



Neighborhood and Community Development

Standing Committee Meeting Agenda

Monday, May 9, 2022

**Immediately upon adjournment of earlier
committee, or 5:00 p.m. if no earlier committee
meeting.**

Location: Hybrid

We invite you to view the meeting in person in the Commissioner Chambers, Lobby Level of the Municipal Office Building, 701 N. 7th St., Kansas City, Kansas, or virtually via a Zoom webinar

You are invited to a Zoom webinar.

When: May 9, 2022 05:00 PM Central Time (US and Canada)

Topic: Standing Committee

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/88967479123?pwd=LzJuOVpCSHp2ZC9uRml6YlRldGVVRQT09>

Passcode: 656401

Or One tap mobile:

US: +16699009128,88967479123 or +12532158782,88967479123#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 646 558 8656 or +1
301 715 8592 or +1 312 626 6799 or 888 475 4499 (Toll Free) or 877 853 5257 (Toll Free)

Webinar ID: 889 6747 9123

International numbers available: <https://us02web.zoom.us/j/88967479123?pwd=LzJuOVpCSHp2ZC9uRml6YlRldGVVRQT09>

Name

Absent

Commissioner Brian McKiernan, Chair

☐

Commissioner Tom Burroughs

☐

Commissioner Gayle Townsend

☐

Commissioner Andrew Davis

☐

Commissioner Chuck Stites

☐

- I. Call to Order/Roll Call**
- II. Revisions to May 9, 2022 Agenda**
- III. Approval of standing committee minutes from January 3, 2022**

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 #: 211346

Item No. 2 - RESOLUTION: BONNER SPRINGS/EDWARDSVILLE NBR

Synopsis: A resolution of support for Neighborhood Business Revitalization (NBR) Organizations in all of Wyandotte County, including Edwardsville and Bonner Springs and authorization to review and develop additional policies pertaining to NBR organizations, submitted by Misty Brown, Chief Legal Counsel.

Tracking #: 211483

Item No. 3 - APPROVAL: MID-AMERICA REGIONAL COUNCIL PLANNING SUSTAINABLE PLACES GRANT REQUEST.

Synopsis: Staff is seeking approval to pursue a MARC PSP Grant for a Traffic Management Plan, High Accident Intersection Study and Implementation Strategy for a Complete, Green Rainbow Boulevard Corridor between I-35 and Shawnee Mission Parkway in partnership with the cities of Westwood, Westwood Hills and Fairway, Gunnar Hand, AICP, Director of Planning and Urban Design.

Tracking #: 211506

Item No. 4 - APPROVAL: STATE HISTORIC PRESERVATION OFFICE (SHPO) HISTORIC PRESERVATION FUND (HPF) GRANT REQUEST

Synopsis: Staff requests authorization to pursue a Historic Preservation Fund Grant for the creation of a City-Wide Historic Preservation Plan, submitted by Gunnar Hand, AICP, Director of Planning & Zoning and Urban Design. No matching funds are expected.

Tracking #: 211507

Item No. 5 - LAND BANK OPTION APPLICATIONS

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

A. New Construction - Single Family Homes - 10

1. Chris Solutions LLC – 2 Homes
3815 Strong Ave – 171504
3813 H Strong Ave – 171503
1302 S 38th St – 170703
2. Chris Solutions LLC – 1 Home
1536 S 49th St – 049690
3. Chris Solutions LLC – 1 Home

- 741 Shawnee Rd - 155009
- 4. Monique Smith – 1 Home
4015 Coleman Ct – 062912
- 5. Richard Dumas – 1 Home
1047 Riverview Ave – 093842
- 6. Communities Cares, LLC – 5 homes
4 homes built on 5 lots – 37.25 ft. frontage per home
1914 N 6th St – 140712
1920 N 6th St – 140711
1922 N 6th St – 140710
1926 N 6th St – 140709
1914 N 6th St – 140712
1 home built on 3 lots – 75 ft. frontage total
1927 N 6th St – 140635
1929 N 6th St – 140634
1931 N 6th St – 140633
- B. New Construction – Multi Family – 48 Units Total
 - 1. Travis Wilson – 9 or 10 unit Townhomes
1305 Ann Ave – 081041
1307 Ann Ave – 081042
1309 H Ann Ave – 081043
1311 Ann Ave – 081044
1315 Ann Ave – 081045
1319 Ann Ave – 081046
1325 Ann Ave – 081048
 - 2. Wall-Ties & Forms INC – 15 units
Townhomes
835 Parallel Ave - 095058
831 Parallel Ave – 095057
827 Parallel Ave – 095056
825 Parallel Ave - 095055
834 Troup Ave - 095059
830 Troup Ave - 095060
Garden and Orchard
843 Parallel Ave - 095068
851 Parallel Ave – 095069
 - 3. Raj Bhatia – 24 units
2110 N 51st – 917814
- C. New Construction – Commercial – 5 Total
 - 1. Chris Solutions LLC – Co-Working Office Space
1604 Minnesota Ave – 907522
 - 2. Chris Solutions LLC - Co-Working Office Space
3510 Strong Ave – 170670
 - 3. Mohammad A Chaudhry – Parking Lot
706 Quindaro Blvd – 111910
 - 4. Chantelle L Sims - Affordable small eat and boutique center

- 6116 State Ave – 004421
5. The Dominique Experience Foundation – Community Center
5211 Parallel Pkwy – 917907
- D. New Construction – Garage – 5 Total
1. Juan Antonio Vividor Rosa
4200 Leavenworth Rd – 167115
Currently owns 4100 Leavenworth Rd - 167106
2. Edwina Gaskin
Garage – 2624 N 21st St – 158942
Unbuildable lot – 2636 R N 21St – 163137
3. Aaron G Chaney
701 Parallel Ave – 095021
Currently owns 2010 N 7th St – 095302
4. Jesus Valle
950 Reynolds Ave – 093384
Currently owns 946 Reynolds Ave – 093383
5. Marisol Villa
1859 N 28th St – 195443

Tracking #: 211552

Item No. 6 - LAND BANK PROPERTY TRANSFERS

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

- E. Yard extension – 1 Total
1. Robert Needham
2105 R McDowell Ln – 905541
Currently owns 2105 Mc Dowell Ln – 905542
- F. Property Transfers – 2 Total
1. OCP Neighborhood Association – Park
2517 N 17th St – 115853
2515 N 17th St – 115851
2513 N 17th St – 115850
2. CABA – Pocket Park
727 Central Ave – 120800
- G. Vacation of Right of Way
1. Rachel Bichara
731 H Tenny Ave – 119926

Tracking #: 211553

V. Public Agenda

VI. Adjourn

**NEIGHBORHOOD AND COMMUNITY DEVELOPMENT
STANDING COMMITTEE MINUTES
Monday, January 3, 2022**

The meeting of the Neighborhood and Community Development standing Committee was held on Monday, January 3, 2022, at 5:45 p.m., remoted via Zoom and on-site. The following members were present: Commissioner McKiernan, Chairman, Commissioners Burroughs, Townsend, (substituted for Ramirez), Stites, and Davis. The following officials were also in attendance: Emerick Cross, Melissa Sieben, Bridgette Cobbins, and Alan Howze, Assistant County Administrators; Kathleen VonAchen, Chief Financial Officer; Ashley Hand, Director of Strategic Communication; SueZanne Bishop, Attorney; Debbie Jonscher, Deputy CFO; Katherine Carttar, Director of Economic Development; Jud Knapp, Interim Land Bank Manager; Patrick Waters, Deputy Chief Counsel; Wes McKain, Policy and Development Manager at the Health Department; Wendy Green, Assistant Counsel; Monica Sparks, Deputy Unified Government Clerk, Terri Kimble and Allie Facio, Clerk's Office; and Greg Talkin, Director of Neighborhood Resource Center.

Chairman McKiernan said I want to welcome you all. Commissioner Burroughs, if you wouldn't mind, I don't have that opening statement pulled up on my computer. If you still have it available, would you mind reading the opening statement for this meeting as well? **Commissioner Burroughs** said I can and will.

Commissioner Burroughs said on behalf of Chairman McKiernan, said before I call the meeting to order, I want to announce that due to COVID-19, some committee members, staff, and the public are attending remotely via Zoom as well as on-site. All participants joining by phone should mute their phones when not speaking to avoid background noise. During the meeting, please make sure that you announce yourself by name and title every time you speak so that the public that is observing knows who is speaking. This is critical given the number of remote participants and is the current guidance from the Kansas Attorney General.

The public is allowed to participate by Zoom or submit comments by email prior to the meeting and those comments will be included in the record of this meeting. The public also will have an opportunity to provide brief comments from the lobby of the Municipal Office Building.

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

Chairman McKiernan said I'm not aware of any revisions to this agenda after it was originally published. So, we'll move on to approval of our Standing Committee minutes from our October 11th meeting.

Approval of standing committee minutes from October 11, 2021. Chairman McKiernan said Commissioners Davis and Stites were not present for that meeting—were not members of the committee for that meeting. From the remaining members, I would ask if there's a motion to approve the minutes as submitted.

Commissioner Townsend made a motion, seconded by Commissioner Burroughs, to approve the minutes as submitted. Roll call was taken and there were three "Ayes," Townsend, Burroughs, McKiernan.

Chairman McKiernan said just for the sake of ease and clarity, I'd ask the Clerk just do a roll call of the three of us: McKiernan, Burroughs, and Townsend.

Chairman McKiernan said that takes us into, for the new members of the committee, we are blessed to have a fairly long agenda for these past few meetings, and so we have another one tonight. We have several pieces on this agenda. Usually, we have a lot of Land Bank options, that is applications for Land Bank parcels that people want to do various things with.

Tonight, we have something different that is not Land Bank-related but rather Neighborhood and Community Development-related.

COMMITTEE AGENDA

Item No. 1 – 211251...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.

Building/Fire Code Adoption and Amendments

Information and Feedback Only Tonight-No Action Required

Presented by: Greg Talkin, NRC Director
 Anthony Hutchingson, Chief Building Official
 Patrick Holton, Property Maintenance Compliance Manager
 John Droppelmann, Fire Marshal

Greg Talkin, Director of Neighborhood Resource Center, said tonight I've got a short presentation to kind of go over where we've been and where we're going with pursuing a code option to update where we currently are. This is for information only; no action is required. We kind of want to give you the background. I'm planning on doing the presentation for the entire event here, but if questions are asked, I have other staff members that I may need to bring aboard, but I'll ask for that at the time.

Current Codes /Codes being Proposed:

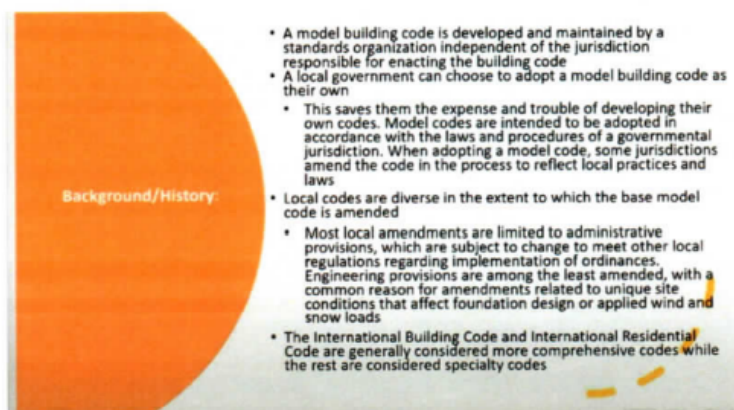
The most recent building code adoption for the Unified Government/City of Kansas City, KS occurred in 2016 with the 2012 I-Codes and the 2009 IECC. The International Code Council (ICC), a developer and publisher of model codes, is on a 3-year update cycle. The UG /KCK has opted in the past to adopt the 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

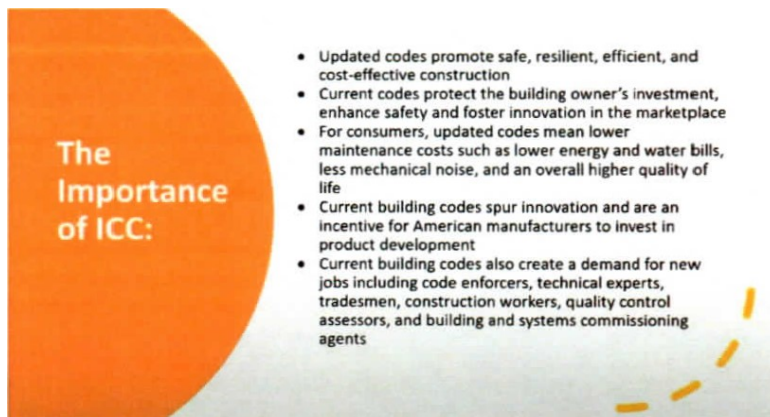
The current codes versus the codes being proposed. Of the most recent building codes that we have adopted as the UG in the City of Kansas City, Kansas occurred in 2016 when we adopted the 2012 I-Codes in the 2009 International Energy Code. The International Code Council, which shortened would be ICC, a developer and publisher of model codes is on a three-year update cycle. The UG/KCK has opted in the past to adopt International Codes or I-Codes every other cycle

which equates to every six years. The 2018 Suite of Building Codes is the next round in the six-year cycle. These codes are identified as follows:

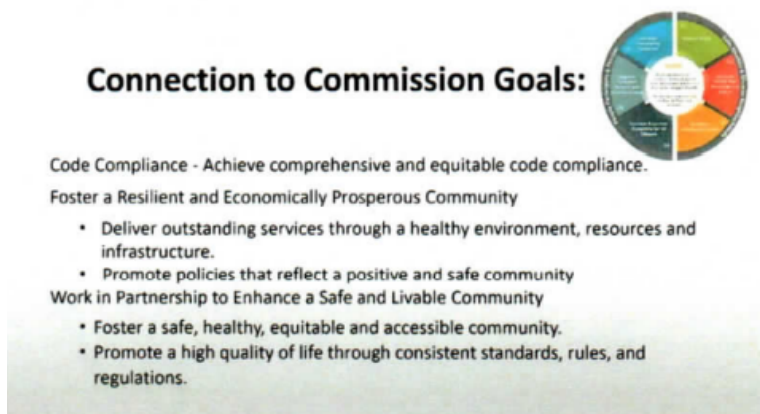
- 2018 International Building Code
- 2018 International Residential Code
- 2018 International Existing Building Code
- 2018 International Mechanical Code
- 2018 International Energy Conservation Code
- 2018 Uniform Plumbing Code
- 2017 NFPA 70 - National Electric Code
- 2018 International Property Maintenance Code
- 2018 International Fire Code



Model code is developed and maintained by a standards organization independent of the jurisdiction responsible for enacting the building code, and here it's the International Code Council. 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 governmental jurisdiction. When adopting a model code, some jurisdictions amend the code in the process to reflect local practices and laws. For our instance, a lot of our adoption amendments are due to State laws trying to get in line with some of those too. Local codes are diverse to 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 Codes are generally considered more comprehensive codes while the rest are considered specialty codes.

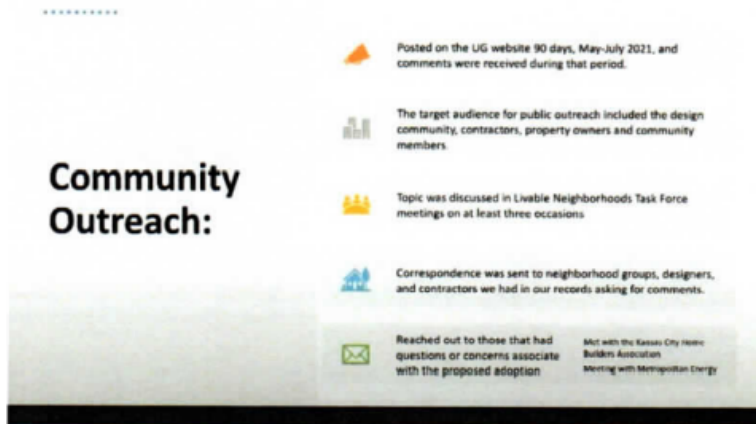


The importance of the ICC and code adoption; updated codes promote safe, resilient, efficient, and cost-effective construction. Current codes protect the building owner's investment, enhance safety and foster innovation in the marketplace. For consumers, updated codes mean lower maintenance costs such 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 demand for new jobs including code enforcers, technical experts, tradesmen, construction workers, quality control assessors, and building and systems commissioning agents.

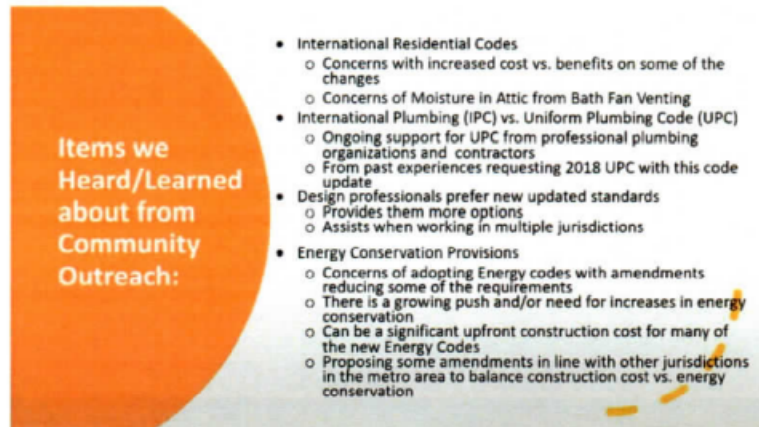


What we're proposing here, we believe we're in line with the strategic commission goals. We want to achieve comprehensive and equitable code compliance. We want to foster a resilient and economically prosperous community, like delivering outstanding service through a healthy environment, resources, and infrastructure. Promote policies that reflect a positive and safe community. We also want to 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.



We started this journey, actually pre-pandemic and we're a little bit behind from where we hoped to be. A lot of the communities are, but typically and honestly, we usually fall on the tail end of where most communities are anyway because we try to leverage what they've learned through their processes, and try to find out where they actually end up in their process and what they end of adopting. For our efforts for the community outreach, we posted on the UG website for 90 days and comments were received during that period. I want to also note that posting out there on the website is actually, currently still there. We do still do continually receive a few comments. Most of them know now, people have become aware of that email address and use it for other things. Anyway, we still do receive some comments. The target audience for public outreach including the design community, contractors, property owners and community members. The topic was discussed at Livable Neighborhoods Task Force meetings on at least three occasions over the last year and a half. Correspondence was sent to neighborhood groups, designers, and contractors we had in our records asking for comments. We also reached out to those that had questions or concerns associated with the proposed adoptions. Those that responded and provided us some feedback, we responded back to most of those, if it was related to the code adoption. In that process we also met with the Kansas City Homebuilders Association who gave us quite a few comments and suggestions, and we also had a meeting with the Metropolitan Energy Group, which has several supporters with that group.



