproved surfaces. Improvement shall be in compliance with the standards set forth in the zoning code, section 27-675 (Improvement and Maintenance) of the Code of the Unified

Government of Wyandotte County/Kansas City, Kansas. Motor vehicles parked, kept or stored in violation of this section are hereby declared a public nuisance.

The following vehicles and equipment shall not be kept, parked or stored or allowed to be kept, parked or stored, in a residential area: tow trucks, dump trucks, semi-tractors, semi-trailers, backhoes, skid loaders, high loaders, other types of heavy construction equipment, as well as trailers used to transport said equipment, and any truck which has a greater than 10,000 pounds gross vehicle weight registered, as shown by information indicating title registration. Vehicles and/or equipment kept, parked or stored in violation of this section are hereby declared a public nuisance.

Section 302.10 is added to read as follows:

Nuisance conditions. Nuisance conditions are defined as any attractive nuisance which may prove detrimental to children or others, whether in a building, on the premises of a building, or on an unoccupied lot. This includes, but is not limited to, any abandoned wells, shafts, basements, or excavations; abandoned refrigerators or other appliances, and motor vehicles; or any unsound fences or structures or portions thereof, or any lumber, trash, debris, or vegetation which may prove a hazard for inquisitive minors.

Section 302.11 is hereby added to read as follows:

Clotheslines. Clotheslines in front yards or those that are not in good working order are prohibited. The drying of laundry or routinely washed articles on front porch or stair railings or placing on fences, hedges or other supporting structures is prohibited because it substantially detracts from the overall appearance of adjacent properties and/or is detrimental to properties or property values.

Section 302.12 is hereby added to read as follows:

No person shall store, collect, park, leave, deposit, maintain, reserve, put aside for future use, permit, allow, or suffer to remain on any porch, balcony, roof, yard or any other exterior property area, unless it is specifically allowed by the parcel's zoning designation, any:

- (1) Lumber or other building materials except those related to a project for which a current building permit has been issued and is posted on the premises and except firewood for the personal use of the resident.
- (2) Motor vehicle, airplane, boat or trailer except as provided for in other sections of this code.
- (3) Parts of any item listed in (2) above including tires.
- (4) Equipment or materials used in the construction trade.
- (5) Machinery or household appliance.
- (6) Junk.
- (7) Salvage/Scrapping material; or
- (8) Upholstered furniture, mattresses, materials, and other similar products not designed, built and manufactured for outdoor use unless such is an enclosed porch or balcony.

Section 302.13 is added as follows:

Tarpaulins. The use of tarpaulins, herein after referred to as tarp, may be used for the following purposes:

- (1) Tarps may be utilized to protect cars, trucks, RVs and boats provided that:
 - (a) The tarp is specifically manufactured for the purpose of protecting the car, truck, RV, motorcycle or boat to be covered, when it is used as intended by the tarp manufacturer.
 - (b) The car, truck, RV, motorcycle or boat being covered is a vehicle that is not inoperative (as defined in 302.8), has current registration and is stored/parked on an improved surface.
- (2) Construction tarps may be utilized, from October 01 through March 31, to protect seasonal items such as: patio/outdoor furniture, grills, swimming pools, lawnmowers and like items and to be stored in the least conspicuous location and as far from public view as feasible.
- (3) Construction tarps may be utilized, on roofs, to temporarily cover the structure, without a permit, for a period of not more than 90 days in order to protect against or conceal loose or missing shingles, cracks, holes or any openings that would expose any interior part of the structure, including contents therein, to rain, hail, wind or snow.
- (4) Construction tarps may be utilized to cover firewood, which has been cut and stacked, for the purpose of protecting it from moisture.

Tarps may not be used in any of the following manners:

- (1) To cover trash, junk, debris, dead trees, parts of dead trees, discarded appliances, discarded carpeting, carpet padding, any construction materials, broken items, items stored for salvage/recycling, any accumulation of household goods, or any other items not allowed to be kept on the property according to other ordinances of the code.
- (2) To be used as a screen from view, either permanent or temporary.
- (3) To be hung from carports as walls, doors or roofing.
- (4) To be used as any shelter or tent, either permanent or temporary.

All tarps must be maintained in good condition without holes, rips, tears, excessive wear, stains or other wise be defective in any way.

Section 303.2 is amended to read as follows:

Section 303.2 Enclosures. Private swimming pools, hot tubs and spas, capable of containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 72 inches (1,828 mm) in height above the finished ground level measure on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1,372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of six inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Section 304.7 is amended to read as follows:

Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance. Additionally, roofing materials shall be of consistent type, style, and appearance. Variations in type, style, color or appearance of roofing materials shall be permitted only if part of a comprehensive and integrated design of the entire structure.

Section 304.14 is amended to read as follows:

Section 304.14 Insect screens. During the period from April 1 to November 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

Section 304.19 is hereby added to read as follows:

Exterior surfaces. Exterior wall surfaces including windows, doors, trim and appurtenances normally associated with exterior wall spaces shall be free of holes, breaks, and loose or damaged construction materials and shall be maintained in a weather resistant and ~~water-tight~~water tight condition. Screens, if installed, shall be intact and in frames which are not bent or are otherwise secure to the window unit. Cracks or holes in mortar between bricks or stone shall be sealed. All exterior wall surfaces shall be maintained and kept in repair using materials, texture and color the same or as compatible with undamaged wall surfaces or as may be acceptable to the designated public officer. All existing painted, exterior surfaces, including any one side of a structure or any one identifiable component (i.e., door, garage door, window trim, etc.), having areas of chipping, peeling, scaling or missing paint greater than 25 percent of the painted area, except on an exempt structure, shall be stripped and repainted or seal coated or re-sided or covered with compatible material acceptable to the designated public officer. The following structures shall be exempt from the requirement to strip and repaint or seal coat or re-side or cover: any concrete structure constructed of a material that is naturally resistant to weather, such as concrete, located in an area zoned MP-3 where the closest residential area is 500 or more feet away and there is no concern of deterioration or risk of harm because of peeling, flaking, or chipped paint. Doors and windows shall be maintained in operable condition. Appurtenances such as awnings and shutters likewise shall be kept in workable condition if designed to roll, fold or otherwise be raised, lowered, opened or closed. Hinges shall be kept in operable condition in keeping with original tolerances set for such hardware.

Section 304.20 is hereby added to read as follows:

Appurtenances. Porches, landings, fire escapes, chimney runs, balconies, terraces, verandas, decks, patios, railings, exterior stairs and other such

appurtenances normally associated with and attached to the exterior of a structure shall be maintained in a safe, functional condition and kept in good repair including paint maintenance equivalent to the exterior surface standard as set forth in section 304.19. Repair and replacement shall be accomplished with materials compatible to the undamaged portion of such exterior structure or they may be removed (if not integral to the basic structure) or covered with material acceptable to the designated public officer. Such exterior structures which may be exposed to public view shall be kept free of offensive materials including junk, debris, garbage, refuse, excessive accumulation of toys or toy parts, upholstered chairs or sofas not intended for outdoor use, and appliances not intended for outdoor use. Examples of materials which are permitted in such exposed areas include but are not limited to barbecue grills, patio furniture, porch swings and play materials designed for outdoor use such as swing sets and play houses.

Section 308.2 is amended to read as follows:

Disposal of rubbish. Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers. Approved containers shall be stored in an enclosed structure or in the least conspicuous location to the side or rear of, adjacent to, and in close proximity to the residence.

Section 308.3 is amended to read as follows:

Disposal of garbage. Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage facility or approved garbage container. Approved containers shall be stored in an enclosed structure or in the least conspicuous location to the side or rear of, adjacent to, and in close proximity to the residence.

Section 308.3.1 is amended to read as follows:

Section 308.3.1 Garbage facilities. The owner or occupant of every dwelling shall be required to maintain on the premises one of the following: an approved mechanical food waste grinder in each dwelling unit, an approved incinerator unit in the structure available to the occupants in each dwelling unit, or an approved leakproof, covered, outside garbage container.

Section 310 is added as follows:

Tarpaulins. The use of tarpaulins, herein after referred to as tarp, may be used for the following purposes:

1. Tarps may be utilized to protect cars, trucks, RVs and boats provided that;
 - a. The tarp is specifically manufactured for the purpose of protecting the car, truck, RV, motorcycle or boat to be covered, when it is used as intended by the tarp manufacturer.
 - b. The car, truck, RV, motorcycle or boat being covered is a vehicle that is not inoperative (as defined in 302.8), has current registration and is stored/parked on an improved surface.

2. Construction tarps may be utilized, from October 01 through March 31, to protect seasonal items such as:
 - a. Patio/outdoor furniture, grills, swimming pools, lawnmowers and like items and to be stored in the least conspicuous location and as far from public view as feasible.
3. Construction tarps may be utilized, on roofs, to temporarily cover the structure, without a permit, for a period of not more than 90 days;
 - a. To protect against or conceal loose or missing shingles, cracks, holes or any openings that would expose any interior part of the structure, including contents therein, to rain, hail, wind or snow.
4. Construction tarps may be utilized to cover firewood, which has been cut and stacked, for the purpose protecting it from moisture.

Tarps may not be used in any of the following manners:

1. To cover trash, junk, debris, dead trees, parts of dead trees, discarded appliances, discarded carpeting, carpet padding, any construction materials, broken items, items stored for salvage/recycling or any accumulation of household goods.
2. To be used as a screen from view, either permanent or temporary.
3. To be hung from carports as walls, doors or roofing.
4. To be used as any shelter or tent, either permanent or temporary.

All tarps must be, and remain in, "good condition". Good condition shall mean; without holes, rips, tears, excessively worn, stained or defective in any way.

This ordinance shall pertain to residentially zoned properties.

Commented [BS1]: Be sure to delete this section since you've moved it to 302.13.

Section 403.3 is hereby deleted.

Section 404.3 is amended to read as follows:

Section 404.3 Minimum ceiling heights.

Exception: Basement rooms in one- and two-family dwellings occupied as habitable space, having a ceiling height of not less than six feet, six inches, except as otherwise permitted in this section. Kitchens, halls, bathrooms, and toilet compartments may have a ceiling height of not less than six feet, measured to the lowest projection from the ceiling. Where exposed ceiling members are spaced at less than 48 inches or more on center, ceiling height shall be measured to the bottom of the deck supported by these members provided that the bottom of the members is not less than six feet above the floor. If any room has a furred ceiling, the prescribed ceiling height is required in two-thirds of the area thereof, but in no case shall the height of the furred ceiling be less than six feet, six inches.

Section 502.5 is amended to read as follows:

Section 502.5 Public toilet facilities. Public toilet facilities shall be maintained in a safe sanitary and working condition in accordance with the Uniform Plumbing

Code. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during occupancy of the premises.

Section 505.1 is amended to read as follows:

Section 505.1 General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to a public water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the 2012 Uniform Plumbing Code.

Section 602.3 is amended to read as follows:

Section 602.3 Heat supply. Every owner and operator of any building who rents, leases, or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a temperature of not less than 68 degrees Fahrenheit (20 degrees Celsius) in all habitable rooms, bathrooms, and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in appendix D of the International Plumbing Code.
2. In areas where the average monthly temperature is above 30 degrees Fahrenheit (-1 degrees Celsius), a minimum temperature of 65 degrees Fahrenheit (18 degrees Celsius) shall be maintained.

Section 602.4 is amended to read as follows:

Section 602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat to maintain a temperature of not less than 65 degrees Fahrenheit (18 degrees Celsius) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

Section 605.2 is amended to read as follows:

Section 605.2 Receptacles. Every habitable space in a dwelling unit shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one receptacle. Any bathroom receptacle outlet shall have ground fault circuit interrupter protection. All receptacle outlets shall have the appropriate faceplate cover for the location.

(Code 1988, § 8-337; Ord. No. 65300, §§ 3—7, 4-7-1988; Ord. No. 66271, § 1, 9-4-1997; Ord. No. O-16-00, § 1, 2-17-2000; Ord. No. O-46-00, § 1, 5-18-2000; Ord. No. O-57-04, § 26, 9-16-2004; Ord. o. O-87-07, § 2, 11-1-2007; Ord. No. O-

44-11, § 27, 10-20-2011; Ord. No. O-29-12, § 27, 5-3-2012; Ord. No. [O-46-16](#), § 1, 7-28-2016; Ord. No. [O-65-16](#), § 1, 11-17-2016; Ord. No. [O-42-19](#), § 1, 6-13-2019)

Section 2. These ordinances shall take effect and be in full force from and after its passage, approval, and publication in the *Wyandotte Echo*.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____, 202~~1~~².**

Tyrone Garner, Mayor/CEO
David Alvey, Mayor/CEO

Attest:

Unified Government Clerk

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter relating to Chapter 8, Article VII – One- and Two-Family Dwellings.

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

Section 1. That Sections 8-411 and 8-412 are hereby amended to read as follows.

Sec. 8-411. - International Residential Code for One- and Two-Family Dwellings—
Adopted.

- (a) *Residential code adopted.* There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications for the control of buildings and structures within the city, the issuing, suspension, and revocation of permits, the collection of fees, making of inspections, the execution of plan reviews, the enforcement of this chapter, and the fixing of penalties for violations hereof, the 2012 ~~2018~~ International Residential Code for One- and Two-Family Dwellings, including appendices A, B, C, E, G, H, J, K, N, P and Q with amendments, as published by the International Code Council, Inc., excepting only such parts or portions thereof as are specifically added or amended in this chapter. Further, if there exists or arises any conflict between the provisions of the publication and this code, then the provisions of this code are controlling.
- (b) *Marked copies of code on file.* There shall be ~~not less than three copies~~ one copy of the standard code adopted by reference in subsection (a) of this section kept on file in the office of the unified government clerk, to which shall be attached a copy of Ordinance No. O-57-04, and which shall be marked or stamped "Official Copies as Incorporated by Ordinance No. O-57-04," with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and said code shall be open to inspection and available to the public at all reasonable hours. The neighborhood resource center, code enforcement division, rental inspections division and building inspection division, municipal judges and all administrative departments of the unified government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient.

(Code 1988, § 8-334; Ord. No. O-57-04, § 25, 9-16-2004; Ord. No. O-44-11, § 22, 10-20-2011; Ord. No. O-29-12, § 22, 5-3-2012; Ord. No. O-48-16, § 1, 7-28-2016)

State Law reference— Adoption by reference authorized, K.S.A. 12-3009 et seq., 12-3301 et seq.

Sec. 8-412. - Same—Amendments.

The 2012 2018 International Residential Code for One- and Two-Family Dwellings, adopted by reference in section 8-411, is amended in the following respects:

Sections R101.1—R114.2 of Chapter 1, Administration are hereby deleted. See administration provisions in section 8-25 of this chapter.

Section R202 definition of carport, portable is added as follows:

Carport, portable. A detached manufactured accessory building customarily used for the shelter or storage of vehicles and /or watercraft, including canopies used for such, which can be easily moved without disassembly, after removal of any tie-down or other anchoring provisions intended to compensate for wind displacement, and which is generally a frame covered by lightweight metal membrane material. See portable carports section R309.2.

Section R301.2(1) Table is amended to read as follows:

Section R301.2(1) International residential code data entry; table R301.2(1) Climatic and Geographic Design Criteria.

Table R301.2(1) shall include the following data:

Table R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATE- GORY ^f	SUBJECT TO DAMAGE FROM		
	Wind Speed ^d (MPH)	Topographic Effects ^k		Weathering ^a	Frost Line Depth ^b	Termite ^c
20	115	No	A	Severe	36	Moderate to Heavy

WINTER DESIGN TEMP ^e	ICE BARRIER UNDER- LAYMENT RE- QUIRED ^h	FLOOD HAZARD ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
6°F	Yes	See Ch. 27	1000	54.7°F

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.
- b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)A]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- e. The outdoor design dry-bulb temperature shall be selected from the columns of 97 ½-percent values for winter from Appendix D of the International Plumbing Code. Deviations from the Appendix D temperatures shall be permitted to reflect local weather experience as determined by the Building Official.
- f. The jurisdiction shall fill in this part of the table with the Seismic Design Category determined from Section R301.2.2.1.
- g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the currently effective FIRMs and FBFM, or other flood hazard map adopted by the community, as may be amended.

h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."

i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index- USA Method (Base 32° Fahrenheit)" at www.ncdc.noaa.gov/fpsf.html.

j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32° Fahrenheit)" at www.ncdc.noaa.gov/fpsf.html.

k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effect, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

R302.1 is amended to read as follows:

302.1 Exterior walls. Construction, projections, openings, and penetrations of exterior walls of dwellings and accessory buildings shall comply with Table R302.1(1).

Table R302.1(2) is deleted. Table 302.1(1) Exterior walls shall be used.

R302.2 is amended to read as follows:

R302.2 Townhouses. Each townhouse shall be considered a separate building and shall be separated by fire-resistance-rated wall assemblies meeting the requirements of section R302.1 for exterior walls.

Exceptions: A common 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides. And shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be installed in accordance with Chapters 34 through 43. Penetrations of electrical outlet boxes shall be in accordance with section R302.4.

R302.2.4-6 Structural independence.

R302.2.4-6 Exception 5 is amended to read as follows:

Exception 5. Townhouses separated by a common 2-hour fire resistance rated wall as provided by section 302.2

R302.3 is amended to read as follows:

R302.3 Two-Family Dwellings. Two-Family Dwelling units shall be constructed and separated in accordance with the requirements of townhomes as set forth in this code.

R302.3. Exception 1 is deleted: Dwelling units stacked upon each other.

R302.4.2 Membrane Penetrations. Exception 2-2.1 is amended to read as follows:

R302.4.2 Exception 2(2.1) By a horizontal distance of not less than 24 inches (610 mm) except at walls or partitions constructed using parallel rows of studs or staggered studs.

Section R302.5.2 Duct Penetration is amended to read as follows:

Section R3092.5.2 Duct Penetration. Ducts in the garage and ducts penetrating the walls or ceilings separating the dwelling from the garage shall be constructed of a minimum No. 26 gauge (0.48 mm) sheet steel or other approved material and shall have no openings into the garage.

Exception: Supply duct openings may be permitted; provided the openings are protected by a minimum 20-minute rated fire damper(s).

Table 302.6 is amended to read as follows:

Table 302.6 DWELLING/GARAGE SEPARATION

SEPARATION	MATERIAL
From the residence and attics	Not less than 5/8-inch Type X gypsum board or equivalent applied to the garage side.
From all habitable rooms above the garage	Not less than 5/8-inch Type X gypsum board or equivalent applied to the garage side.
Structure(s) supporting floor/ceiling assemblies used for separation required by this section	Not less than 5/8-inch Type X gypsum board or equivalent applied to the garage side.
Garages located less than 3 feet from a dwelling unit on the same lot	Not less than 5/8-inch Type X gypsum board or equivalent applied to the interior side of the exterior walls within this area.
Attic access panels.	Not less than 5/8-inch Type X gypsum board or equivalent Materials approved for 1 hour fire resistive construction.

Pull down stairs	Shall be rated or be adequately protected with not less than Type 5/8-inch Type X gypsum or equivalent materials approved for 1 hour fire resistive construction.
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~~Section R303.3 Bathrooms is amended to read as follows:~~

~~Section R303.3 Bathrooms. Bathrooms, water closet compartments and other similar rooms shall be provided with aggregate glazing area in windows of not less than 3 square feet (0.3 M²), one-half of which must be openable.~~

~~Exception: The glazed areas shall not be required where artificial light and a mechanical ventilation system are provided. The minimum ventilation rates shall be 50 cfm (24 L/s) for intermittent ventilation or 20 cfm (10 L/s) for continuous ventilation. Ventilation air from the space shall be exhausted directly to the outside or to an attic ventilated in accordance with section R806. The point of discharge of the exhaust air shall be at least three feet from any opening into the building. A point of discharge in the attic space must discharge at a roof vent or soffit vent.~~

~~Section R303.4 of the 2012 2018 International Residential Code is hereby amended to read as follows:~~

~~R303.4 Mechanical ventilation. Where the air infiltration rate of a dwelling unit is less than three (3) air changes per hour when tested with a blower door at a pressure of 0.2 inch w.c. (50 Pa) in accordance with Section N1102.4.1.2, the dwelling unit shall be provided with whole-house mechanical ventilation in accordance with Section M1507.3 M1505.4. (History: Ord. BC-2936 §36, 2012)~~

~~Section R306.5 is added to read as follows:~~

~~Section R306.5 New Single-family dwellings toilet facilities. Toilet facilities shall be provided within 500 feet (measured from the property line adjacent to the street for platted subdivisions along the public way) for all new single-family dwellings starting from the time of the first footing inspection until facilities are available in the dwelling. If the facilities are not located on the job site, the location of the required facilities shall be posted on the job site or other certification provided to the building official to verify the availability of toilet facilities. The facilities on the site shall be removed prior to issuance of a temporary certificate of occupancy.~~

~~R309.2 Carports is added to read as follows:~~

~~R309.2 Carports. Carports shall be open on at least two sides. Carport floor surfaces shall be of approved noncombustible material. Carports not open on at least two sides shall be considered a garage and shall comply with the provisions of this section for garages.~~

~~Exceptions:~~

~~1: Asphalt surfaces shall be permitted at ground level in carports.~~

2: Portable carports shall be assembled to comply with the manufacturer's instructions and anchored to the ground in compliance with one of the following methods. At a minimum there must be an anchoring point on each side of the carport for every 50 square feet of area covered by the carport.

- 1) One continuous 8 inches wide by 36 inches deep concrete stem wall on each longitudinal side of the carport with threaded anchor bolts embedded to match the carport manufacturer's recommended anchorage spacing.
- 2) A 4 inches thick concrete slab that extends beyond the perimeter of the carport in each direction with threaded anchor bolts embedded in the slab, deepened to 8 inches at each anchorage location, to match the carport manufacturer's recommended spacing.
- 3) Bolting the support legs, or adjacent cross support, to an existing concrete slab that is a minimum of 4 inches thick, to match the carport manufacturer's recommended anchorage spacing. The method of attaching the upright frame to the slab must be shown in the application for building permit.
- 4) Install concrete footings under each leg and bolt the legs, or adjacent cross support, to the new footings with threaded anchor bolts embedded to match the carport manufacturer's recommended anchorage spacing. The new footings are to be approximately 1 foot x 1 foot x 2 foot deep. The method of attaching the upright frame to the footing must be shown in the application for building permit.
- 5) An alternate anchoring design that provides a permanently paved hard surface floor and anchors the portable carport to the ground and that is approved by the building official. If an alternative method is proposed, complete installation details must be provided for review.

The plans and details submitted must clearly indicate the method of anchoring and the flooring to be used. If new concrete footings are to be installed, they must be inspected when formed and prior to pouring of concrete. In all cases, a final inspection must be requested by the applicant.

Fabric covered carports: All fabric covered carports or similar facilities shall comply with City setback requirements in the zone in which they are located. Unless the facility is considered a structure under the Building Code, no building permit shall be required for their placement. Fabric covered facilities shall be properly maintained, cleaned, and repaired as necessary. There shall be no electricity or other utilities provided to fabric covered carports, or similar facilities.

Section R309.5 Fire sprinklers in private garages is amended to read as follows:

R309.5 Fire sprinklers are optional in private garages. The garage walls shall be designed based on Table R302.1(1). Sprinklers in garages shall be connected to an automatic sprinkler system that complies with section P2904. Garage fire sprinklers shall be residential sprinklers or quick response sprinklers, designed to provide a density of 0.05 gpm/sq. ft. garage doors shall not be considered with respect to sprinkler placement.

Section R311.7.5.1 Riser height is amended to read as follows:

Section R311.7.5.1 Riser height. The maximum riser height shall be 7¾ inches (196 mm). The riser height shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than three-eighths of an inch (9.5 mm). Risers shall be vertical or sloped from the underside of the nosing or tread above at an angle not more than 30 degrees (0.51 rad) from the vertical. Open risers are permitted provided that the opening between treads does not permit the passage of a 4-inch diameter (102 mm) sphere.

Exception: Stairs constructed on or before March 30, 2005 may be permitted to have a maximum rise of 8 inches.

Exception: Existing stairs meeting the requirements of Appendix J (Section AJ501.8.4) as amended in this document.

Section R311.5.3.2 Tread depth is amended to read as follows:

Section R311.5.3.2 Tread depth. The minimum tread depth shall be 10 inches (254 mm). The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the treads leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm). Consistently shaped winders at the walkline shall be allowed within the same flight of stairs as rectangular treads and do not have to be within 3/8 inch (9.5 mm) of the rectangular tread depth.

Winder treads shall have a minimum tread depth of 10 inches (254 mm) measured between the vertical planes of the foremost projection of adjacent treads at the intersections with the walkline. Winder treads shall have a minimum tread depth of 6 inches (152 mm) at any point within the clear width of the stairs. Within any flight of stairs, the greatest winder tread depth at the walkline shall not exceed the smallest by more than 3/8 inch (9.5 mm).

Exception: Stairs constructed on or before March 30, 2005 may be permitted to have a minimum tread of 9 inches.

Exception: Existing stairs meeting the requirements of Appendix J (Section AJ501.8.4) as amended in this document.

Section R312.1.1 is amended to read as follows:

Section R312.1.1 Guards required. Guards shall be located along open-sided walking surfaces, including stairs, ramps and landings that are located more than 30 inches (762 mm) measured vertically from the floor or grade below at any point within 36 inches (914 mm) horizontally to the edge of the open side. Insect screening shall not be considered as a guard.

In addition, guards are required at retaining walls over 30 inches above grade when walking surfaces are within ten feet of the high side of the retaining wall.

Section R313.1 Townhouse automatic sprinkler systems, is amended to read as follows:

R313.1 Townhouse automatic fire sprinkler systems. An automatic fire sprinkler system is optional in townhouses. Fire sprinkler system design for townhouses shall comply with section P2904.

R313.2 1 and 2 family dwellings automatic fire systems, is amended to read as follows:

R313.2 An automatic sprinkler system is optional in 1 and 2 family dwellings. Fire sprinkler system design for 1 and 2 family dwellings shall comply with section P2904 or NFPA 13D.

Section R326.2 is added to read as follows:

R326.2 Swimming Pools and Spas shall be protected by barriers per Section 305, Barrier Requirements, of the 2018 ISPS, International Swimming Pool and Spa Code as published by the International Code Council, Inc., excepting only such parts or portions thereof as are specifically deleted or amended by this Section.

Section 305.2.1.1 Barrier Height and Clearance: The top of the barrier shall not be less than 72 inches above grade where measured on the side of the barrier that faces away from the pool or spa.

Section R402.1 Wood Foundations:

R402.1 Wood Foundation systems are not allowed. All other references in this code to wood foundations systems are null and void.

Section R403.1.1 Footing reinforcement is amended to read as follows:

Section R403.1.1.1. Continuous footing reinforcement. Continuous footings for basement foundation walls shall have minimum continuous reinforcement consisting of not less than two No. 4 bars, uniformly spaced, located a minimum of three inches (76 mm) clear from the bottom of the footing.

Section R403.1.1.2 Column pads is amended added to read as follows:

Section R403.1.1.2 Column pads. Column pads shall be a minimum of 24 inches (610 mm) by 24 inches (610 mm) and eight inches (203 mm) deep. Reinforcement shall consist of a minimum of three No. 4 bars each way, uniformly spaced.

Section R404.4 Retaining walls is amended to read as follows:

Section R404.4 Retaining walls that are not laterally supported at the top and that retain in excess of 48 inches of unbalanced fill shall be designed to ensure stability against overturning, sliding, excessive foundation pressure and water uplift. Retaining walls shall be designed for a safety factor of 1.5 against later sliding and overturning.

Section R405.2 Water discharge is added to read as follows:

Section R405.2 Water discharge. Roof water and water from intermittent sources such as sump pumps, foundation drains, gutters downspouts and similar sources shall not discharge closer than three (3) feet from the foundation or to an approved drainage system.

~~R501.3 Fire protection of floors is deleted.~~

Section R801.3 Roof drainage is amended to read as follows:

Section R801.3 Roof drainage. All dwellings shall have a controlled method of water disposal from roofs that will collect and discharge all roof drainage to the ground surface at least 3 feet from foundation walls or to an approved drainage system.

~~Part IV Energy Conservation is deleted.~~

Part IV Energy Conservation is added.

~~Part IV Energy Conservation.~~

~~Chapter 11. ENERGY EFFICIENCY~~

~~SECTION N1101 GENERAL~~

~~N1101.1 Scope.~~ This chapter regulates the energy efficiency for the design and construction of buildings regulated by this code.

~~Exception: Portions of the building envelope that do not enclose conditioned space.~~

~~N1101.2 Compliance.~~ Compliance shall be demonstrated by either meeting the requirements of the *International Energy Conservation Code* or meeting the requirements of this chapter. Climate zones from Figure N1101.2 or Table N1101.2 shall be used in determining the applicable requirements from this chapter.