The items we learned about the community and the outreach; the International Residential Codes, there's concerns with increased costs versus benefits on some of the changes, concerns of moisture in attic from bath fan venting.

International Plumbing Code versus Uniform Plumbing Code. This is one that we kind of learned several years ago in the adoption process. This region has a big support for the Uniform Plumbing Code instead of the International Plumbing Code. It's supported by a lot of labor unions and also by some of the larger professional organizations. For past experience we requested the 2018 UPC with this code update again. In reality there's not a whole lot of difference between the two standards, so it's kind of one of those things that we didn't want to propose any type of issue when really, we're adopting the same thing for the most part.

Design professionals prefer new updated standards. It provides them more and newer options, and it also assists when working in multiple jurisdictions for them. One of the bigger items as far as what we've had a lot of discussions on is energy code conservation provisions. Concerns of adopting energy codes with amendments reducing some of the requirements and some of the energy efficiency. This is a growing push and/or need for increases in energy conservation. It can be a significant upfront construction cost for many of the new energy codes and proposing some amendments in line with other jurisdictions in the metro area to balance construction costs versus energy conservation.

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

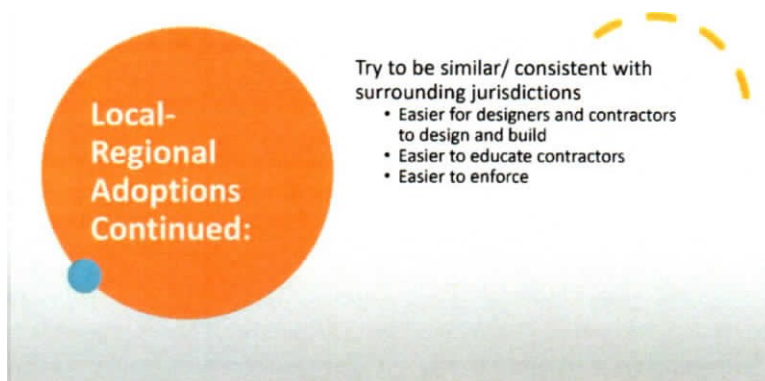
- The *International Building Code* (IBC) is adopted in all 50 states and the District of Columbia
- The *International Fire Code* (IFC) is in use in 41 states and the District of Columbia
- The *International Residential Code* (IRC) is in use in 49 states and the District of Columbia
- The International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

Where are these codes adopted and used? Nationally, the International Building Code is adopted in all 50 states and the District of Columbia. The International Fire Code is used in 41 states and the District of Columbia. The International Residential Code is in 49 states and the District of Columbia, and International Codes are also used in Puerto Rico, Guam, U.S. Virgin Islands, American Samoa, and Northern Mariana Islands.

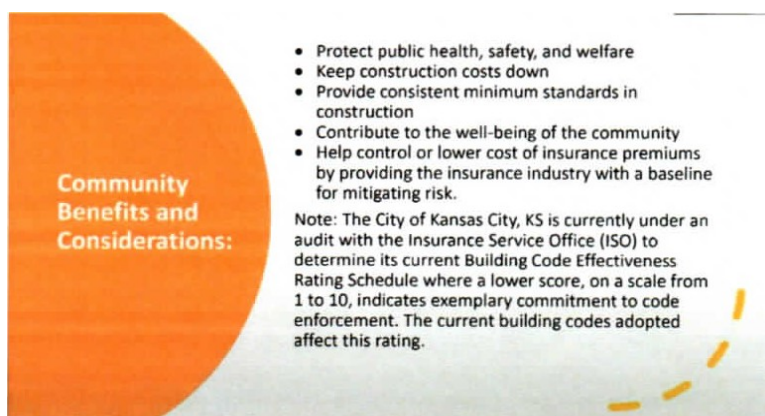
Local-Regional Adoptions:

City/County	IBC	IRC	IPC/UPC	IMC	NEC	IECC	IFC	NFPA 101	IEBC	IPMBC
	International Building Code	International Residential Code	International Plumbing/Uniform Mechanical 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	2005	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

What about locally? In the local region, this chart here, the very first line shows where we're currently at KCK—current shows the 2012 codes with the 2011 National Electric Code and the 2009 Energy Code adopted. The next line is what we're proposing, it's basically the 28 slate of codes. Then everybody after that, you will find the two other cities within Wyandotte County, but also a lot of other metro cities that are around us. You will see the majority of those counties and cities are in line with what we're proposing. Everybody, for the most part, is up to the 2018 standards except a few of the smaller cities, and there are a few other standards that maybe some of the cities didn't adopt, like the Existing Building Code or something like that, but for the most part, most of the jurisdictions our size or larger have adopted the 2018 standards.

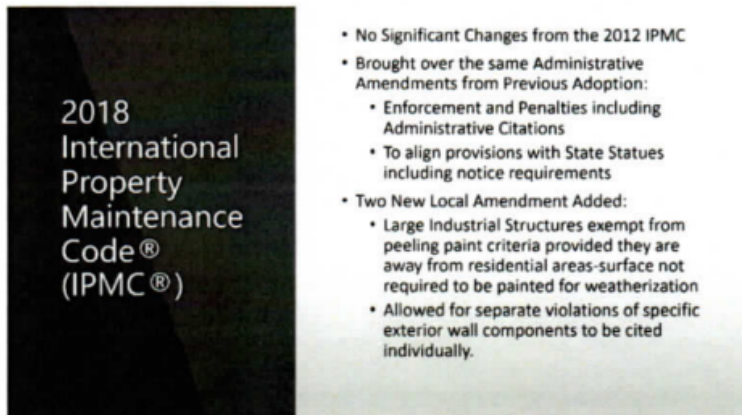


What other benefits are there, besides also those that are mentioned by being more uniformed across the metro area? It's easier for designers and contractors to design and build. It's easier to educate contractors because we're all educating with fairly close to the same standards. And it's also easier to enforce because you shouldn't have as much as much enforcement you have to worry about because contractors work across jurisdictions and see that most of the requirements are the same.



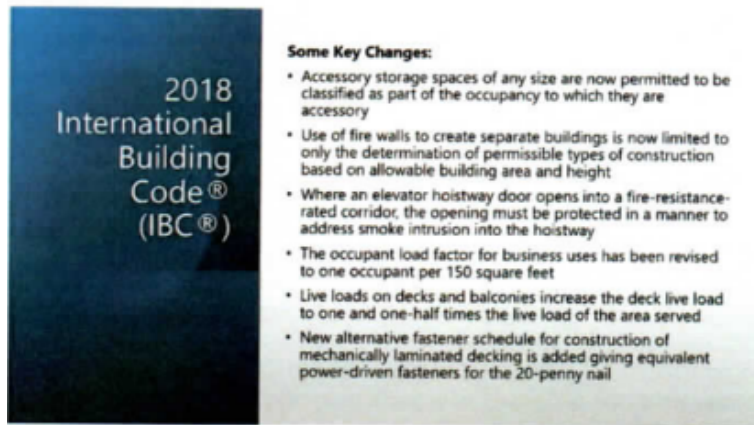
Community benefits and considerations; codes that protect public health, safety, and welfare, keep construction costs down by new Innovation, provide consistent minimum standards in construction, contribute to the well-being of the community, and help control or lower cost of insurance premiums by providing insurance industry with a baseline for mitigating risks. Now here I need to make a note. There's no urgency to our adoption for the most part, but there is one item that is being potentially affected here, could be affected. Since we are a little bit behind and we actually kind of took over this process this year, we are currently under an audit with the Insurance Services Organization to determine the current building code effect in the rating

schedule. We'll lower the score on a scale from 1 to 10 indicates exemplary commitment to code enforcement. The current building codes adopted affect this rating. We are currently at a seven, the best we've ever been was a six. There is a chance, depending on timing, we could slide another point upward which is good. For every point that we save, it's basically a 5% savings for those ISO that get flood insurance through insurance agencies that look at the ISO rating. But if we do fall back a little bit, once we do come into compliance, ISO will let us know that we will be able to regain anything that we lose.

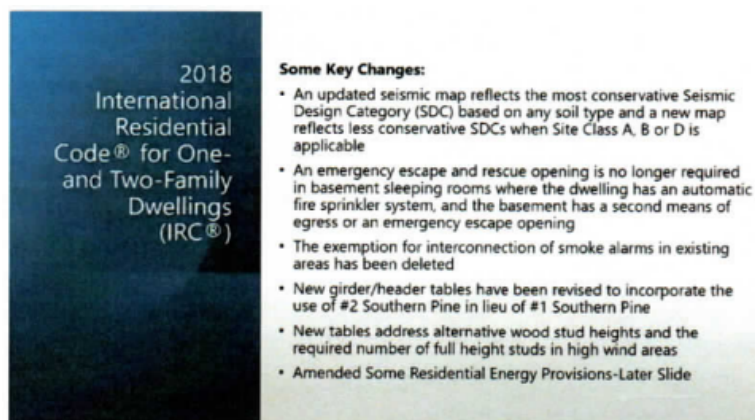


So, for the next four slides, it's the larger documents. There's quite a few bullet points on these four. I'm not going to touch on every one of them. I've got to be honest, some of this stuff is really technical and even some of our staff sometimes doesn't understand it because it's for engineers to do. It's not expected that some of these items that anybody that doesn't deal with this day in and day out would understand some of this stuff, at least some of the terminology that are used. But these are just simple statements and for the 2012 International Property Maintenance Code, basically there's no changes from 2012 in the code itself. We've brought over the same administrative amendments from the previous adoption enforcement penalties including administrative citations. We also did the same alignments provisions with state statutes including notice requirements. There are two new local amendments we are adding in this effort. We're proposing large industrial structures exempt from peeling paint criteria provided they are away from residential areas and surfaces not required to be painted for weatherization. For example, concrete silos or other industrial-type buildings that maybe got painted at one point that didn't need to be painted, and they don't need it for weatherization. The other proposal is allowed for separate violations of specific exterior wall components to be cited individually or separately. This is to

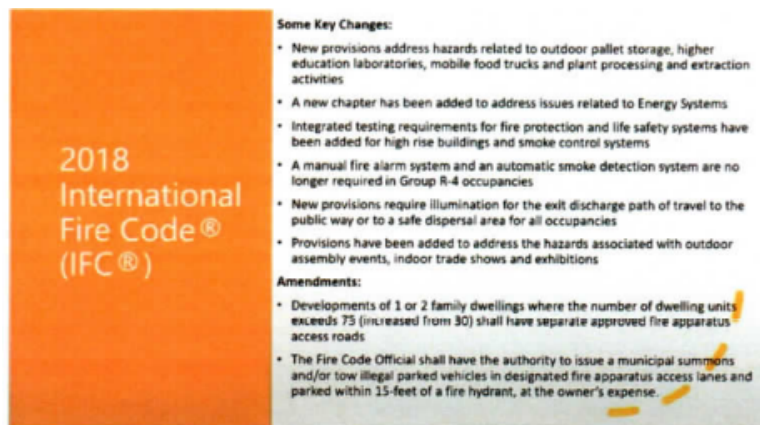
help us acquire better statistics on what we're actually citing on, but also in those more problematic cases to give another violation if needed.



So, for the Building Code; the only one I'm really going to touch on here is the last one where it states new alternative fastener schedule for construction of mechanically laminated decking is added giving equivalent power-drive fasteners for the 20-penny nail. This is just an example to where new technology, new procedures, new policies are allowed into the code and for specific purposes that may save a contractor or an owner money because it's a newer way of doing things and when you are using pneumatic tools of course that saves time and money. That's kind of a big reason for us to adopt new standards, to gain those new technologies put into the standards.

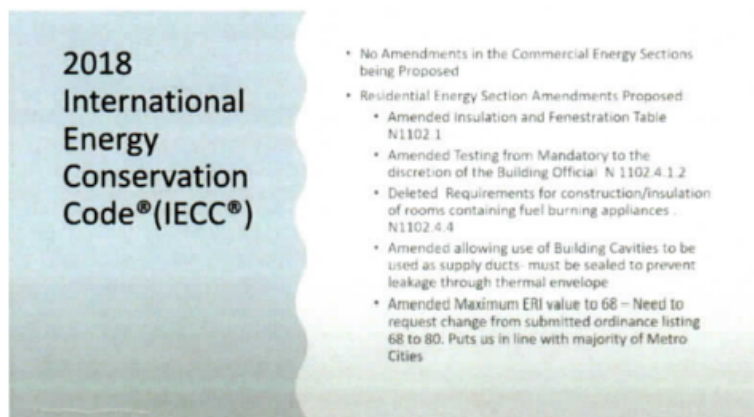


The 2018 International Residential Code for one- and two-family dwellings. Once again, I'm not going to go over any of these. I'm going to make note on the last one there are some amendments proposed for the residential code for energy provisions, but we'll talk about them later in this presentation as that is one of the items that's has driven a lot of conversation for us.



The 2018 International Fire Code. I'm not going to, once again, talk about many of these. I am going to touch on the two amendments. The development of 1 and 2 family dwellings when the number of dwelling units exceeds 75. We're amending that up to 75 where it was 30 in the standard, shall have separate approved fire apparatus access roads. It does increase the number of structures that are allowed in a subdivision, which is in line with what we used to do and trying to update this to keep that same standard.

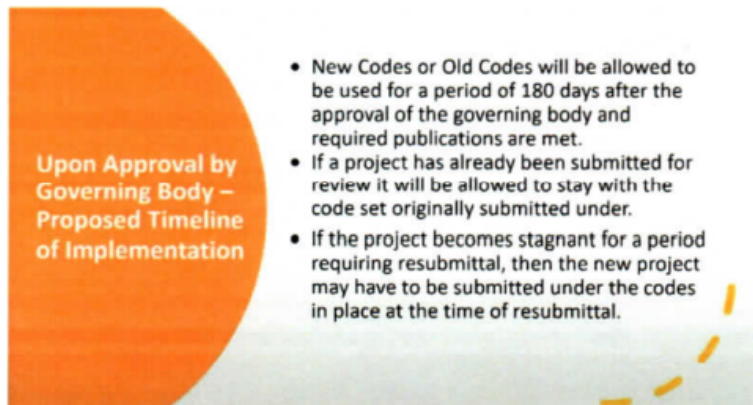
The other item, the Fire Code Official shall have the authority to issue a municipal summons and/or tow illegal parked vehicles in designated fire apparatus access lanes and parked within 15-feet of a fire hydrant, at the owner's expense. This has been a problem in a few subdivisions we've had where the parking is rather tight and so it gives them the authority to move vehicles where they may need access to get a rig in or to get to a fire plug.



The 2018 International Energy Conservation Code, I'm going to combine this code with the Residential Code and just refer to it as one code, the energy portion of the Residential Code, as

So, once again, these are not really anything out of line with the other jurisdictions, and with this chart I want to make two points. First of all, to show that we're kind of in line because these are actually a lot of the energy factors and sections in the code. The first line is what the 2018 standards actually are required. And then the next line item is actually where we're at currently without the adoption under the 2009. The next line is what we're proposing, so the first point here is that even though we are amending these provisions, we are still creating some energy efficiencies, we're doing better. We're not completely amending back to what we were and trying to gain some efficiencies slowly instead of all at once. The rest of the line items here are other cities and

jurisdictions and you'll see for most of those we're pretty much in line with what the other cities have done. I will tell you just in an effort up front, over a year and a half ago, all of the cities including our staff met and talked about this before we started these processes and the whole goal was for that uniformity, the best we could.



I'm going to end with the slides, this is not for action tonight, it's only for information. But once we get to the point for approval and adoption, the plan would be for new codes and old codes would be allowed to be used for a period of 180 days after the approval of the governing body and required publications are met. So, it gives a six-month transition once we do bring this back to you and get this approved so they can submit under either code standard. If a project has already been submitted for review, it will be allowed to stay with that code set originally submitted under. If a project becomes stagnant for a period requiring resubmittal, then the new project may have to be submitted under the codes and place the time of resubmittal. So, with that, I know I ran through that very quickly. I'm going to end that and if there's any questions or comments, we encourage those. We want to get feedback in the direction we need to go with this.

Chairman McKiernan said this is quite a bit of information, so I am glad that it's not for consideration tonight, but rather opening the discussion. I'd ask if any member of the committee has questions or comments for Mr. Talkin on this item.

Commissioner Townsend said when I looked at the introductory page that we were given, I was more concerned about the fact that some time past, the Commission said we're going to do updates of the codes on a six-year cycle. Because I wondered if we are proposing or looking at a proposal

to use the 2018 Standards and we're already in 2022, is that the latest version that there is? That's one question. **Mr. Talkin** said there is a 2021 version that is out now, but none of the metropolitan jurisdictions I'm aware of is going to adopt the 2021, with the exception of Kansas City, Missouri did not adopt the 2018 Energy Code with their 2018 set. They stayed with the 2012. There is talk of them just bringing 2021 Energy Code forward, but not adopting the entire 2021 set. Staying consistent with the metropolitan area, most, if not all, of the jurisdictions in this area are not looking at the 2021.

Commissioner Townsend said okay, and I appreciate your presentation on that point. That helped to allay concerns I had that we are not using the most up-to-date version, but apparently that's what our neighbors around us do, and as you said, one of the goals of the adoption of something like this is to allow for consistency, safety and consistency. Thank you, those are the comments I had about it.

Chairman McKiernan said anyone else from the committee with comments or questions for Mr. Talkin? There is someone over in the attendees list who I believe would like to offer some public comment on this particular item. If the Clerk can work with me, I believe Emily Wolf has raised her hand and has asked the opportunity to address the committee. Ms. Wolf, I do believe you are unmuted now, and we would invite you to take up to three minutes to share your public comment with the committee.

Emily Wolf, Lifelong KCK Resident, said I'm with Metropolitan Energy Center located here in the Kansas City metro. We've actually worked with UG on some transportation projects previously. The Neighborhood Resource Center, Greg Talkin's office, posted their official drafts of the codes MEC along with 17 other organizations submitted our comments regarding their proposed amendments and Greg Talkin was great to work with throughout the process and as he said they removed all the commercial amendments which we applied. Thank you so much, but unfortunately, as he mentioned, several of the residential amendments remain, and as he mentioned a year and a half ago, pre-COVID there were some efforts to have a metro-wide code kind of consensus but as we know we're home rules, so it's really up to the municipalities to decide what they adopt and what amendments. So, some things have changed since then.