**Table N1101.2 CLIMATE ZONES, MOISTURE REGIMES AND
WARM-HUMID DESIGNATIONS BY STATE, COUNTY AND TERRITORY**

Key:

A-Moist, B-Dry, C-Marine, Absence of moisture designation indicates moisture regime is irrelevant.

Asterisk (*) indicates a warm humid location.

Kansas—Wyandotte—Zone 4A

N1101.3 Identification. Materials, systems and *equipment* shall be identified in a manner that will allow a determination of compliance with the applicable provisions of this chapter.

N1101.4 Building thermal envelope insulation. An *R*-value identification mark shall be applied by the manufacturer to each piece of *building thermal envelope* insulation 12 inches (305 mm) or more wide. Alternately, the insulation installers shall provide a certification listing the type, manufacturer and *R*-value of insulation installed in each element of the *building thermal envelope*. For blown or sprayed insulation (fiberglass and cellulose), the initial installed thickness, settled thickness, settled *R*-value, installed density, coverage area and number of bags installed shall be listed on the certification. For sprayed polyurethane foam (SPF) insulation, the installed thickness of the area covered and *R*-value of installed thickness shall be listed on the certificate. The insulation installer shall sign, date and post the certificate in a conspicuous location on the job site.

N1101.4.1 Blown or sprayed roof/ceiling insulation. The thickness of blown in or sprayed roof/ceiling insulation (fiberglass or cellulose) shall be in written in inches (mm) on markers that are installed at least one for every 300 square feet, throughout the attic space. The markers shall be affixed to the trusses or joists and marked with the minimum initial installed thickness with numbers 1 inch (25 mm) high. Each marker shall face the attic access opening. Spray polyurethane foam thickness and *R*-value shall be listed on the certificate provided by the insulation installer.

N1101.4.2 Insulation mark insulation. Insulating materials shall be installed such that the manufactures *R*-value mark is readily observable upon inspection.

N1101.5 Fenestration product rating. *U*-factors of fenestration products (windows, doors and skylights) shall be determined in accordance with NFRC 100 by an accredited, independent laboratory, and *labeled* and certified by the manufacturer. Products lacking such a *labeled U*-factor shall be assigned a default *U*-factor from Tables N1101.5(1) and N1101.5(2). The solar heat gain coefficient (SHGC) of glazed fenestration products (windows, glazed doors and skylights) shall be determined in accordance with NFRC 200 by an accredited, independent laboratory, and *labeled* and certified by the manufacturer. Products lacking such a *labeled* SHGC shall be assigned a default SHGC from Table N1101.5(3).

Table N1101.5(1) DEFAULT GLAZED FENESTRATION U-FACTORS

FRAME TYPE	SINGLE PANE	DOUBLE PANE	SKYLIGHT	
			Single	Double
Metal	1.2	0.8	2	1.3
Metal with thermal break	1.1	0.65	1.9	1.1

Nonmetal or metal-clad	0.95	0.55	1.75	1.05
Glazed block	0.6			

Table N1101.5(2) DEFAULT DOOR U-FACTORS

DOOR TYPE	U-FACTOR
Uninsulated metal	1.2
Insulated metal	0.6
Wood	0.5
Insulated, nonmetal edge, max 45% glazing, any glazing double pane	0.35

Table N1101.5(3) DEFAULT GLAZED FENESTRATION SHGC

SINGLE GLAZED		DOUBLE GLAZED		GLAZED BLOCK
Clear	Tinted	Clear	Tinted	
0.8	0.7	0.7	0.6	0.6

N1101.6 Insulation product rating. The thermal resistance (*R*-value) of insulation shall be determined in accordance with the CFR Title 16, Part 460, in units of $\text{h} \cdot \text{ft}^2 \cdot ^\circ\text{F}/\text{Btu}$ at a mean temperature of 75°F (24°C).

N1101.7 Installation. All materials, systems and equipment shall be installed in accordance with the manufacturer's installation instructions and the provisions of this code.

N1101.7.1 Protection of exposed foundation insulation. Insulation applied to the exterior of basement walls, crawl space walls and the perimeter of slab-on-grade floors shall have rigid, opaque and weather-resistant protective covering to prevent the degradation of the insulation's thermal performance. The protective covering

shall cover the exposed exterior insulation and extend a minimum of 6 inches (152 mm) below grade.

N1101.8 Above code programs. The *building official* or other authority having *jurisdiction* shall be permitted to deem a national, state or local energy efficiency program to exceed the energy efficiency required by this chapter. Buildings *approved* in writing by such an energy efficiency program shall be considered in compliance with this chapter.

N1101.9 Certificate. A permanent certificate shall be posted on or in the electrical distribution panel. The certificate shall not cover or obstruct the visibility of the circuit directory *label*, service disconnect *label* or other required *labels*. The certificate shall be completed by the builder or registered *design professional*. The certificate shall list the predominant *R*-values of insulation installed in or on ceiling/roof, walls, foundation (slab, *basement wall*, crawlspace wall and/or floor) and ducts outside *conditioned spaces*; *U*-factors for fenestration; and the solar heat gain coefficient (SHGC) of fenestration. Where there is more than one value for each component, the certificate shall list the value covering the largest area. The certificate shall list the types and efficiencies of heating, cooling and service water heating *equipment*. Where a gas-fired unvented room heater, electric furnace and/or baseboard electric heater is installed in the residence, the certificate shall list "gas-fired unvented room heater," "electric furnace" or "baseboard electric heater," as appropriate. An efficiency shall not be listed for gas-fired unvented room heaters, electric furnaces or electric base board heaters.

SECTION N1102 BUILDING THERMAL ENVELOPE

N1102.1 Insulation and fenestration criteria. The *building thermal envelope* shall meet the requirements of Table N1102.1 based on the climate zone specified in Table N1101.2.

N1102.1.1 R-value computation. Insulation material used in layers, such as framing cavity insulation and insulating sheathing, shall be summed to compute the component *R*-value. The manufacturer's settled *R*-value shall be used for blown insulation. Computed *R*-values shall not include an *R*-value for other building materials or air films.

N1102.1.2 U-factor alternative. An assembly with a *U*-factor equal to or less than that specified in Table N1102.1.2 shall be permitted as an alternative to the *R*-value in Table N1102.1.

N1102.1.3 Total UA alternative. If the total *building thermal envelope* UA (sum of *U*-factor times assembly area) is less than or equal to the total UA resulting from using the *U*-factors in Table N1102.1.2, (multiplied by the same assembly area as in the proposed building), the building shall be considered in compliance with Table N1102.1. The UA calculation shall be done using a method consistent with the ASHRAE *Handbook of Fundamentals* and shall include the thermal bridging effects of framing materials. The SHGC requirements shall be met in addition to UA compliance.

**Table N1102.1 INSULATION AND FENESTRATION REQUIREMENTS
BY COMPONENT^a**

CLIMATE ZONE	FENESTRATION U-FACTOR	SKYLIGHT ^b U-FACTOR	GLAZED FENESTRATION SHGC	CEILING R-VALUE	WOOD FRAME WALL R-VALUE	MASS WALL R-VALUE ^k	FLOOR R-VALUE	BASEMENT ^c WALL R-VALUE	SLAB ^d R-VALUE AND DEPTH	CRAWL SPACE ^e WALL R-VALUE
4 except Marine	0.35	0.60	NR	38	13	5/10	19	10/13	10, 2 ft	10/13
5 and Marine-4	0.35	0.60	NR	38	20 or 13 + 5 ^h	13/17	30 ^f	10/13	10, 2 ft	10/13

—a. *R*-values are minimums. *U*-factors and solar heat gain coefficient (SHGC) are maximums. R-19 batts compressed in to nominal 2 × 6 framing cavity such that the *R*-value is reduced by R-1 or more shall be marked with the compressed batt *R*-value in addition to the full thickness *R*-value.

—b. The fenestration *U*-factor column excludes skylights. The SHGC column applies to all glazed fenestration.

—c. The first *R*-value applies to continuous insulation, the second to framing cavity insulation; either insulation meets the requirement.

—d. R-5 shall be added to the required slab edge *R*-values for heated slabs. Insulation depth shall be the depth of the footing or 2 feet, whichever is less, in zones 1 through 3 for heated slabs.

—e. There are no SHGC requirements in the Marine Zone.

—f. Basement wall insulation is not required in warm-humid locations as defined by Figure N1101.2 and Table N1101.2.

- ~~g. Or insulation sufficient to fill the framing cavity, R-19 minimum.~~
- ~~h. "13+5" means R-13 cavity insulation plus R-5 insulated sheathing. If structural sheathing covers 25% or less of the exterior, R-5 sheathing is not required where structural sheathing is used. If structural sheathing covers more than 25% of exterior, structural sheathing shall be supplemented with insulated sheathing of at least R-2.~~
- ~~i. For impact-rated fenestration complying with Section R301.2.1.2, the maximum *U*-factor shall be 0.75 in zone 2 and 0.65 in zone 3.~~
- ~~j. For impact-resistant fenestration complying with Section R301.2.1.2 of the *International Residential Code*, the maximum SHGC shall be 0.40.~~
- ~~k. The second *R*-value applies when more than half the insulation is on the interior.~~

Table N1102.1.2 EQUIVALENT *U*-FACTORS^a

CLIMATE ZONE	FENESTRATION <i>U</i> -FACTOR	SKYLIGHT <i>U</i> -FACTOR	CEILING <i>U</i> -FACTOR	FRAME WALL <i>U</i> -FACTOR	MASS WALL <i>U</i> -FACTOR ^b	FLOOR <i>U</i> -FACTOR	BASEMENT WALL <i>U</i> -FACTOR	CRAWL SPACE WALL <i>U</i> -FACTOR
4 except Marine	0.35	0.60	0.030	0.082	0.141	0.047	0.059	0.065
5 and Marine 4	0.35	0.60	0.030	0.060	0.082	0.033	0.059	0.065

- ~~a. Nonfenestration *U*-factors shall be obtained from measurement, calculation or an approved source.~~
- ~~b. When more than half the insulation is on the interior, the mass wall *U*-factors shall be a maximum of 0.17 in zone 1, 0.14 in zone 2, 0.12 in zone 3, 0.10 in zone 4 except Marine and the same as the frame wall *U*-factor in Marine zone 4 and in zones 5 through 8.~~

—c.—Basement wall *U*-factor of 0.360 in warm-humid climates as defined by Figure N1101.2 and Table N1101.2.

N1102.2 Specific insulation requirements.

N1102.2.1 Ceilings with attic spaces. When Section N1102.1 would require R-38 in the ceiling, R-30 shall be deemed to satisfy the requirement for R-38 wherever the full height of uncompressed R-30 insulation extends over the wall top plate at the eaves. Similarly R-38 shall be deemed to satisfy the requirement for R-49 wherever the full height of uncompressed R-38 insulation extends over the wall top plate at the eaves. This reduction shall not apply to the *U*-factor alternative approach in Section N1102.1.2 and the Total UA alternative in Section N1102.1.3.

N1102.2.2 Ceilings without attic spaces. Where Section N1102.1 would require insulation levels above R-30 and the design of the roof/ceiling assembly does not allow sufficient space for the required insulation, the minimum required insulation for such roof/ceiling assemblies shall be R-30. This reduction of insulation from the requirements of Section N1102.1 shall be limited to 500 square feet (46 m²) of ceiling area. This reduction shall not apply to the *U*-factor alternative approach in Section N1102.1.2 and the Total UA alternative in Section N1102.1.3

N1102.2.3 Access hatches and doors. Access doors from *conditioned spaces* to unconditioned spaces (e.g., attics and crawl spaces) shall be weather-stripped and insulated to a level equivalent to the insulation on the surrounding surfaces. Access shall be provided to all *equipment* which prevents damaging or compressing the insulation. A wood framed or equivalent baffle or retainer is required to be provided when loose fill insulation is installed, the purpose of which is to prevent the loose fill insulation from spilling into the living space when the *attic* access is opened and to provide a permanent means of maintaining the installed *R*-value of the loose fill insulation.

N1102.2.4 Mass walls. Mass walls, for the purposes of this chapter, shall be considered above-grade walls of concrete block, concrete, insulated concrete form (ICF), masonry cavity, brick (other than brick veneer), earth (adobe, compressed earth block, rammed earth) and solid timber/logs.

N1102.2.5 Steel-frame ceilings, walls and floors. Steel-frame ceilings, walls and floors shall meet the insulation requirements of Table N1102.2.5 or shall meet the *U*-factor requirements in Table N1102.1.2. The calculation of the *U*-factor for a steel-frame envelope assembly shall use a series-parallel path calculation method.

Exception: In climate zones 1 and 2, the continuous insulation requirements in Table N1102.2.5 shall be permitted to be reduced to R-3 for steel frame wall assemblies with studs spaced at 24 inches (610 mm) on center.

Table N1102.1.2 (R402.1.2) is hereby amended to read as follows:

**TABLE N1102.1.2 (R402.1.2) INSULATION AND FENESTRATION
REQUIREMENTS BY COMPONENT^a**

Climate Zone	Fenestration U-Factor ^b	Skylight U-Factor ^b	Glazed Fenestration SHGC ^b	Ceiling R-Value ^c	Wood Frame Wall R-Value	Mass Wall R-Value ^e	Floor R-Value ^c	Basement Wall R-Value ^c	Slab R-Value & Depth ^d	Crawl Space Wall R-Value ^c
4	0.32	0.55	0.40	49	13	8/13	19	10/13	10, 2ft	10/13

For SI: 1 foot – 304.8 mm.

NR = Not Required

Commented [TG1]: Added this chart and explanations

a. R-values are minimums. U-factors and SHGC are maximums. When insulation is installed in a cavity which is less than the label or design thickness of the insulation, the installed R-value of the insulation shall not be less than the R-value specified in the table.

b. The fenestration U-factor column excludes skylights. The SHGC column applies to all glazed fenestration.

c. “10/13” means R-10 continuous insulation on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement walls.

d. For heated slabs, R-5 insulation shall be provided under the full slab area and shall be added to the slab edge.

e. Or insulation sufficient to fill the framing cavity, R-19 minimum.

f. The second R-value applies when more than half the insulation is on the interior of the mass wall.

g. Loose-fill-insulation shall be installed at the rate recommended by the manufacturer's statement “so many bags per 1000 sq ft”. Where the pitch of the roof restricts the “minimum thickness” at the exterior wall line, the insulation shall be blown into the cavity so as to achieve a greater compacted density to a point where the “minimum thickness” can be achieved. An alternative is to install high-density batts around the perimeter edge per N1102.2.

Table N1102.2.5 STEEL-FRAME CEILING, WALL AND FLOOR INSULATION (R-VALUE)

WOOD FRAMER-VALUE REQUIREMENT	COLD-FORMED STEEL EQUIVALENT R-VALUE ^a
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Steel Truss Ceilings^a	
R-30	R-38 or R-30 + 3 or R-26 + 5
R-38	R-49 or R-38 + 3
R-49	R-38 + 5
Steel Joist Ceilings^b	
R-30	R-38 in 2 × 4 or 2 × 6 or 2 × 8 R-49 in any framing
R-38	R-49 in 2 × 4 or 2 × 6 or 2 × 8 or 2 × 10
Steel Framed Wall	
R-13	R-13 + 5 or R-15 + 4 or R-21 + 3 or R-0 + 10
R-19	R-13 + 9 or R-19 + 8 or R-25 + 7
R-21	R-13 + 10 or R-19 + 9 or R-25 + 8
Steel Joist Floor	
R-13	R-19 in 2 × 6 R-19 + R-6 in 2 × 8 or 2 × 10
R-19	R-19 + R-6 in 2 × 6 R-19 + R-12 in 2 × 8 or 2 × 10

—For SI: 1 inch = 25.4 mm.

- a. Cavity insulation *R*-value is listed first, followed by continuous insulation *R*-value.
- b. Insulation exceeding the height of the framing shall cover the framing.

N1102.2.6 Floors. Floor insulation shall be installed to maintain permanent contact with the underside of the subfloor decking.

N1102.2.7 Basement walls. Exterior walls associated with conditioned basements shall be insulated from the top of the *basement wall* down to 40 feet (3048 mm) below *grade* or to the *basement floor*, whichever is less. Walls associated with unconditioned basements shall meet this requirement unless the floor overhead is insulated in accordance with Section N1102.1 and Section N1102.1.2.6.

N1102.2.8 Slab-on-grade floors. Slab-on-grade floors with a floor surface less than 12 inches below *grade* shall be insulated in accordance with Table N1102.1. The insulation shall extend downward from the top of the slab on the outside or inside of the foundation wall. Insulation located below *grade* shall be extended the distance provided in Table N1102.1 by any combination of vertical insulation, insulation extending under the slab or insulation extending out from the building. Insulation extending away from the building shall be protected by pavement or by a minimum of 10 inches (254 mm) of soil. The top edge of the insulation installed between the *exterior wall* and the edge of the interior slab shall be permitted to be cut at a 45-degree (0.79 rad) angle away from the *exterior wall*. Slab-edge insulation is not required in jurisdictions designated by the code official as having a very heavy termite infestation.

N1102.2.9 Crawl space walls. As an alternative to insulating floors over crawl spaces, insulation of crawl space walls shall be permitted when the crawl space is not vented to the outside. Crawl space wall insulation shall be permanently fastened to the wall and extend downward from the floor to the finished *grade* level and then vertically and/or horizontally for at least an additional 24 inches (610 mm). Exposed earth in unvented crawl space foundations shall be covered with a continuous Class I vapor retarder. All joints of the vapor retarder shall overlap by 6 inches (152 mm) and be sealed or taped. The edges of the vapor retarder shall extend at least 6 inches (152 mm) up the stem wall and shall be attached to the stem wall.

N1102.2.10 Masonry veneer. Insulation shall not be required on the horizontal portion of the foundation that supports a masonry veneer.

N1102.2.11 Thermally isolated sunroom insulation. The minimum ceiling insulation *R*-values shall be R-19 in zones 1 through 4 and R-24 in zones 5 through 8. The minimum wall *R*-value shall be R-13 in all zones. New wall(s) separating the sunroom from *conditioned space* shall meet the *building thermal envelope* requirements.

N1102.3 Fenestration.

N1102.3.1 U-factor. An area-weighted average of fenestration products shall be permitted to satisfy the *U*-factor requirements.

N1102.3.2 Glazed fenestration SHGC. An area-weighted average of fenestration products more than 50 percent glazed shall be permitted to satisfy the solar heat gain coefficient (SHGC) requirements.

N1102.3.3 Glazed fenestration exemption. Up to 15 square feet (1.4 m²) of glazed fenestration per *dwelling unit* shall be permitted to be exempt from *U*-factor and SHGC requirements in Section N1102.1. This exemption shall not apply to the

~~U-factor alternative approach in Section N1102.1.2 and the Total UA alternative in Section N1102.1.3~~

~~N1102.3.4 Opaque door exemption.~~ One side-hinged opaque door assembly up to 24 square feet (2.22 m²) in area is exempted from the *U*-factor requirement in Section N1102.1.1. This exemption shall not apply to the *U*-factor alternative approach in Section N1102.1.2 and the Total UA alternative in Section N1102.1.3

~~N1102.3.5 Thermally isolated sunroom U-factor.~~ For zones 4 through 8 the maximum fenestration *U*-factor shall be 0.50 and the maximum skylight *U*-factor shall be 0.75. New windows and doors separating the sunroom from *conditioned space* shall meet the *building thermal envelope* requirements.

~~N1102.3.6 Replacement fenestration.~~ Where some or all of an existing fenestration unit is replaced with a new fenestration product, including sash and glazing, the replacement fenestration unit shall meet the applicable requirements for *U*-factor and solar heat gain coefficient (SHGC) in Table N1102.1.

~~N1102.4 Air leakage.~~

~~N1102.4.1 Building thermal envelope.~~ The *building thermal envelope* shall be durably sealed to limit infiltration. The sealing methods between dissimilar materials shall allow for differential expansion and contraction. The following shall be caulked, gasketed, weather-stripped or otherwise sealed with an air barrier material, suitable film or solid material.

- ~~1.— All joints, seams and penetrations.~~
- ~~2.— Site-built windows, doors and skylights.~~
- ~~3.— Openings between window and door assemblies and their respective jambs and framing.~~
- ~~4.— Utility penetrations.~~
- ~~5.— Dropped ceilings or chases adjacent to the thermal envelope.~~
- ~~6.— Knee walls.~~
- ~~7.— Walls and ceilings separating the garage from *conditioned spaces*.~~
- ~~8.— Behind tubs and showers on *exterior walls*.~~
- ~~9.— Common walls between *dwelling units*.~~
- ~~10.— Attic access openings.~~
- ~~11.— Rim joists junction.~~
- ~~12.— Other sources of infiltration.~~

~~N1102.4.2 Air sealing and insulation.~~ Building envelope air tightness and insulation installation shall be demonstrated to comply with one of the following options given by Section N1102.4.2.1 or N1102.4.2.2.

Table N1102.41.2 AIR BARRIER AND INSULATION INSPECTION Under Climate Zone 4, amend the flowing item:

COMPONENT	CRITERIA
Air barrier and thermal barrier	Exterior thermal envelope insulation for framed walls is installed in substantial contact and continuous alignment with building envelope air barrier. Breaks or joints in the air barrier are filled or repaired. Air-permeable insulation is not used as a sealing material.
Ceiling/attic	Air barrier in any dropped ceiling/soffit is substantially aligned with insulation and any gaps are sealed Attic access (except unvented attic), knee wall door, or drop down stair is sealed.
Walls	Corners and headers are insulated. Junction of foundation and sill plate is sealed.
Windows and doors	Space between window/door jambs and framing is sealed.
Rim joists	Rim joists are insulated and include an air barrier.
Floors (including above garage and cantilevered floors)	Insulation is installed to maintain permanent contact with underside of subfloor decking. Air barrier is installed at any exposed edge of floor.
Crawlspace walls	Insulation is permanently attached to walls. Exposed earth in unvented crawlspaces is covered with Class I vapor retarder with overlapping joints taped.
Shafts, penetrations	Duct shafts, utility penetrations, knee walls and flue shafts opening to exterior or unconditioned space are sealed.
Narrow cavities	Batts in narrow cavities are cut to fit, or narrow cavities are filled by sprayed/blown insulation.
Garage separation	Air sealing is provided between the garage and conditioned spaces.

Recessed lighting	Recessed light fixtures are airtight, IC rated and sealed to drywall. Exception-fixtures in conditioned space.
Plumbing and wiring	Insulation is placed between outside and pipes. Batt insulation is cut to fit around wiring and plumbing, or sprayed/blown insulation extends behind piping and wiring.
Shower/tub on exterior wall	Showers and tubs on exterior walls have insulation and an air barrier separating them from the exterior wall.
Electrical/phone box on exterior wall	Air barrier extends behind boxes or air sealed type boxes are installed.
Common wall	Air barrier is installed in common wall between dwelling units.
HVAC register boots	HVAC register boots that penetrate building envelope are sealed to subfloor or drywall.
Fireplace	Fireplace walls include an air barrier.

N1102.4.2.1 Testing option. Tested air leakage is less than 7 ACH when tested with a blower door at a pressure of 50 pascals (0.007 psi). Testing shall occur after rough in and after installation of penetrations of the building envelope, including penetrations for utilities, plumbing, electrical, ventilation and combustion appliances.

Section N1102.4.1.2. Testing is amended to read as follows:

Section N1102.4.1.2. Testing The building or dwelling unit shall have an air leakage rate of not exceeding 5 air changes per hour when tested with a blower door at a pressure of 0.2 inches w.g. (50 Pascals). Building leakage testing shall be conducted where required by the building official. Testing shall be conducted in accordance with RESNET/ICC 380, ASTM E779 or ASTM E1827 and reported at a pressure of 0.2 inch w.g. (50 Pascals). Where required by the building official, the testing shall be conducted by an approved third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the building official. Testing shall be performed at any time after creation of all penetrations of the building thermal envelope.

During testing:

1. Exterior windows and doors, fireplace and stove doors shall be closed, but not sealed beyond the intended weatherstripping or other infiltration control measures;
2. Dampers ~~shall be closed, but not sealed~~; including exhaust, intake, makeup air, back draft, and flue dampers shall be closed, but not sealed beyond intended infiltration control measures;
3. Interior doors, if installed at the time of the test, shall be open;
4. Exterior ~~or interior terminations~~ openings for continuous ventilation systems and heat recovery ventilators shall be closed and sealed;
5. Heating and cooling system(s), where installed at the time of the test, shall be turned off; and
6. HVAC ducts shall ~~not be sealed~~; and
7. Supply and return registers, where installed at the time of the test shall ~~not be sealed~~ be fully open.

N1102.4.2.2 Visual inspection option. The items listed in Table N1102.4.2, applicable to the method of construction, are field verified. Where required by the code official, an ~~approved~~ party independent from the installer of the insulation, shall inspect the air barrier and insulation.

Section N 1102.4. Fireplaces. Is amended.

N1102.4.3 Fireplaces. New wood burning fireplaces shall have outdoor combustion air. (Deleted the requirement for gasketed doors).

N1102.4.4 Fenestration air leakage. Windows, skylights and sliding glass doors shall have an air infiltration rate of no more than 0.3 cubic foot per minute per square foot [1.5(L/s)/m²], and swinging doors no more than 0.5 cubic foot per minute per square foot [2.5(L/s)/m²], when tested according to NFRC 400 or AAMA/WDMA/CSA 101/I.S.2/A440 by an accredited, independent laboratory, and listed and ~~labeled~~ by the manufacturer.
Exception: Site-built windows, skylights and doors.

Section N1102.4.4 Rooms containing fuel-burning appliances is deleted.

N1102.4.5 Recessed lighting. Recessed luminaires installed in the ~~building thermal envelope~~ shall be sealed to limit air leakage between conditioned and unconditioned spaces. All recessed luminaires shall be IC-rated and ~~labeled~~ as meeting ASTM E 283 when tested at 1.57 psf (75 Pa) pressure differential with no more than 2.0 cfm (0.944 L/s) of air movement from the ~~conditioned space~~ to the ceiling cavity. All recessed luminaires shall be sealed with a gasket or caulk between the housing and the interior wall or ceiling covering.

SECTION N1103 SYSTEMS.

N1103.1 Controls. At least one thermostat shall be installed for each separate heating and cooling system.

N1103.1.1 Programmable thermostat. Where the primary heating system is a forced air furnace, at least one thermostat per *dwelling unit* shall be capable of controlling the heating and cooling system on a daily schedule to maintain different temperature set points at different times of the day. This thermostat shall include the capability to set back or temporarily operate the system to maintain zone temperatures down to 55°F (13°C) or up to 85°F (29°C). The thermostat shall initially be programmed with a heating temperature set point no higher than 70°F (21°C) and a cooling temperature set point no lower than 78°F (26°C).

N1103.1.2 Heat pump supplementary heat. Heat pumps having supplementary electric resistance heat shall have controls that, except during defrost, prevent supplemental heat operation when the heat pump compressor can meet the heating load.

N1103.2 Ducts.

N1103.2.1 Insulation Supply ducts in attics shall be insulated to a minimum of R-8. All other ducts shall be insulated to a minimum of R-6.

Exception: Ducts or portions thereof located completely inside the *building thermal envelope*.

N1103.2.2 Sealing. Ducts, air handlers, filter boxes and building cavities used as ducts shall be sealed. Joints and seams shall comply with Section M1601.4 Duct tightness shall be verified by either of the following:

1. Post-construction test: Leakage to outdoors shall be less than or equal to 8 cfm (3.78 L/s) per 100 ft² (9.29 m²) of conditioned floor area or a total leakage less than or equal to 12 cfm (5.66 L/s) per 100 ft² (9.29 m²) of conditioned floor area when tested at a pressure differential of 0.1 inch w.g. (25 Pa) across the entire system, including the manufacturer's air handler end closure. All register boots shall be taped or otherwise sealed during the test.
2. Rough-in test: Total leakage shall be less than or equal to 6 cfm (2.83 L/s) per 100 ft² (9.29 m²) of conditioned floor area when tested at a pressure differential of 0.1 inch w.g. (25 Pa) across the roughed-in system, including the manufacturer's air handler enclosure. All register boots shall be taped or otherwise sealed during the test. If the air handler is not installed at the time of the test, total leakage shall be less than or equal to 4 cfm (1.89 L/s) per 100 ft² (9.29 m²) of conditioned floor area.

Exception: Duct tightness test is not required if the air handler and all ducts are located within *conditioned space*.

Section N1103.3.5 Building Cavities is amended to read as follows:

~~N1103.3.5 Building cavities. Building framing cavities shall not be are permitted to be used as supply ducts. Building framing cavities used as ducts or plenums shall be sealed to prevent leakage through the thermal envelope.~~

Commented [TG2]: Only City in JOCO that amended this section is Olathe. Need to discuss further.