Just recently the city of Gladstone, Missouri adopted the 2021 Suite of Building Codes, making them one of the first cities in the nation. KCMO in 2019 and 2020 held some open meetings regarding their Energy Code and due to the feedback from the community and local organizations. As Greg mentioned, they're foregoing 2018 Energy Code and going to adopt the 2021. I know their writing the ordinance right now and it will include residential amendments because we're going to be providing training to them as well as other building officials in the metro area on the energy code at no cost.

Recently Overland Park adopted the 2018 Energy Code with few amendments. I think part of that was because they had two committees do a deep dive and provide feedback on the amendments and as a result, they adopted a code with less amendments and then also the Council directed city staff to start researching the 2021 Energy Code.

Prairie Village followed in the same steps, directed city staff to research the 2021 and both adopted that 68 score. **Ms. Facio** said you have one minute remaining. **Ms. Wolf** said basically what it says is a lot of other municipalities, as he mentioned, adopted the 2018 and 2019. So, if the UG adopts a heavily amended Residential Code in 2022, give it a year or two, we will be light years behind other communities and so I think that's our concern we are—you know a lot of these other communities are dropping more stringent codes and looking at the 2021 and we're just now getting to the 2018.

We provided other comments. I know I'm well over time and I sent emails and I'm wondering if you could send out the correct email addresses because I know with term changing, I think I don't have all your email addresses, so I will send you this testimony in our previous comments because I know I'm over time, but thank you so much and thank you Greg Talkin. As I've said you've been really great meeting with us and answering all our questions, but we're here as a resource. We would love to meet with you, please reach out regarding our testimony and questions. We're here as a resource. Thank you so much for your time this evening.

Chairman McKiernan said, Mr. Talkin, we certainly will look to you for recommendations and guidance as we go through this process and as we consider the concerns that Ms. Wolf has raised.

I also see in our attendees that a Will Reuter has raised his hand and asked to address the committee. We do have you allowed; there you go you are unmuted. You'll have up to three minutes to provide comments to the committee.

Will Reuter, Executive Vice President, Homebuilder's Association of Great Kansas City, said at the outset here, I just want to express our appreciation to UG staff for being collaborative through this process and recognizing the importance of having a strong building code adopted within the community and the county. The HBA of Greater Kansas City certainly supports a strong building code. That is something that our members seek to do every day, is comply with the rules set forth by the governing bodies in which we're seeking to help build. This is certainly incredibly important component of that so, just appreciate being included in this process and certainly stand ready to contribute as we move forward.

As it relates to the overall broader Kansas City metro market, ours is a market that's probably going to build around 6,000 to 6,100 single-family homes once the data is collected from December annually. Our is a market that probably needs between 8,500 and 9,000 single-family homes in order just to satisfy demand. We are a chronically under-built market and as we are seeking to accelerate not only our construction timelines, but also the diversity of product available to the Kansas City, Kansas community for both people looking to move into something newly built or to attract additional residents. We do want to make certain that it is understood that the building code is a baseline. It does not forbid the opportunity for someone to build something far more efficient than what is required in the code. An overly restricted code that does not include some of that local flavor that comes in the form of an amendment that harmonizes the broader metro construction environment and, therefore, the availability of product in the environment will unnecessarily restrict the amount of people that could find themselves that would be able to afford a newly built house. **Ms. Facio** said you have one minute remaining. **Mr. Reuter** said one very important number to consider is for every \$1.0K added to the cost of a newly built home, 1,238 Kansas City area families are priced out of the market. When we start to think about some of these costs, it's not a dollar here and a dollar there, it is the difference between a new home and not being able to get a new home for more than 1,200 Kansas City area families. Happy to share that data and man of the other data points associated with the cost of construction and the overall impact it has on the accessibility of housing. We do not want housing to become a luxury item and, therefore, we need to be very cognizant of these costs and making certain that any new stipulation, any new code with which we are going to have to build to, the payoff is there. **Ms. Facio** said your three minutes are up. **Mr. Reuter** said with that I will close, but certainly I am available for thoughts or considerations after this meeting is done.

Chairman McKiernan said, Mr. Talkin, I certainly can appreciate the challenge that we have being one part of many jurisdictions in the metro area of trying to hit the sweet spot in terms of how we match up with everyone else's regulations. I would encourage members of the committee to reach out to Mr. Talkin and his staff, many of whom are in our meeting tonight, and if you'd like to reach out to Mr. Reuter or Ms. Wolf for additional discussion before this item comes in back before us for consideration for a vote.

Mr. Talkin, is there anything you'd like to add as we wrap up this item? **Mr. Talkin** said I appreciate everybody's time tonight and thank you commissioners and administration for hearing us out.

Chairman McKiernan said, once again, members of the committee, if you'd like to follow-up before this comes back, I think the place to start would be Mr. Talkin and then can connect you as needed. That's the end of Item No. 1, which was for information only.

Action: For Information Only

Chairman McKiernan said now for the new members of the committee that takes us into our Land Bank sections, and this for many months has been the bulk of our agenda for this committee. We do have three different Land Bank items. The first is an update on the Land Bank, and I'm going to introduce you, if you haven't already met, to Katherine Carttar who is our Director of Economic Development, and to Jud Knapp who is our Interim Director of the Land Bank. I think they're going to team up and give us an update on where the Land Bank is as we head into 2022.

Item No. 2 - 211261...UPDATE: LAND BANK

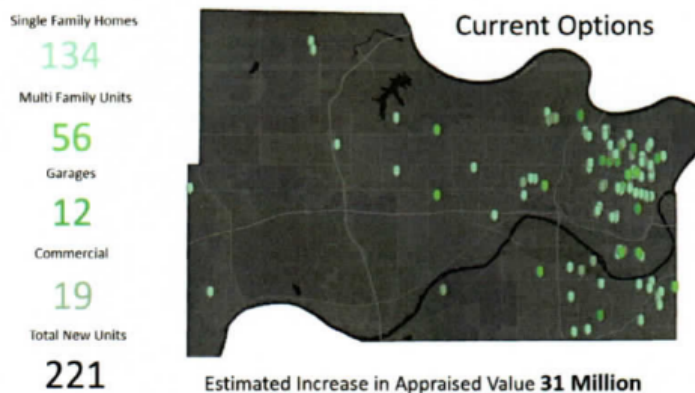
Synopsis: An update on the Land Bank, submitted by Jud Knapp, Interim Land Bank Manager.



Neighborhood &
Community Development
Standing Committee

Land Bank Update

January 3rd, 2022



Katherine Carttar, Director of Economic Development, said we are going to start off, as Commissioner McKiernan mentioned, with an update of a quick snapshot of what happened in the last year. We took the last year and went through a full kind of revamp of the Land Bank process. The most significant thing that we did was previously if someone came to us and said hey, I want to build a house. We would say fantastic, we love it, here's the ground, here's the deed, good luck, we'd love to see it. What we learned quickly is that—we'll, first of all I'll take a quick step back, those kinds of requests were coming in at a very small trickle, so there were very few of these types of requests. This has not been historically; we've just been increasing every tax sale primarily vacant lots. I'll get into our lot structures on them, primarily vacant lots for many, many years and there was not really a market for someone to build a new home. When those did come in, we said fantastic, here's the deed to the property, but what we learned very quickly was that a lot of these lots had challenges and even if someone really, really wants to build a home there, once they get into it and recognize any number of things.

Some frequent obstacles were the previous home that had sat there was just demolished, basically into the basement and then a little sprinkling of dirt was put on top and we called it good. By demolishing homes in that way for so long, we did that until about 2000, when the rules were changed. That's another \$10K or so of remediation, there's like paint, there's asbestos, all that has to be dug out and a lot of times in these kinds of projects an extra \$10K, that just makes it not possible. Other type of things that we learned when a sewer is too deep, or the water or the sewer was not shut off correctly. These are things that lead to really significant charges. We recognize there was starting, due to our rehab program, which I'll get into in a second, there's starting to be a market for infill homes. Mr. Knapp came on as our Interim Land Bank Manager, soon to be our permanent Land Bank Manager, which is very exciting, and recognize that this is not the best way to do this. What we did at that point was put in this option program.

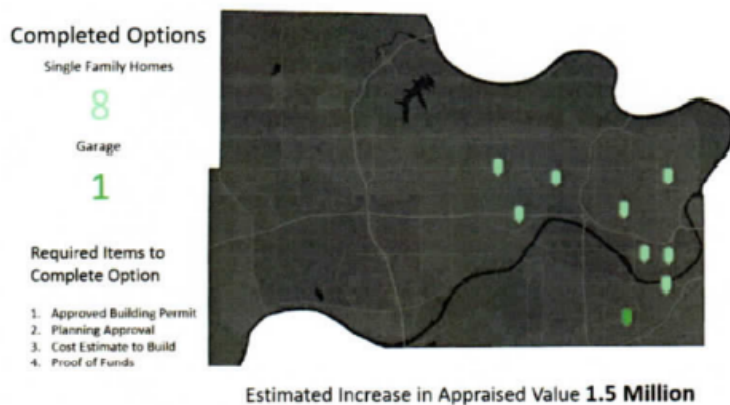
What we do now is someone comes in with interest in building something, whether it be a single-family home, multi-family home, commercial, etc., they come in, fill out an application and say this is what I want to do, what I want to build, how much it's going to cost, here's my plan, and we bring that in front of this Committee and say here's a plan, we would like to give them 12 months basically to do their due diligence. This way they have site control, so they can go to a bank, they can go an architect, get all of that done, we say yes, by all means.

If you need to do some geo-tech work on the, you know, need to see if there was a home that was just demolished into the basement, please go ahead and do that. Check all those things so that we know within the year, when you come back to us and prove to us you show that you have full architectural drawings, you have your building permit, you have your financing in place. Once you can check all those boxes, so that we know that project is moving forward, and all that other due diligence has been satisfied, then and only then, do we transfer the property.

So, again our goal is to get homes and other structures built. We feel like this is the best way to encourage a lot of our neighborhoods to rebuild, where for far too long particularly in the '70s and '80s, the plan was just to demolish homes, we're trying to rebuild these communities and these neighborhoods.

As you can see, this is in the last year we've had 134 single-family homes. These are people, with a couple exception, but for the most part, these are folks that live in the communities, are small town developers, a significant number actually started off in our Rehab Program and started rehabbing Land Bank homes, and started getting together with other rehabbers and creating

a space where they would partner and now they're interested in building homes from scratch, which is really exciting and always what we had hoped to have happen. You can see here on the map kind of where these options have occurred. Now, I will say these are all—on this current map right there that you see, are all just options. Anytime between this month and the end of next year, their due diligence period will expire, and we hope that a large majority of these will materialize into new homes, into new commercial buildings, etc. We recognize that it will not happen for all of them.



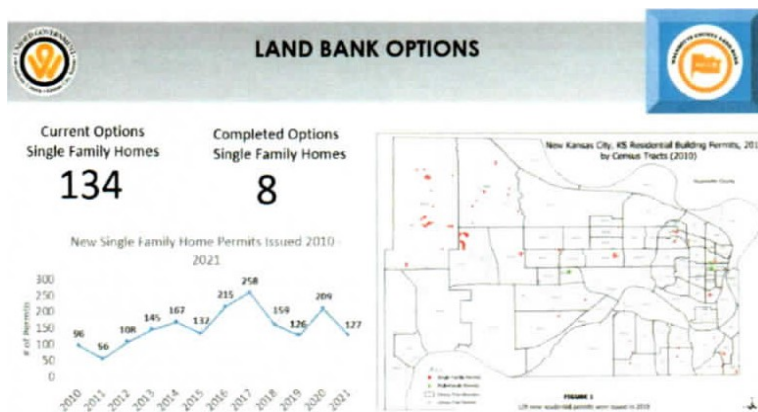
We've already had a number of situations that it kind of worked out exactly as we had wanted where someone had come forward, we went through the Standing Committee process, they got their option, they started looking at the ground in doing their due diligence and maybe there were sewer issues, there's a number of different obstacles and they said we are not going to want to build on this property. We said fantastic, no harm. Now we know more about the property, so that's positive, and we will help you find another Land Bank lot to make your dream home a reality. No deed exchanging, no one had to sue anyone to get property back. So, all was beneficial.

In the time of the properties that we just saw, they have not had to go do their entire year, but instead have started building sooner. We already have completed options that these are properties where construction has started, we have deeded over the property because they have the approved building permit, the planning approval, their cost estimates, and their proof of funds.

As you can see, we have eight single-family homes and one garage, and just these eight is an increase in appraised value of \$1.5M. As you could see with the last slide, if all of those came to fruition, it would be \$35M in appraised value. So, this is really significant especially when you

consider each vacant lot on average, we're getting about \$50.00 in terms of potential properties, taxes. If they're in the Land Bank, we're not going to get anything because we own them.

The difference between a vacant lot and one with a structure on it is significant and so we're really excited about the interjectory this is going. If you remember that last slide where the vast majority of those dots were, as you can see the vast majority are east of I-635 and even more so east of I-635 and north of I-70.

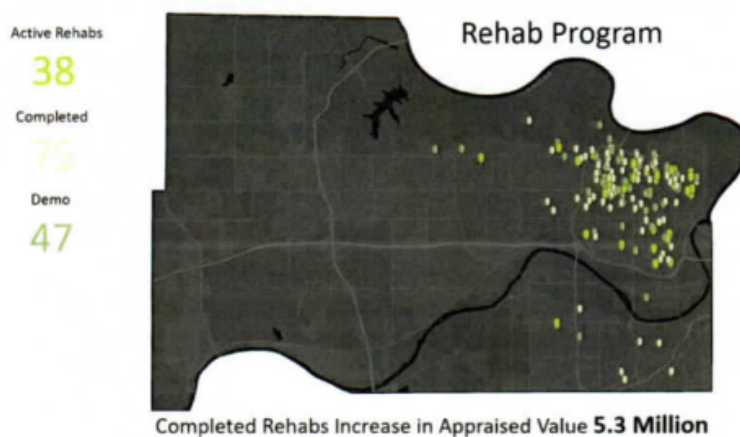


Historically, the single-family home permit has a graph there where you can see where we have had new homes built in the past. As you can see with the map the vast majority are in the Piper area, which is lovely, there's lots of space there. When it comes to trying to focus on infill and, really again, trying to work on rebuilding communities where there has been historic disinvestment, it really is our focus and our desire to focus on the east of I-635 and as you can see that is the direction that we are going with the Land Bank homes.

Again, probably not all 134 will move forward, but we do anticipate that a majority of those hopefully will. When you look at what the single-family home permit for the entire county, what those have looked like in the past, last year was 127. If the majority of these 134 moves forward, that will be on par with what has been built in the entire county in past years. It's really exciting, we're really happy with the direction that this is going. We know that there are more improvements to be made and that this is an ever-evolving process, but we are excited with this direction and think that it's been really positive. I do want to quickly mention our Rehab Program.



Oh, before that, here are some of those eight that are already under construction. Jud went around and took some great pictures, so you can see that we've got everything from foundations to actually a couple homes that are just about done. Again, this is really exciting. Jud will mention this in a bit, but we are anticipating that the first one will be absolutely completed with their occupancy permit and everything I hear in about a month, and we'd like to really make a big deal of that, so you all will receive an invitation to the ribbon cutting and things that we're working on. It's a big deal and we're excited about where this is going.



With the Rehab Program, this is not just one year, this is the entirety of our Rehab Program, so, just over four years of work. This was really the program that was needed to make it so that there was a market. One of our biggest issues has been in this county, particularly your areas where there had been historic disinvestment is that properties were not appraising for what they should be. And if you cannot have banks look at comparables, so there's comps within a mile and you want to get a new roof and fix up your home, but need a loan to do so, and the bank looks at the

comparables and it says sorry, it's not a home that's worth more than \$30K or \$40K it's not a good plan for the bank. What we have done is taken, try to save every possible home that does come to us through the tax sale, most of these homes have been vacant for years, these are not homes where someone's is currently living. You'll see some before and after pictures to make that abundantly clear. What we have been able to do, again over the course of a few years, is slowly create it so there are those comparables. These are taking homes that, again, have been vacant for years, maybe were appraised for \$10K to \$20K, we have a stable of rehabbers who bid on maybe open houses, they come in, they look at the homes, they put in their own money and at the end of the day we deed over the property and then they're able to sell it. We have seen, not uncommon, for a home to sell for over \$100K. That is really creating a market.

Again, it has taken some time but what we see, we've had 75 rehabs completed, so when you're looking at the one mile comparable for those banks, we've got lots of options now for them to kind of prove that, no this home is worth a lot more money than that bank considers it to be, and let us prove to you, and let us fix it up. We've got another 38 that are actively being rehabbed, and we have been down to less than five for the last two years almost, a year and a half probably, which again, shows that this plan has been working. Instead of rehabbers waiting until they come to the Land Bank, they are going privately to folks and saying hey, can I buy your home? It could be a private sale or they're buying them directly from the tax sale again, before they get to us, which is a win-win, they get all their property—past property taxes, liens and stuff all paid off. It's a bit of a bummer sometimes not to have any homes or any structures in the Land Bank, but then we remind ourselves that this is exactly what we've been striving to do.



I think we have some before and after photos.



Here's a great one. These are all just very recently rehabbed, so you can see a home that was not even \$6K, and look at it now.



Again another \$5K home and today, I don't know what the sale price is going to be, but I anticipate that it will be north of \$100K, which is pretty significant.



Jud Knapp, Interim Land Bank Manager, said I get to talk about the Land Bank achievements we've done in the past year. The first one is lowered the cost to build a home. For several years, the UG has been trying to answer the question, how to fill vacant lots with homes. We mapped out the process of how to build a home and asked ourselves where can the UG help build a home? One of the options we came up with was waiving connection fees. We partnered with BPU to waive water and electric fees and the UG is waiving their building permits and sewer connection fees. This fee waiver is about \$5K per home that really lowered the cost to build.

The next is simplify the option process. Since the creation of the new option program a year and a half ago, here in the Land Bank I estimate, maybe I've explained it to maybe a 1,000 people. During those interactions when I see people's faces when I explain it, I change how I explain it, basically after all that time we came up with a one-page handout that explains the option process. There's one, select a lot; two, answer these seven questions so I can generate these presentations for Commission; and then if approve I described the option and it's basically it's you have site control for one year and then you have to get a building permit and proof of funds so we can deed you the property.