~~N1103.3 Mechanical system piping insulation. Mechanical system piping capable of carrying fluids above 105°F (40°C) or below 55°F (13°C) shall be insulated to a minimum of R-3.~~

~~N1103.4 Circulating hot water systems. All circulating service hot water piping shall be insulated to at least R-2. Circulating hot water systems shall include an automatic or readily accessible manual switch that can turn off the hot water circulating pump when the system is not in use.~~

~~N1103.5 Mechanical ventilation. Outdoor air intakes and exhausts shall have automatic or gravity dampers that close when the ventilation system is not operating.~~

~~N1103.6 Equipment sizing. Heating and cooling equipment shall be sized as specified in Section M1401.3.~~

~~N1103.7 Snow melt system controls. Snow and ice melting systems supplied through energy service to the building shall include automatic controls capable of shutting off the system when the pavement temperature is above 50°F (10°C) and no precipitation is falling and an automatic or manual control that will allow shutoff when the outdoor temperature is above 40°F (5°C).~~

~~N1103.8 Pools. Pools shall be provided with energy conserving measures in accordance with Sections N1103.8.1 through N1103.8.3.~~

~~N1103.8.1 Pool heaters. All pool heaters shall be equipped with a readily accessible on-off switch to allow shutting off the heater without adjusting the thermostat setting. Pool heaters fired by natural gas or LPG shall not have continuously burning pilot lights.~~

~~N1103.8.2 Time switches. Time switches that can automatically turn off and on heaters and pumps according to a preset schedule shall be installed on swimming pool heaters and pumps.~~

~~Exceptions:~~

- ~~1. Where public health standards require 24-hour pump operation.~~
- ~~2. Where pumps are required to operate solar and waste heat recovery pool heating systems.~~

~~N1103.8.3 Pool covers. Heated pools shall be equipped with a vapor retardant pool cover on or at the water surface. Pools heated to more than 90°F (32°C) shall have a pool cover with a minimum insulation value of R-12.~~

~~N1104.1 Lighting equipment. A minimum of 50 percent of the lamps in permanently installed lighting fixtures shall be high-efficacy lamps.~~

Table N1106.4 (R406.4) is amended to read as follows:

Table N1106.4 (R406.4)
MAXIMUM ENERGY RATING INDEX

CLIMATE ZONE	ENERGY RATING INDEX a
4	68

- a. Where on-site renewable energy is included for compliance using ERI analysis of Section N1106.4, the building shall meet the mandatory requirements of Section 1106.2, and the building thermal envelope shall be greater than or equal to the levels of efficiency and SHGC in Table N1102.1.2 or Table N1102.1.4.

~~Section M1201.1-M1202.3, Chapter 12 is hereby deleted.~~

~~Section M1201.1-M1202.3, Chapter 12 Mechanical administration is deleted in its entirety. See Administration provisions in section 8-25.~~

~~Sections M2001, M2002, M2003, and G2452 (Boilers) are deleted.~~

Section G2408.7 is added to read as follows:

Section G2408.7 Liquefied petroleum gas piping shall not serve any gas water heater or appliance located in a pit or basement where heavier than air gas might collect to form a flammable mixture. Water heaters or appliances so served shall not be installed in an above-grade under-floor space or basement unless such location is provided with an approved means for removal of unburned gas.

Section G2411.3 Arc-resistant CSST is deleted.

Section G2414.5 is amended to read as follows:

Section G2414.5 Metallic tubing. Seamless copper, aluminum alloy or steel tubing shall not be utilized for the distribution of fuel gas. Stainless steel tubing may be utilized when approved by the building official.

Section G2414.5.2 is amended to read as follows:

Section G2414.5.2. Copper tubing. Copper and brass tubing shall not be utilized to distribute natural gas nor shall it utilized to distribute any other fuel gas within a building or structure.

G2417.4. Test Pressure Measurement is amended to read as follows:

G2417.4.1 (406.4.1) Test pressure. This inspection shall include an air, CO₂, or nitrogen pressure test of not less than 10 pounds per square inch (68.9 kPa) gauge pressure.

~~Section P2501.1—P2503.9 Chapter 25 is hereby deleted.~~

Commented [TG3]: Need to put original wording back in from IRC and change the minimum 3psi to 10psi.

~~Section P2501.1—P2503.9, Chapter 25 Plumbing administration is hereby deleted in its entirety. See administration provisions in section 8-25.~~

~~Part VII, [Chapter 25, Plumbing Administration](#), is deleted.~~

Section P2603.5.1 Sewer depth is amended to read as follows.

Section P2603.5.1 Sewer depth. Building sewers shall be installed not less than 12 inches (305 mm) below the surface of the ground.

Section 2706.1.2. Standpipes is amended to read as follows.

P2706.1.2 Standpipes. Standpipes for automatic clothes washers shall extend a minimum of 30 inches (762 mm) and a maximum of 42 inches (1067 mm) above the finished floor. The trap for a clothes washer standpipe shall be installed at a minimum of 6 inches (150 mm) maximum of 18 inches (457 mm) above the finished floor. Access shall be provided to all standpipe traps and drains for rodding.

Section P2708.2 Shower drain is amended to read as follows:

Section P2708.2 Shower drain. Shower drains shall have an outlet of not less than 2 inches (51 mm).

Section P2902.5.3 is amended to read as follows:

Section P2902.5.3 Lawn irrigation systems. The potable water supply to lawn irrigation systems shall be protected against backflow by a device approved by the Board of Public Utilities, Kansas City, Kansas, Water Department.

Section P2903.5 is amended to read as follows:

Section P2903.5 Water hammer. The flow velocity of the water distribution system shall be controlled to reduce the possibility of water hammer. Water-hammer arrestor shall be installed where quick-closing valves are utilized. Water hammer arrestors shall be installed in accordance with manufacturer's installation instructions. Water hammer arrestors shall conform to ASSE 1010.

Exception: Each water supply line to a fixture, except tank type water closets, may terminate with an air chamber. All air chambers shall be placed in a vertical position in a tee opening. Each air chamber shall be not less than 12 inches in length and of a diameter not less than the branch it serves.

Section P2903.8.2 is amended to read as follows:

Section P2903.8.2 Minimum size. Where the developed length of the distribution line is 60 feet (18,288 mm) or less, and the available pressure at the meter is a minimum of 40 lbs. per square inch (276 kPa), the minimum size of individual distribution lines shall be not less than ½ inch (12.7 mm) diameter. Certain fixtures such as one-piece water closets and whirlpool bathtubs shall require a larger size where specified by the manufacturer. If a water heater is fed from the end of a cold water manifold, the manifold shall be one size larger than the water heater feed.

Section P2905.4 P2906.4 is amended to read as follows:

Section P2905.4 P2906.4 Water service piping. Approval, inspection, materials and testing of water service piping shall be in accordance with the policies prescribed by the Board of Public Utilities, Kansas City, Kansas, Water Department. If there is an occurrence that a system might meet the definition of water service pipe under this code and not be under the jurisdiction of the ~~board of public utilities~~ Board of Public Utilities, such water service pipe shall conform to NSF 61 and shall conform to one of the standards listed in table P2905.4. Water service pipe or tubing installed underground and outside of the structure shall have a minimum working pressure rating of 160 psi at 73 degrees Fahrenheit (1,103 kPa at 23 degrees C). Where the water pressure exceeds 160 pounds per square inch (1,103 kPa), piping material shall have a rated working pressure equal to or greater than the highest available pressure. Water service piping materials not third-party certified for water distribution shall terminate at or before the full open valve located at the entrance to the structure. Ductile iron water service piping shall be cement mortar lined in accordance with AWWA C104.

Section P2905.4.2 P2906.4.2 is amended to read as follows:

Section P2905.4.2 P2906.4.2 Water service installation. Installation of water service piping shall be in accordance with the policies prescribed by the Board of Public Utilities, Kansas City, Kansas, Water Department. If there is an occurrence that a system might meet the definition of water service pipe under this code and not be under the jurisdiction of the board of public utilities, trenching, pipe installation and backfilling shall be in accordance with section P2604.2. Water service pipe is permitted to be located in the same trench with a building sewer provided such sewer is constructed of materials listed for underground use within a building in section P3002.1. If the building sewer is not constructed of materials listed in section P3002.1, the water service pipe shall be separated from the building sewer by a minimum of 5 feet (1,524 mm), measured horizontally, of undisturbed or compacted earth or placed on a solid ledge at least 12 inches (305 mm) above and to one side of the highest point in the sewer line.

Exception: the required separation distance shall not apply where a water service pipe crosses over a sewer pipe, provided that the water service pipe is sleeved to at least 5 feet (1,524 mm), horizontally from the sewer pipe centerline, on both sides of the crossing with pipe materials listed in Tables P2905.4, P3002.1(1), or P3002.2.

Section P2905.5.1 is added as follows:

Section P2905.5.1 Under concrete slabs. Inaccessible water distribution piping under slabs shall be copper water tube minimum Type L, brass, ductile iron pressure pipe, galvanized steel pipe, chlorinated polyvinyl chloride (CPVC) or crosslinked polyethylene (PEX) plastic pipe or tubing—all to be installed with approved fittings or bends. The minimum pressure rating for plastic pipe or tubing installed under slabs shall be 100 psi at 180 degrees Fahrenheit (689 kPa at 82 degrees Celsius).

Section 2906.6.1 Saddle tap fittings is deleted.

Table P3002.2 Building Sewer Pipe is amended as follows.

Table P3002.2 Building Sewer Pipe. Delete "PS 25, SDR 41 (PS 28), PS 35, SDR 35 (PS 46), PS 50, PS 100" from "Polyvinyl chloride (PVC) plastic pipe in sewer and drain diameters". (Remainder of Table unamended.)

Section P3005.4.2 is amended to read as follows:

Section P3005.4.2 Building drain and sewer and slope. Pipe sizes and slope shall be determined from table P3005.4.2 on the basis of drainage load in fixture units (DFU) computed from table P3004.1. The minimum size of a building sewer serving a dwelling unit shall be 4 inches.

Section P3102.1 is amended to read as follows:

Section P3102.1 Main vent required. Every building shall have a main vent that is either a vent stack or a stack vent. Such vent shall run undiminished in size and as directly as possible from the building drain through to the open air above the roof. The minimum size of a main vent for a dwelling unit shall be 3 inches.

P3105 Fixture Vents.

P3105.1 Distance of trap from vent. Exception is deleted.

Section P3114.3 is amended to read as follows:

Section P3114.3 Where permitted. Individual vents, branch vents, circuit vents and stack vents shall be permitted to terminate with a connection to air admittance valve only when it is structurally not feasible to install a hard-piped venting system and approved by the building official.

In existing construction, where the existing vent system is not accessible to the fixture location without the removal of finish materials or other existing construction

Individual- and branch-type air admittance valves shall conform to ASSE 1051. Individual and branch type air admittance valves shall vent fixtures that are on the same floor level and connect to a horizontal branch drain.

Section P3114.5 is amended to read as follows:

Section P3114.5 Access and ventilation. All air admittance valves shall be readily accessible. The valve shall be located in a ventilated space that allows air to enter the valve.

Section E3601.6.2 is amended to read as follows:

Section E3601.6.2 Service disconnect location. The service disconnecting means shall be installed at a readily accessible location either outside of a building or inside nearest the point of entrance of the service conductors. When service entrance conductors are more than 10 feet in length from the point of entry to the service panel, a separate means of disconnect must be installed at the service cable entrance to the building or structure. Service disconnecting means shall not

be installed in bathrooms or closets. Each occupant shall have access to the disconnect serving the dwelling unit in which they reside.

Section 3902.2 Garage and accessory building receptacles is amended to read as follows.

Section 3902.2 Garage and accessory building receptacles. All 125 volt, single-phase, 15- and 20-amp receptacles installed in garages and grade level portions of unfinished accessory buildings used for or work areas shall have ground fault circuit- interrupter protection for personnel. [210.8(A)(3)]

Exceptions:

1. A dedicated receptacle supplying only a permanently installed fire alarm or burglar alarm system.
2. A dedicated receptacle supplying only a garage door opener.
3. A dedicated receptacle supplying only a refrigerator and/or freezer.
4. A dedicated receptacle supplying a sump pump.

Section 3902.5 Unfinished basement receptacles is amended to read as follows.

Section 3902.5 Unfinished basement receptacles. All 125 volt, single-phase, 15- and 20-amp receptacles unfinished basement areas shall have ground fault circuit- interrupter protection for personnel. [210.8(A)(3)]

Exceptions:

1. A dedicated receptacle supplying only a permanently installed fire alarm or burglar alarm system.
2. A dedicated receptacle supplying only a garage door opener.
3. A dedicated receptacle supplying only a refrigerator and/or freezer.
4. A dedicated receptacle supplying a sump pump.

Section E3902.16 Arc-fault circuit interrupter protection. Exception is added as follows:

Section E3902.16 Exception: AFCI protection is not required for the smoke detector/fire alarm circuit.

Section E3902.13 Exception is added as follows:

E3902.13 Arc-fault circuit interrupter protection for branch circuit extensions or modifications

Exception: This section will not apply where existing dwelling unit premises wiring circuits make the application of this section impracticable, as determined by the building official.

Informational Note: Two examples of the application of this exception are where the existing dwelling unit has a multi-wire branch circuit or utilizes a listed panelboard for which there is no listed device for the application of AFCI protection.

E3907.9 is added as follows:

Section E3907.9 is added as follows:

Section E3907.9 Cabinets and panelboards shall not be located in a bathroom or closet.

E4002.14 Tamper-resistant receptacles is deleted.

Section AJ501.8.4 Appendix J Stairs (Existing Buildings) is added as follows:

Section AJ501.8.4 Appendix J Stairs (Existing Buildings). Any alteration to or the replacement of an existing stairway in an existing structure shall not be required to comply with the requirements of a new stairway as outlined in section R311.7 where the existing space and construction will not allow a reduction in pitch or slope.

(Code 1988, § 8-335; O-57-04, § 25, 9-16-2004; Ord. No. O-44-11, § 23, 10-20-2011; Ord. No. O-29-12, § 23, 5-3-2012; Ord. No. [O-48-16](#), § 1, 7-28-2016)

Section 2. These ordinances shall take effect and be in full force from and after its passage, approval, and publication in the *Wyandotte Echo*.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____, 2022.**

Tyrone Garner, Mayor/CEO

Attest:

Unified Government Clerk

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter 8, Article III-Electricity

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

Section 1. That Sections 8-125, and 8-126 are hereby amended to read as follows.

Sec. 8-125. - NFPA 70 Electrical Code, 2011 2017 Edition—Adopted.

- (a) *Electrical code adopted.* There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications for the control of buildings and structures within the city, the issuing, suspension, and revocation of permits, the collection of fees, the making of inspections, the execution of plan reviews, the enforcement of this chapter and the fixing of penalties for violations thereof, the NFPA 70 National Electrical Code, 2011 2017 Edition, approved as an American National Standard on August 25, ~~2010~~ 24, 2016, as published by National Fire Protection Association, Inc., excepting only such parts or portions thereof as are specifically deleted or amended in this chapter. Further, that if there exists or arises any conflict between the provisions of the publication and this code, then the provisions of this code are controlling.
- (b) *Marked copies of code on file.* There shall be not less than three copies of the standard code, adopted by reference in subsection (a) of this section, kept on file in the office of the unified government clerk, to which shall be attached a copy of the ordinance from which this section is derived, and which shall be marked or stamped "Official Copies as Incorporated by Ordinance No. O-57-04," with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and said code shall be open to inspection and available to the public at all reasonable hours. The Neighborhood Resource Center, Code Enforcement Division, Rental Inspections Division, Building Inspection Division, municipal judges and all administrative departments of the unified government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient.

(Code 1964, §§ 12-41, 12-42; Code 1988, § 8-98; Ord. No. 64721, §§ 15, 16, 11-1-1984; Ord. No. 65163, § 1, 6-18-1987; Ord. No. 66271, § 1, 9-4-1997; Ord. No. O-57-04, § 13, 9-16-2004; Ord. No. O-44-11, § 10, 10-20-2011; Ord. No. O-29-12, § 10, 5-3-2012; Ord. No. O-42-16, § 1, 7-28-2016)

State Law reference— Adoption by reference authorized, K.S.A. 12-3009 et seq., 12-3301 et seq.

Sec. 8-126. - Same—Amendments.

The 2011 2017 NFPA 70 National Electric Code is amended in the following respects:

Section 230.70.A.1. is amended to read as follows:

Section 230.70.A.1. Readily accessible location. The service disconnecting means shall be installed at a readily accessible location either outside of the building or structure or inside within ten feet nearest the point of entrance of the service conductors. The ten foot distance is measured along the path of the service conductors.

(Code 1964, §§ 12-43, 12-44; Code 1988, § 8-100; Ord. No. 64721, §§ 17, 18, 11-1-1984; Ord. No. 65163, § 1, 6-18-1987; Ord. No. 65407, § 4, 3-23-1989; Ord. No. O-57-04, § 15, 9-16-2004; Ord. No. O-44-11, § 11, 10-20-2011; Ord. No. O-29-12, § 11, 5-3-2012; Ord. No. [O-42-16](#), § 1, 7-28-2016)

Section 2. These ordinances shall take effect and be in full force from and after its passage, approval, and publication in the *Wyandotte Echo*.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____, 2022.**

Tyrone Garner, Mayor/CEO

Attest:

Unified Government Clerk

(Published _____)

ORDINANCE NO. _____

AN ORDINANCE relating to Chapter 8, Article VI – Plumbing.

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

Section 1. That Sections 8-350 and 8-351 are hereby amended to read as follows

Sec. 8-350. - 2012 2018 Uniform Plumbing Code—Adopted.

- (a) *Plumbing code adopted.* There is incorporated by reference, for the purpose of adopting regulations, provisions, conditions, terms, and specifications for the control of buildings and structures within the city, the issuing, suspension, and revocation of permits, the collection of fees, making of inspections, the execution of plan reviews, the enforcement of this chapter, and the fixing of penalties for violations thereof, the 2012 2018 Uniform Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials, 4755 E. Philadelphia Street, Ontario, CA 91761-2816, excepting only such parts or portions thereof as are specifically added or amended in this chapter. Further, if there exists or arises any conflict between the provisions of the publication and this code, then the provisions of this code are controlling.
- (b) *Marked copies of code on file.* There shall be **not less than one copy** of the standard code adopted by reference in subsection (a) of this section kept on file in the office of the unified government clerk, to which shall be attached a copy of this division, and which shall be marked or stamped "Official Copy as Incorporated by Ordinance No. O-57-04 _____," with all sections or portions thereof intended to be omitted clearly marked to show any such deletion or change, and said code shall be open to inspection and available to the public at all reasonable hours. The neighborhood resource center, code enforcement division, rental inspections division and building inspection division, municipal judges and all administrative departments of the unified government charged with the enforcement of this article shall be supplied, at the cost of the unified government, such number of official copies of such standard ordinance similarly marked, deleted and changed as may be deemed expedient.

Commented [KD1]: change?

(Code 1964, §§ 28-21, 28-22; Code 1988, § 8-278; Ord. No. 64938, §§ 14, 15, 12-19-1985; Ord. No. 65407, § 19, 3-23-1989; Ord. No. 66271, § 1, 9-4-1997; Ord. No. O-57-04, § 22, 9-16-2004; Ord. No. O-44-11, § 20, 10-20-2011; Ord. No. O-29-12, § 20, 5-3-2012; Ord. No. O-45-16, § 1, 7-28-2016)

State Law reference— Adoption by reference authorized, K.S.A. 12-3009 et seq., 12-3301 et seq.

Sec. 8-351. - Same—Amendments.

The 2012 2018 Uniform Plumbing Code, adopted by reference in section 8-350, is amended in the following respects:

Sections 101.0—103.8.2 of Chapter 1, Administration are hereby deleted. See administration provisions in section 8-25.

Section 204.0 is amended to read as follows:

Section 204.0 Definitions. Building supply definition has been revised:

Building Supply—The pipe carrying potable water from the water main or other source of potable water supply to the first shutoff valve downstream of all of the following (as applicable):

1. The point of entrance into the building;
2. The water meter; and
3. The service backflow prevention device.

Section 603.2 is amended to read as follows:

Section 603.2 Approval of devices or assemblies. Approval, inspection and testing of backflow prevention assemblies shall be in accordance with the policies prescribed by the Board of Public Utilities Kansas City, Kansas, Water Department.

Sections 422.1—422.4.1 and Table 422.1 are hereby deleted. (See section 8-25 of this chapter.)

Section ~~601.3~~ 601.4 is added to read as follows:

Section ~~601.3~~ 601.4 Reference to building supply piping. References in this code to building supply (water service) piping shall apply only to building supply piping connected to a private source of water supply. All building supply piping connected to the public water supply is under the jurisdiction of the Board of Public Utilities (BPU).

Section 801.2(A) is amended to read as follows:

Section 801.2(A) Food Utensils, Dishes, Pots and Pans Sinks. Sinks used for the washing, rinsing or sanitizing of utensils, dishes, pots, pans or service ware used in the preparation, serving or eating of food shall discharge indirectly through an air gap or an air break to the drainage system.

Section 807.4 is amended to read as follows:

Section 807.4 Appliances. Dishwashing machines shall discharge separately into a trap or trapped fixture. Domestic dishwashing machines may discharge into the tailpiece of the kitchen sink or the dishwasher connection of a food waste grinder.

Section 901.3 is amended ~~added~~ to read as follows:

Section 901.3 Floor drain vents. A floor drain (where used as such) need not be vented, provided it is within 25 feet of a three-inch stack or horizontal drain which has at least a three-inch-diameter vent extension through the roof.

Section 901.4 is amended ~~added~~ to read as follows:

Section 901.4 Automatic clothes washer venting. A standpipe for an automatic clothes washer need not be separately vented provided all the following criteria apply:

- (1) The standpipe is used with an approved "P" trap.
- (2) The "P" trap is within 25 feet of a three-inch stack that extends through the roof.

Section 1202.1.1 is added to read as follows:

Section 1202.1.1 Liquefied gas piping. Liquefied petroleum gas piping shall not serve any gas water heater or appliance located in a pit or basement where heavier than air gas might collect to form a flammable mixture. Water heaters or appliances so served shall not be installed in an above-grade under-floor space or basement unless such location is provided with an approved means for removal of unburned gas.

Section 1201.0 (C) 1202.3 is amended to read as follows:

Section 1201.0 (C) Fuel piping. (17) 1202.3 Applications. (21) Fuel piping in one- and two-family dwellings shall comply with section 8-411 of this chapter (International Residential Code).

Section 1210.1.5. is amended to read as follows:

Section 1210.1.5. Piping Through Foundation Walls. No gas piping shall be installed underground through the foundation wall. Piping shall rise outside of the structure a minimum of 6 inches prior to entering the structure. The piping shall be sealed to prevent the entrance of water and insects.

Section 1211.3-6 1210.1.6 is amended to read as follows:

Section 1211.3-6 Gas piping 1210.1.6 Piping Underground Beneath Buildings. No gas piping shall be installed in or on the ground under any building or structure unless installed in gas tight conduit and approved by the administrative authority, and all exposed gas piping shall be kept at least six inches (152 mm) above grade or structure. The term "building or structure" shall include structures such as porches and steps, whether covered or uncovered, breezeways, roofed porte-

cocheres, roofed patios, carports, covered walks, covered driveways, and similar structures or appurtenances.

The conduit shall be of material approved for installation underground beneath buildings and not less than Schedule 40 pipe. The interior diameter of the conduit shall be not less than one-half inch (12.7 mm) larger than the outside diameter of the gas piping.

The conduit shall extend to a point at least 12 inches (305 mm) beyond any area where it is required to be installed or to the outside wall of a building, and the outer ends shall not be sealed. Where the conduit terminates within a building, it shall be readily accessible, and the space between the conduit and the gas piping shall be sealed to prevent leakage of gas into the building.

Concealed unprotected gas piping may be installed above grade in approved recesses or channels.

Exception: When necessary due to structural conditions, approved type gas piping may be installed in other locations, when permission has first been obtained from the administrative authority.

Section 1213.0 is amended to read as follows:

~~*Section 1213.0 Liquefied gas piping.* Liquefied petroleum gas piping shall not serve any gas water heater or appliance located in a pit or basement where heavier than air gas might collect to form a flammable mixture. Water heaters or appliances so served shall not be installed in an above-grade under-floor space or basement unless such location is provided with an approved means for removal of unburned gas.~~

(Code 1964, §§ 28-23, 28-24; Code 1988, § 8-279; Ord. No. 64938, §§ 16, 17, 12-19-1985; Ord. No. 65407, § 20, 3-23-1989; Ord. No. 65456, § 7, 8-17-1989; Ord. No. O-57-04, § 23, 9-16-2004; Ord. No. O-44-11, § 21, 10-20-2011; Ord. No. O-29-12, § 21, 5-3-2012; Ord. No. [O-45-16](#), § 1, 7-28-2016)

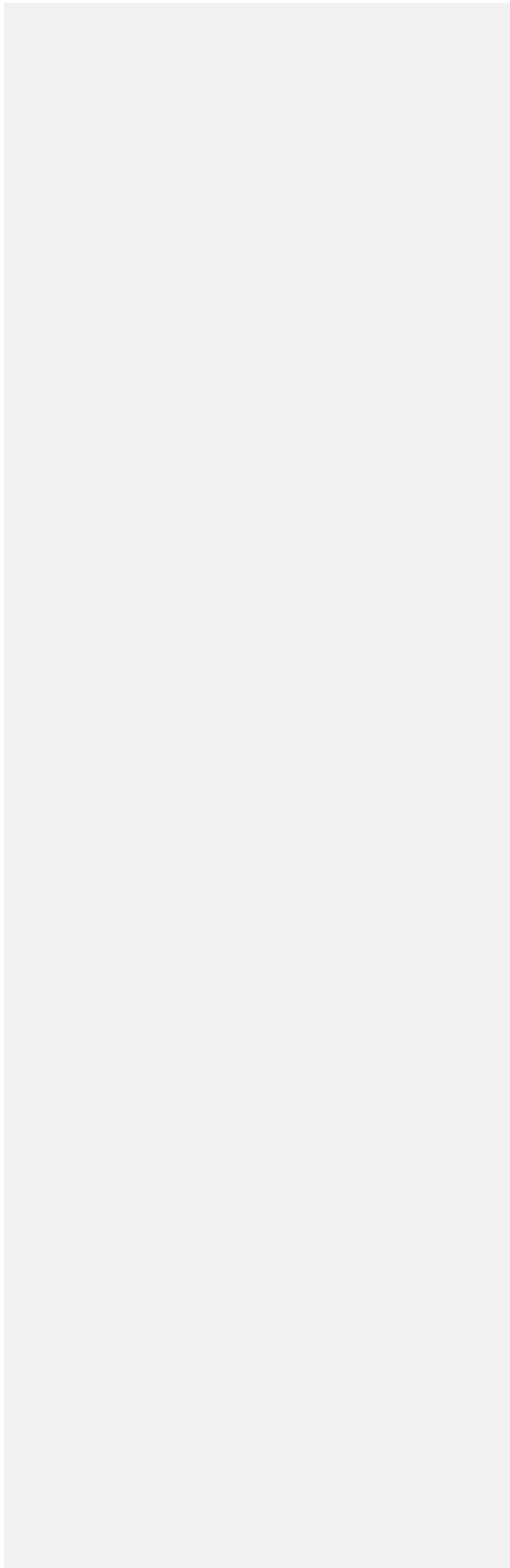
Section 2. These ordinances shall take effect and be in full force from and after its passage, approval, and publication in the *Wyandotte Echo*.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____, 2022.**

Tyrone Garner, Mayor/CEO

Attest:

Unified Government Clerk





Staff Request for Commission Action

Tracking No. 211261

Full Commission Meeting Date: N/A

Committee: Neighborhood & Community Development

Date of Standing Committee Action: 01/03/2022

(If none, please explain): For information only.