The next one is the Land Bank available properties app. The original Land Bank inventory was an Excel document in a PDF form. It was hard to search through 4,000 plus properties. We just didn't want to provide a list of properties, we wanted to provide a list of buildable properties that a home could be built on. We categorized the 4, 000 plus Land Bank lots as buildable or non-buildable. Now we have an automatically updating Land Bank inventory in a map form. We've also included data that a potential homebuilder would need to build a home such as zoning, sewer locations, demo date, and the location of other approved options. I am very proud to announce that we have our first completed home, it should be done in February, so be on the lookout for an invite for ribbon cutting for that.



This is the number of hits that we received from our Land Bank app we started in February of 2021, we already have 8,000 views on this site. We definitely see a correlation between this app going live and the number of Land Bank applications that go through this Committee.

Website	Online Fillable forms	Infill Housing Guide
- Home Builders - Provide data on selecting a location to build - Building Incentives - Updated FAQ	- Forms needed - New Construction - Property request - Rehab program - Maintenance requests	- Process to build a home - How to build on Land Bank lot - UG / BPU Fee waiver program - Getting approved for a building permit - NRA: Property tax rebate program - Helpful contacts

This is our future enhancement. So, to the build on that Land Bank app, I'm going to enhance our Land Bank website, just to make it not where Land Banks lots are, but to help people on how to build homes on Land Banks lots or any lots for that matter. I want to provide all the information that a potential builder would to make a decision on where to build all in one place. I also want to list all of our building incentives that we have, and I also want to do, for next year, is online fillable forms that would definitely help the customer and help our efficiency in the office to be able to move a little bit faster.

Last is the Infill Housing Guide. Currently here in the Land Bank we work really hard to get that option agreement approved and to provide all of that information to Commission. Once signed, we really don't provide any more guidance to these applicants unless we're asked. I did create like an Infill Housing Guide that basically walks through the potential builder building a lot

for—like this guide would contain building inspection, how to get a building permit, what items you need to get that building permit. Planning, how to change your zoning, sewer hook-ups like the septic tank process, and the fee waiving guide. So, this guide would not just be for Land Bank lots, it would be for every vacant lot in the city and can benefit from this.

This concludes our Land Bank update. If you have any questions for us, we'd be glad to answer.

Chairman McKiernan said I think this would be, if we can find a way, I know that everybody gets the agenda, which has this presentation in it, but it would be a great presentation for the other five commissioners, well the other four who are not a member of this committee, or hanging out with us tonight, it would be great for them to get this information as well. Comments and questions from the Committee?

Commissioner Davis said great, great job and this is a quite incredible program and I know you all have worked really, really hard. I had a question about the app. Is it regularly accessible, like on the App Store, Google Play and things of that sort? Could you talk more about how residents can access that, and prospect developers. **Mr. Knapp** said it is not an app that you would get on a phone, it's an Esri app that you access through the internet.

Commissioner Davis said okay, gotcha, on the web. I thought we were heading into the future somewhere.

Ms. Carttar said but I love that idea and someday, that's something we would love to do. At this point we actually have conversations this week with our communications staff of how to make our website even better. As you can see, since Jud started, it's gone up dramatically but I think it can be even more accessible and more informational. We're working on it and maybe later in the year, or hopefully by next year, we'll see an actual true app which will be really cool.

Chairman McKiernan said I tell you what Commissioner Davis, don't lose that dream. One of these days we're going to have a real app that people can take out and it'll work out in the community.

Bridgette Cobbins, Assistant County Administrator, said I just wanted to remind you that all commissioners do receive the agenda packet so even those that aren't on this particular agenda or this committee, they have also received your packet and information to share tonight.

Chairman McKiernan said fantastic, we'll just encourage them all to go peruse these great slides that have been presented.

Commissioner Townsend said I appreciate this recap, maybe we've done it in the past over the year, but right now coming at this time, it really helps me to remember how far we have come in the last two years and how far we've come, I know in the last two terms I've served, and how the Land Bank has constantly been developed, massaged to try to make it better. The whole goal is to increase the housing capacity and the number of people who can get homes or commercial properties build businesses on what are now vacant lots, and this impacts my district in the extreme. The Rehab Housing Project has been such a success in just turning around the view of what neighbors can look at including me; a house that had been ravaged by time and inattention to a beautiful asset to the neighborhood. It's been so successful that we don't have any in our inventory right now, if I'm correct. And that is the goal, zero in the inventory, productive home/housing commercial space.

I thank you Ms. Carttar and Mr. Knapp, and also to the Advisory Committee for the time and effort that they put into looking at what the Land Bank looks like in terms of policy and their input on these procedures and policies. I look forward to some kind of score card from when we started on the options to how many were able to go to completion with the resulted new home or a new business at the end of their year cycle. Thank you very much for all your efforts. This is where we want to keep going.

Chairman McKiernan said I drove by one of our option lots just today, and seeing a foundation go in there. That was exciting to see. Any other comments or questions for Ms. Carttar or Mr. Knapp on Item No. 2?

Commissioner Burroughs said I think this just verifies and reflects the commitment that we as local leaders have put into affordable housing in our community, and there is opportunity for those

that choose to invest in our community. While we may have a few hiccups here and there, we're extremely interested in doing what we can to provide affordable housing and opportunities for housing within our community. I think this a reflection this evening of the success with the program.

Chairman McKiernan said if we could recognize Senator David Haley who is now an attendee and offer Senator Haley an opportunity to make some public comment on this item. Talking is permitted. Senator Haley if you could just unmute, you'll have time to comment on this item.

Senator David Haley, Kansas City, Kansas, said incredibly excited by the detail going back to Mr. Talkin, post the other subcommittee. To hear so much discussed about the Land Bank and our infill housing and structures. I guess I only wanted to augment a question that was posed to Assistant County Administrator Cobbins as to whom else might be eligible to review some of what was just said. My notetaking isn't as much to par as it should be, and I am excited by some of the changes that are occurring in our city. I wanted to augment and stay on point, if I could, with some of these developments and assist however I might.

Ms. Cobbins said certainly. When the minutes are transcribed, this part of the PowerPoint will be incorporated into the actual transcriptions, but the information anyone wants outside of this arena, they contact the Clerk's Office, we can certainly make sure that they have it. I can send it to you as well Mr. Haley.

Ashley Hand, Director of Strategic Communication, said Senator Haley, I just want to let you know that we will also be posting news article with this update which will include a link to this presentation, not only the recording, but we are very excited by the updates that are coming out of these meetings and are doing more in our ENews and website to make sure that key outcomes of these conversations are available online in various forms, so look forward to seeing that as soon as tomorrow morning. **Senator Haley** said grateful. Thank you, Ms. Hand.

Chairman McKiernan said I don't see any other hands up and so we will thank—now I do see a hand up, let's see. From the attendees, if we could help Elnora Jefferson. We do have you

authorized, Ms. Jefferson if you could go ahead and unmute, you'll have time to make your three minutes of comments to the Committee.

Elnora Jefferson said I wanted to thank you for the opportunity to be able just listen to the presentation. It certainly was greatly presented. I have some points I wanted to bring. There are four of these points, I hope I can get them all in three minutes. The question that I have had ever since being a member of the Land Bank Advisory Board, which I am no longer a member, but I still hold an interest to the Land Bank. Is considering—at the very beginning we've been talking about any all through 2021 especially redlining urban renewal and then other development projects that perhaps were not as successful in Wyandotte County. I want to know, or have it considered, what types of things our local government is doing in order to help correct these injustices in using the land itself, which we all know is a great asset, and a great asset for the northeast, in fact it's one of the most prevalent assets we have. So, what are we looking at progressively to be able to use and leverage this land in order to correct those generational injustices?

The second point that I have is that since this Land Bank policy has been in effect since 2019, we have been talking about, but we have not yet held a robust review of the policy and procedures and why is that important? It's important because we have been on a learn-as-you-go type of process, not only for the developers or builders, but for the Advisory Board with the neighborhood leaders and community. The knowledge transfer is not as robust and as good as what it can be, especially for neighborhood presidents. There are things that we still don't know, and leases how are they handled?

The second point would be for the rehabbers, it's a great program. It's a program that I might say that precedes Manager Knapp as well as Director Carttar. **Ms. Facio** said you have one minute remaining. **Ms. Jefferson** said it was a program that was first put out by the NEDC in the northeast. It was never picked up by the Unified Government, and as a result of all good things that came from the rehabbers, we have not seen anything that has actually told us how many minority contractors were involved. How many women, what kind of capacity was built or used on the rehab. I'd like to see that statistic.

Three, is consistency in some of the processes and procedures are still ongoing. We talked brick and mortar, about increased tax base, but nothing was presented about human development,

and as well we all know economic development is not only brick and mortar, but also includes human and community development. I would hope to see some kind of input in the presentation.

Chairman McKiernan said staff has taken note of your comments and your questions, and you are right, this is a process that is in evolution with every passing week. We will definitely circle back and bring back information in response to some of the questions, and some of the comments that you have just provided us. That will be in future meetings.

Commissioner Davis said I just wanted to second Ms. Jefferson's comments. I do think there's a role that this body can play in looking at social injustices and how we can rectify them. Ms. Jefferson, if you could send me those four points just so I don't have to come back to this recording. I would love to be a part of the process, just so that we can really examine the access and really look at how we are developing. That's not a knock on the work, but it is just to make sure that those that do have access are those that are part of this community in that we are lifting up our communities. Thank you for elevating that.

Chairman McKiernan said I don't see any other hands up for comments or questions on this. We appreciate the presentation, and we definitely will be circling back to many of these points, but that will take into Item No. 3.

Action: For Information Only.



Neighborhood &
Community Development
Standing Committee

January 3rd, 2022

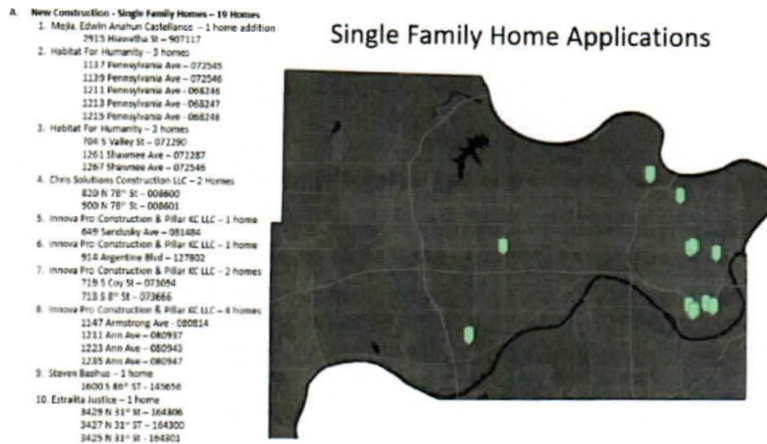
Item No. 3 – 211262...LAND BANK OPTION APPLICATIONS

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



Option Agreements
 Agenda Item – A
 Single Family Homes
 19

Chairman McKiernan said for the benefit of the commissioners who are new to this committee, we have a number of different option applications. Sometimes we group them together because they are similar in terms of it's a new single-family home going in a place where an old single-family home was, and construction is similar among various items. Sometimes by virtue of location or some other nuance of the option application, we break them out and consider them separately. So, if you will allow, I will make a suggestion for the committee that we take Item No. 3A, and we consider 3A1 through 3A9 as one consideration for one vote. Again, if any member of the Committee wants to break out anything that's presented and hold it separately, we can do that but as I look at the agenda, I think we could group 3A1 through 3A9.



Jud Knapp, Interim Land Bank Manager, said just to add to that, Items A1 through 9 have all had a home on the site previously, they are all consistent with land use and zoning. Staff comments were all positive, they were just comments like the garage has to come from the alley, things that our Building Inspection and Planning will take care of. The Land Bank Advisory Board didn't have any comments on A1 through 9.

Chairman McKiernan said so we have several different applicants here, and I noticed that quite a few of the lot locations are in my district. So, I'm familiar with many of these areas and it will be nice to have new homes on these vacant lots. If members of the Committee wish, and if they are any questions or comments for Mr. Knapp on 3A1 through 3A9, we can entertain them at this time.

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 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 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

Action: Commissioner Townsend made a motion, seconded by Commissioner Burroughs, to approve the Land Bank option applications that were identified in Item Nos. 3A1 through 3A9 inclusive.

Chairman McKiernan said before we call for a vote on that, I'll just ask if anyone, well I'll ask Clerk, first of all if we received any communication regarding any of these applications? **Allie Facio, Clerk's Office**, said no comments were received.

Chairman McKiernan said anyone attending tonight would like to make public comments on any of these applications? I don't see any hands in the attendees list and so what I'll do is ask the Clerk to call the roll.

Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Burroughs, McKiernan.

Chairman McKiernan said that takes us to Item No. 3A10. Because of it's location, I'll ask Mr. Knapp to present it and then we will consider this application.

10. Estralita Justice - 1 home
 3429 N. 31st St. - 164306
 3427 N. 31st St. - 164300
 3425 N. 31st St. - 164301



Mr. Knapp said this is for 3429 through 3425 N. 31st Street. The applicant currently owns 3428. They want to build a single-family home.

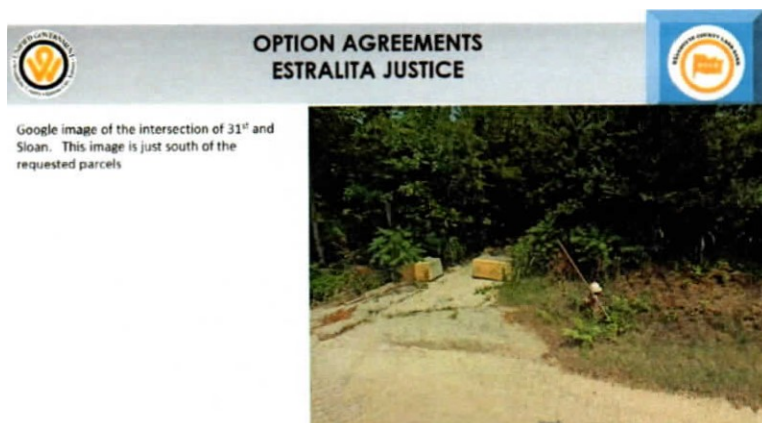


A little summary about this one. Ms. Justice's family-owned land in this neighborhood and the location of the center, it represents her family history. Ms. Justice cannot trace her family geographic history further back than this property. Ms. Justice has shown her commitment to the neighborhood by purchasing another lot entering into a lease lot agreement for 12 lots including these three, spending time and money to remove a substantial amount of debris on all the lots. The staff comments were that staff is not recommending for approval due to its proximity to the

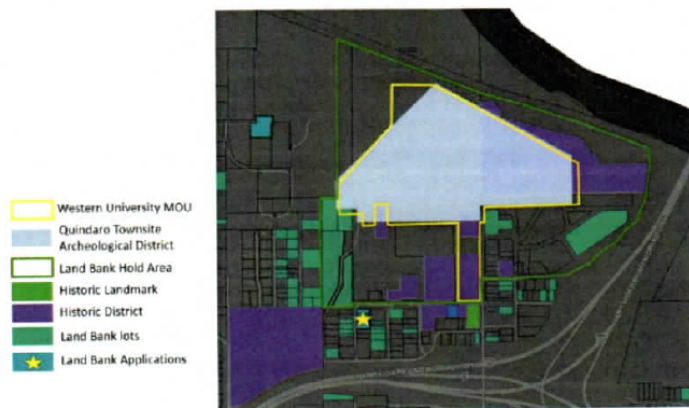
Quindaro Townsite. Staff is recommending extending the Quindaro Townsite hold to include this property. The location will also have sewer connection issues and assessing the property will be difficult due to the road being closed. They would have to rebuild the road or buy the property closer to Sloan Avenue to build a driveway. The Land Bank Advisory Board's comments are definitely near the staff comments.



The star locates where the property is. This is from the Northeast Area Master Plan land use map. The lower medium density residential.



This is an image from 31st and Sloan. A Google image of the road that goes back to that property.



Here is a map of the Quindaro Townsite on all the districts that are included.



Here's the historical environs, I do have to say this map changes because these environs are 500 feet and not, I believe it changed to 200 feet. Two hundred feet basically clips the side of that top one right there. The historical environ touches one of those lots. This was held from the last Standing Committee meeting to have a meeting with In-District Commissioner. I believe that meeting did happen. That concludes my item.

Chairman McKiernan said we have seen this before and we did hold it over, and I believe Commissioner Townsend was going to try to meet with the applicant to discuss this application. I wonder if Commissioner Townsend has anything to share at this time.

Commissioner Townsend said I did have the opportunity probably three weeks ago to have a rather lengthy discussion with the counsel who is representing the applicant and again explained about my concerns with this application because again of his proximity to the Quindaro Townsite. We hope that this year there may be a meeting, or there will be meetings convened to look at exercising the intent of the Memorandum of Understanding that was entered into, now this is 2022, maybe 2020 already, between the Unified Government and also the AME Church who is a land holder within those geographic environs that were earlier displayed.

To be fair to other applicants over the years who have made applications for Land Bank property in these same geographic areas, we have declined them or at least told them feel free to come back later. But the idea is to preserve as many options with what could take place in terms of development in this area from a historic perspective. The most northern point of that triangle, the light-colored violet triangle is the overlook, to give some perspective, to people who may be watching. The issue that the group that will meet under the MOU will take into account, is what could be done with this entire area and to seek funds to try to make whatever the community would like to professionals would like to see in that area. I think we do ourselves a disservice by this stage of the game not having a hold area that would allow for development. We don't know how big, how small, but I think we do ourselves a disservice with chipping away at Land Bank property so close to the environs that you see depicted. I think there's on the other slide that Mr. Knapp showed, another perspective of that.

The applicant may be here and want to give her insight and her view, and I thank her for this interest in the area. But that's why we asked to hold over and to explain that in more detail with the representative of the applicant.

Chairman McKiernan said for the other members of the Committee, although there may be some changes in the future to the outline of old areas and whatnot, our charge tonight is to consider this application for these three lots, and either to move it forward or not to move it forward. I would ask if any other members of the Committee have comments or questions regarding this application? I do believe I saw counsel for the applicant in the attendees list. Ms. Kancel, I do believe we have you promoted such that you can address the Committee, so if you would like to offer comments on this application.

Ms. Kancel said thank you for considering Ms. Justice's application. Just to review the timeline, a little bit, I did receive a copy, thank you Commissioner Townsend, of the MOU with the church. It was entered into in August of 2020, and it was updated in December of 2020. Ms. Justice's entered into a Lease-A-Lot Agreement in November of 2019 and another Lease-A-Lot Agreement in May of 2020, which the lots—the 12 lots are spread between the two agreements, and there was not a way to actually—I understand the MOU, and I understand the plans for the area, but the average citizen looking at the Land Bank map is not going to be able to find an MOU. It doesn't appear to be linked to the Master Plan and her application is within the zoning regulations for the area. So, it caught her very much by surprise that this land is on hold and anticipating that this application is not going to be approved because of the comments last time, the conversation with Commissioner Townsend. A couple suggestions are to take Land Bank lots that are on hold and are actually really not available for citizens of Kansas City, KS to take them off the Land Bank map.

Commissioner Townsend in her remarks commented that there have been other people who have made Land Bank applications for lots in this area and every denial is heartbreak for the resident whose application is denied. In this instance, also money was spent in good faith, which the Lease-A-Lot Agreement is not a guarantee, but no mention was made of the MOU, especially with the second Lease-A-Lot Agreement. You said that you are—the way things are handled is in process and it's an ongoing process and these are some suggestions to avoid this type of situation in the future.

Mrs. Justice will always love that area and certainly hopes that the development that occurs in the future is great for that area, it's certainly been a long time coming. And like I said, I just appreciate the consideration, I appreciate the communication and it's too bad there wasn't a way to see this map. I think it was a very small amount of the northernmost lot that is within the 200 feet now of the environs as opposed to the 500 feet, but be that as it may, the area's on hold, it would just be nice to be able to discover that and that's it.

Chairman McKiernan said appreciate those observations and comments and certainly you have given us a couple of suggestions for continuing to improve our process for the benefit of all involved as we move forward.

Commissioner Townsend said I just want to thank Ms. Kancel for her comments, which I wholeheartedly agree with that there needs to be, and I would make the request now, that there's somehow that we link that MOU to the environs that are presently shown on our screen. Just so the public is clear, we do not have a hold on there yet. I think that's something this Committee should undertake, to do but just so it's clear, there is no hold at this time. What we have been doing is evaluating the applications based on where they are in relation to this, but that the same explanation and reasoning that I just gave was applied there too. But to save an applicant in the future any further angst about this, I think we do need to at least put that MOU out there and consider these boundaries as a hold area and go through whatever process Legal recommends to make that more publicly stated so that people are not frustrated. There is no hold currently. We have been evaluating each of these like cases similarly though. Again, I appreciate Ms. Kancel's comments and the applicant's interest in this area.

Wendy Green, Assistant Counsel, said I would state that State law does require the Land Bank to list every property in its inventory, so by law even ones that we can never sell or lease we have to put in an inventory. I think we could distinguish which properties would be leasable, which properties would be transferable, which properties we can build on. Things like that, I do believe the Land Bank is an interactive map that Jud described in the earlier presentation, they do that. But for legal purposes and statutory requirements, we have to list every property that's in the Land Bank whether we can do anything with it or not. I just wanted to throw that out there to let you know.

Chairman McKiernan said I'll just say from a user's perspective, I love the fact that we're developing maps and apps and putting this information online. I just ask us to always remember to make it as easy as possible for those people who don't play in that sandbox every day to find the information that we put out there so that it's easily available.

Any other comments or questions from the Committee on this item? Seeing none, this item is an action item, and a motion is possible if any member of the Committee wishes. I don't hear a motion from the Committee. Just to clarify, I'll ask one more time if there's a motion on item. I don't hear a motion from the Committee, so this item will fail to move forward for lack of a motion.

Action: Does not move forward due to lack of a motion.



Option Agreements
Agenda Item – B
Multi Family

Chairman McKiernan said now for the new members of the Committee, we're probably going to break down the remaining items in Item No. 3 and consider them one-by-one because they are dissimilar enough that it's hard to overlap them. So, Mr. Knapp, Item 3B please.

B. New Construction — Multi-Family

Multi-family
2416 S. 51st St. - 915601



Mr. Knapp said first thing I'm going to say is this application was held by the Planning Commission and maybe we hold this item until it is resolved in the Planning Commission. I'll give you a little summary of it. This is for a senior living project, and they needed two access points, one is here on Gibbs, and they didn't have another place. This is a Land Bank lot that the fire station is on so they want to make an access point that goes right over here to Matney. When this

project first started the Fire Department was okay with taking that land and making a driveway to add a second access point, but then plans have changed as we closer to decommissioning that fire station for the new fire station that's going to be built and the plan would be to turn that old fire station into a community space. That's kind of the summary of what's going on. If you have any questions.

Chairman McKiernan said I guess Mr. Knapp my question would be given the uncertain future of this lot and the timeline for this, is it more advisable to put this application on hold until there's more clarity? **Mr. Knapp** said it definitely could be, but like with any other option agreement, we definitely would not transfer the property until we have a building permit.

Chairman McKiernan said I appreciate that, but we do have someone, the applicant who's going to expend some, potentially money and certainly some time in trying to do due diligence before constructing this project, and I'd hate for the applicant to do all of that only to have things change. Does any other member of the Committee have comments or questions for Mr. Knapp?

Commissioner Burroughs said, Jud, isn't this old Tower Lanes bowling property? **Mr. Knapp** said yes, Commissioner.

Commissioner Burroughs said if I remember correctly, there were apartments initially proposed for this property along with a lagoon or a retention pond, I guess I should say, which would have found itself right along the backside of where the fire station is, I believe. **Ms. Carttar** said yes, you are exactly right Commissioner Burroughs, this was probably about two years ago proposed as a multi-family project. We had discussed the same plan to use the northern half of this Land Bank lot as a secondary access point. However, at that time it did not move forward through Planning Commission. They have revamped and retooled the plan, now they're projecting or proposing a senior living project. As Jud mentioned, at the top, it went to Planning Commission last month in December but was held and I would suggest honestly that we hold this until there is clarity from the Planning Commission side. Once see what direction that will go, then I think is a better opportunity for us to be able to present to you more clarity on the project.

Commissioner Burroughs said I think it's important that we do just that in light of the fact that the proposed new station in Turner may very well impact this fire station and I would hate to

see money expended or additional construction and then find out that we're not going to be able to move on a timeline that the city has set, so I would ask that we hold this over.

Chairman McKiernan said any other comments or questions for Mr. Knapp or Ms. Carttar on this item? I guess my question would be, do we want to take action to hold this or simply not advance it?

Commissioner Townsend said just from my following of the issues here, if we did not advance it, that seems to be a dispositive outcome, I would be in favor of holding it over so that more details are clarified at a later date.

Commissioner Burroughs said I'll make that motion, I thought maybe my fellow colleague was going to make that motion, I'll make that motion. **Commissioner Townsend** said well then, I will second it.

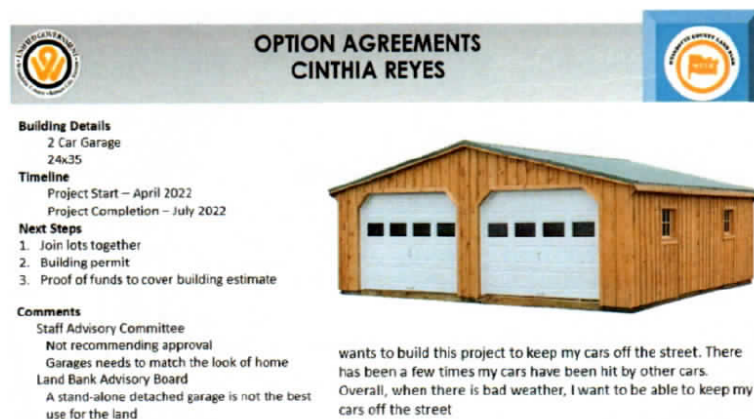
Action: **Commissioner Burroughs made a motion, seconded by Commissioner Townsend, to hold over until there is more clarity to be presented.** Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Burroughs, McKiernan.

Chairman McKiernan said that takes us to Item C3, new construction of a garage, Mr. Knapp.

- C. New Construction — Garage
 - Cinthia Reyes — 1 garage
 - 1131 Rowland Ave. – 157068



Mr. Knapp said this new garage is requested on a Land Bank lot at 1131 Rowland Avenue. The applicant currently owns 1129 Rowland Avenue. The zoning is R2, so it does meet the zoning requirements.



Staff comments are not recommending for approval. The accessory structure must match the building materials of the home, and this is a big lot that can have a home built on the lot. The Land Bank Advisory Board comments are a stand-alone, detached garage is not the best use of this land. This concludes my presentation on this one.

Chairman McKiernan said do I assume that the text underneath the picture of the garage here is from the applicant? **Mr. Knapp** said that is correct, that is the why they want their garage.

Chairman McKiernan said any comments or questions for Mr. Knapp on this application?

Commissioner Davis said is it possible to ask for a different rendering of the garage so that it does match the look of the home, and if so, what would that action look like from our committee, would we hold it, would we vote against, how would that work? **Mr. Knapp** said, Commissioner, the first rendering that staff commented on was a steel building. I didn't reach out to the applicant for another picture of the home, this is what they provided me. Before they would get the building permit, it would have to be reviewed to make sure that the building materials match the home, so Building Inspection would handle that for us.

Chairman McKiernan said so it sounds as if we could make this a stipulation of getting the permit for construction. **Commissioner Davis** said okay, gotcha.

Chairman McKiernan said, Commissioner Davis, we have all wondered sometimes whether or not the photos that are on these slides are just from some stock photo library somewhere, or if they really represent what's going to get built. Most of the time they do represent what's going to get built.

Commissioner Townsend said is the applicant the homeowner of the residence that's to the east or to the west of this property? **Mr. Knapp** said it would be to the east at 1129 Rowland Avenue.

Commissioner Townsend said I agree with the comments that have been made thus far if that rendering is what is to be built, it would not blend in with that neighborhood. I'm not the best with sizes, but that rendering almost makes it look larger than the homes that are there and out of place. As much as we want to promote building and get rid of vacant lots, the garages are not the highest use, in my opinion, compared to an actual dwelling. That would be my comment with regard to that application.

Commissioner Burroughs said I don't disagree with the statement that was just made, but if they were to attach the garage to the home with a breezeway or patio, Jud, would that then be determined as an extension on the home with a new roofline that would attach the two, or would it still require an individual homebuilding permit? I'm just looking for some guidance here. **Mr. Knapp** said that's the first time I've ever been asked that. I do know that a stand-alone garage requires a building permit. I would definitely have to get back with you on that one.

Commissioner Burroughs said I would ask that you do because I think that may be an alternative to increasing the value of a home and of the property for those that have lots next to them. If they definitely do want a garage but want to incorporate it into their home by attaching the two and creating additional living space, that may be an option for us as a planning organization to help guide that. I would just as soon have some building on a lot more than a garage, but if the garage is attached to the home by a roofline, it would seem to me that would qualify as an extension of the home, and therefore, would be allowed through a permit. Just a point of clarification, that's all.

Commissioner Townsend said along the lines of the comments that Commissioner Burroughs just made, what I'd like to do to give the applicant every opportunity and our staff the opportunity to look at other possibilities with this submission, to hold this over to our March meeting. We're in January already, February, hold it over to the March meeting and have some of the questions that Commissioner Burroughs raised answered and to see what else the applicant could do with taking better advantage of that entire property. That lot is pretty deep from the street. That would be my motion to hold this over until our March meeting of this year for more details and for more evaluation or thought about what else could be done by the applicant, if they're so inclined, so that's my motion.

Action: **Commissioner Townsend made a motion, seconded by Commissioner Burroughs, to hold this item over until March meeting.** Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Burroughs, McKiernan.

Chairman McKiernan said we will see that item again at our March meeting.



Option Agreements
Agenda Item – D
Commercial
3

Chairman McKiernan said for the benefit of the committee, I'm going to suggest that we take Item 3D and break it down and consider D1, D2 and D3 all separately because they are dissimilar enough from one another. Mr. Knapp, if you could present 3D1 please.

D. New Construction — Commercial - 3

1. Chris Solutions Construction LLC
4815 Parallel Pkwy - 916619





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

Comments
Staff Advisory Committee
Land Bank Advisory Board



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
appear

Mr. Knapp said this is at a Land Bank lot at 4815 Parallel Parkway. It's for an office and a warehouse. This is for Chris Solutions Construction, the same person that has rehabbed homes and is currently building two homes. They want to build an office building and a warehouse, and is currently zoned at C1. They would have to change the zoning to C3 to allow for contractors like building with an office and a warehouse setting. Staff and the Land Bank Advisory Board didn't have any comments on this project. That concludes my presentation, Commissioner.

Chairman McKiernan said I do believe we saw this particular Land Bank lot at last month's meeting and so now we have an application for an option on the lot. Any comments or questions for Mr. Knapp from the Committee?

Commissioner Townsend said correct me if I'm wrong Mr. Knapp, but maybe it's already been stated, Chris Solutions has been one of our most prolific contractors with the rehab, our Rehab Program. **Mr. Knapp** said he's has been a member of it. He has two completed rehabs and the after photos were very nice of them and he's currently building actual homes in KCK right now, so his plan would be if he is to build 10 homes per year in our community and this headquarters office/storage warehouse would help him do that.

Commissioner Townsend said well, you just answered the last question about how constructing this warehouse would help facilitate his capacity to continue his building in our area. I would say if this building is as presented in this depiction, it would blend in nicely, in fact it would be, I'd consider it an upgrade to the area in which he wants to build. So, I would be in favor of this project and move to approve this application.

Action: Commissioner Townsend made a motion, seconded by Commissioner Davis, to approve as submitted.

Commissioner Burroughs said question from C1 to C3, is it because it's a warehouse storage facility that we have to change the zoning? Mr. Knapp said that is correct. I believe C1 is like a small strip mall type thing, but C3 has an office space, and it has a storage warehouse with it. What the difference is from industrial zoning, like the N zonings is that it does have an office space with it.

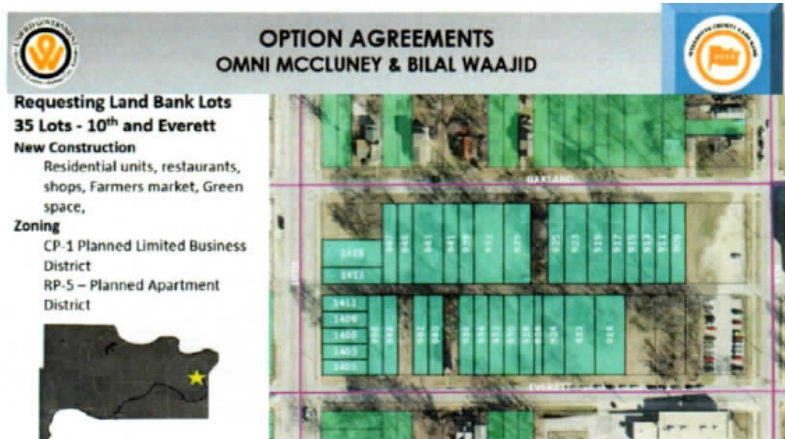
Chairman McKiernan said any other comments or questions from the Committee? I'll ask the Clerk if we received any correspondence regarding this particular application? Ms. Facio said no comments were received.

Chairman McKiernan said is there anyone among our attendees who'd like to make public comment on this application? I don't see any hands up. With a motion and a second, roll call please.

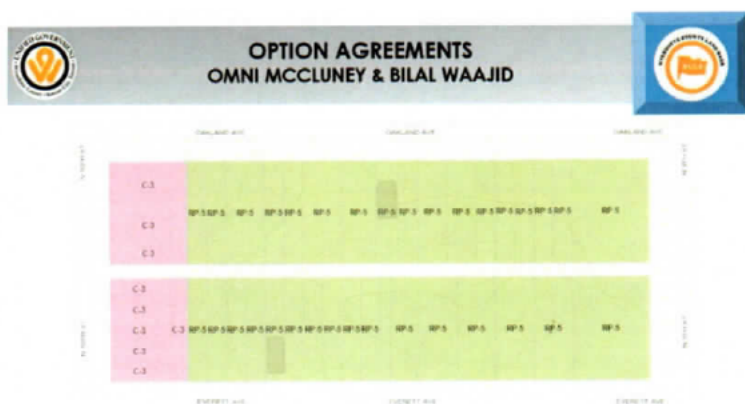
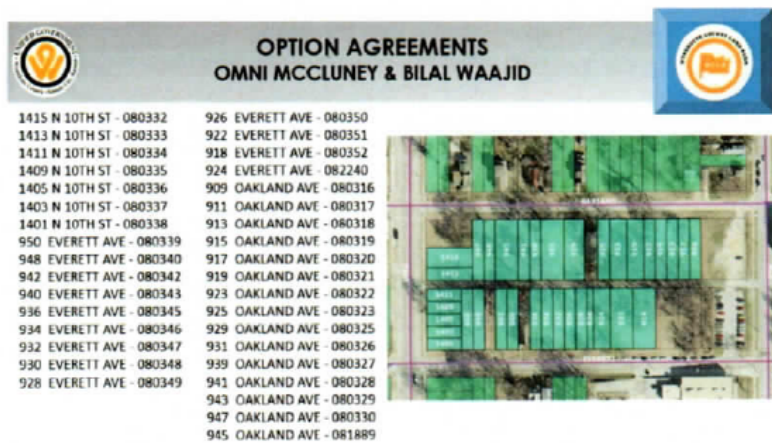
Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Burroughs, McKiernan.