Publication Required: No

<u>Date:</u> 12/22/2021	<u>Contact Name:</u> Jud Knapp	<u>Contact Phone:</u> x5472	<u>Contact Email:</u> jknapp@wycokck.org	<u>Department/Division:</u> Economic Development
<u>Item Description:</u> The Interim Land Bank Manager will present a rehab program and option summary				
<u>Action Requested:</u> For information only				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u>				



Staff Request for Commission Action

Tracking No. 211262

Full Commission Meeting Date: 01/27/2022

Committee: Neighborhood & Community Development

Date of Standing Committee Action: 01/03/2022
(If none, please explain):

Publication Required: No

<u>Date:</u> 12/22/2021	<u>Contact Name:</u> Jud Knapp	<u>Contact Phone:</u> x5472	<u>Contact Email:</u> jknapp@wycokck.org	<u>Department/Division:</u> Economic Development
<u>Item Description:</u> The Land Bank Manager respectfully requests that the Neighborhood and Community Development Committee review the proposed item and forward it to the Land Bank Board of Trustees for final consideration, Submitted by Jud Knapp, Interim Land Bank Manager 19 Single Family Homes 1 Multi Family 1 Garage 4 Commercial				
<u>Action Requested:</u> Approve and forward to Land Bank Board of Trustees				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> NCD Memo Land Bank Options 01.03.22, 01.03.22 Land Bank Standing Committee V1				



Wyandotte County Land Bank
Economic Development Department
Jud Knapp, Interim Manager

701 North 7th St., 4th Floor
Kansas City, Kansas 66101

Phone: (913) 573-5472
Fax: (913) 573-5745
Email: jknapp@wycokck.org

M E M O R A N D U M

TO: Neighborhood & Community Development Standing Committee
FROM: Jud Knapp, Interim Land Bank Manager
DATE: December 23, 2021
SUBJECT: Option applications for consideration

The following **option application(s)** are being presented at the 01/03/2022 meeting:

A. New Construction - Single Family Homes – 19 Homes

1. Mejia, Edwin Anahun Castellanos – 1 home addition
 - i. 2915 Hiawatha St – 907117
 - ii. Currently owns – 2913 Hiawatha St - 117400
 - iii. *Summary* – Recently purchased 2913 Hiawatha St to remodel and build an addition on the rear of the home. Building on to the rear of the home was not possible due to setback requirements. For this reason, they are looking to acquire the Land Bank lot adjacent to build the addition in an L shape.
 - iv. *Staff comments* – Require a narrow lot review, and the lots will have to be joined together.
2. Habitat For Humanity – 3 Single family homes
 - i. 1137 Pennsylvania Ave – 072545
 - ii. 1139 Pennsylvania Ave – 072546
 - iii. 1211 Pennsylvania Ave - 068246
 - iv. 1213 Pennsylvania Ave - 068247
 - v. 1215 Pennsylvania Ave - 068248
 - vi. *Staff Comments* – The driveway should come off the alley, and the home plans should vary so the homes don't look the same.
3. Habitat For Humanity – 3 Single family homes
 - i. 704 S Valley St – 072290
 - ii. 1261 Shawnee Ave – 072287
 - iii. 1267 Shawnee Ave – 072546
 - iv. *Staff Comments* – 1261 & 1267 will require a narrow lot review, and the home plans should vary so the don't look the same
4. Chris Solutions Construction LLC – 2 Homes
 - i. 820 N 78th St – 008600
 - ii. 900 N 78th St – 008601

- iii. *Staff Comments* – would need a right of way permit for the driveways. Would have to have a covered parking space or get a variance. Traffic concerns of backing out onto 78th ST, make a driveway with a turnaround.
- 5. Innova Pro Construction & Pillar KC LLC – 1 home
 - i. 649 Sandusky Ave – 081484
 - ii. *Staff Comments* – would require a narrow lot review.
- 6. Innova Pro Construction & Pillar KC LLC – 1 home
 - i. 914 Argentine Blvd – 127802
 - ii. *Staff comments* - Driveway will have to use the alley for access.
- 7. Innova Pro Construction & Pillar KC LLC – 2 homes
 - i. 719 S Coy St – 073694
 - ii. 713 S 8th St – 073666
 - iii. *Staff comments* – 713 S 8th ST use alley for access
- 8. Innova Pro Construction & Pillar KC LLC – 4 homes
 - i. 1147 Armstrong Ave - 080814
 - ii. 1211 Ann Ave – 080937
 - iii. 1223 Ann Ave – 080943
 - iv. 1235 Ann Ave – 080947
 - v. *Staff comments* – Recommend some variation of the same since 3 of the homes will be on the same street. The homes on Ann Ave should be accessed through the alley
- 9. Steven Bashus – 1 home
 - i. 1600 S 86th ST - 145656
 - ii. *Summary* – to build a home to move closer to brother.
 - iii. *Staff Comments* – no sewer in area, but with the property being 1.5 acres is enough land for a septic system.
 - iv. Held from last Standing committee meeting for unanswered questions
 - 1. Will the home have a basement? – the home will not have a basement, but will have a reinforced room for a storm shelter
 - 2. The steel building would be allowed to be built by building codes.
- 10. Estralita Justice – 1 home
 - i. 3429 N 31st St – 164306
 - ii. 3427 N 31st ST – 164300
 - iii. 3425 N 31st St - 164301
 - iv. *Summary* - Ms. Justice's family-owned land in this neighborhood and the location is essential because it represents her family's history. Ms. Justice cannot trace her family's geographic history further back than this property. Ms. Justice has shown her commitment to the neighborhood by purchasing another lot and by entering into lease-a-lot agreements for twelve lots, including these three, and spending time and money to remove the substantial amount of debris on all lots.
 - v. *Staff Comments* – Not recommending approval. The proximity to the Quindaro Townsite. Staff is recommending extending the hold area of the Quindaro townsite to include this property. This location will have sewer connection issues, and accessing the property due to the road being closed. Would have to rebuild the road or buy the properties closer Sloan Ave to build a driveway.
 - vi. *Land Bank Advisory Board* – As a board they recommend the project, but we did receive one comment agreeing with the staff recommendation for extending the Land Bank hold area

- vii. *Held from last Standing committee meeting to have meeting with the in district Commissioner*

B. New Construction – Multi - Family

- 1. Multi family
 - i. 2416 S 51st St – 915601
 - ii. *Summary* - Multifamily project needed 2 access points Since the fire department wasn't using the north portion of this lot, and didn't have a need for the extra space. This would be the 2nd required access point. Now that we are getting closer to decommissioning the fire station for the new fire station. We have a second plan to turn the old fire station into an meeting space. Public works would like the access point built in line with the road.

C. New construction – Garage

- 1. Cinthia Reyes – 1 garage
 - i. 1131 Rowland Ave – 157068
 - ii. Currently owns 1129 Rowland Ave – 157067
 - iii. *Applicant Summary* - wants to build this project to keep my cars off the street. There has been a few times my cars have been hit by other cars. Overall, when there is bad weather, I want to be able to keep my cars off the street
 - iv. *Staff comments* – Not recommending for approval. The accessory structure must match the building materials of the home. This is a big lot that can have a home built on the lot.
 - v. *Land Bank Advisory Board comments* – a standalone detached garage is not the best use for the land.

D. New Construction – Commercial - 3

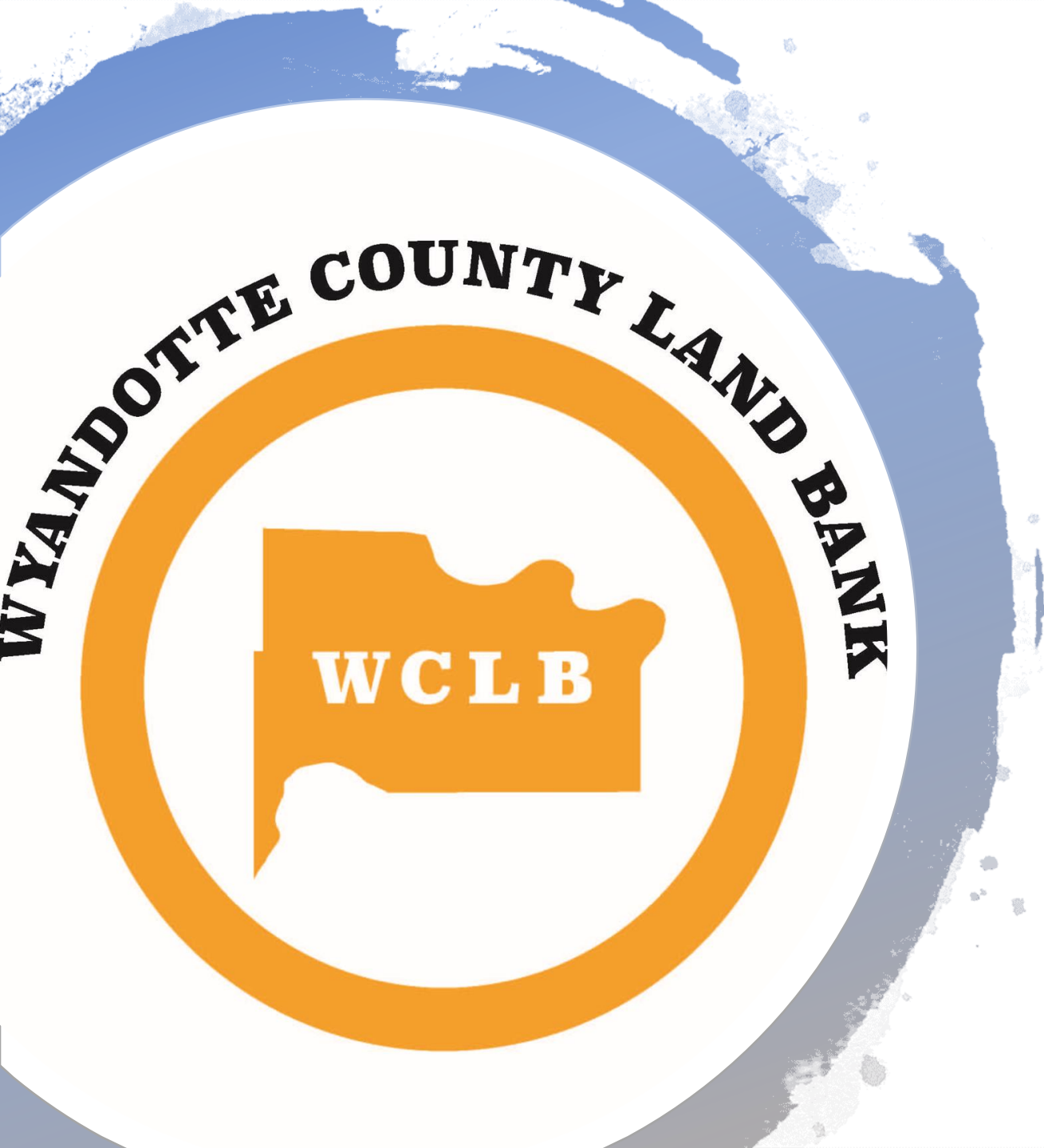
- 1. Chris Solutions Construction LLC
 - i. 4815 Parallel Pkwy – 916619
 - ii. *Summary* - The applicant started out in the Land Bank Rehab Program, and now has transitioned into building new homes. Currently the applicant has 2 approved options and has started building on one of the lots. The goal is to move his construction headquarters to KCK to build 10 homes a year.
 - iii. *Staff Comments* – Will have to change zoning from C-1 to C-3 to support the contractor type business.
- 2. Omni McCluney & Bilal Waajid
 - i. Requesting 35 Land Bank lots from 9th to 10th between Everett and Oakland
 - ii. Going to build residential units, restaurants, shops, farmers market, and green space out of shipping containers.
 - iii. *Staff comments* – Shipping containers are allowed by building code to be built. Would need a change of zone for the restaurants, and farmer's market. Need to vacate the right of way.
 - iv. *Land Bank Advisory Board* – the project is non-conforming to the northeast area master plan
- 3. Kansas City Kansas Community College
 - i. 632 State Ave – 082174
 - ii. 1101 N 7th St - 082176

E. New Construction – Commercial – 500 Freeman Ave

500 Freeman Ave has two applications. The applicants will be presenting their projects.

- 1. Metropolitan Leadership Institute
 - i. 500 Freeman Ave – 153908

2. Thatcher's Family Life Center
 - i. 500 Freeman Ave – 153908



Neighborhood & Community Development Standing Committee

January 3rd, 2022

Single Family Homes

19

Multi Family

1

Garage

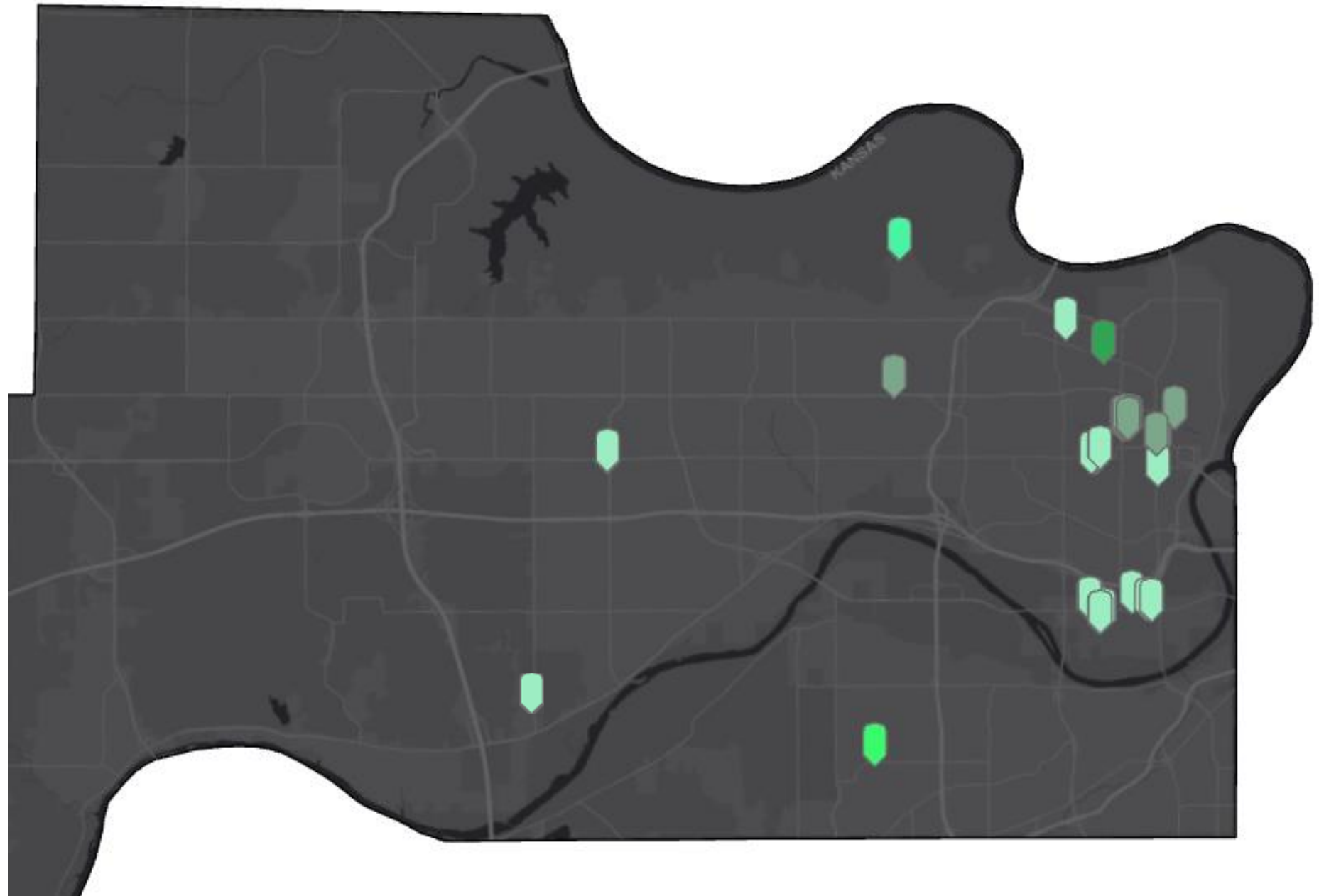
1

Commercial

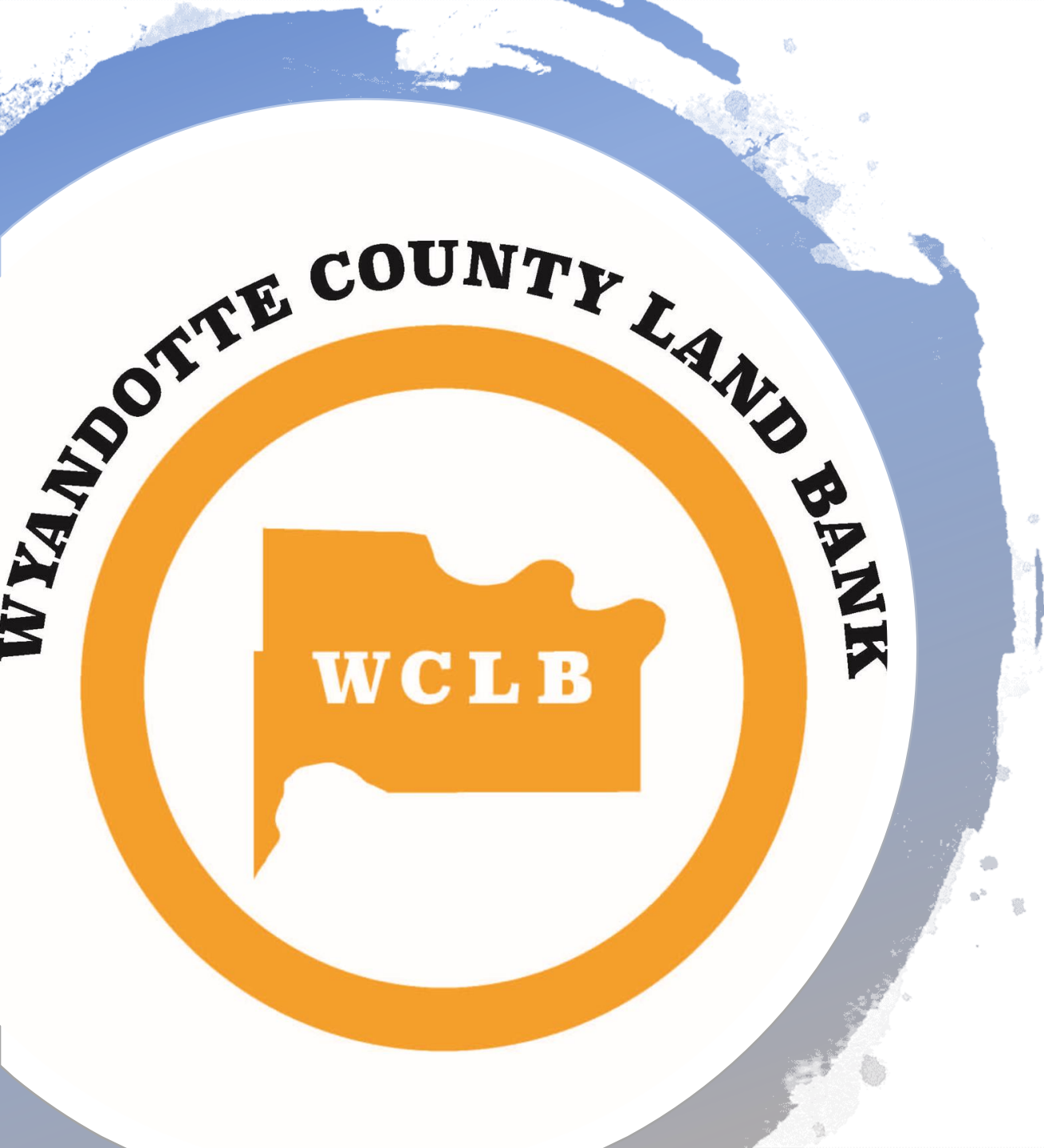
4

Property Transfers

1



Total New Units and Property Transfers **26**



Option Agreements

Agenda Item – A
Single Family Homes

19



OPTION AGREEMENTS

MEJIA, EDWIN ANAHUN CASTELLANOS



Requesting Land Bank Lots

2915 Hiawatha St – 907117

Currently owns

2913 Hiawatha St - 117400

New Construction

Home addition

Zoning

R-2 Two Family District

Frontage

2915 – 41FT

2913 – 53FT

Total – 94FT





OPTION AGREEMENTS

MEJIA, EDWIN ANAHUN CASTELLANOS



Recently bought a property the single-family residence “2913 HIAWATHA ST KANSAS CITY, KS 66104” to remodel and build an addition in the rear side, but it is not possible because of the setback. For this reason, we are looking to acquire the adjacent property (2915 HIAWATHA ST Kansas City, KS 66104) with parcel number: 907117 The addition will be on the first floor a kitchen, laundry room, dining room and a bedroom, for the second floor a master bedroom.





OPTION AGREEMENTS

MEJIA, EDWIN ANAHUN CASTELLANOS



Building Details

4 Beds 2 baths

Timeline

Project Start – January 2022

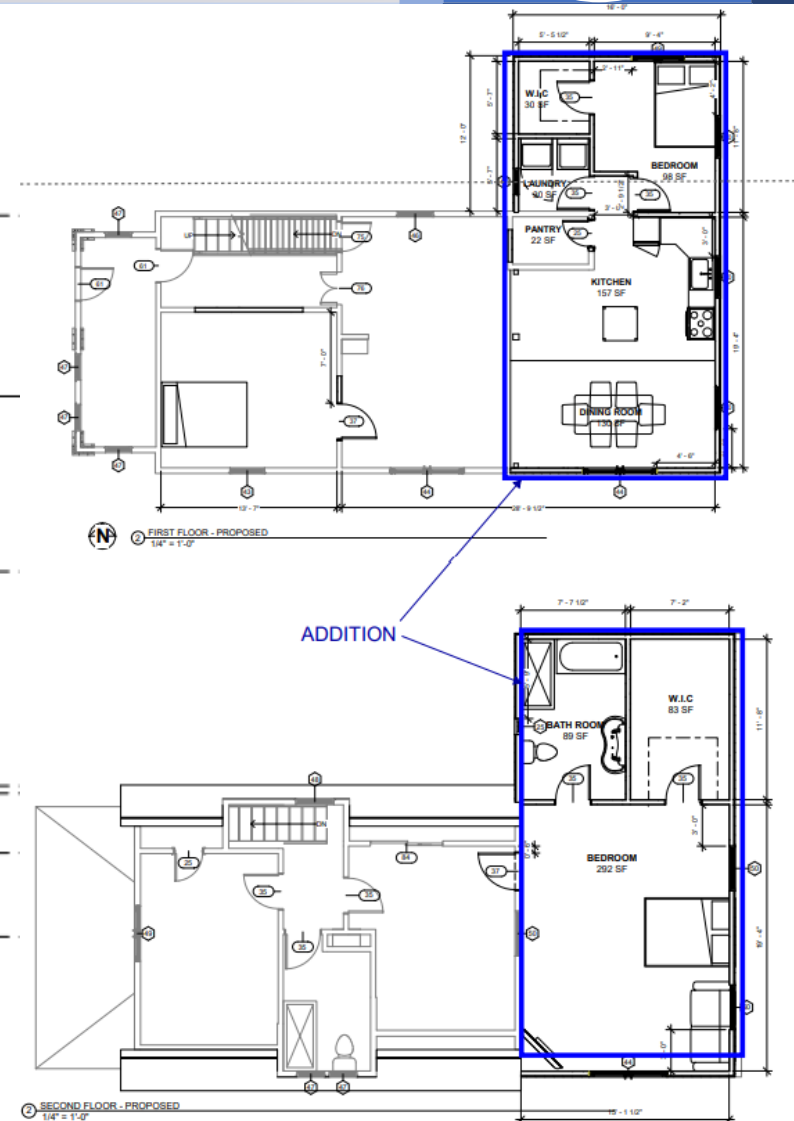
Project Completion – April 2022

Next Steps

1. Narrow lot review
2. Join lots together
3. Building permit
4. Proof of funds to cover building estial

Recommendation

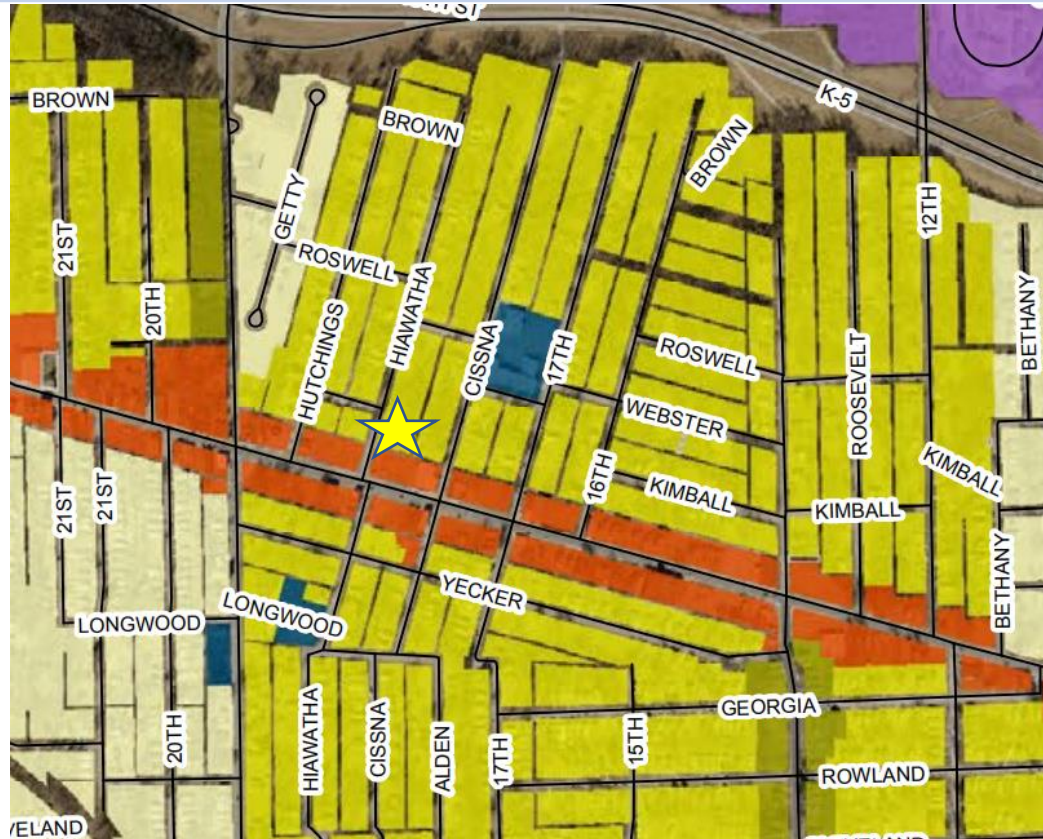
- ☒ Staff Advisory Committee
- ☒ Land Bank Advisory Board





OPTION AGREEMENTS

MEJIA, EDWIN ANAHUN CASTELLANOS



- | | | | | | |
|--|-------------------------------------|--|-----------------------------------|---|----------------------------------|
|  | Neighborhood Mixed Use |  | Business Park/Light Industrial |  | Lower-Medium Density Residential |
|  | Gateway/Neighborhood Commercial Hub |  | Industrial |  | Single Family |
|  | Commercial |  | Historic and Institutional |  | Parks and Open Space |
|  | Highway Commercial |  | Medium-Higher Density Residential | | |



OPTION AGREEMENTS HABITAT FOR HUMANITY



Requesting Land Bank Lots

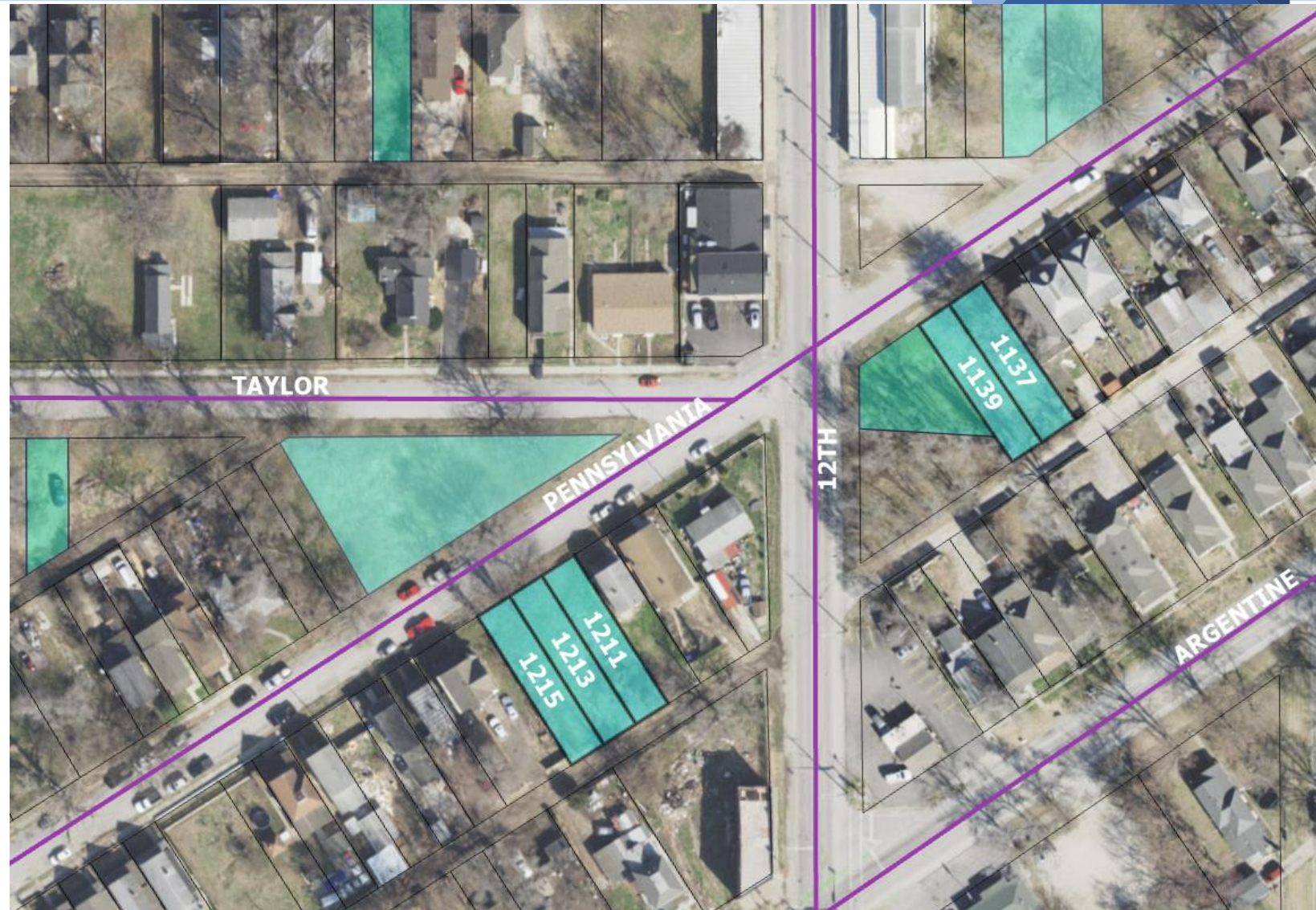
1137 Pennsylvania Ave – 072545
1139 Pennsylvania Ave - 072546
1211 Pennsylvania Ave - 068246
1213 Pennsylvania Ave - 068247
1215 Pennsylvania Ave - 068248