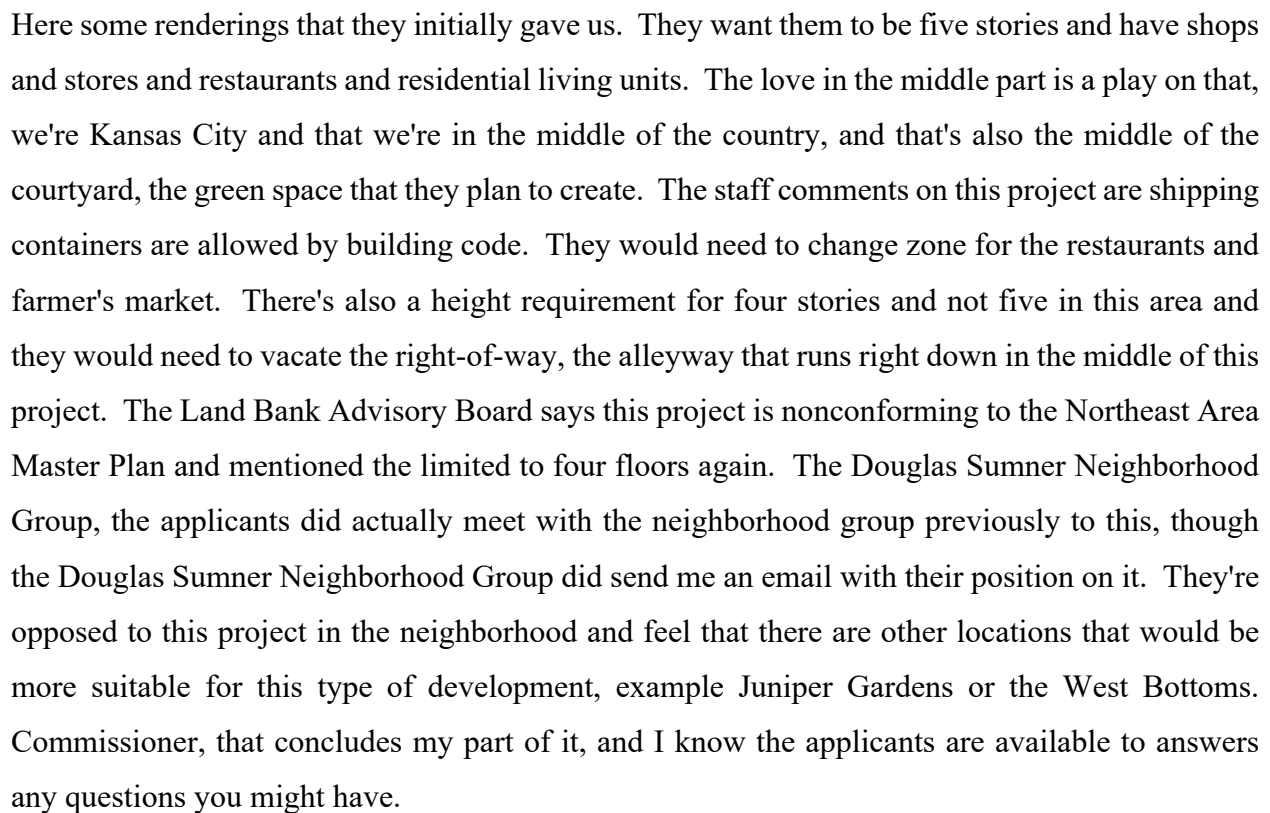
Chairman McKiernan said that takes us to 3D2, a requisition for 35 Land Bank lots.

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.



Mr. Knapp said I do have to say the applicant is here and is planning to present also, but I will do my little piece first. They're requesting 35 lots at 10th and Everett, 9th and Oakland, that whole block. They're planning residential units, restaurants, farmer's market, and a green space. This is going to be built out of containers.





Commissioner Stites said I was excited to see this at first, and then when I heard shipping containers, I went oh, immediately. Have they done anything like this anywhere else, do they have

photos of what this may look like? It's just hard for me to, I'm thinking of shipping containers just stacked up on each other, and what that looks like out on a barge at sea. I'm just trying to visualize what this looks like. Do we have any other, any kind of pictures or anything that we can look at? **Mr. Knapp** said, Commissioner, the applicants are supposed to be bringing some renderings with them.

Omni McCluney, Representative of Bilal Waajid, said I have Bilal Waajid. We are actually a part of this agreement here; this agreement you guys are discussing. We actually do have renderings that we are prepared to show you. Whenever we're able to do that, I would ask if Jud could give Bilal Waajid permission, for his computer so that we can show that? **Mr. Knapp** said I have stopped sharing, so you should be able to do it.



Bilal Waajid said what I'm wanting to do real quick is share our screen. I have some renderings of what we're calling Cargo Town. First, let me just say really quickly, Cargo Town is an acronym for Community Activating Really Good Opportunities. It's a mix, multi-generational space that's going to house both residential commercial components. So, really quickly, I'll present to you some renderings.



This right here that you see is a—we're going to have two main spaces down here on this side of the property which will house a vertical farm. I have renderings of the interior as well, so don't worry you'll be able to see that. This will house a state-of-the-art vertical farm as well as a medical clinic on the bottom floor and a business incubated to promote technology and growth in the community. The opposite end of the property you see here, this building, will be a farmer's market, designed to create more options as far as groceries in the area. We want to promote people to come and actually do business in this area. So, this area you see in the middle, is actually a restaurant, which you'll also see some spaces, will have open green spaces here in the middle, we'll show more angles of that. This is the rendering of a dog park here.



This is another angle of it.



This is an interior—giving an idea of what it will look like in the vertical farm space on the inside. These vertical farms basically can occupy 10% of the same land space and generate enough produce to feed up to 100 families weekly. We want to partner and co-op with local elementary schools in the area to allow this to be an educational tool as well. This based level down here will be set up to be a medical clinic. We're already started talking with local medical agencies that are interested in potentially partnering. Upstairs we'll have a business and tech incubator as well.



This right here is a farmer's to show what a rendering of what the interior of the farmer's market could potentially look like. We want to promote healthy eating. And again, want to also sell produce from our vertical farm as well as much local produces as we possible can. We'll want to create a number of jobs for the community.





So, it's just an idea what it will look like. We want to promote also industry and innovation.



This right here what you see, is an interior rendering of really cutting-edge concept of a floating restaurant. I don't know if anybody has seen it, but you have these floating restaurants in some areas, a few around the world. So, we want to bring that innovation here. We're going to use this as a place where people come in, enjoy a meal,...



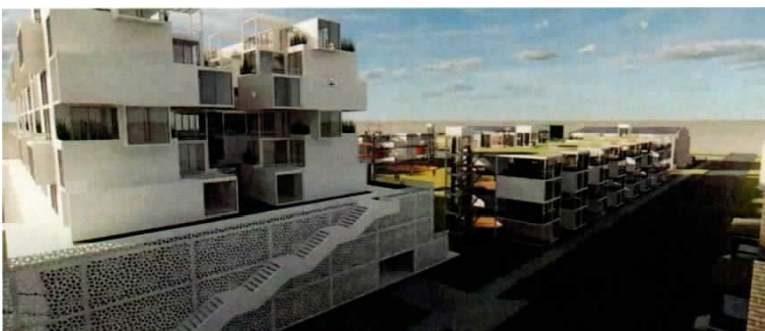
and then float across the property. On both, like I said, the right and the left of the property will have shops, where you have elevator access, stairwell access, and plenty of green space, a fountain right here, plenty of walking space for people to enjoy.



Of course, we'll have our KCK logo.



This is more of an aerial view of the property; you'll see the homes are along the side of residential areas.



This right here is a parking deck, 3-story parking deck that will be able to house enough vehicles to fit, to not only take care of the residential space above,...



which will be multi-generational space where both young and old residents will be able to live there. We're right now estimating about 40 beds, 40 beds to be able to go in this space right here.



This is another view of the restaurant space on the other end between the farmer's market and the vertical farm. We want to really provide like a holistic approach to health and economic development. One of the concepts is that with these storage container structures, we're able to build them at an affordable rate, and also be able to encourage members of our community to get an opportunity to become entrepreneurs. We've already also started talking to organizations that are specifically designed to help entrepreneurs get training and they expressed a lot of excitement about this project. So, there's a huge social aspect to this. We're not just, we're solvent economic issue, we're dealing with the food desert, we're providing growth and new jobs, we're also providing opportunities for sustainable growth over time, and also relationships with the local schools. If you have any questions at this time, I think it'll be a good opportunity for that.

Chairman McKiernan said thank you so much for that presentation. I'll go back to Commissioner Stites and just ask if you have any comments or questions after seeing this little bit of a presentation?

Commissioner Stites said I appreciate that. The concepts look good, the drawings look great. Interesting about eating in a floating restaurant. I'm not sure if I've ever seen anything like that. One thing in the presentation was 40 beds, so I'm assuming on this picture that we're looking at right now, and I see the eight green rooftops, is that one unit, one house, because 40 beds in this whole complex seems like a very minimal amount.

Mr. Waajid said the residential aspect of the property is here, if you can see my mouse, the white space here. These are actually shops, restaurants on this side and these are shops, so restaurants on this side, shops on this side. This is where the farmer's market will be right here, and this is the incubator, so residential is up here.

Commissioner Stites said gotcha, gotcha. Do you have any photos, or have you been involved in a project like this in the past that we can see to completion, or see any photos?

Mr. Waajid said there have been several projects like this done in several cities, Las Vegas, Tampa, Atlanta, Georgia, several shipping container-type structures. The first thing to understand is that the shipping container is simply a structure, right, it doesn't have to—it's literally a rectangular shape and it can be formatted to however the needs of a community is. So, if a side could be altered and adjusted to—and actually, you can look at it almost like four steel studs. These things are made to ship across oceans and so they can literally be formatted in any way. We actually have a website we could go to if you want to see other options of how it's been done, and actually videos of these same projects being used as a huge economic stimulator for the community.

We really want to play up the idea also that Kansas City, Kansas as a big and growing international community. The whole idea of shipping containers as a metaphor for us all bringing something amazing to the table, and that collectively when we come together, we can create something awesome. That's why, really, we wanted to have—make sure we brought green space to the table, that's something our community desperately needs. We want this to be a magnet for partnership development. We don't want this to be an isolated group. We've talked to local schools, and community members, even actually on this plot of land there's only two lots that are still occupied by residents. We talked to one of the owners specifically and she was extremely excited about it when she found out about the holistic approach. In fact, she said sign me up for the first business, so I can put my shop there. We really want to look at this as a way where families can take one particular shipping container unit as a store and create it as a way to create

jobs for the families, and we don't just want to send them there, we want to also give them the tools to be successful as well.

Commissioner Stites said I sure appreciate the presentation, and I like the things that you touched on, partnering with the schools, getting the community involved, the farmer's market, bringing a grocery store aspect into that area. I'll tell you; I like the presentation and I like your—I'll be interested to look at some finished product and see where this is at, but I appreciate the presentation, thank you very much.

Commissioner Davis said let me first state, wow! I am enamored by this and fascinated, and I'm excited quite honestly at this possibility, so thank you all. This is the type of innovation that we really need here in KCK. It's just exciting that we are beginning to see more and more, not only from staff but also from outside developers. I do have a question about these kind of, I don't know if these are tiny homes, kind of in the background there. What are those? **Mr. Waajid** said these right here? **Commissioner Davis** said yes. **Mr. Waajid** said these are actually reflective of more of the traditional homes that are in the area. That's pretty much it. The property basically is everything you see on this sidewalk interior and the other side. This is just an idea of what Ms. McCluney said the purpose was just to show the complex. With the homes that are already in place, and show you want they look like.

Commissioner Davis said this is incredible, thank you.

Chairman McKiernan said I would note that I got a communication from Commissioner Johnson, who is In-District Commissioner for this area, and he let me know that he is not in favor of this particular use of these Land Bank lots. Mr. Knapp, could you confirm, it was the Douglas Sumner Neighborhood Group, and who else commented in terms of this proposal relative to the Northeast Master Plan? **Mr. Knapp** said it was a comment from our Land Bank Advisory Board meeting. And yes, it was the Douglas Sumner Neighborhood Group that emailed me, and I just basically read their email to you.

Chairman McKiernan said I'd ask if any other member of the Committee has comments or questions for the applicant? I don't see any. I would ask the Clerk if we received any public comment on this application? **Ms. Facio** said no comments were received.

Chairman McKiernan said I do see Greg Kindle of Wyandotte Economic Development Council has his hand up in the attendees list. Mr. Kindle, if you'd like to offer public comment on this item, you are ready to go.

Greg Kindle, President of the Wyandotte Economic Development Council, said thank you Standing Committee for just giving me a couple of minutes. I think from the presentation, you can tell how quickly, as Commissioner Davis said, you can become enamored with Omni and Bilal. I've spent just a little bit of time with them, kind of talking through the concepts, and agree that this kind of entrepreneurial ecosystem is what we need here in the community, and probably in multiple different locations, frankly, across the community, where you could have something like this that blends into the neighborhood. I did note to them that we looked heavily at the Sumner Douglas Neighborhood response, and so there is a concern on our part about whether this is the right location for it, and I know that they have recommended Juniper Gardens, but you still have to have the ability to get folks to it, right? So, putting it over in Juniper Gardens where it's sort of out of the way solves one problem, but creates a whole other one if you don't have the traffic counts.

One of the conversations that I think needs to happen, if you all decide to table this or not move forward with it, we really do want to make sure Omni and Bilal understand that we would like for this project to move forward somewhere. We would like to do some collaborative programming with them in the spirit they have presented because I think it really is a unique opportunity for us to work together.

Whether this is Indian Springs or some other location that has a lot of traffic and a lot of visibility, could become a real linchpin for doing it in other locations, sort of a hub and spoke. I just want to make sure that I weighed in on this from the perspective that I don't want anybody to get discouraged if Omni and Bilal don't get the response they want tonight, but also let you all know, at the Commission level, that we're very supportive of this kind of concept and the organic kind of style that this brings forward. Because it blends both—sort of again this organic piece of it with actual existing resources and the ability to plug in... **Ms. Facio** said you have one minute remaining. **Mr. Kindle** said...existing resources and programming with new ideas as well. So, sort of this live, work, play concept with some art and culture, I think could be really very interesting for this community to embrace. I just wanted to go on record with that and thank Omni

and Bilal for their time and their efforts and for the team at the UG for the work they've done as well.

Chairman McKiernan said certainly appreciate the thought that we want to optimize and find the best location for a project like this.

Commissioner Johnson said again, I want to reiterate what's already been said. This looks like a great innovative project, and I too agree that we have to find a space that this project can move forward on. But I have heard from the Douglas Sumner Neighborhood Association, they are a very active neighborhood association for many, many years, and they do not agree that this will be a good fit for them. They have gone through extensive master training course, not courses, but they've had a master plan developed for that area and it's been looked at, it's been updated a few times and that quality-of-life plan does not call for this e of development. Also, you all are aware we went through extensive work in putting forward the Northeast Master Plan as well, which kind of layers right; they layer on top of each other in terms of the kind of projects that we're looking for. So, while it does not work for this particular area, I would say that I would like for this project to continue our conversations to find a place where it would work. I would tell you I look at the Rock Island Bridge Project that we have, and that would seem like one area, not to say that it's the place it needs to go but there are other areas in Wyandotte County that I think this would be a better fit for, so I'd like for the conversations to continue to see if we can find a fit to where it might be.

Commissioner Davis said I just had a question to the developers, what were your names again? They both responded to Commissioner Davis' question regarding what their names were.

How committed are you both to this particular area, because we do want to honor and hear from our residents and our neighborhood groups, but was there a particular reason why you all chose this particular location? Was it the space, or could you speak to that?

Ms. McCluney said sure, that's a great question. I have family ties that go generations actually back to this property. I own a lot on this particular property here. My Great, Great Grandmother lived on the hill there at 910 Everett, and I own it now. Basically, looking at the area, I'm a McCluney, so all of family still lives in Kansas City, Kansas on 1030 Waverly Street.

The Eighth Street Jewelry Store, that's my cousin's, the voices. I have very, very close ties to Kansas City, Kansas. I was kind of almost raised there but all of my family went to Sumner Academy, so that is why, but to answer your question, no, we are not physically attached to this area. If you guys do have other recommendations as to where you would like to see it, we would be open.

Commissioner Davis said I will say this, there are many commissioners, we were talking amongst ourselves saying if it doesn't go here, there are other places. There is somewhere in KCK where we can make something like this happen and that is my hope.

Commissioner Townsend said thank you to the applicants for your interest in our community. I did have a similar question as to whether you were currently residents of the area?

Ms. McCluney said currently, no we're not residents. Like I said, my family lives there, and I'm always back and forth to Kansas City, Kansas. I'm taking care of my aunts that live at 1030 Waverly. I'm always there, and we're definitely open to relocate, that's not an issue at all. We have two houses in our family there still that I kind of run a little bit.

Commissioner Townsend said again, thank you for your interest. The McCluney name did ring a bell with me, but I was just wondering if you were current residents and that ties into the next comment. At least since the time that I have been on the Commission, there have been various proposals about using the shipping containers. I am very familiar with them, my first job out of college was as an employee with one of the biggest and best shipping companies in the United States, SeaLand Service, we move the world as they use to say. Wanting to upgrade the look of our community has been a big thing since I've been here and I'm sure others before me, but I can only speak to the time that I've been here. So, the use these containers for various and sundry things has not been something that this Commission and previous iterations of it, since I've been here has been fond of. This depiction looks good, I would be interested in actually seeing a community used with these containers. Drawing is one thing, but to actually see something like this as it truly exists, I'd be interested in, so if you could direct me to that, that would be interesting to see.

That was the other question I asked, if you were familiar with here because that's the way this Commission had been going. We don't want to see or want to decrease as much as possible vacant properties but that's not to say just anything will do. You're talking about District 1, when

you're talking about Juniper Gardens, and again as Commissioner Johnson has already mentioned, there's been a lot of time spent on the Northeast Master Plan and what that can mean, and I know because when I first came in, that's what I brought to the Commission with regard to really nice homes that were not selling along 13th to maybe 20th and Quindaro at the time. To me it's about upgrading the look of housing in the community and not just anything.

I like the idea of the varied and sundry issues that you're trying to address by the concept, but if you can direct me to something has been in fact, done and already exists, I'd like to take a look at that. I have to admit I'm giving you the side eye right now, that's just because containers are containers, so I'd like to see something in actuality and not just a schematic. But again, I appreciate your interest in the community and what you're trying to do with it.

Mr. Waajid said I'm having a time finding my hand raised, so I'm going to do it manually here. Is my hand raised here? **Chairman McKiernan** said it is.

Mr. Waajid said thank you for your comments. I wanted to make two statements. One was the comment have you been a part of this project or something similar to this before it? The answer to that question is yes. If you guys can take your note and go to, . . .



whenever you have free time go to KCKCargoTown.com,...



and on the site not only do we have a demonstration of the slides that we're showing here, but we also have some video testimonials from people who have actually been a part of a project like this. There's an area of Atlanta called Edgewood. Edgewood was an area very much so like this neighborhood. It was largely residential, and I work with the nonprofit organization that was designed to basically bridge commercial, corporate, commercial schools, churches, bring it all together to basically turn this area around. If you go there now, it's a mass of catalyst for growth, for the whole areas turned 100% around. What we're looking to do is also, not only do something where we're going to spark the community, but we also want the community to have a stake, financial stake in this project, and also to create sustainable, well overtime by having businesses that they can afford, in fact, you mentioned that we talked to the people in the neighborhood group. Now, mind you, we actually met with them for almost three hours, two and a half hours. and they told us individually we really like to the project. They really just needed to know more about how the physical look, we didn't have our renderings at that time.