New Construction

3 Single Family Homes

Zoning

R-2(B) Two Family District
RP-5 Planned Apartment District





OPTION AGREEMENTS HABITAT FOR HUMANITY



Building Details

Depending on house plan 3 – 6 beds
1,300 – 1,800 SqFt

Timeline

Project Start – September 2022
Project Completion – June 2023

Next Steps

1. Building permit
2. Narrow lot review
3. Proof of funds to cover building estimate

Recommendation

- ☒ Staff Advisory Committee
Driveway should come from the alley
- ☒ Land Bank Advisory Board





OPTION AGREEMENTS HABITAT FOR HUMANITY



Legend

- Parks/Open Space
- Floodway
- Public / Semi-Public
- Rural-Density Residential
- Low-Density Residential**
- Medium-Density Residential
- Urban Residential
- High-Density Residential
- Neighborhood Commercial
- Mixed-Use
- Community Commercial
- Regional Commercial
- Business Park
- Industrial
- Undmined Areas
- Right-of-Way
- Armourdale Boundary





OPTION AGREEMENTS HABITAT FOR HUMANITY



Requesting Land Bank Lots

704 S Valley St – 072290

1261 Shawnee Ave– 072287

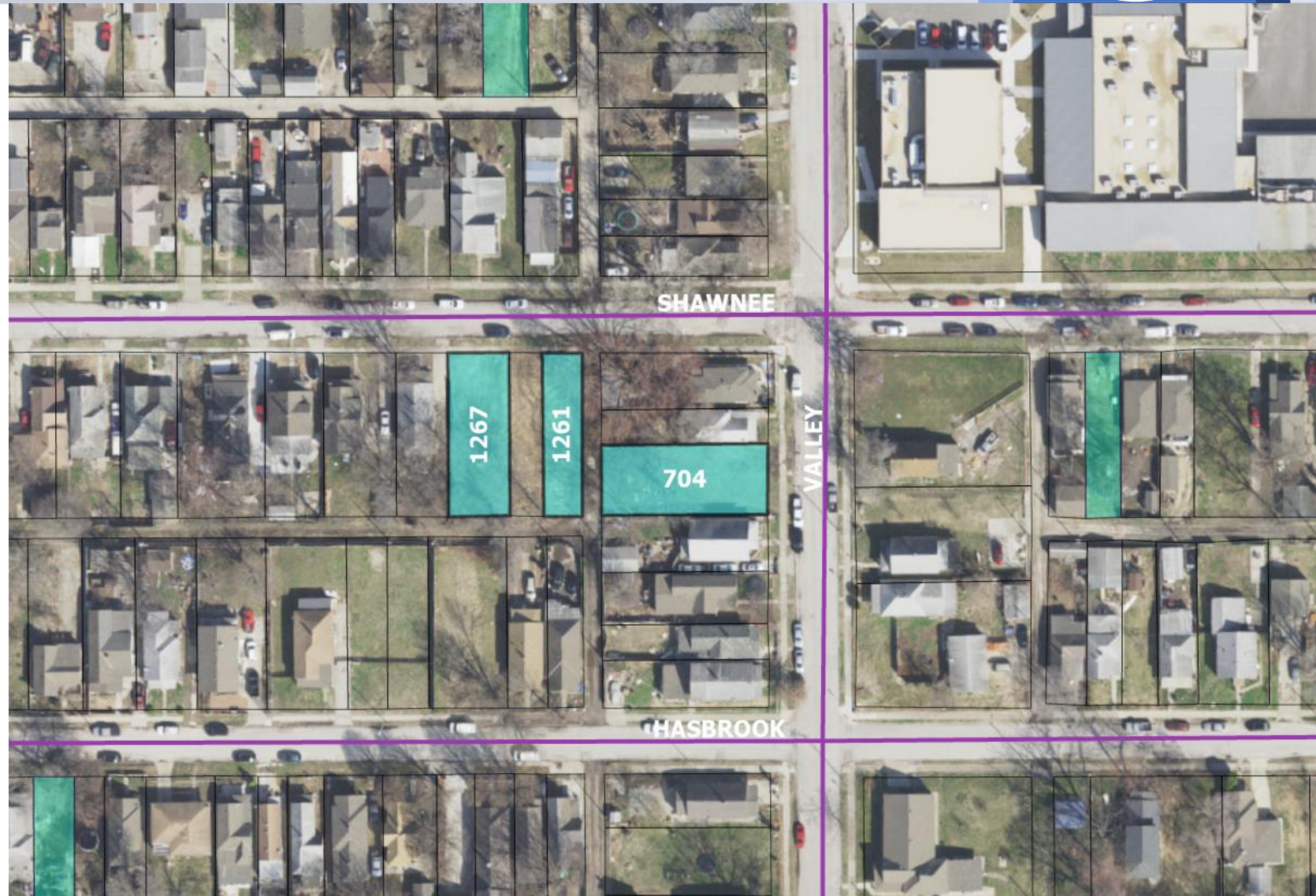
1267 Shawnee Ave - 072546

New Construction

3 Single Family Homes

Zoning

R-2(B) Two Family District





OPTION AGREEMENTS HABITAT FOR HUMANITY



Building Details

Depending on house plan 3 – 6 beds
1,300 – 1,800 SqFt

Timeline

Project Start – September 2022
Project Completion – June 2023

Next Steps

1. Narrow lot review
2. Building permit
3. Proof of funds to cover building estimate

Recommendation

- ☒ Staff Advisory Committee
1261 & 1267 require a narrow lot review
- ☒ Land Bank Advisory Board





OPTION AGREEMENTS HABITAT FOR HUMANITY



Legend

- Parks/Open Space
- Floodway
- Public / Semi-Public
- Rural-Density Residential
- Low-Density Residential**
- Medium-Density Residential
- Urban Residential
- High-Density Residential
- Neighborhood Commercial
- Mixed-Use
- Community Commercial
- Regional Commercial
- Business Park
- Industrial
- Undmined Areas
- Right-of-Way
- Armourdale Boundary





OPTION AGREEMENTS

CHRIS SOLUTIONS CONSTRUCTION LLC



Requesting Land Bank Lots

820 N 78th St – 008600

900 N 78th St - 008601

New Construction

2 Single Family Homes

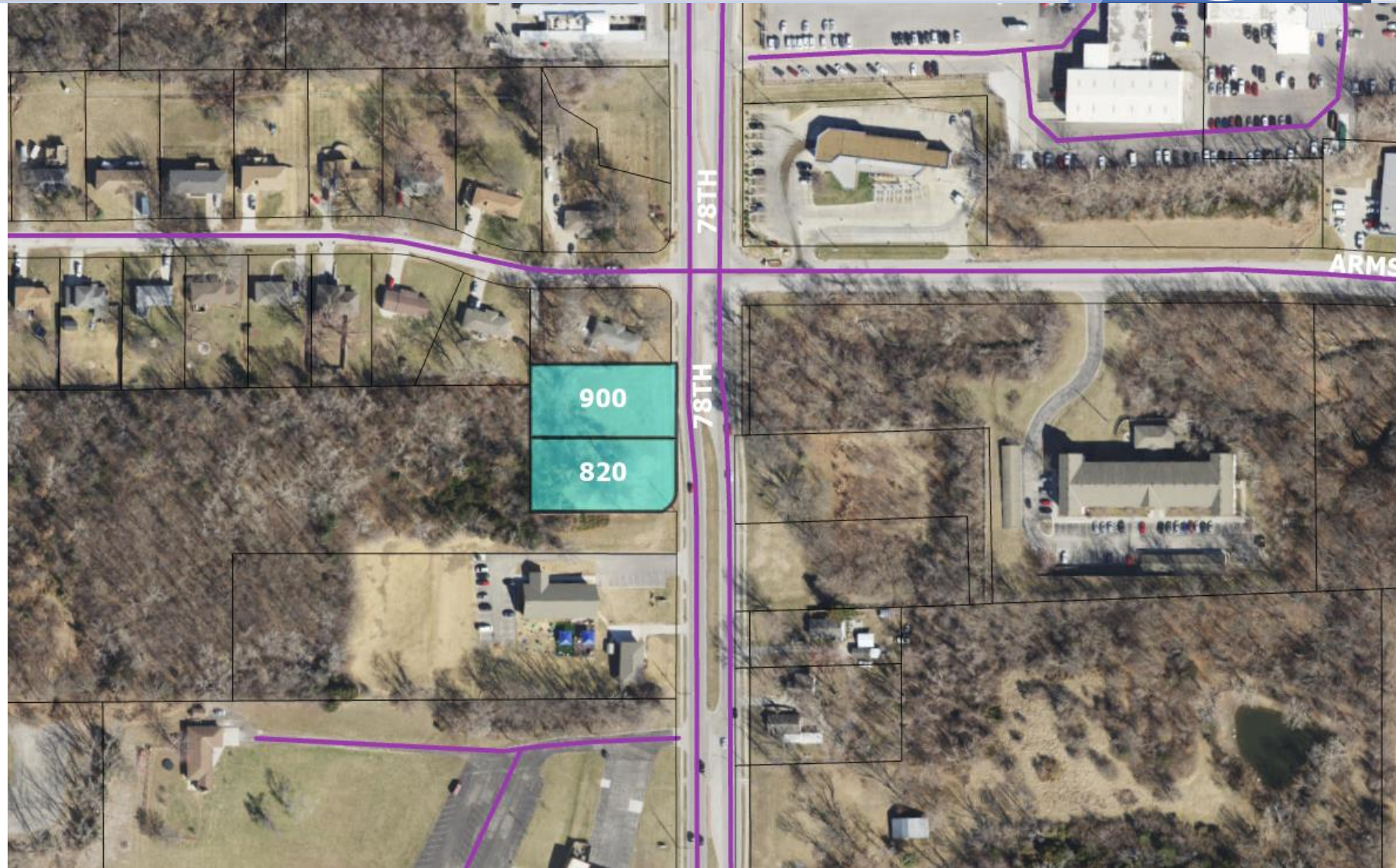
Zoning

R-1 Single Family District

Frontage

820 – 100ft

900 – 100ft





OPTION AGREEMENTS

CHRIS SOLUTIONS CONSTRUCTION LLC



Building Details

3 Beds / 2 Baths
1,100 SqFt

Timeline

Project Start – January 2022

Project Completion – January 2023

Next Steps

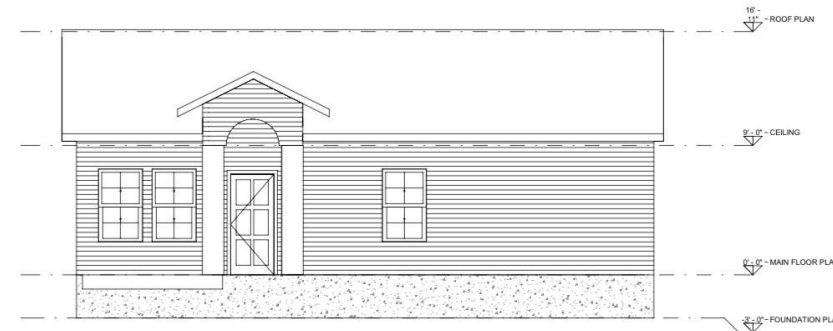
1. Right of way permit
2. Building permit
3. Proof of funds to cover building estia



1 EAST
1/4" = 1'-0"



2 SOUTH
1/4" = 1'-0"



3 NORTH
1/4" = 1'-0"



4 WEST
1/4" = 1'-0"

Recommendation

- ☒ Staff Advisory Committee
- ☒ Land Bank Advisory Board



OPTION AGREEMENTS

INNOVA PRO CONSTRUCTION & PILLAR KC LLC



Current approved options – 2

1. 3819 Lloyd St – single family home
2. 4903 Dixie Ave – duplex starting construction in March

Requesting 8 lots for 8 single family homes

3137 N 29th St – Completed Land Bank Rehab

- Same house plan as the requested lots





OPTION AGREEMENTS INNOVA PRO CONSTRUCTION



Requesting Land Bank Lots

649 Sandusky Ave - 081484

New Construction

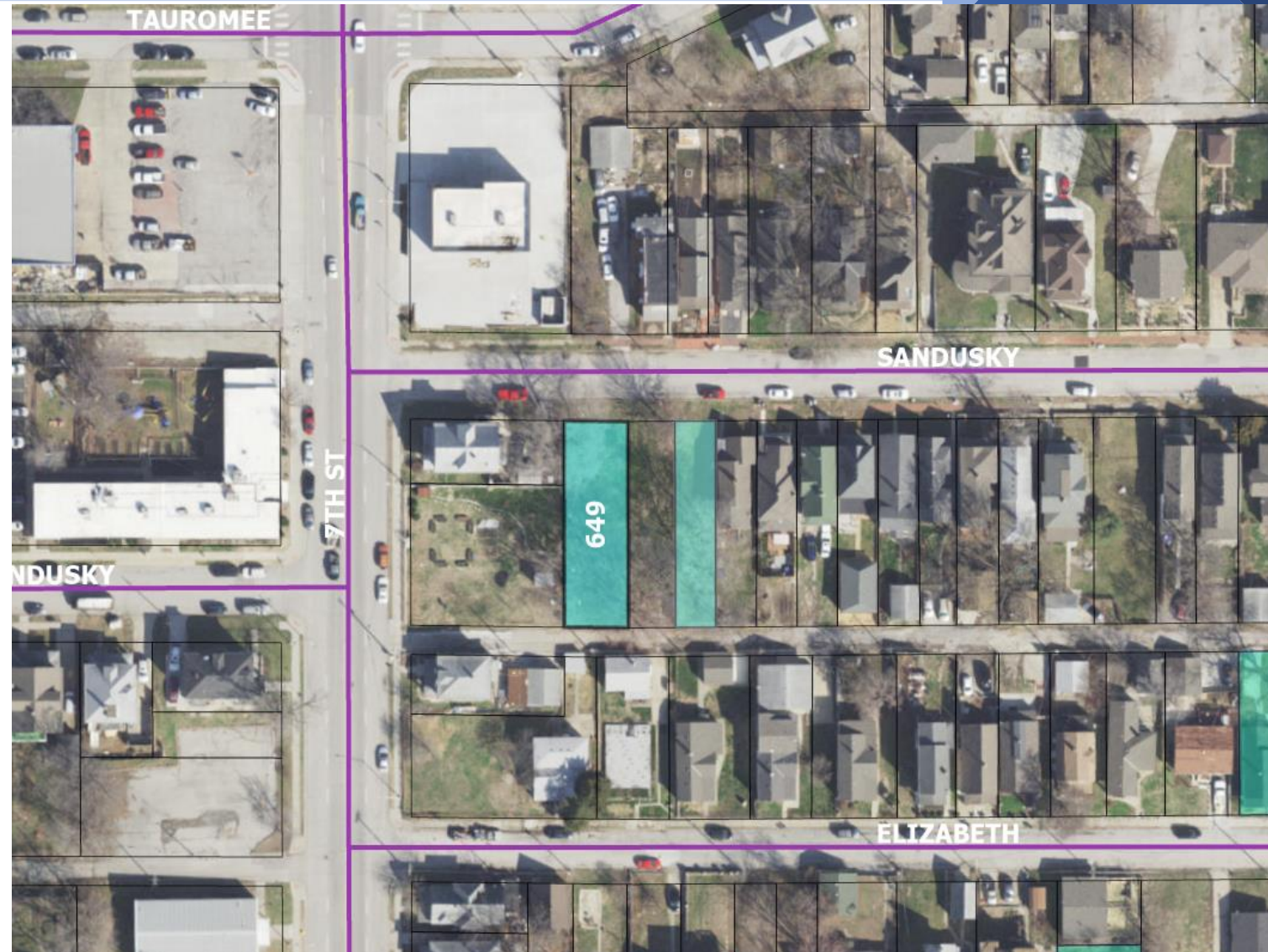
Single Family Home

Zoning

RP-5 Planned Apartment District

Frontage

40ft





OPTION AGREEMENTS INNOVA PRO CONSTRUCTION



Building Details

3 Beds / 2 Baths

1,078 SqFt

Timeline

Project Start – February 2022

Project Completion – May 2022

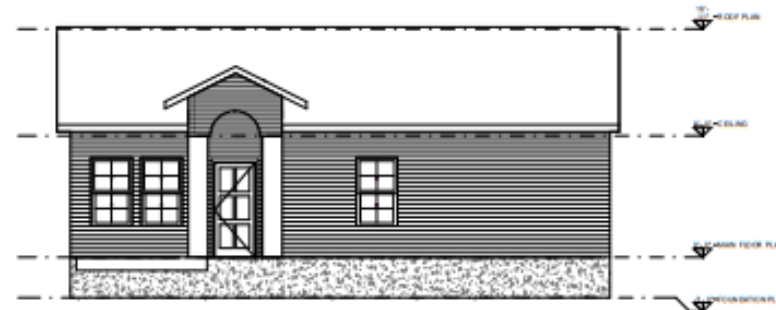
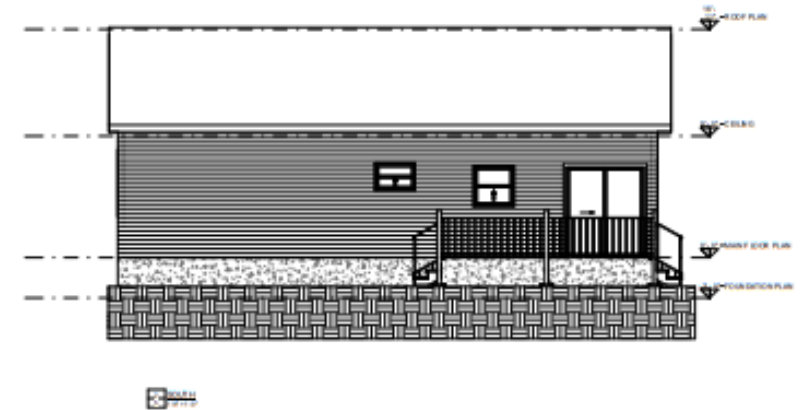
Next Steps

1. Building permit
2. Narrow lot review
3. Proof of funds to cover building estimate

Recommendation

☒ Staff Advisory Committee

☒ Land Bank Advisory Board





OPTION AGREEMENTS INNOVA PRO CONSTRUCTION



Requesting Land Bank Lots

914 Argentine Blvd - 127802

New Construction

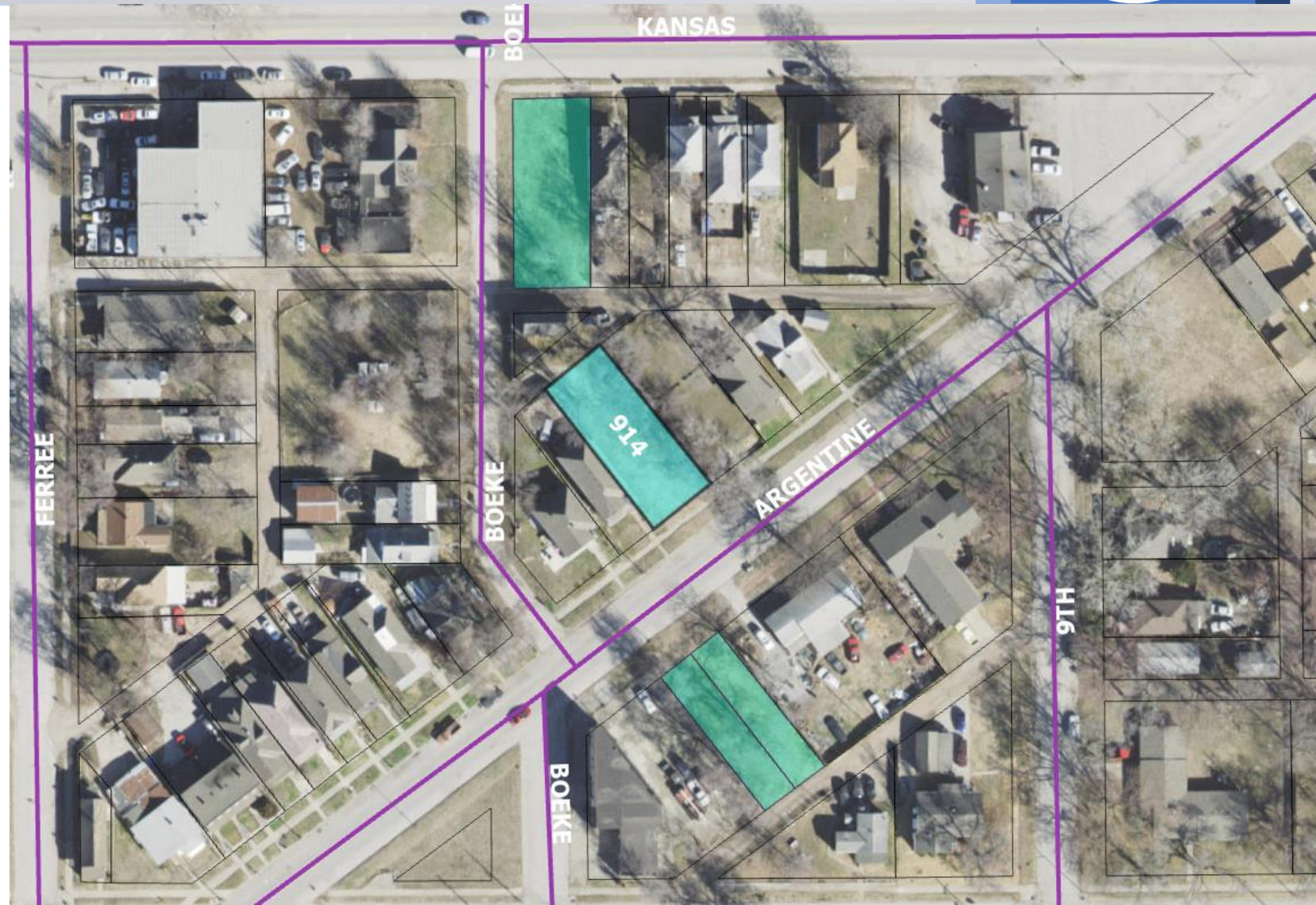
Single Family Home

Zoning

R-2(B) Two Family District

Frontage

50ft





OPTION AGREEMENTS INNOVA PRO CONSTRUCTION



Building Details

3 Beds / 2 Baths

1,078 SqFt

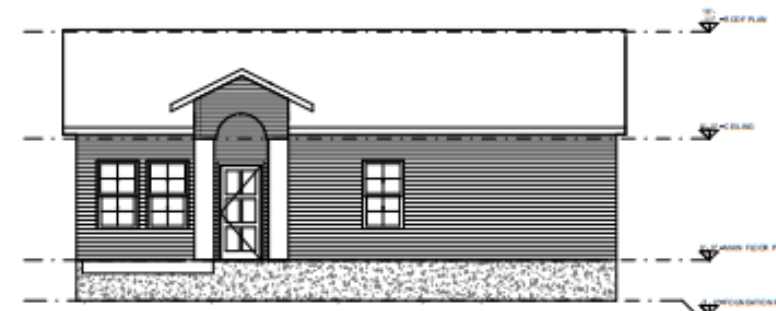
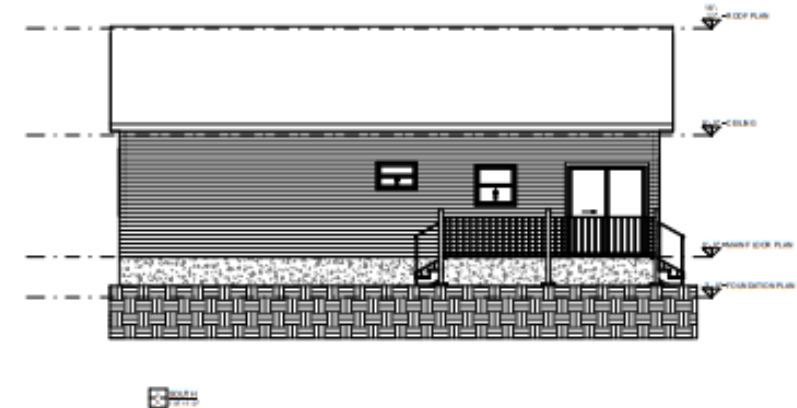
Timeline

Project Start – February 2022

Project Completion – May 2022

Next Steps

1. Building permit
2. Proof of funds to cover building estimate



Recommendation

- ☒ Staff Advisory Committee
Driveway to use the alley
- ☒ Land Bank Advisory Board



OPTION AGREEMENTS INNOVA PRO CONSTRUCTION



Legend

- Parks/Open Space
- Floodway
- Public / Semi-Public
- Rural-Density Residential
- Low-Density Residential**
- Medium-Density Residential
- Urban Residential
- High-Density Residential
- Neighborhood Commercial
- Mixed-Use
- Community Commercial
- Regional Commercial
- Business Park
- Industrial
- Undmined Areas
- Right-of-Way
- Armourdale Boundary





OPTION AGREEMENTS INNOVA PRO CONSTRUCTION



Requesting Land Bank Lots

719 S Coy St – 073694

RP-6 Planned High Rise Apartment District

Frontage – 63ft

713 S 8th St – 073666

R-2(B) Two Family District

Frontage – 50ft

New Construction

2 Single Family Homes





OPTION AGREEMENTS INNOVA PRO CONSTRUCTION



Building Details

3 Beds / 2 Baths

1,078 SqFt

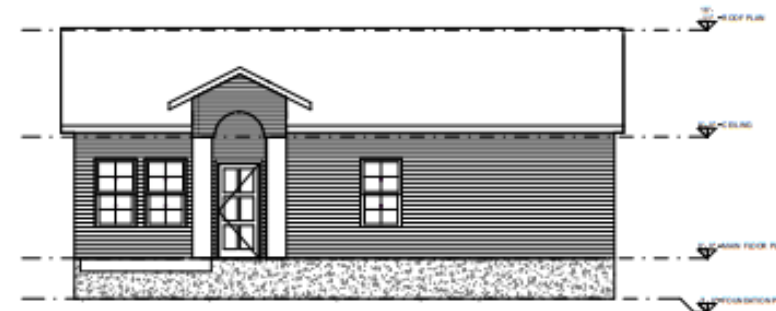
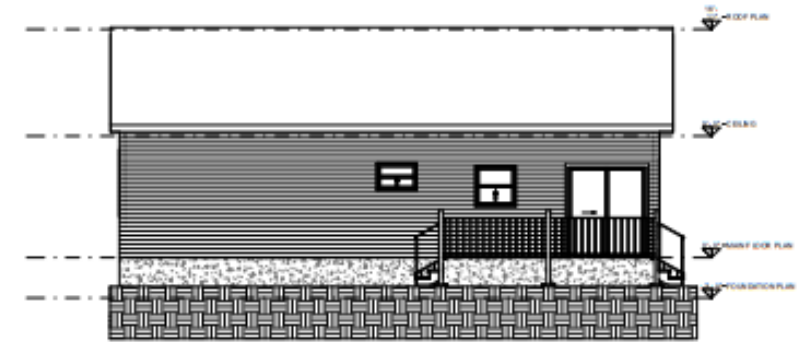
Timeline

Project Start – June 2022

Project Completion – September 2022

Next Steps

1. Building permit
2. Proof of funds to cover building estimate



Recommendation

- ☒ Staff Advisory Committee
713 S 8th St use alley for access
- ☒ Land Bank Advisory Board



OPTION AGREEMENTS INNOVA PRO CONSTRUCTION



Legend

- Parks/Open Space
- Floodway
- Public / Semi-Public
- Rural-Density Residential
- Low-Density Residential**
- Medium-Density Residential
- Urban Residential
- High-Density Residential
- Neighborhood Commercial
- Mixed-Use
- Community Commercial
- Regional Commercial
- Business Park
- Industrial
- Undmined Areas
- Right-of-Way
- Armourdale Boundary





OPTION AGREEMENTS PILLAR KC LLC



Requesting Land Bank Lots

1147 Armstrong Ave – 080814

1211 Ann Ave – 080937

1223 Ann Ave – 080943

1235 Ann Ave - 080947

New Construction

4 Single Family Homes

Zoning

R-1(B) Single Family District





OPTION AGREEMENTS PILLAR KC LLC



Building Details

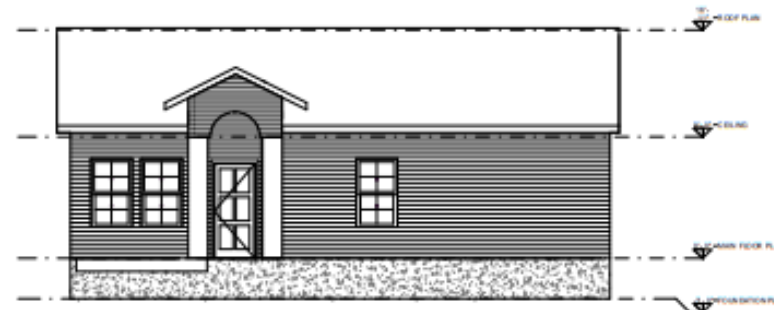
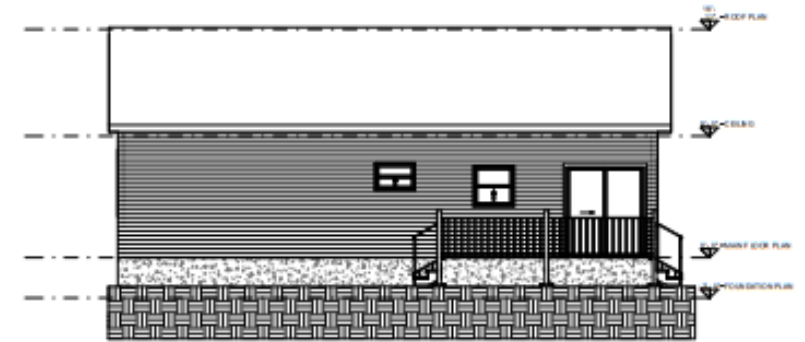
3 Beds / 2 Baths
1,078 SqFt

Timeline

Project Start – February 2022
Project Completion – May 2022

Next Steps

1. Building permit
2. Proof of funds to cover building estimate



Recommendation

☒ Staff Advisory Committee

☒ Land Bank Advisory Board



OPTION AGREEMENTS PILLAR KC LLC



Legend

-  Downtown Mixed-Use
-  Neighborhood Mixed-Use
-  Urban Residential
-  Neighborhood Residential
-  Civic
-  Open Space
-  Catalyst Block





OPTION AGREEMENTS STEVEN BASHUS



Requesting Land Bank Lot

1600 S 86th St - 145656

New Construction

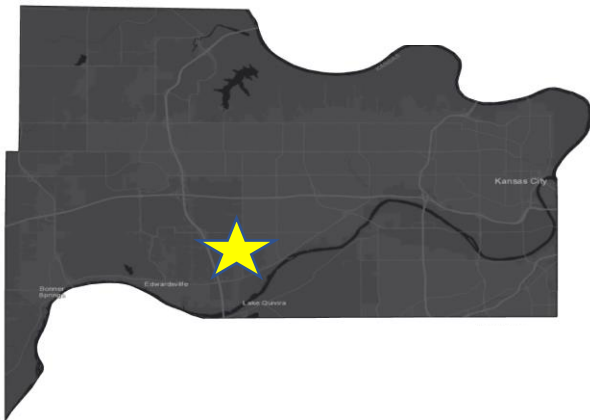
Single Family Home

Zoning

R-1 Single Family District

Acres

1.5





OPTION AGREEMENTS

STEVEN BASHUS



Building Details

3 Beds / 2.5 Baths
1,748 SqFt

Timeline

Project Start – March 2022
Project Completion – February 2023

Next Steps

1. Building permit
2. Proof of funds to cover building estimate



Recommendation

- ☒ Staff Advisory Committee
- ☒ Land Bank Advisory Board



OPTION AGREEMENTS ESTRALITA JUSTICE



Requesting 3 Land Bank Lots

3429 N 31st ST – 164306

3427 N 31st ST - 164300

3425 N 31st ST - 164301

Currently owns

3428 N 31st St - 164310

New Construction

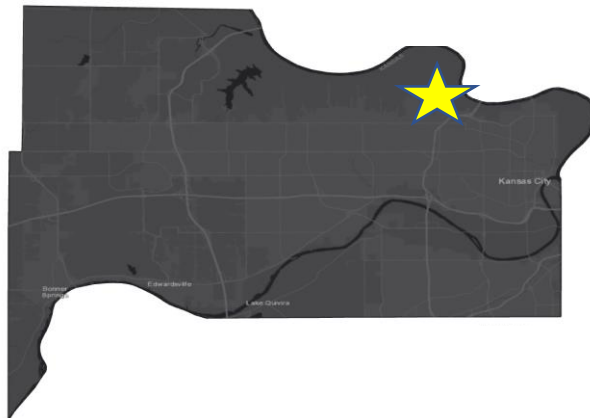
Single Family Home

Zoning

R-1(B) Single Family District

Frontage

200ft





OPTION AGREEMENTS ESTRALITA JUSTICE



Building Details

3 Beds / 2 Baths
1,500 SqFt

Timeline

Project Start – January 2022
Project Completion – August 2022

Next Steps

1. Building permit
2. Proof of funds to cover building estimate
3. Environ review

Recommendation

☐ Staff Advisory Committee

The proximity to the Quindaro Townsite. Staff is recommending extending the hold area of the Quindaro townsite to include this property. Sewer connection issues, accessing the property

☒ Land Bank Advisory Board





OPTION AGREEMENTS ESTRALITA JUSTICE



- | | | | | | |
|--|-------------------------------------|--|-----------------------------------|---|----------------------------------|
|  | Neighborhood Mixed Use |  | Business Park/Light Industrial |  | Lower-Medium Density Residential |
|  | Gateway/Neighborhood Commercial Hub |  | Industrial |  | Single Family |
|  | Commercial |  | Historic and Institutional |  | Parks and Open Space |
|  | Highway Commercial |  | Medium-Higher Density Residential | | |



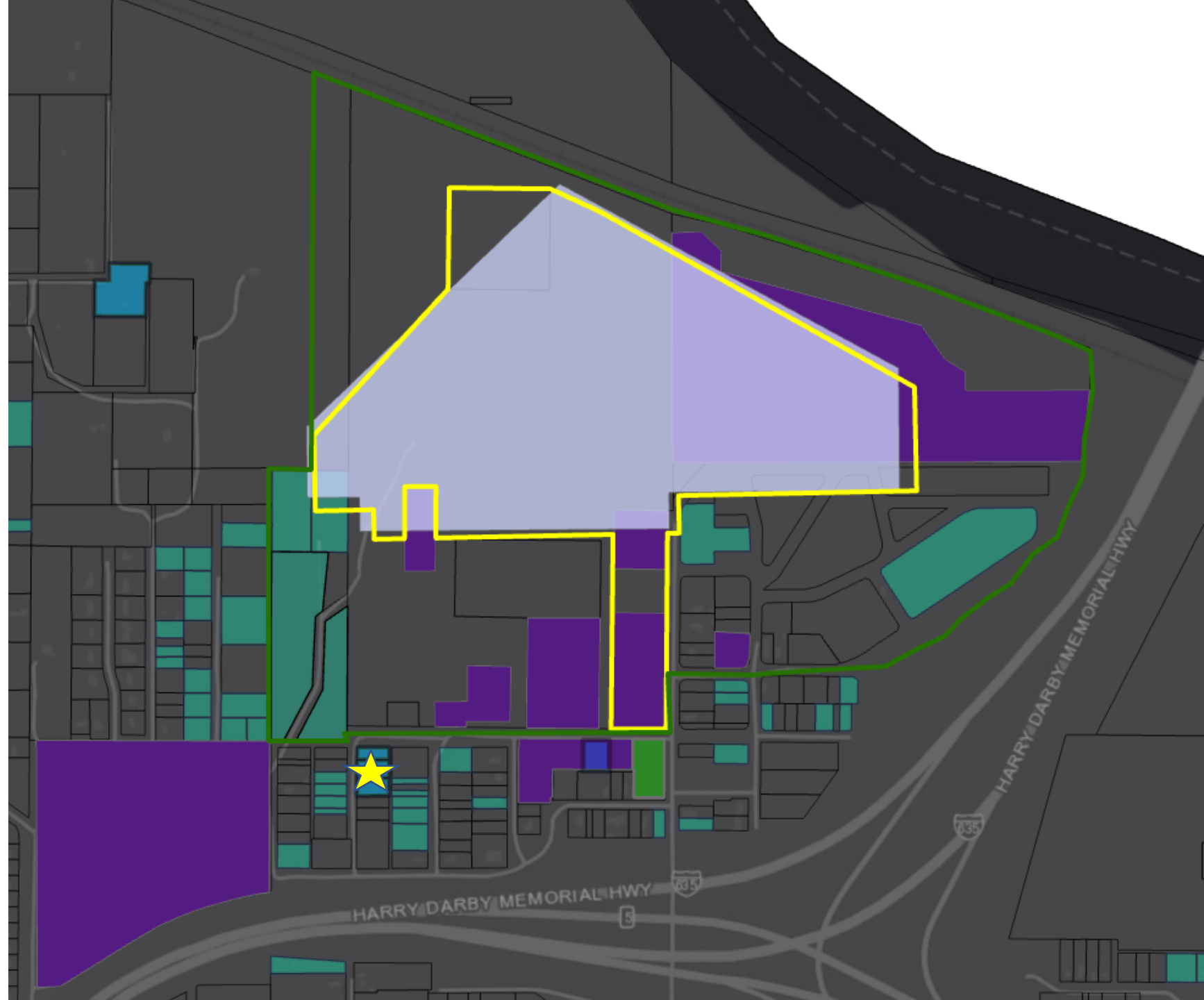
OPTION AGREEMENTS ESTRALITA JUSTICE



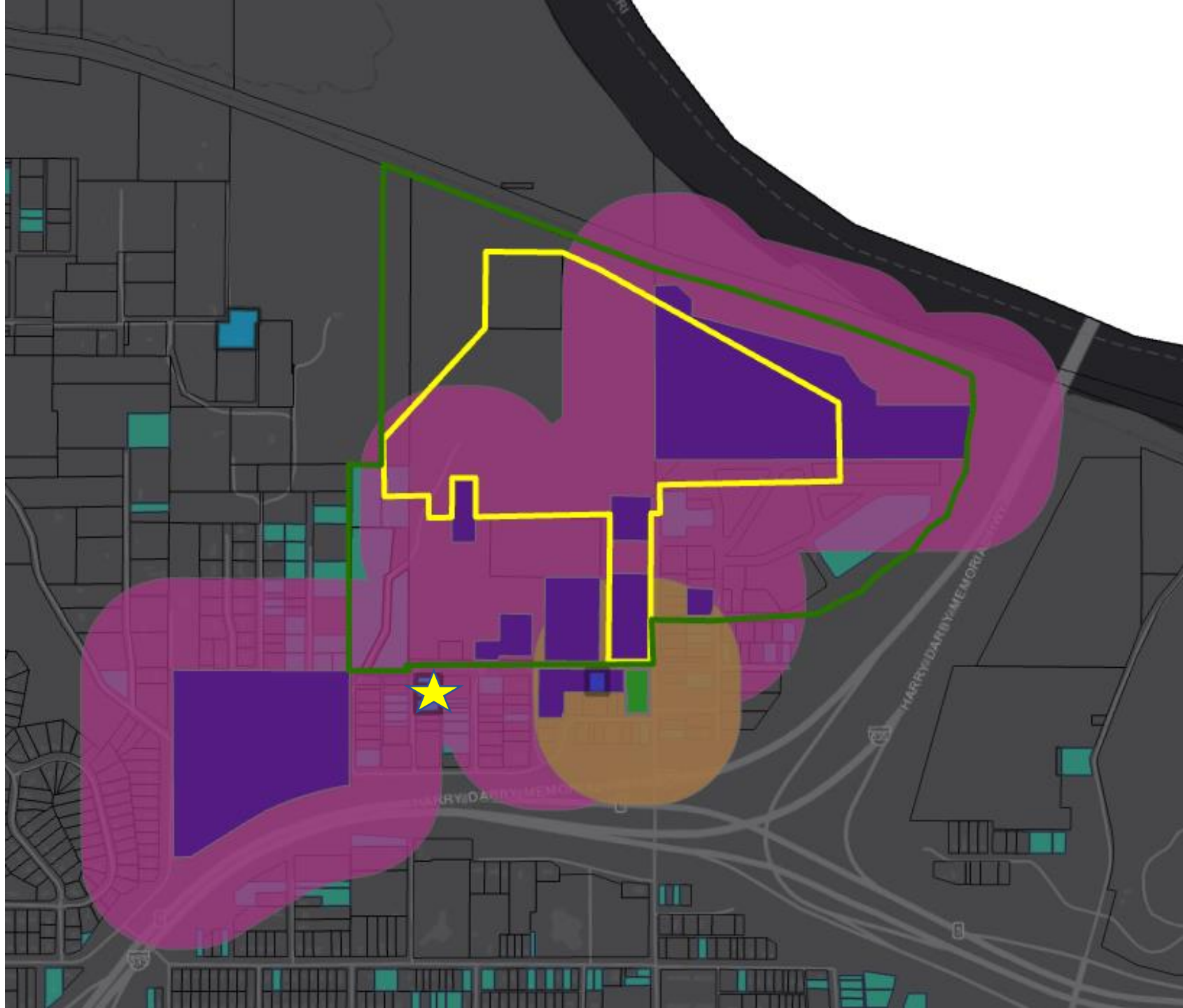
Google image of the intersection of 31st and Sloan. This image is just south of the requested parcels

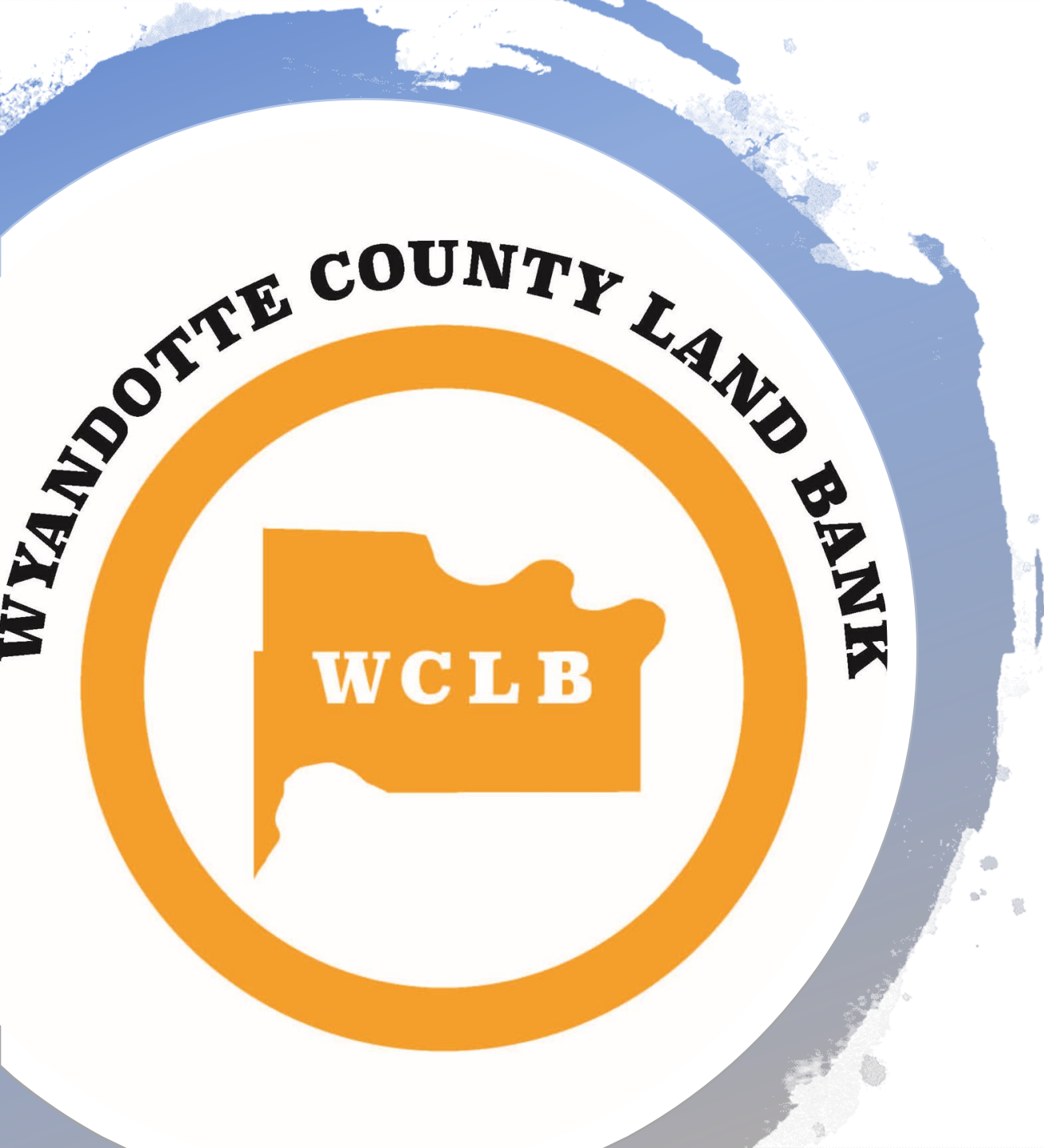


-  Western University MOU
-  Quindaro Townsite Archeological District
-  Land Bank Hold Area
-  Historic Landmark
-  Historic District
-  Land Bank lots
-  Land Bank Applications



-  Western University MOU
-  Land Bank Hold Area
-  Historic Landmark
-  Historic District
-  Land Bank lots
-  Land Bank Applications
-  Historic Landmark Environ
-  Historic District Environ





Option Agreements

Agenda Item – B
Multi Family



OPTION AGREEMENTS



Requesting Land Bank Lot

2416 S 51st St - 915601

New Construction

Multi Family projects needs 2 access points

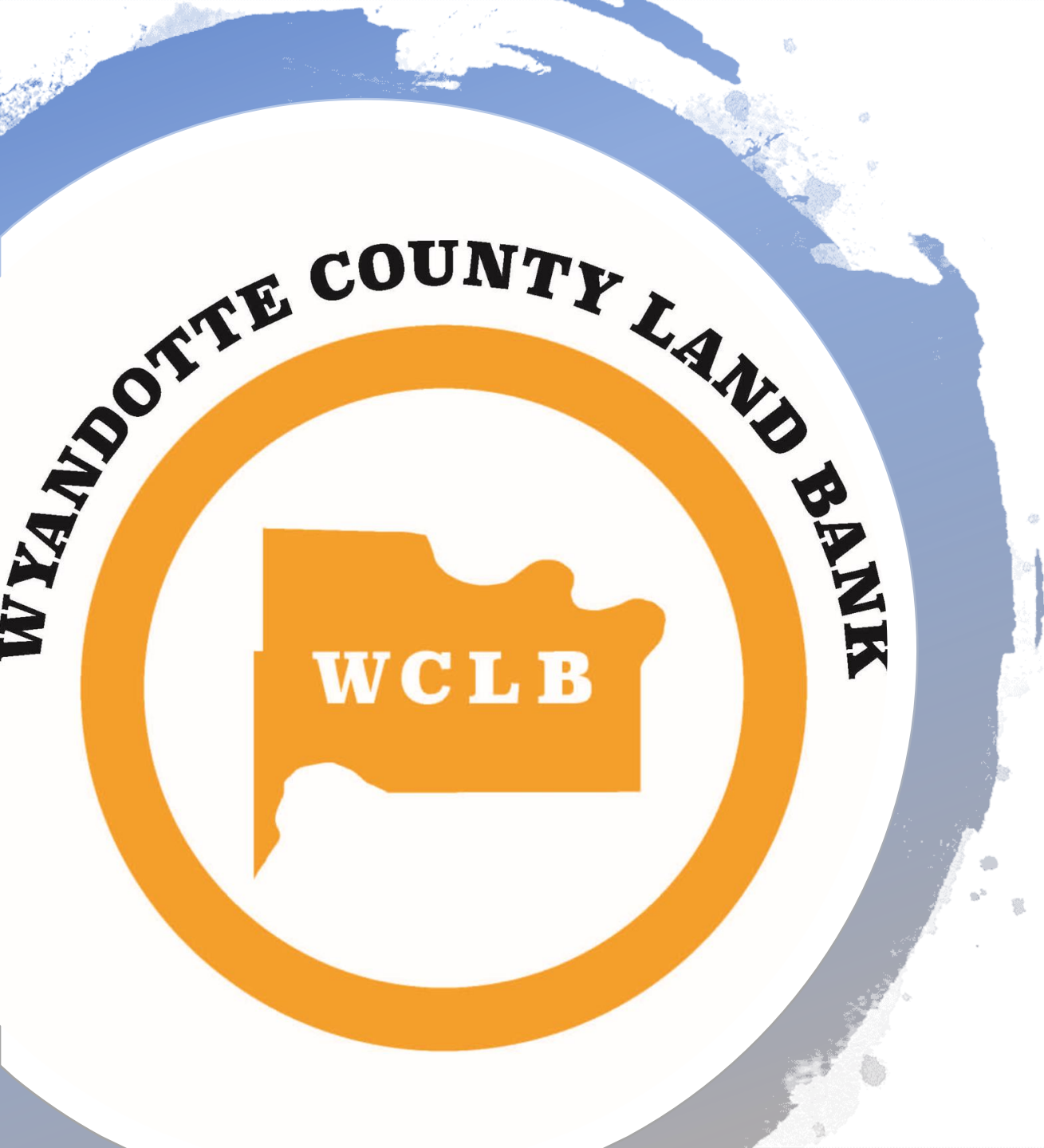
Zoning

CP-1 Planned Limited Business District

Frontage

195ft





Option Agreements

Agenda Item – C

Garage

1



OPTION AGREEMENTS CINTHIA REYES



Requesting Land Bank Lots

1131 Rowland Ave - 157068

Currently owns

1129 Rowland Ave - 157067

New Construction

Garage

Zoning

R-2 Two Family District

Frontage

35ft





OPTION AGREEMENTS

CINTHIA REYES



Building Details

2 Car Garage
24x35

Timeline

Project Start – April 2022
Project Completion – July 2022

Next Steps

1. Join lots together
2. Building permit
3. Proof of funds to cover building estimate

Recommendation

- ☐ Staff Advisory Committee
Garages needs to match the look of home
- ☒ Land Bank Advisory Board
A stand-alone detached garage is not the best use for the land

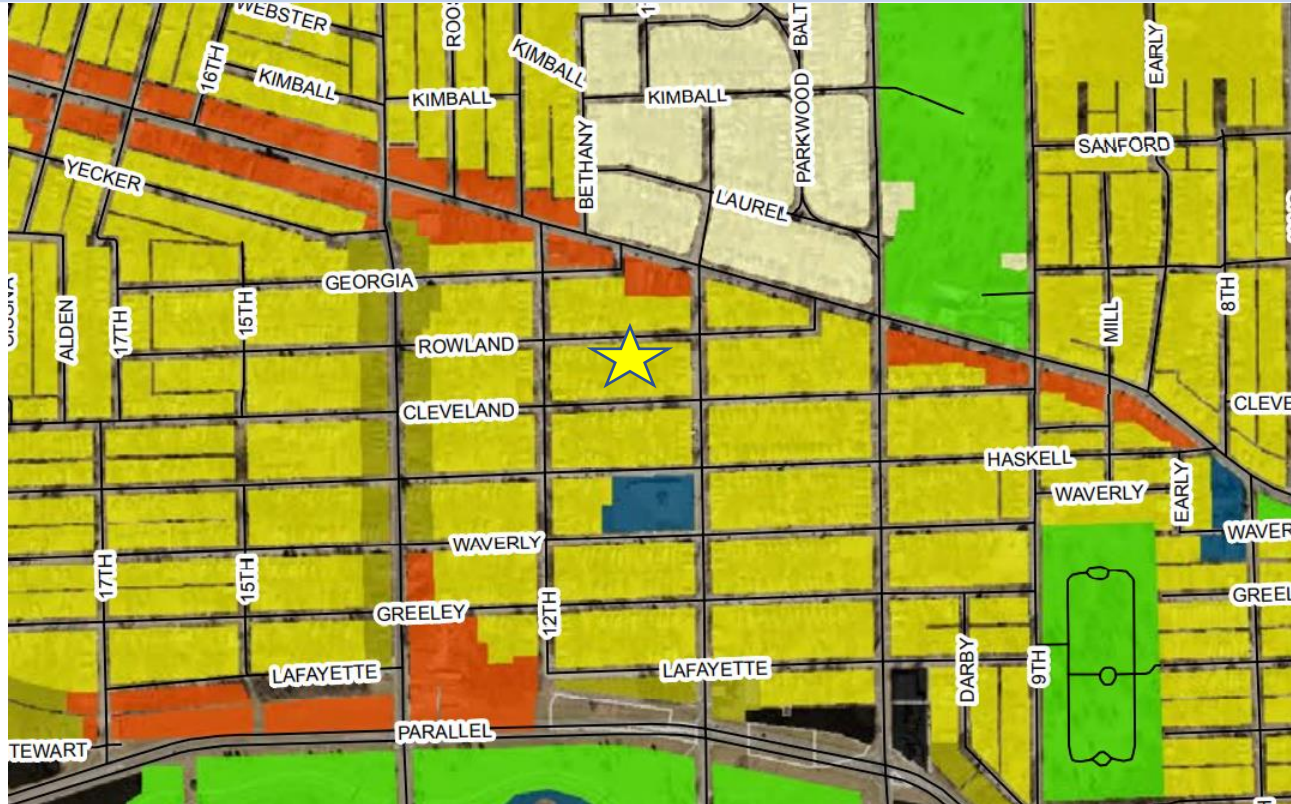


wants to build this project to keep my cars off the street. There has been a few times my cars have been hit by other cars. Overall, when there is bad weather, I want to be able to keep my cars off the street