You asked the question about examples of what it could look like. If you go to this website at your leisure, you have demonstrations of how cargo containers do not look cargo containers. Just look at it as an infrastructure, it's simply the bones of the structure.



It could be formatted to however you want it to be. In fact, we have videos on here that you can go, and you can check out where this has been done in other areas.



Really what is does, is this is more of an industrial look but it can be done. . .



to look extremely refined,..



it could be used to make huge buildings like...



the options are endless. In terms of our layout, we do have some drawings that we presented that you'll find on the website but in terms of...



the layout it can be designed anyway we want.

Commissioner Townsend said what I was asking for, and you may have alluded to this, where I could see an actual, not a drawing, but an actual. The other question I would have, in those places where there has been actual housing, what's the price point? **Mr. Waajid** said let me mention something on that really quick. For example, these homes are extremely on an uptick, in terms of

cost. I can tell you one specific property amongst many, for example, like in Houston, Texas. It was a 3-story cargo home that was on the market recently for around \$400K. People are looking at this as a way to not only send a signal that they're eco-friendly and they're finishing them inside with high-end finishes. It's really a statement piece as well it is holding the value of the neighborhood as well. We can send and have more copies or options of that can show this online as well. But if you go to the website, a lot of information is there.

Commissioner Townsend said and which website is this? **Mr. Waajid** said you can go to kckcargotown.com. It lays out more about the benefits of the project and also has some video testimonials, you can learn more about us. There are video testimonials from CEOs and directors who know more about us, they can tell you more about the project and why it makes sense, that they seen this type of project work in the past.

Commissioner Townsend said will I also see, though actual homes? **Mr. Waajid** said ma'am, I'm sorry.

Commissioner Townsend said will I also, if I go to the website that you just recommended see actual homes made of these containers? **Mr. Waajid** said you'll see the renderings that we presented, but we have examples that you can see of actual homes made from cargo containers. **Ms. McCluney** said you'll see examples of buildings that have been made from the cargo containers and different commercial shops that's been made from cargo containers. There are the actual shops, they're actual buildings.

Commissioner Townsend said but not homes. **Ms. McCluney/Mr. Waajid** said there are homes on there also. This right here is a home. This is an example of a home. **Mr. Waajid** said one thing too is that you'll find on trend is that around the country when these structures are being put up, it sends a signal to the public that this area is really an innovation space. All the cities that have used these, and in downtown Atlanta, it's in the most exclusive neighborhoods they're putting these cargo containers. It sends a signal that not only is the city on par to do real innovation, but they're trying to attract a type of talent that sends a signal that this city is moving forward. People are looking at this as a way of the future.

Chairman McKiernan said I'm going to recognize Beverly Easterwood who's in the attendees list. Ms. Easterwood with Douglas Sumner Neighborhood Group, I do believe we have you, yes

you are unmuted. Ms. Easterwood if you would like to offer three minutes of public comment on this application.

Beverly Easterwood, Douglas Sumner Neighborhood Group, said I'd just like to say yes, we did meet with the developers. We think this is a truly unique and innovative project, but as Jud said he read in my comments, that we just don't feel like Douglas Sumner is the right location for this. I believe one of the projects was used as an example was in the downtown Las Vegas area. That particular area is primarily commercial. It's night clubs, it's restaurants, it's casinos, which does not represent our location. So, again, we think this is a great unique project, but we think there are areas of Wyandotte County area that would be better suited for that location, and I just heard Greg Kindle mentioned possibly Indian Springs. I didn't even think about that site, that would be great site for it. You have our support in the right location.

I do have a question for you Bilal. The project that you said you were involved in, in Atlanta, was that Cargo Homes also? **Mr. Waajid** said actually, believe it or not, some of the homes were built with cargo containers. But it was a little bit of mixture between modern architecture, traditional, a lot of traditional homes that we have currently in the area, in the Sumner area and a mixture of cargo. A lot of the new renovated spaces are not just this one model of the types of homes. The new innovated are a mixture of different types of homes, cargo container homes, mixed with some modern architecture and traditional architecture as well.

Ms. Easterwood said those are my comments, thank you.

Commissioner Stites said my last question would be what is the footprint of your proposed project? You can give it to me easiest in probably acres. What would be a minimum amount that you would be looking for and what's that size at your current proposed site? **Mr. Waajid** said the current proposed site is between 4.6 acres, but honestly if we had more it would be better, but currently that is the footprint.

Commissioner Stites said okay, thank you.

Commissioner Davis said I just wanted to say because I know we've been on this for a while. If this location does not work out because that's where my vote is leaning towards, that you all stay engaged with us. I know Greg Kindle was on earlier as well because I do believe there is a place

in KCK. The Indian Springs land is in my district, and I know there is a lot of questions that's going on there. There are other places, so please do stay engaged and thank you all for bringing this to our attention.

Chairman McKiernan said so, for the committee, we have the application that is in front of us this evening and do want to know if we want to have any action from the committee on this application? Once again, is there a motion from the committee on this application? I don't hear a motion from the committee regarding moving this application forward, so the application for these particular lots at this particular time will not move forward in the process. But I think to the applicants you have heard from members of the community as well as members of this committee that there is interest in finding the right location to put this project into play to make it very successful. So, I think our way forward on this is that this application will not move forward, but we encourage the applicants to stay engaged with both community partners and Commission partners to continue to discern the right location for this.

Action: Does not move forward due to a lack of a motion.

Chairman McKiernan said that takes us to 3D3.

3. Kansas City Kansas Community College — Downtown Campus
632 State Ave. - 082174
1101 N. 7th St. - 082176

Mr. Knapp said, yes Commissioner, I believe Katherine Carttar is going to take this one.



Ms. Carttar said this is the KCK Community College site. I believe a number of you all are familiar with this project. It has been quite some time going through the Landmark Commission, and that process has concluded. The next step would be to come to us for these two properties. One is the church there on the corner of 7th and State, the other is the old Firestone Building. As you can see from this photo, the roof has substantially caved in, and it has some big issues.

What we would propose is to grant an option for this property recognizing that we would not transfer these properties until they have—we've used the same kind of parameters and yardstick that the Landmark Commission suggested, which would be the 70% of their fundraising be accomplished for their project, which is the \$70M project so that's a pretty substantial fundraising ask. That was what the Landmark Commission suggested is that once they have reached that 70% threshold, then they would be permitted to demolish those buildings, so we would stick with that same threshold, provide them the option that would allow them to continue to fundraise that would get them site control, allow them to continue with their architecture, rendering and planning, and then again when they hit that 70%, we would then move forward with the deed and transfer and then they would move forward with the demolition. Happy to answer any questions.

Chairman McKiernan said any questions or comments from members of the Committee for Ms. Carttar?

Commissioner Burroughs said Katherine, do we know where they are presently in their fundraising? **Ms. Carttar** said the last update I received is now a couple months old, so this may not be the absolute, most recent, but last I knew they had about \$30M raised or at least committed, and they're under the 50% mark, but they had some pretty significant, they received a \$10M raise

from the Sunderland Foundation and had some, a lot of grants out but they certainly have a ways to go but are moving forward, \$30M isn't nothing. That's where they were most recently at.

Commissioner Burroughs said well, in private equity dollars today, that's a significant amount of money. I would say that in most cases, having options on this property, allows them to send the message that it is a viable project and allows the investors the opportunity to see that the land is there, and they have options on that property, if I understand correctly. **Ms. Carttar** said yes, that's correct.

Commissioner Burroughs said I have no other questions. If you need a motion Mr. Chairman, I'd be more than happy to make the motion.

Chairman McKiernan said if you would please.

Commissioner Burroughs said Mr. Chairman, I'd move that we approve Item D3.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Townsend, to approve Item D3 as submitted.**

Chairman McKiernan said we have a motion and a second to grant the options on these two properties, and Commission Burroughs you were correct, 632 State and 1101 N. 7th Street. Any other comments or questions from the Committee?

Commissioner Stites said sorry to throw this question in at the end, right before you're getting ready to take a vote here. It was my understanding that 70% of funds needed raised would allow them to start demo on a building, like at 1101, is that correct, is that what we're saying that the milestone is 70% would allow them to do that? **Ms. Carttar** said that's correct, so that threshold came from the Landmark Commission. This was long debated, and they really worked through these issues to ensure that they would not get to a point where they demolished a property, and they were not able to move forward with the project. That was the goal, is finding what that threshold was that they were guaranteed to move forward with the project, so we would be—I think we proposed that would be the same threshold that we would put in place.

Commissioner Stites said I guess what the only thing that I would have say on that is if we've got a dilapidated building, the roofs caved in, it's falling in, it needs demoed today, why are

we—and we've got somebody that's ready to tear it down, I'm happy with the amount that they raised already if they want to tear it down. Let's get the eyesore out of the way if that's the case. I'm not sure how any of the other commissioners feel about that, but if it eliminates a blighted building and starts moving—if this project goes forward or it does not go forward, then we have a vacant lot there that the structure's taken down, and that's the only comment that I have.

Commissioner Johnson said you know, Commissioner Stites brings up a very key thing that he just said, and I'd be interested to know what capacity this Committee would have to essentially overturn the directives of the Landmark Commission with regards to the amount that needs to be raised before the project—or the buildings can be demolished. Is there any idea from anyone or Legal as to what needs to happen on that?

Chairman McKiernan said I guess I would follow that up and ask if we were to grant the option under the old stipulation from Landmark Commission, is it possible to update that stipulation and potentially accelerate the exercise of the option? **Wendy Green, Assistant Counsel**, said I think that the Landmark Commission, I would have to check to see if they follow any statutory guidance to see if their statutes overrule our Land Bank statutes. I know our Land Bank statutes is pretty open; what we want to do with land that comes in as the Land Bank Board of Trustees'. If you want to create a stipulation on something, you guys absolutely can do that if you want to. The statutes are pretty silent as far as with the Land Bank can and cannot do with stipulations on properties incoming into the Land Bank, but I would have to look to see whether or not Landmark's request or requirement would trump/overrule, I'm not really sure what the right word would be, what the Land Bank wants to do, since the Land Bank's statutes are pretty silent as to that. So, I would think if they have to do something to make the Landmark's requirements, we would at least make sure that they did at least that. If we wanted to be a little bit more generous as to when they started, I think we could, but if it interferes with what the Landmark's Council is saying. I don't think we should interfere with that, but as long as what we want to do with this as long as it doesn't try to overrule Landmark then I think we're okay, if that made any sense whatsoever.

Commissioner McKiernan said I think it did. I think we could grant this option and then investigate the possibility of changing the threshold.

Commissioner Townsend said to Commissioner Stites' point, I can't remember the exact date that the body as a whole, the Commission as a whole, undertook the discussion about moving forward on that project. It was before Christmas, and I think before the swearing in, that's all I can recall. And part of that discussion was whether or not the building should be demolished at all, because of its historic nature. I, for one would; since we got past that discussion, part of that threshold as I recall, the quote "homework" before that vote, was to try to ensure that enough money had been raised for this project before a historic landmark was demolished, because you can't get it back, whatever its condition is. That would be my only caution here that I think we should—I would be in favor of approving the request for the option and then if the body wants to consider some other parameters, let's do that later. There was a pretty involved discussion by the full board about whether or not to take down the building at all. I regret I can't remember the date; I just remember it was a meeting of the full board before December 16. That's all I can recall, thank you.

Commissioner Johnson said I'm not going to stand in the way of this vote, I'd like to see us go ahead and vote on it. I will say to Chair McKiernan, that it was the Planning and Zoning Department, I believe, that had the stipulations on this, as I recall from the last time we had the discussion. I think some of those stipulations were not really fully vetted at that time. I think we were more interested in getting the vote to move the project forward versus anything else. But I would say that I would like for us to revisit those stipulations that have been put on the community college. We know their track record, we know that they have capacity, they're building new apartments out at the school right now and so, I would really not want to hold them hostage by many of the requirements that came through our Planning and Zoning Department. I'm not going to stand in the way of this vote, I'll yield the floor so we can get moving with this.

Commissioner Stites said I guess this would be directed towards Commissioner Townsend. I appreciate that and I understand not remembering back to certain dates. That was prior to me, and I understand that you all had some—according to you some discussion regarding that, and I'm all about the preservation of a building, if that's the direction that you guys previously had those discussions. I was just, without that information, in my quiver there, I didn't know that. I was just trying to think of a way that we could, if that building is a building that needs to be sped up and taken down, there may be an option where we might be able to do that, but I definitely appreciate

Commissioner Townsend's comment on that and making sure because once we tear it down, it doesn't come back. An historic building, you just don't have them built every day. I appreciate that, but I would definitely like to continue to move this project forward and look at those stipulations at a later date.

Chairman McKiernan said I just want to confirm with the maker of the motion and the maker of the second that it sounds like our motion here is to approve the option with the original 70% stipulation in place and if at such time in the future we can change that, then we will revisit this item, but this will be with the original 70% stipulation in place.

Commissioner Townsend said that is my understanding and intention with the second, so yes.

Commissioner Burroughs said, Mr. Chairman, you're accurate with your statement. I believe there's been a tremendous amount of community involvement through the Landmark Commission, through community engagement, and I believe that the best thing we can do is pass the project and if these questions come forward, we address them as they come forward later. I stand by my motion to approve the project, Mr. Chair.

Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Burroughs, McKiernan.



Option Agreements
Agenda Item – E
Commercial
500 Freeman Ave

Chairman McKiernan that takes us to Item 3E, and even though there is a I and 2 under this, it is a single item. For the benefit of Commissioner Stites and Commissioner Davis, this request came before us at our last meeting. We have two entities that have a request for the same Land

Bank parcel. What we asked at that time was to hold this over for a month, so that the two applicants could come and present their vision for their use of this parcel to this Committee, and then this Committee will take that information under advisement and will come back next month with either a decision or a request for more information or whatever it might be. My understanding is that we were not going to make a decision tonight, but instead see the two presentations and take information under advisement. If any member of the Committee thinks that I don't remember that correctly, please let me know because I think that's what I remember. With that, Mr. Knapp, I'm going to turn the floor over to you to get us started.

D. 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

Mr. Knapp said like you said, there's two applications and both applicants want me to present what we have made for them in a presentation form. Before I go into this, during our Land Bank Advisory Board meeting we did receive one comment that this lot might have historical significance related to the Heritage Trail planning process and it's their recommendation that we hold and wait for the result, the Heritage Trail planning process.



The first application is for the Metropolitan Leadership Institute. This is at 500 Freeman Avenue. They plan to build a multi-purpose center.



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



The building details are they want to offices, meeting space for 150, kitchen, and community programming. Their timeline is a little different than what we're used to. They requested a two-year option for fundraising, so they have one year for fundraising, one year for planning their build, another year for building their building. They propose their building will be done by 2024.



OPTION AGREEMENTS

METROPOLITAN LEADERSHIP INSTITUTE, INC



Comments

Staff Advisory Committee

Land Bank Advisory Board

Would like a community meeting on the project





Here some additional photos of what they plan to build. Comments, Staff Advisory Board didn't have any. The Land Bank Advisory Board would like to have a community meeting on the project. I did connect the applicants with the Turtle Hill Neighborhood Group.



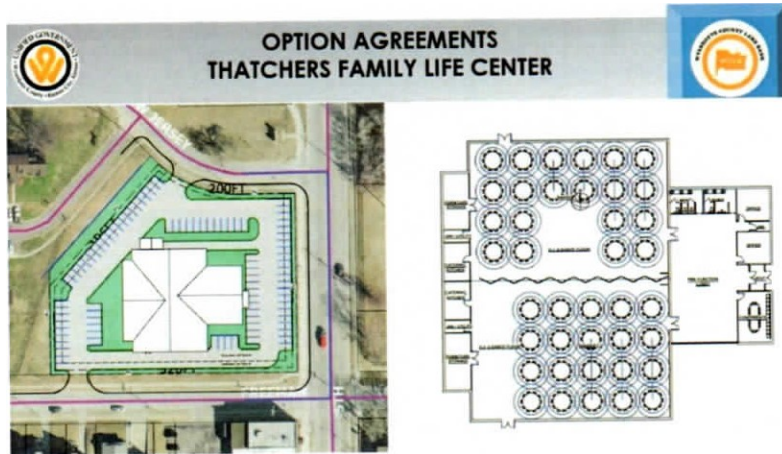
This is in the Northeast Area Master Plan; the neighborhood mixed use and small commercial retail and office buildings are allowed. So, it would match the land use.



The second project is Thatcher's Funeral Home at 1520, that's where the funeral home is. They currently own four lots, three other lots around it. Lots 1512 and 1500 were actually purchased from Land Bank in 2016.



They're looking to do an event space for after funeral receptions and a standalone rental for variety of events. They plan to be 1600 square feet, and 400 guest capacity.



These are the renderings that they provided me. And that concludes my portion of it.

Chairman McKiernan said we do have and we're lucky to have Commissioner Johnson with us this evening. I believe he is the District Commissioner for this area and then Commissioner Townsend, the District immediately to the north. I'd ask if either of them have questions or comments about what we have heard so far, and then is it my understanding that we will ask for each of the applicants to make brief comments to the Committee? **Mr. Knapp** said I did not cover that with them, I just told them to be here for questions.

Commissioner Townsend said I think Commissioner Johnson's hand was raised first Mr. Chair.

Commissioner Johnson said I have fat fingers and hit the button twice. Yes, I would just like to hear the proposals from both applicants before I would render any comments further.

Chairman McKiernan said we will ask, and I do believe one of the applicants had a hand up a moment ago, there it is again. We have a representative of the Metropolitan Leadership Institute and so since that hand—and I do believe that I saw a representative from Thatcher's online as well. Since the hand from Metropolitan Leadership Institute went up first, what I'd ask is that we allow that person to talk to the Committee. That looks like it has been allowed, and so whomever you are, what I'd ask you is that when you unmute, you introduce yourself to the Committee, tell us your name and your city of residence, just for the record, and then share brief comments about your vision for your application on this site.