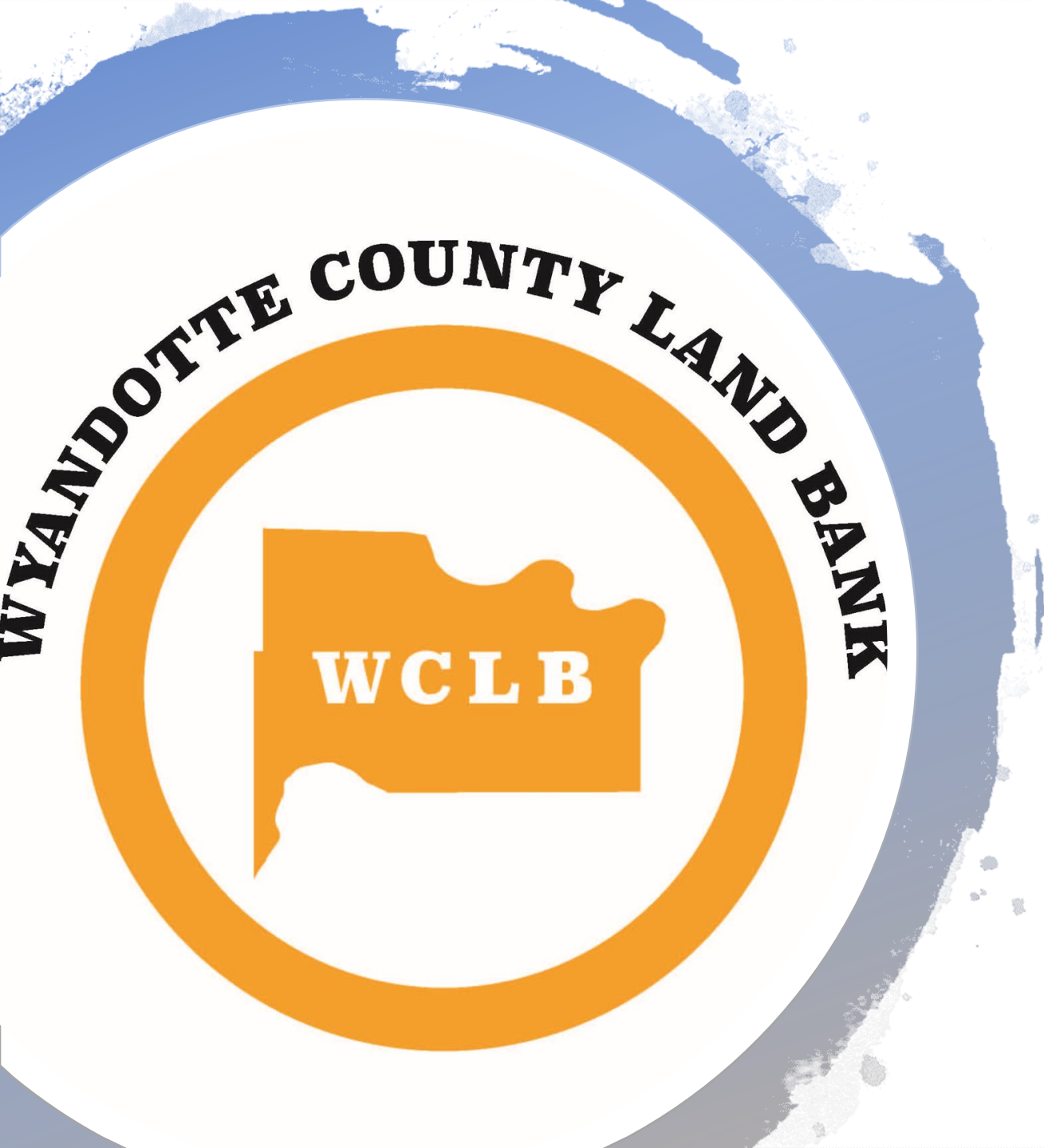


OPTION AGREEMENTS

CINTHIA REYES



- | | | | | | |
|--|-------------------------------------|--|-----------------------------------|---|----------------------------------|
|  | Neighborhood Mixed Use |  | Business Park/Light Industrial |  | Lower-Medium Density Residential |
|  | Gateway/Neighborhood Commercial Hub |  | Industrial |  | Single Family |
|  | Commercial |  | Historic and Institutional |  | Parks and Open Space |
|  | Highway Commercial |  | Medium-Higher Density Residential | | |



Option Agreements

Agenda Item – D
Commercial

3



OPTION AGREEMENTS

CHRIS SOLUTIONS CONSTRUCTION LLC



Requesting Land Bank Lots

4815 Parallel Pkwy - 916619

New Construction

Office and warehouse

Zoning

C-1 Limited Business District

Frontage

140ft

Acre

1.81





OPTION AGREEMENTS

CHRIS SOLUTIONS CONSTRUCTION LLC



Building Details

Office 1,200 SqFt

Warehouse 2,750 SqFt

Timeline

Project Start – January 2022

Project Completion – January 2023

Next Steps

1. Change of zone – C-3 (**Public Meeting**)
2. Building Permit
3. Proof of Funds to cover building estimate



Response from applicant on why they want to build

This warehouse is going to impact my productivity on the new homes that I'm going to build in 2022 if we can work out a plan to build minimum 10 new homes a year

Recommendation

☒ Staff Advisory Committee

☒ Land Bank Advisory Board



OPTION AGREEMENTS

OMNI MCCLUNEY & BILAL WAAJID



Requesting Land Bank Lots

35 Lots - 10th and Everett

New Construction

Residential units, restaurants,
shops, Farmers market, Green
space,

Zoning

CP-1 Planned Limited Business
District

RP-5 – Planned Apartment
District





OPTION AGREEMENTS

OMNI MCCLUNEY & BILAL WAAJID



1415 N 10TH ST - 080332	926 EVERETT AVE - 080350
1413 N 10TH ST - 080333	922 EVERETT AVE - 080351
1411 N 10TH ST - 080334	918 EVERETT AVE - 080352
1409 N 10TH ST - 080335	924 EVERETT AVE - 082240
1405 N 10TH ST - 080336	909 OAKLAND AVE - 080316
1403 N 10TH ST - 080337	911 OAKLAND AVE - 080317
1401 N 10TH ST - 080338	913 OAKLAND AVE - 080318
950 EVERETT AVE - 080339	915 OAKLAND AVE - 080319
948 EVERETT AVE - 080340	917 OAKLAND AVE - 080320
942 EVERETT AVE - 080342	919 OAKLAND AVE - 080321
940 EVERETT AVE - 080343	923 OAKLAND AVE - 080322
936 EVERETT AVE - 080345	925 OAKLAND AVE - 080323
934 EVERETT AVE - 080346	929 OAKLAND AVE - 080325
932 EVERETT AVE - 080347	931 OAKLAND AVE - 080326
930 EVERETT AVE - 080348	939 OAKLAND AVE - 080327
928 EVERETT AVE - 080349	941 OAKLAND AVE - 080328
	943 OAKLAND AVE - 080329
	947 OAKLAND AVE - 080330
	945 OAKLAND AVE - 081889





OPTION AGREEMENTS

OMNI MCCLUNEY & BILAL WAAJID



What is C.A.R.G.O. Town?

A Multi-use, Multi-Generational Complex. The development will be called C.A.R.G.O Town. C.A.R.G.O is an acronym for Community Activating Really Good Opportunities.

The development will be a national landmark and a credit to the Kansas City Community. The complex will be an artistic, architectural marvel and something Kansas City has never seen. Moreover, it will feature some of the most important things that make up the lifeblood Kansas City name: local art, murals, great food and history to name a few.

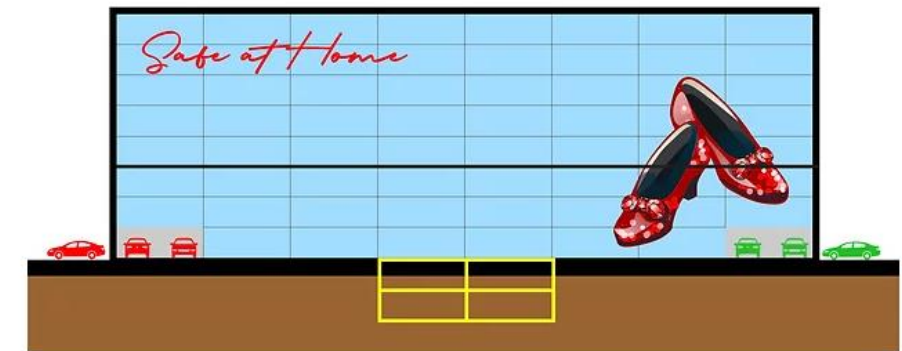
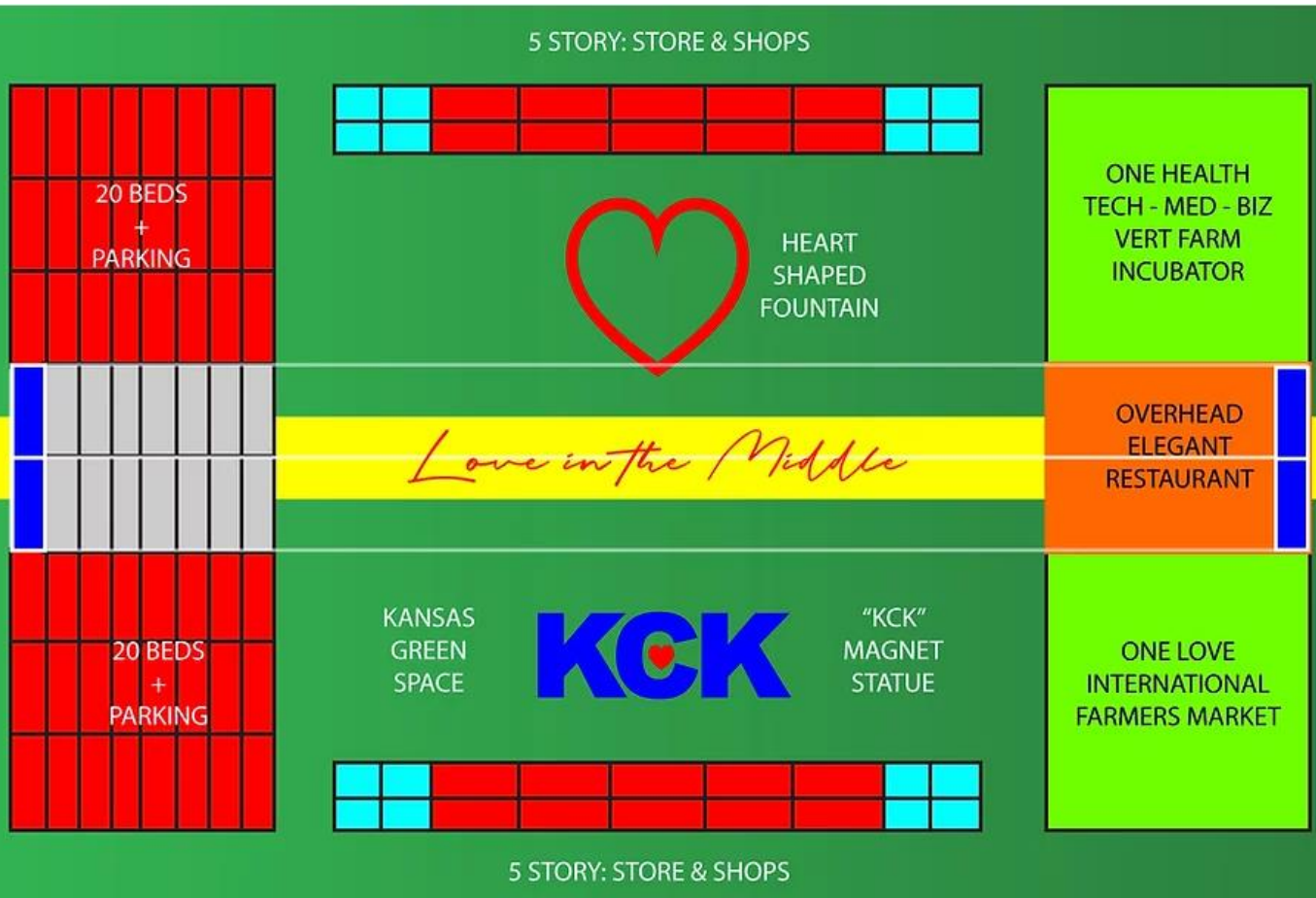
The site gets its name from being constructed of recycled repurposed cargo containers. The cargo containers will be used to create new sustainable housings, exciting mini shopping centers for entrepreneurs and in-door/ outdoor eateries. Finally, we will host our own edible community garden and entertainment space.

The cargo house will offer affordable housing that will offer residents the chance to exercise financial responsibility and familial stability. The shopping areas will offer close spaces to create economic growth and the local edible garden in partnership with nearby schools will offer an alternative healthy eating lifestyle for future generations. This is juxtaposition to the typical food desserts in urban areas.

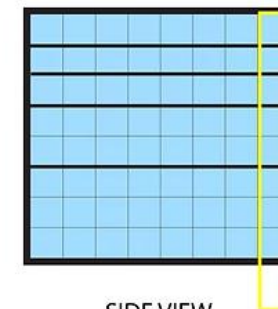


OPTION AGREEMENTS

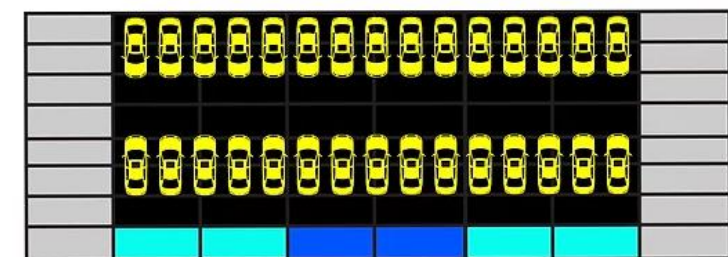
OMNI MCCLUNEY & BILAL WAAJID



FRONT VIEW BEDS + PARKING
UP TO 30 CARS PER LEVEL ON TOTAL 150



SIDE VIEW
BEDS + PARKING



INNER TOP VIEW PARKING
UP TO 30 CARS PER LEVEL ON TOTAL 150



OPTION AGREEMENTS

OMNI MCCLUNEY & BILAL WAAJID



- | | | |
|--|--|--|
|  Neighborhood Mixed Use |  Business Park/Light Industrial |  Lower-Medium Density Residential |
|  Gateway/Neighborhood Commercial Hub |  Industrial |  Single Family |
|  Commercial |  Historic and Institutional |  Parks and Open Space |
|  Highway Commercial |  Medium-Higher Density Residential | |



OPTION AGREEMENTS KCKCC



Requesting Land Bank Lots

632 State Ave – 082174

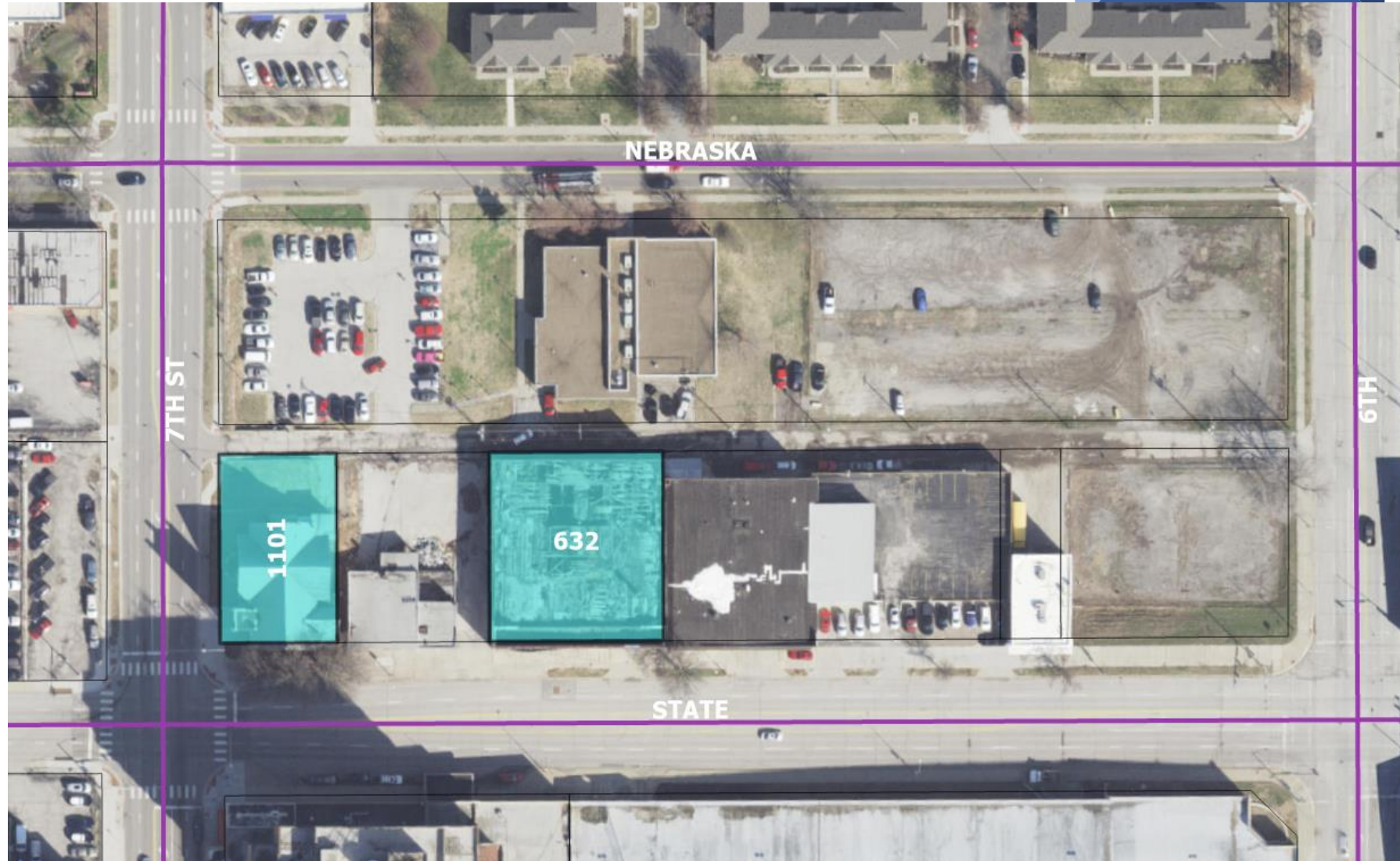
1101 N 7th St - 082176

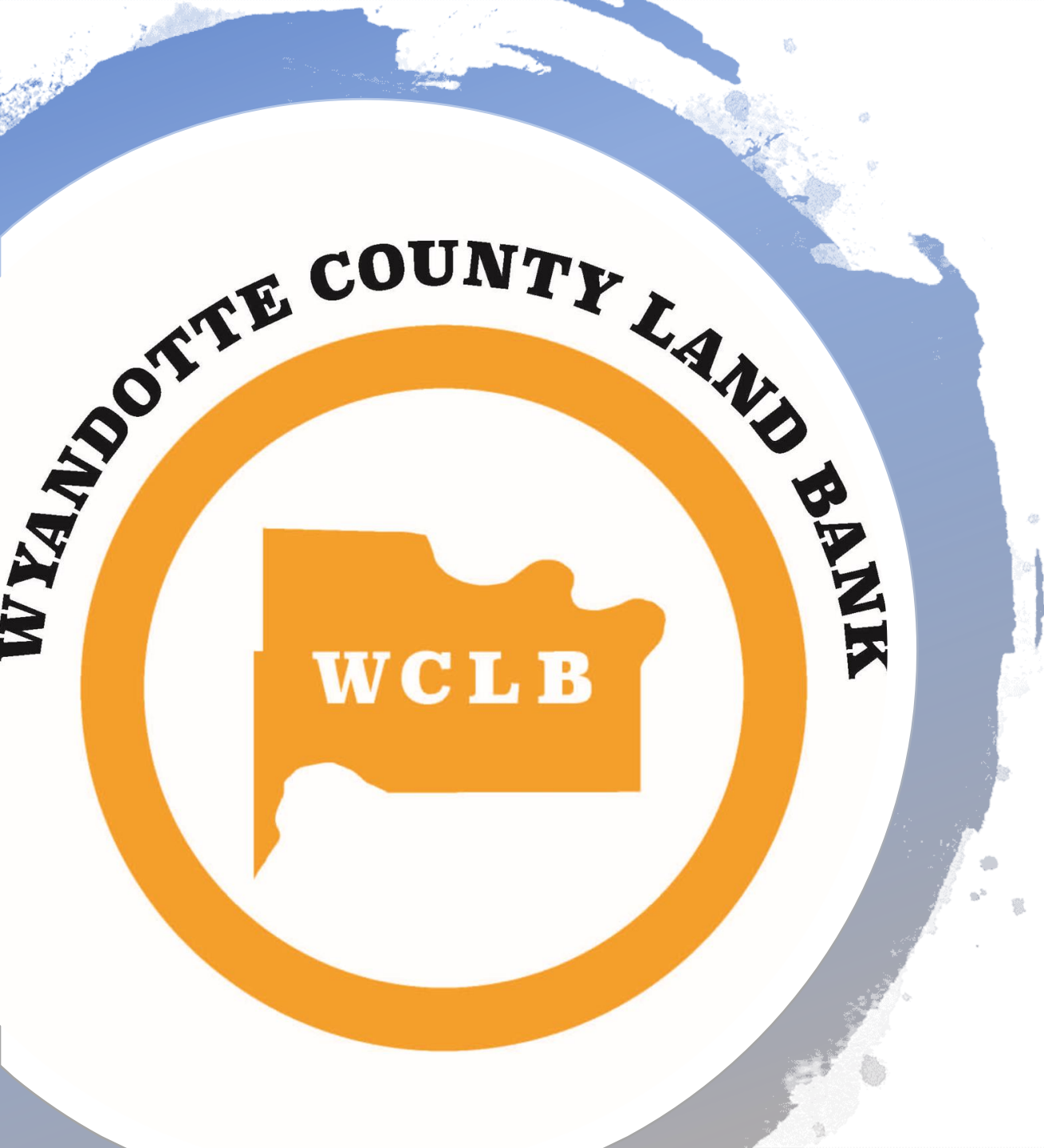
New Construction

Downtown Campus

Zoning

C-D Central Business District





Option Agreements

Agenda Item – E

Commercial

500 Freeman Ave



OPTION AGREEMENTS

METROPOLITAN LEADERSHIP INSTITUTE, INC



Requesting Land Bank Lot

500 Freeman Ave – 153908

New Construction

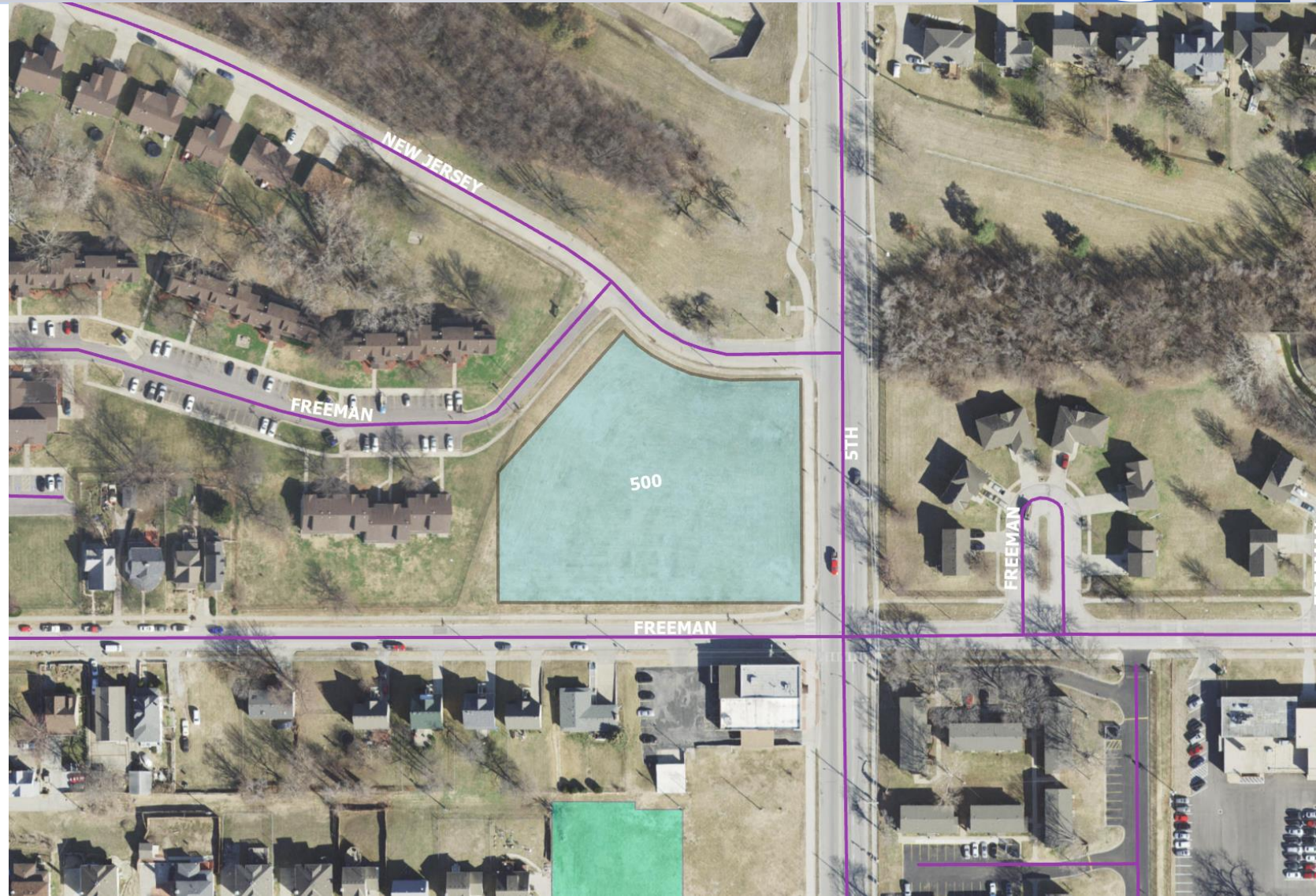
Multi Purpose Community Center

Zoning

CP-1 Planned Limited Business District

Acre

1.67





OPTION AGREEMENTS

METROPOLITAN LEADERSHIP INSTITUTE, INC



Building Details

Offices
Meeting Space for 150
Kitchen
Community programming

Timeline

Requesting 2-year option for fund raising
Project Completion – 2024

Next Steps

1. Building inspection approval
2. Planning plan review (**Public Meeting**)
3. Proof of funds to cover building estimate





OPTION AGREEMENTS

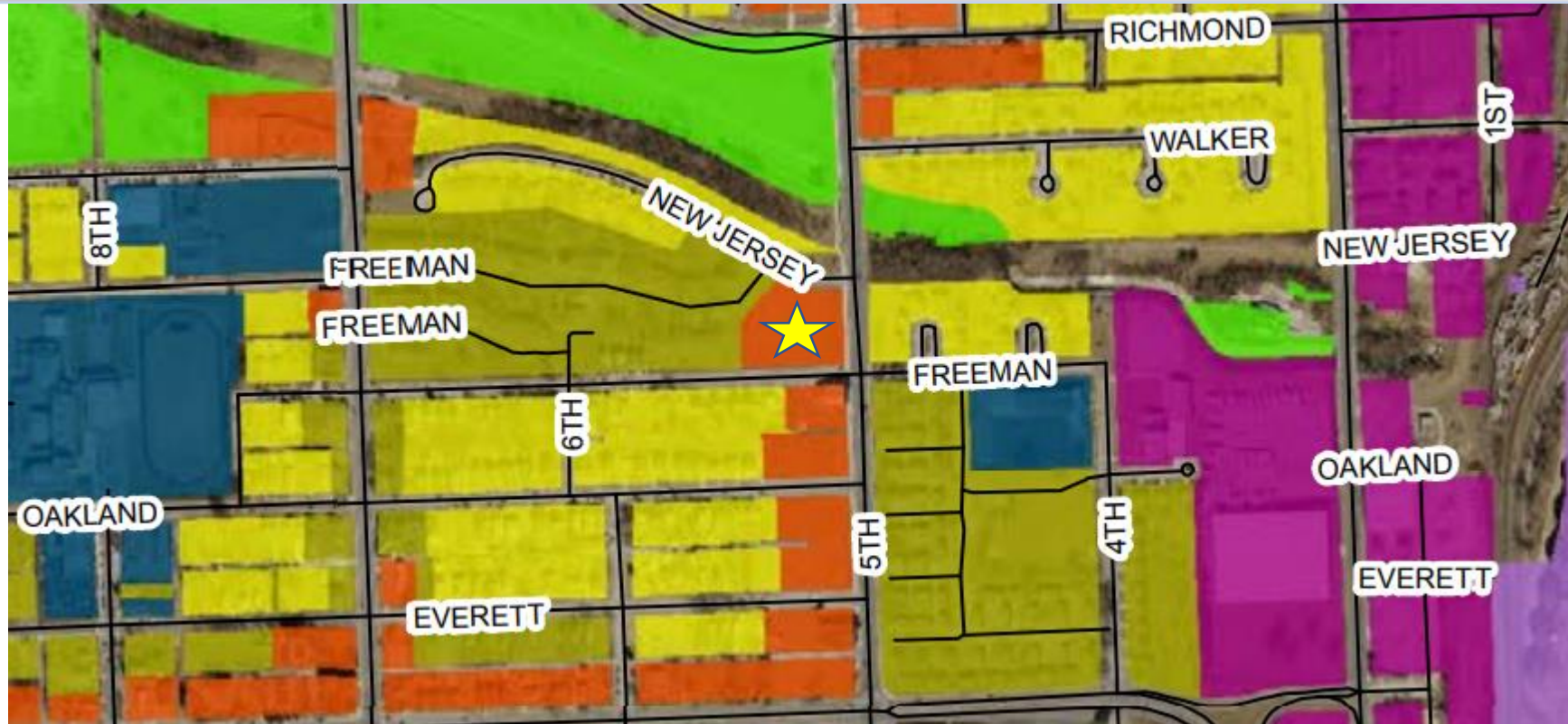
METROPOLITAN LEADERSHIP INSTITUTE, INC





OPTION AGREEMENTS

METROPOLITAN LEADERSHIP INSTITUTE, INC





OPTION AGREEMENTS THATCHERS FAMILY LIFE CENTER



Requesting Land Bank Lot

500 Freeman Ave – 153908

Currently owns

1520 N 5th St – 152600

1512 N 5th St – 152601

1500 N 5th St – 081783

513 Freeman Ave - 152603

New Construction

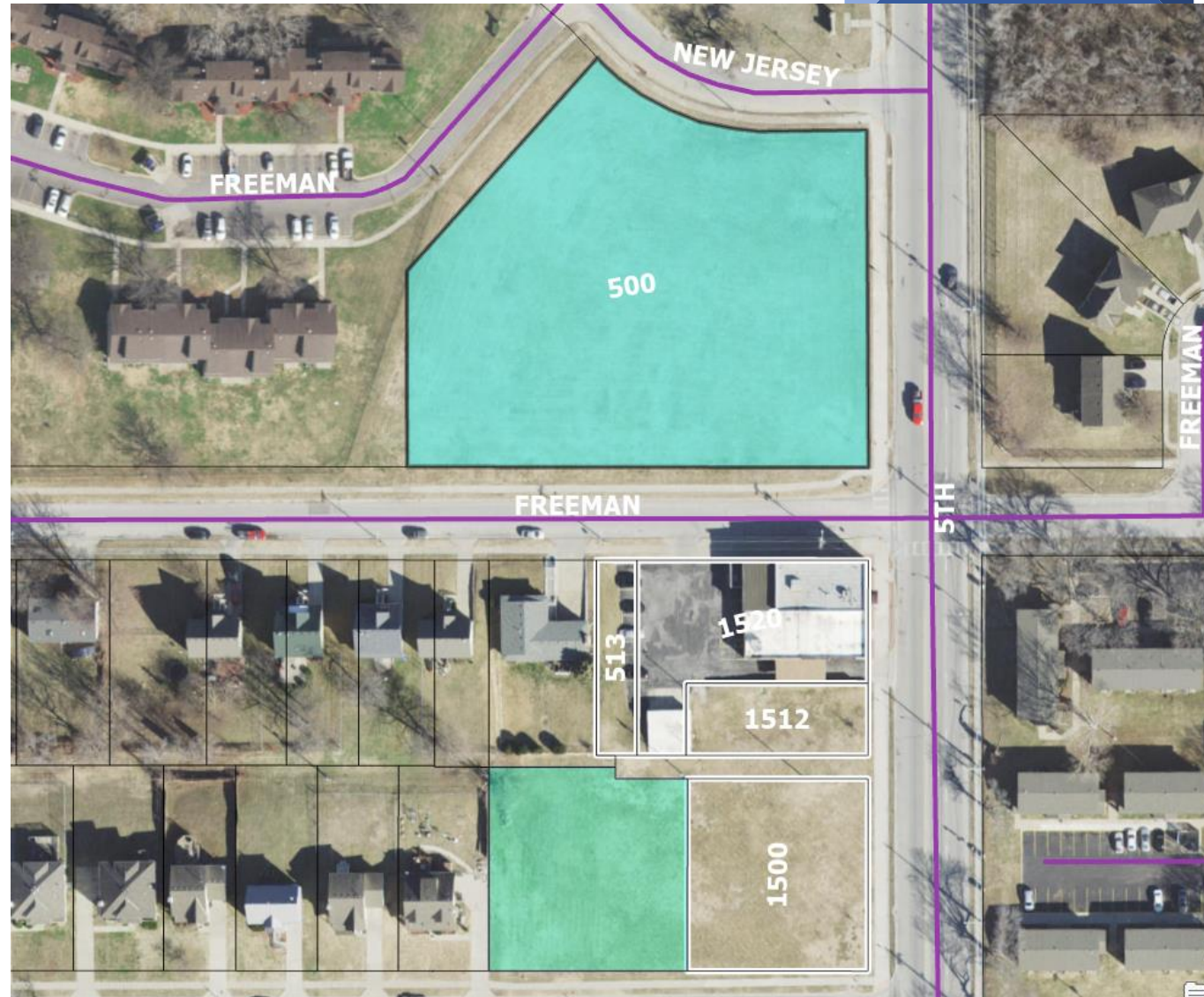
Banquet Hall

Zoning

CP-1 Planned Limited Business District

Acre

1.67





OPTION AGREEMENTS THATCHERS FAMILY LIFE CENTER



Building Details

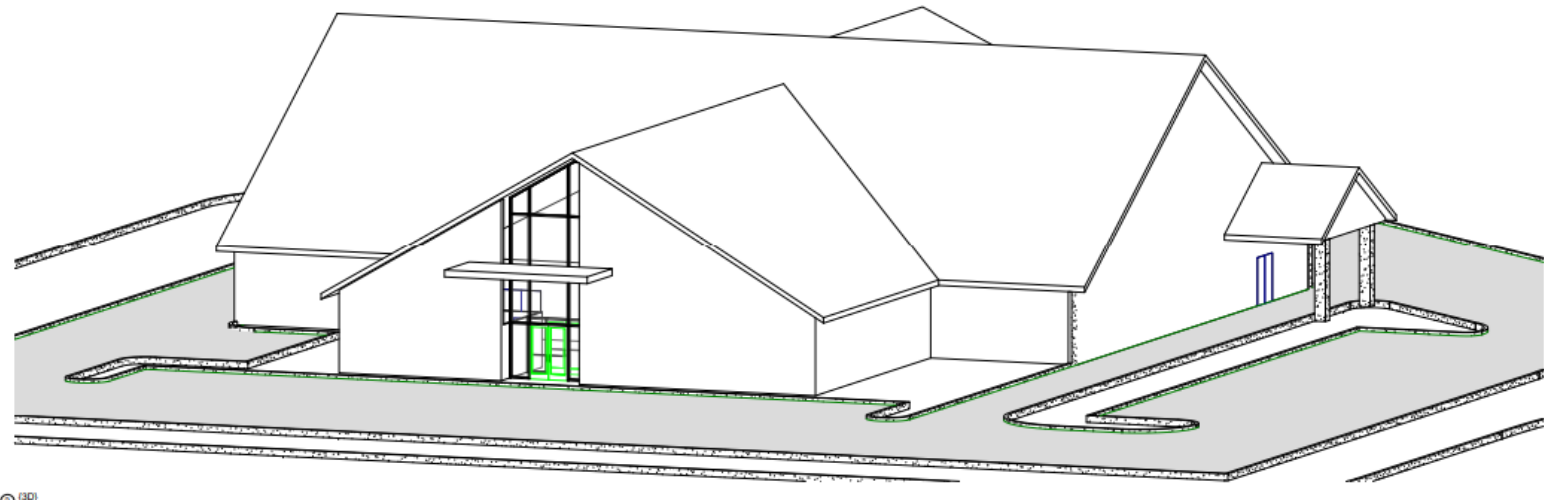
16,700 SqFt

400 guest capacity

Timeline

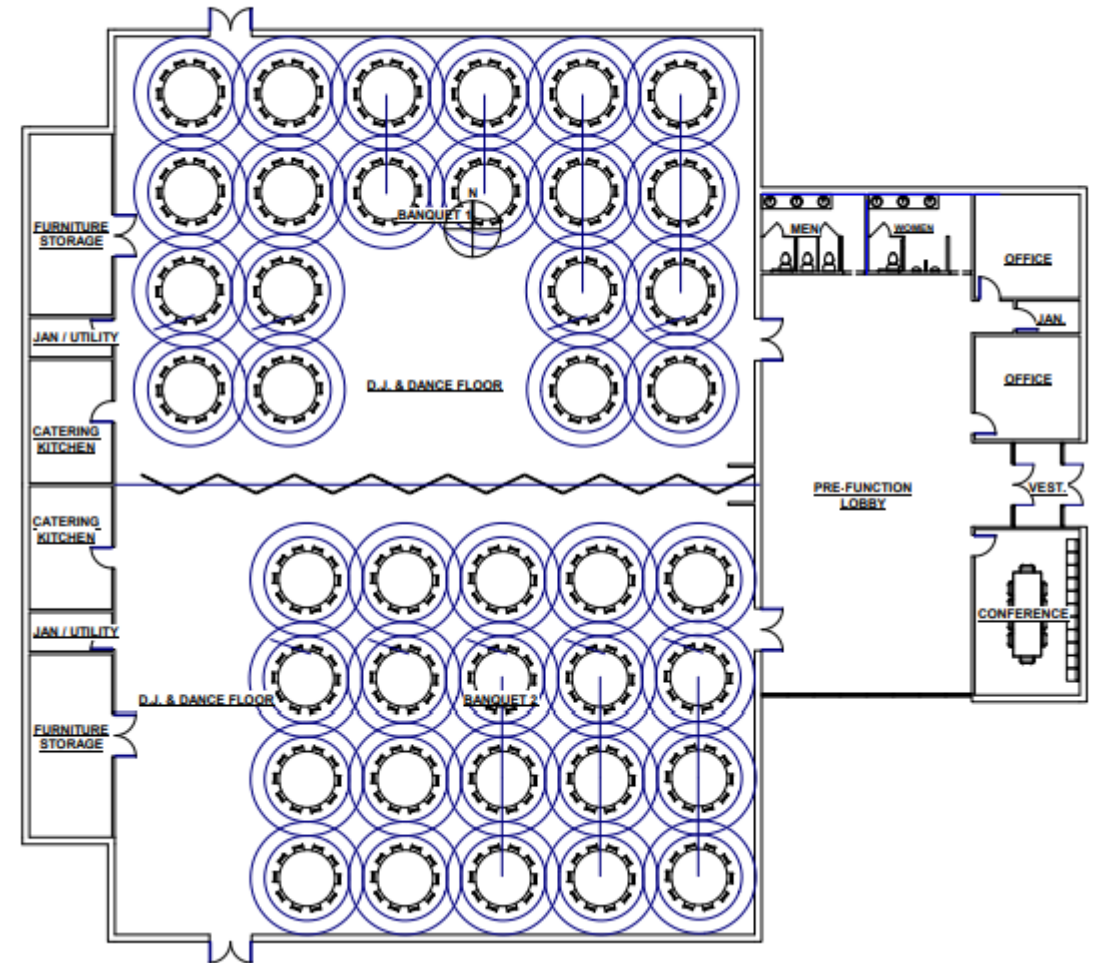
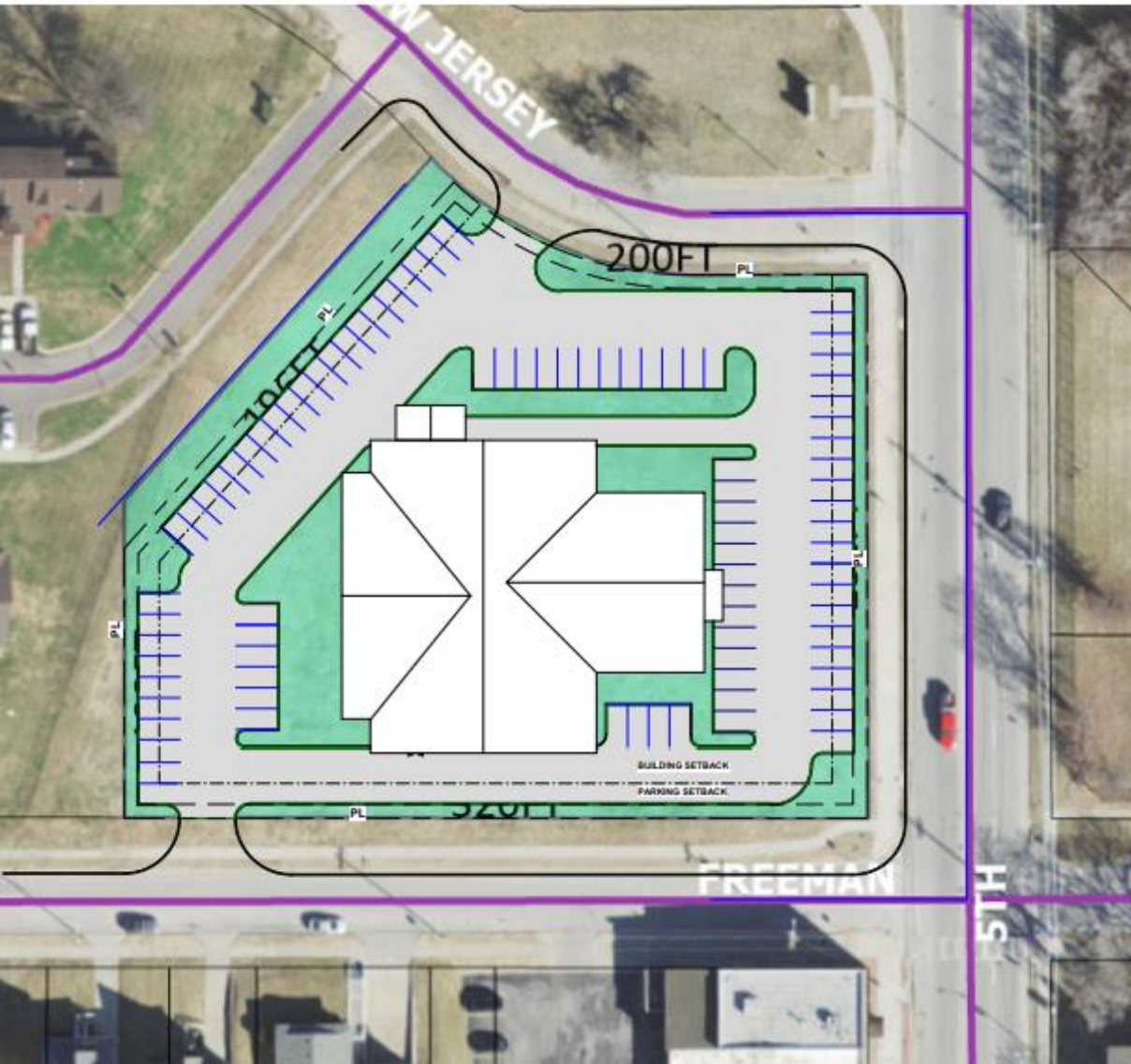
Waiting for timeline

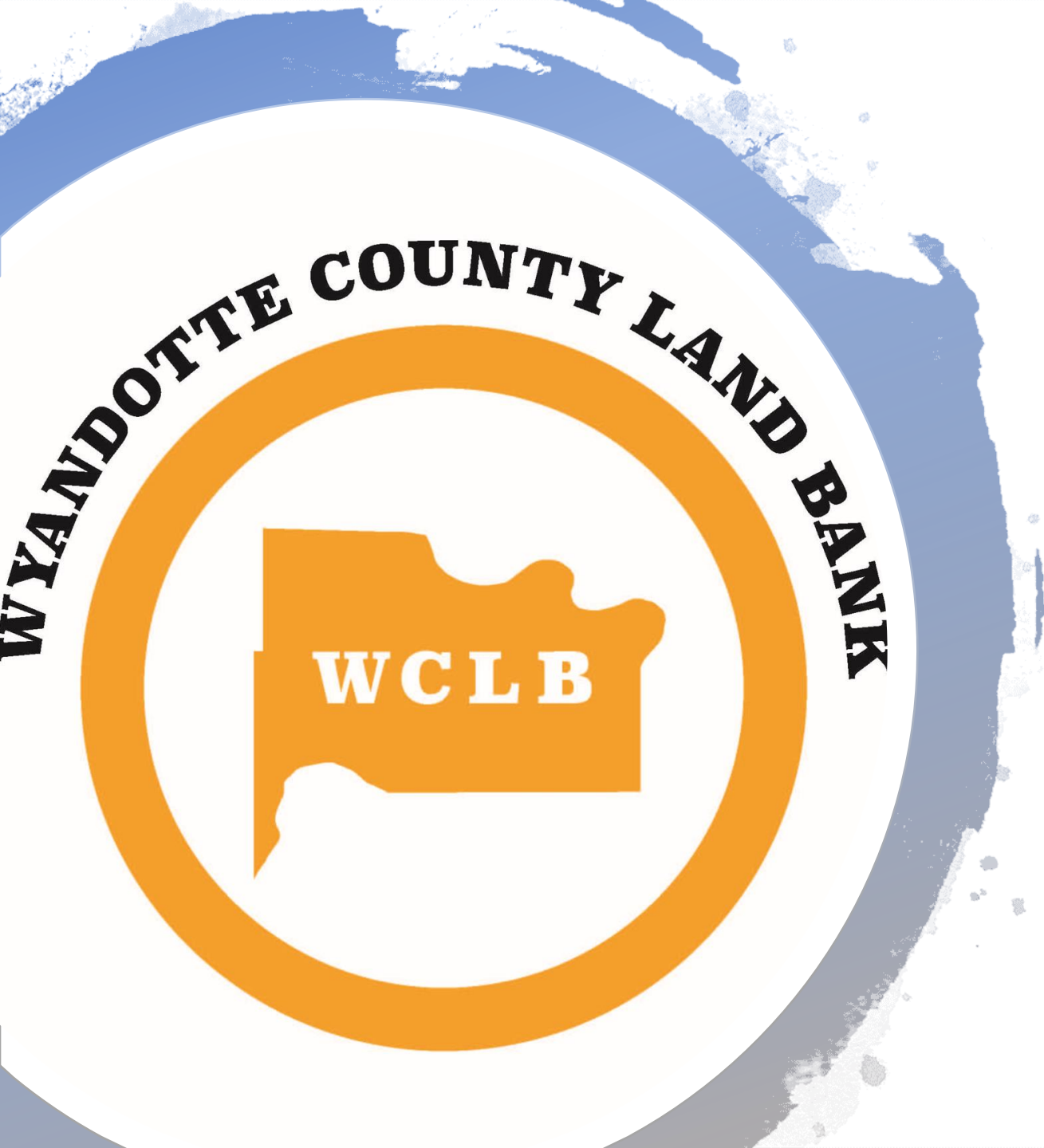
Next Steps





OPTION AGREEMENTS THATCHERS FAMILY LIFE CENTER





Option Agreements

Agenda Item – F
Yard Extension

1



YARD EXTENSION RAY SAWYER



Requesting Land Bank Lot

4808 Sortor Dr - 107600

Currently Owns

3726 N 47th Ter - 917002

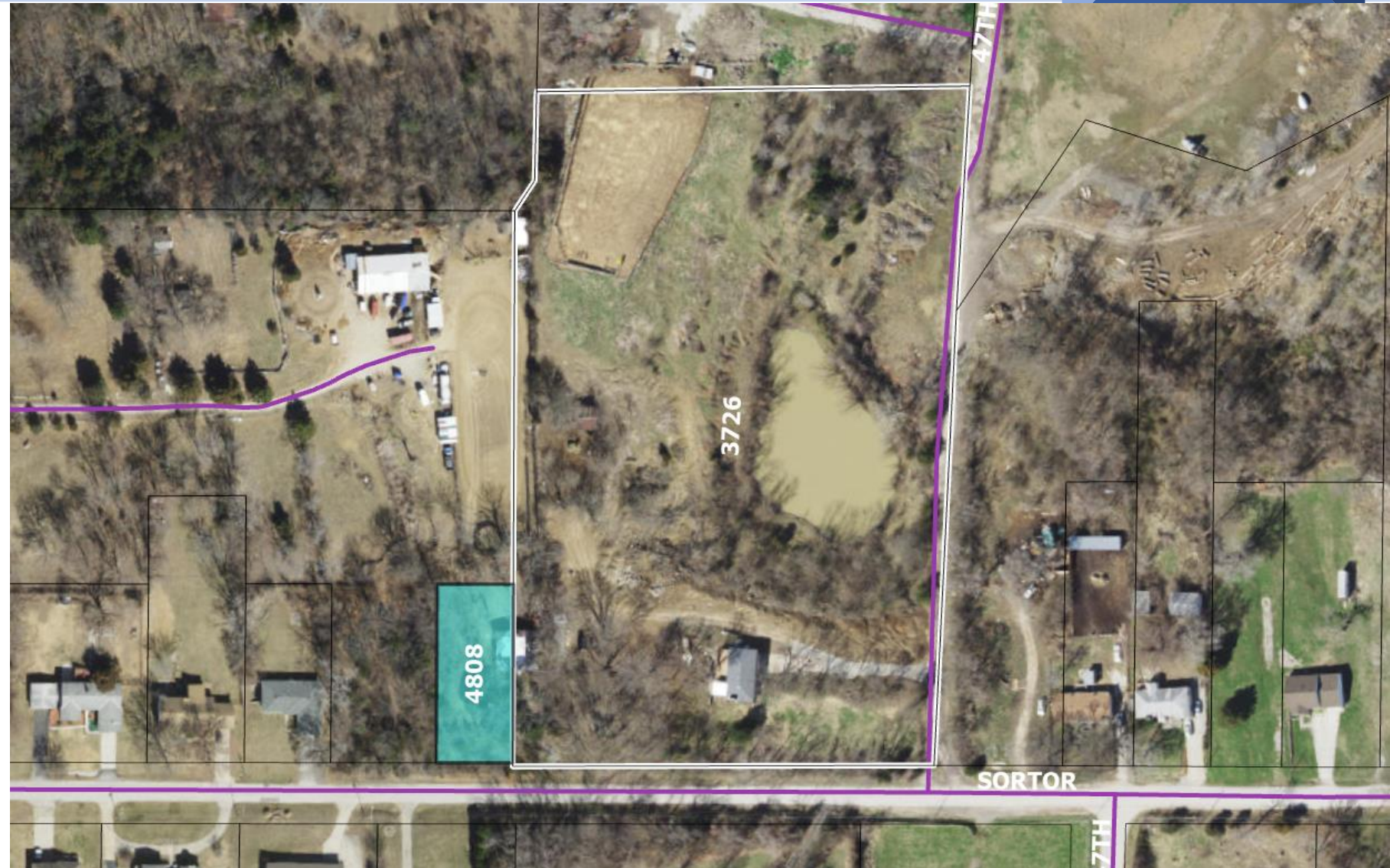
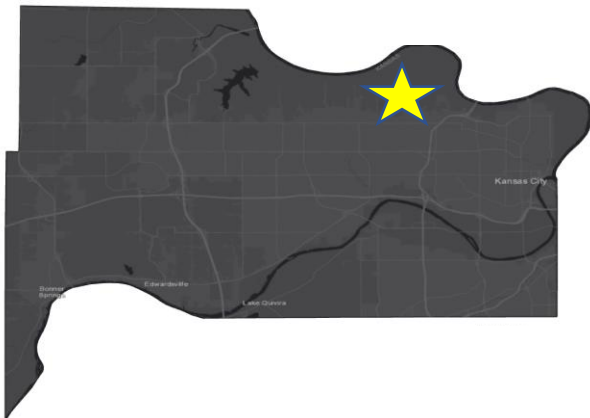
Zoning

R-1 Single Family District

Unbuildable

No sewer access

Lot under 1 acre





Staff Request for Commission Action

Tracking No. 211263

Full Commission Meeting Date: 01/27/2022

Committee: Neighborhood & Community Development

Date of Standing Committee Action: 01/03/2022
(If none, please explain):

Publication Required: No

<u>Date:</u> 12/22/2021	<u>Contact Name:</u> Jud Knapp	<u>Contact Phone:</u> x5472	<u>Contact Email:</u> jknapp@wycokck.org	<u>Department/Division:</u> Economic Development
<u>Item Description:</u> The Land Bank Manager respectfully requests that the Neighborhood and Community Development Committee review the proposed item and forward it to the Land Bank Board of Trustees for final consideration, Submitted by Jud Knapp, Interim Land Bank Manager 1 Yard extension request				
<u>Action Requested:</u> Approve and forward to Land Bank Board of Trustees				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> NCD Memo Land Bank Property Transfers 01.03.22				



Wyandotte County Land Bank
Economic Development Department
Jud Knapp, Interim Manager

701 North 7th St., 4th Floor
Kansas City, Kansas 66101

Phone: (913) 573-5472
Fax: (913) 573-5745
Email: jknapp@wycokck.org

M E M O R A N D U M

TO: Neighborhood & Community Development Standing Committee
FROM: Jud Knapp, Interim Land Bank Manager
DATE: December 22, 2021
SUBJECT: Property Transfers applications for consideration

The following **property transfers application(s)** are being presented at the 01/03/2022 meeting:

E. Yard Extension

1. Ray Sawyer
 - i. 4808 Sortor Dr – 107600
 - ii. Currently owns - 3726 N 47th Ter - 917002
 - iii. *Summary* – The requested property is adjacent to the applicant's home. The applicant purchased the property with the barn already built on the property line. The Land Bank property is an unbuildable lot due to no available sewer connections, and the lot is too small to have a septic system.



Staff Request for Commission Action

Tracking No. 211193

Full Commission Meeting Date: NA

Committee: Neighborhood & Community Development

Date of Standing Committee Action: 1/3/22
(If none, please explain):

Publication Required: No

<u>Date:</u> 12/22/2021	<u>Contact Name:</u> Brett Deichler	<u>Contact Phone:</u> x8103	<u>Contact Email:</u> bdeichler@wycokck.org	<u>Department/Division:</u> UG Clerk
<u>Item Description:</u> Appearance of Colleen Roberts to discuss new development and updating the Piper Master Plan.				
<u>Action Requested:</u>				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> Confirmation Email, Roberts, Colleen 11.17.21 Email, Roberts, Colleen 2nd Email (2)				



Unified Government Clerk's Office

Brett A. Deichler, PMP | CPM
Interim Unified Government Clerk

701 North 7th Street, Suite 323
Kansas City, Kansas 66101-3070

Phone: 913-573-5260
Fax: 913-573-5299
<http://www.wycokck.org>

November 18, 2021

Colleen Roberts

Ms. Roberts,

Your request to appear before a standing committee regarding new development and updating the Piper Master Plan has been scheduled for Monday, November 29, 2021. The meeting information is as follows:

COMMITTEE: Neighborhood and Community Development

DATE: November 29, 2021

TIME: immediately upon adjournment of the 5:00 PM meeting

LOCATION: remotely via Zoom (see attached agenda for details) **OR**
701 N. 7th St., Lobby

You will be given up to five minutes to make your comments. All comments must pertain to the subject matter.

If you have any questions, do not hesitate to contact me at 573-5260.

Sincerely,

Carol Godsil

Carol Godsil
Deputy UG Clerk

Attachment

c: Gunnar Hand, Director of Planning & Urban Development
Melissa Sieben, Assistant County Administrator

Request to Speak at a Commission meeting

Submission date: **17 November 2021, 1:14PM**
Receipt number: **17**
Related form version: **8**

I want to speak to the Commission

First Name **Colleen**

Last Name **Roberts**

Email

Phone

Street Address

City

Kansas City

What city do you live in?

Do you own or operate a Business in Wyandotte
County/KCK?

State **Kansas**

Is your item already scheduled to be heard? **I don't know**

Choose a topic that relates to the item you wish to
discuss **Planning and Zoning**

Additional details regarding your request. Please identify **Overcrowding Piper Schools**
which item your comments relate to.

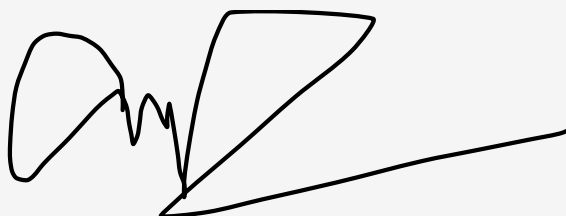
What date is your item scheduled to be discussed?

Date of Commission meeting

Do you wish to speak in favor or against an item?

Digital Signature

Verify your submission.

A stylized, handwritten signature in black ink, consisting of a large loop followed by a series of sharp, angular strokes.

[Link to signature](#)

Godsil, Carol

From: Sparks, Monica
Sent: Wednesday, November 17, 2021 3:40 PM
To: UGClerkRequest
Subject: FW: Request to speak to the Commission received 11/17/2021

From: Colleen Roberts <ColleenRoberts@rank.net>
Sent: Wednesday, November 17, 2021 3:38 PM
To: Sparks, Monica <msparks@wycokck.org>
Subject: Re: Request to speak to the Commission received 11/17/2021

This is about the new development and updating the master plan in Piper.

Colleen Roberts
Realtor- The Allison Rank Team

On Nov 17, 2021, at 3:04 PM, Sparks, Monica <msparks@wycokck.org> wrote:

Good afternoon. The UG Clerk's Office has received your request to speak regarding overcrowding at Piper Schools.

Based on your information, this request would be better directed to the Piper School Board. Here is the contact information: [Board of Education / Board of Education \(piperschools.com\)](#)

If your request is not about overcrowded classrooms, please provide additional detail so that we can update the information and direct your comments to the appropriate board.

Thank you.

Monica L. Sparks
Records Center/Mail Services Manager
Unified Government Clerk's Office
701 N. 7th Street
Kansas City, KS 66101
(913) 573-4122
(913) 213-9021