Norma Lyons-McKelvey, Gladstone, MO, said I am Interim Board President of Metropolitan Leadership Institute, Inc. I was born in Kansas City, Kansas and I am personally excited about the progress to assist in removing blight, especially the northeast community and development in the northeast quarter. I grew up in this area as my father taught in Northeast Junior High School, I attended First AME Church and my godfather was H.W. Sewing, who established Douglass State Bank, which is now Liberty Bank. We are a 501(c)(3) Not for Profit Organization that was incorporated in Kansas in 2011, but our membership's rich heritage in the community stretches back to 1924. We are an organization of 190 women with various professional skill sets who historically have served in the Kansas City, Kansas community and beyond through a number of programs and collaborations with several community organizations from Yates Branch when it was on 7th and Quindaro to Friends of Yates, and many elementary schools, high schools, junior high schools. Our members have been educated for the most part but have branched out into different careers since then.

We are excited at the opportunity to apply for an option at the property of 5th and Freeman. The area is rich in the African American history and our vision is to establish a Community Engagement Center that allows for community programming in many areas of family wellness, economic sufficiency, nutrition, senior support, and leadership development, and to provide space for community meetings, activities and offices. We're practical and have applied for a two-year option to perform our due diligence on the property as it has been vacant for many years, to finalize building plans, raise funds in a capital campaign through grants and to seek construction financing. I'm not saying that it will happen this way, but look 190 members raising \$4,000 each, we could potentially pay for the construction of the property and proposed building. If approved, it is our goal to complete the building by 2024.

Chairman McKiernan said and now I see a representative of Thatcher's Funeral Home, and again sir if you would do the same. Open your microphone, please introduce yourself, city of residence and then share briefly your vision for your application for this property.

Bob Davis, Resident of Parkville, said I am the owner and operator of Thatcher's Funeral Home. I'm the fourth-generation owner of our family business. We have roots going back to the Kansas City area well beyond or before the turn of the century. Our business was founded in 1912. We've

been faithfully serving our community for almost 109 years. I have a little PowerPoint, I don't know if I can show this, but I think some of the Committee members certainly know of me and know of our family and what we represent in the community. Our industry is changing and it's going through some pretty dramatic changes regarding what the consumers wants, desires and wishes are as it relates to how they celebrate their loved one's life. Not everybody is affiliated with a church. Our business and our industry tends to be very tradition-rich and very slow to change, but the modern consumer is more and more often asking for a different venue, a different way to celebrate a death and obviously the person's life. That's what you see before you today is my vision for that location.

This would not be a traditional-looking funeral home, and I've got a few examples, again if I'm allowed to share the screen I could show you, there are a couple of these developments around the country. I'm our current State President for our Kansas Funeral Director Association. I'm the past Missouri State President, and in those roles it afforded me the opportunity to travel extensively and interact with my colleagues all over the country, and see the best and the brightest and what's working in other venues, in other jurisdictions. This notion of a Celebration of Life Center is the new on-trend movement in our industry. It would allow us to have a gathering that was custom-made or tailored for the individual. We could do banquet seating, we could do theater seating, we could rearrange however they want. We're going to have a heavy presence of video presentation for parts of the ceremony, and also open the building up for community-based events, larger groups that want to have a dinner there, a meeting, certainly not trying to replace the Reardon Center, but that's why I've chosen to build a facility that can handle or accommodate up to 400 people. Again, if I could share what I have.

Chairman McKiernan said it appears that we have released our presentation and that you have that capacity and if you want to share from your computer, and then briefly share with us those images and your vision. **Mr. Davis** said I'm not seeing a share screen option, and I apologize guys, I'm probably the worst person to do this.

Chairman McKiernan said let me just take a moment to confirm with staff that we have released share control to Mr. Davis. **Mr. Davis** said yeah, it's not an option.

Chairman McKiernan said and if that is not possible from our end, please let me know. **Mr. Davis** said okay, here we go. I hope I do this right. Ladies and gentlemen technology by a non-tech person.

Chairman McKiernan said what it's going to ask you to do is, it's going to show you a representation of all the windows that you have open on your computer, and it's going to ask you to pick the one that you want to share. **Mr. Davis** said the only option I have is Zoom, screen broadcast. There's no, I've seen that before but, no Commissioner, unfortunately that's not coming up as an option. It's a PowerPoint, but I don't get a chance to show a PowerPoint option in here. My apologies.

Chairman McKiernan said no apology necessary, that would suggest we are not able to make that happen from our end.

Mr. Davis said okay, well again, I see my picture now. That's essentially what we want to do. There are—again, can share this with Commission, the PowerPoint I have with the representations of the other facilities that are done. One is in Wichita, a gentleman, the Cozine Group opened theirs up about three months ago and it's already been received very glowingly. They've got—obviously, they are still having services there and they've also had a couple of charity events that I'm aware of.

The other location is in Indianapolis and it's the Buchanan Funeral Group, and they've got one flagship location that is an event center and now they're building a new facility that is a smaller version of that but essentially the same concept. It's not a traditional-looking funeral home or a traditional design funeral home on the inside. Again, this would be a high-quality building materials and/or interior finish. I want to provide a first-class facility for the residents of Wyandotte County, especially the northeast end. I was really impressed with some of the presentations I've seen tonight, and I really want to leave a legacy. I have four children and my hope and prayers that one of our kids will become involved in our family business. We've been in our current location for over 80 years, almost 90 years, and the building is no longer a modern structure. I've done everything I can to continue to make it functional, but it certainly doesn't represent the next 100 years of our business. So, this is why, this is my vision, this is my goal, and hopefully the council will approve this land request. I'm open to any questions anybody would have and my apologies for not being more technically savvy.

Chairman McKiernan said from the members of the Committee, are there comments or questions? And again, we're not rendering a decision tonight, we're taking both of these applications under advisement for our next meeting. I see Wendy Green.

Ms. Green said I don't know in the RFA if this was designated as a non-action item, so at the end of the discussion it would probably be good for someone to make a motion to hold this over for consideration and bring it back at a later date. I could be wrong, but I just want to make sure that we check in to see if this is—I think since it's grouped with everything else, it wasn't designated as for information only. I think a motion to hold it over to the next meeting for consideration by the Committee would be appropriate, if that's what the Committee wants to do.

Chairman McKiernan said I certainly appreciate that clarification.

Commissioner Johnson said I want to say thank you to both of the applicants for your interest in continuing to build and helping to redevelop northeast Wyandotte County. I'm very appreciative of course Mr. Davis, you and I have had conversations about this for many years and I am very intrigued by what you have proposed and what we've talked about over the years. I can find and also say I've been hearing about the AKAs interest in the property, and it gives us something of a quandary as to how we're dealing with this. Both families have great significant historical relevance in northeast Wyandotte County. We talk about the Thatchers, and we talk about the Sewings. I'm sure your ancestors crossed paths many times in the past and so for that reason it creates even more of a quandary that I see here. I guess what it comes down to in terms of our consideration at a later time is what is the best and highest use for the property, one.

The second thing would be who can get started and have their project completed at some reasonable timeframe, but who can get that done the quickest? And of course, me living in the world of both ends wondering is there any way that both applicants can find some space where there might be a partnership? I've always wondered about those types of things and that might not be allowable or even wanted, but it's just something that I often think about. So those are some comments that I have, I'm not expecting any answers on that I suppose right now.

I guess I will ask the question, how long do you think it would take—and either one or both of the applicants can respond to this, how long do you think it would take for you to get your proposed project completed?

Ms. Lyons-McKelvey said we think two years. We want to be appropriate, we want to do our due diligence, and in 2024 our primary organization will be 100 years old, so that's our goal.

Mr. Davis said I've got my architect on as one of the participants tonight, but we would have this done within 24 months, for sure, no problem.

Chairman McKiernan said Commissioner Johnson, anything else? **Commissioner Johnson** said, no sir, thank you so much. To both applicants, I thank you for your interest in wanting to beautify northeast Wyandotte County. Thank you Chair, I yield the floor.

Commissioner Townsend said echoing Commissioner Johnson's thanks to both of these applicants for their interest in rebuilding and uplifting the northeast end of our community. Thank you to Mr. Davis as a member of a family who has been an institution in that area, the northeast end for 80 plus years.

Question to Mr. Davis about what this means to his current location and if I understand correctly, it would be an expansion of your funeral services and what other opportunities apart from the funeral service are you considering in terms of other facets of the community using your facility apart from a funeral? I just want to make sure I'm clear on that.

Mr. Davis said so what would happen to our existing facility is it would remain intact. We have a very strong customer-based, it's very comfortable in a funeral home setting. This new facility would be for, again, folks that are not so traditionally based. Primarily it would be used to support our existing funerals that we're having. I believe with a facility like this in our marketplace we would probably attract some additional families that we currently don't serve, because they would be impressed and find this new offering very desirable, as opposed to the options that we currently have available. There's no other funeral home in the metropolitan area that has anything like this, so we would be first to market with this concept. It's not a leap of faith in that it hasn't been proven

in other marketplaces, so I feel reasonably comfortable in making that substantial investment in our community.

As to what are the uses of the building be made available for? We would make it open for the public, community-based groups, church groups, my AKA sisters would be more than welcome to post any event in our facility or any other group such as that. What I will say I'm not interested in doing is having a night club environment, things that are not consistent with our business model. But for example, if you wanted to have your wedding reception in this facility, that would be something I would be open to. I know we have a growing Hispanic population in the northeast end and forgive me my Spanish is horrible, but I know when the young ladies get to be 16 or so, they have quinceañera event and that would be something I would be open to, allowing them to rent the facility for. Primarily any group that is a wholesome group that is doing something that wouldn't be a problem to the community because as a neighbor I don't want to put something in that neighborhood that I wouldn't want next door to our business. We would be vetting the activities very closely, and the great news about is those activities are meant to supplement the income, not be the income. I don't need to rent it out to anybody who might want to use it because, again, it's primary purposes is to support and enhance our existing 100 plus year old funeral home.

Commissioner Townsend said if you'd allow Mr. Chair, I'd also like to ask Ms. McKelvey if she is still available again, what is the expected size and square footage of the facility that the Metropolitan Leadership Institute is proposing an again the vary types of uses that organization has in mind for the facility. Ms. Lyons-McKelvey said the sizes are much more modest than the Celebration of Life Center. We're looking at somewhere around 5,000-6,000 square feet. It would be seating for maybe 150 max, 200 round tables. We are building what we think we can afford and then we're looking at potential expansion as we move forward, so it's not encompassing the entire property. We have community program—in the past we've hosted debutante ball, so we have practice for that. There are other organizations within Kansas City, Kansas that cry out for meeting space, for smaller meeting space. They may not need 250-300 seats, but a 40-person meeting or a 30-person community meeting would be something that we would be entertaining. The NAACP, I think that they get kicked out of this meeting location periodically. We are currently meeting at Kansas City, Kansas Community College because we've gotten to be such a large size. Just looking at those types of things, and smaller events, somebody might want to have

a birthday party. Something that couldn't happen at a school, but a school might like to sponsor in a separate location from the actual school campus. Those types of things are what we're looking at. Again, a more modest community-focused meetings would be our event.

Commissioner Townsend said thank you very much for that clarification and if you are the same Norma Lyons, daughter of Mr. Henry Lyons, who's a teacher? **Ms. Lyons-McKelvey** said James Lyons, yes.

Commissioner Townsend said thank you for your interest in the community. You come from a family who has a lineage and heritage of serving to better this community.

Commissioner Johnson said a question to both of the applicants. One of the things that is very important is that all applicants have at least the opportunity to talk to the neighborhoods that they're part of. This neighborhood is the Turtle Hill Neighborhood Association which is another very active neighborhood association, I've had the privilege of going to their meetings many times. Have either one of you had any interactions with them, and if so, can you give a sense of how the interaction that you had with them in terms of your project.

Chairman McKiernan said I'll recognize Ms. Lyons-McKelvey, if you want to respond to that.

Ms. Lyons-McKelvey said we had an inquiry initially from I think the president of the Turtle Hill Neighborhood Association and we responded back what our plans were, and in the interim, I think it within the last two or three weeks, Jud did send us the names of the individuals who are in that neighborhood association. We know that they meet on the 2nd, I think it's the 2nd Tuesday. We'll look to meeting with them to have a discussion, but we have not had a direct discussion with the neighborhood association regarding our plans.

Chairman McKiernan said I'll recognize Mr. Davis, same question.

Mr. Davis said short answer, Commissioner, no I have not met with anybody. Well, I did meet with Ms. Newton, who I believe is on the Advisory Board for the Land Bank Group. Not exactly sure what her title is but she represents one of the stakeholders. I met with her and shared some

of my vision, I think she was very supportive. As for the Turtle Hill directly, I've tried to reach out to Ms. King, and I have not been successful. Just like Ms. Lyons I got the information from the Land Bank a week or so ago, so I was not really aware that was—now I see the value in it. As soon as I possibly can get in front of them, I'd be happy to present what my vision is.

Commissioner Johnson said I would say I do value the input that the neighborhood associations bring in terms of how we develop the areas that they live in, and every day they're driving in and out of their neighborhoods and living and their whole lives are revolving in that particular area, so I would be interested in them. We also have the Chelsea Plaza Apartments and the Gateway, as well as two other landowners that are in that vicinity as well. I would just encourage you to try get in contact with them sooner than later and get a sense of what their wishes are and what they would like to see as well in partnership with you all.

Commissioner Davis asked, have either of you all considered an alternative location, alternative property that the Land Bank owns? I would just hate for anyone to get discouraged and I know we're not necessarily voting on this, but I still want to see some of the plans come to fruition if the details do work out.

Commissioner McKiernan said, Commissioner, I think that given the fact that we are holding this over, or at least that's what I believe we're going to do, that would afford us the opportunity to potentially try to locate other suitable locations. Looks as if both of the applicants want to reply to your questions, so I'll recognize Mr. Davis.

Mr. Davis said, Commissioner, thanks for the question. The reason for that track of land is proximity to our existing facility. Again, this is meant to accent or be an expansion of our existing facility and once the building and hiring the architect and having him lay it all out, and the required parking to support that. It pretty much if you look at that schematic or rendering of the footprint on the land like the overview, it takes up almost that entire track of land. There's not another parcel of land close to my funeral home that is that size to accommodate what I want to build there.

Ms. Lyons-McKelvey said actually when we first started looking, we looked kind of all over Kansas City, Kansas in the northeast area. We saw the property and at the time that we introduced the option, there was no one else that was interested in it, and so that's where we kind of focused on, and so we haven't looked at a lot of other properties. Not saying that we are not open to that, but there's a certain cachet about history in terms of history and there's also the fact that that land is level, and some of the other properties that we've seen are kind of hilly and have to be leveled out would be my response. So, we have not looked significantly after we submitted our option.

Chairman McKiernan said to the members of the Committee, it seems based on direction from Ms. Green, that a motion coming from us would most likely be that we hold this over for a period of a month for further consideration.

Action: Commissioner Townsend made a motion, seconded by Commissioner Davis, to hold this item over for further consideration and reconsider these two proposals next month or as soon as practical thereafter if next month is not appropriate. Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Burroughs, McKiernan.



Option Agreements
Agenda Item – F
Yard Extension
1

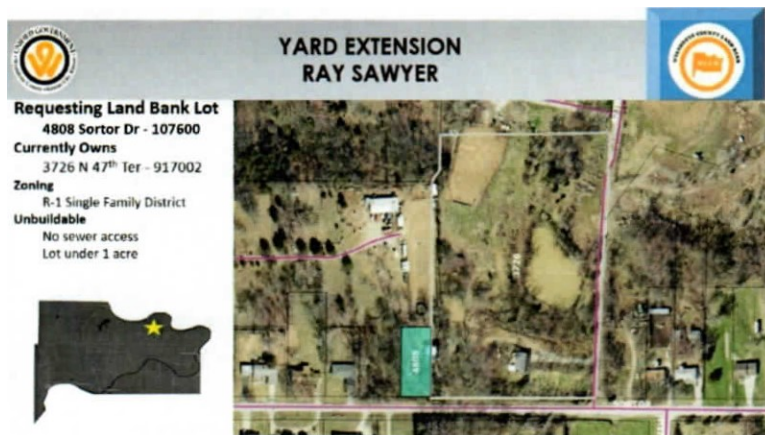
Chairman McKiernan said we are now at Item No. 4.

Item No. 4 - 211263...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 Drive - 107600



Mr. Knapp said this is the last one on our agenda. It's for a yard extension basically, it's for an unbuildable lot. It's at 4808 Sotor Drive. The applicant currently owns 3726 N. 47th Terrace right here. I do have to note that he bought the property, and this barn was built on this property line already. What makes this lot an unbuildable lot is that it is under one acre and there is no sewer access in the area, so he can't even build a house on it if he wanted to. The Land Bank is recommending for approval.

Chairman McKiernan said to the Committee, are there comments questions or motions?

Action: Commissioner Townsend made a motion, seconded by Commissioner Davis, to approve application as submitted. Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Burroughs, McKiernan.

PUBLIC AGENDA

Item No. 1 - 211193...APPEARANCE: COLLEEN ROBERTS

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

Chairman McKiernan said that takes us to Item No. 5, our Public Agenda. It had one item but the person who had requested the opportunity to speak to this Committee, Ms. Colleen Roberts, has asked to delay her appearance before this Committee until at least next month. So, at this time we won't have an appearance by Ms. Roberts, and we will reschedule that and she will appear before this Committee at a later date. With that, there are no other items on our agenda. To Commissioner Stites and Commissioner Davis, welcome. We are glad to have you with us, we are adjourned.

Action: Requested by constituent to move to the March meeting.

Meeting was adjourned at 9:05 p.m.

am



Staff Request for Commission Action

Tracking No. 211346

Full Commission Meeting Date:

Committee: Neighborhood & Community Development

Date of Standing Committee Action: 4/4/22
(If none, please explain):

Publication Required: No

<u>Date:</u>	<u>Contact Name:</u>	<u>Contact Phone:</u>	<u>Contact Email:</u>	<u>Department/Division:</u>
04/28/2022	Greg Talkin, Anthony Hutchingson, John Droppelmann, Patrick Holton	x8628, x8630, x5938	gtalkin@wycokck.org, ahutchingson@wycokck.org, jdroppelmann@kckfd.org	Neighborhood Resource Center

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 NEC, Ord. Form 2018 UPC, HBA Letter, Ord. Form 2018 IRC Option A, Ord. Form 2018 IRC Option B, Ord. Form 2018 IRC Option C



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 phased 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.

o

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 408.1 109.1 is hereby deleted.

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

Section 411.4 112.4 is amended to read as follows:

Section 411.4 112.4 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, 2014 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 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)

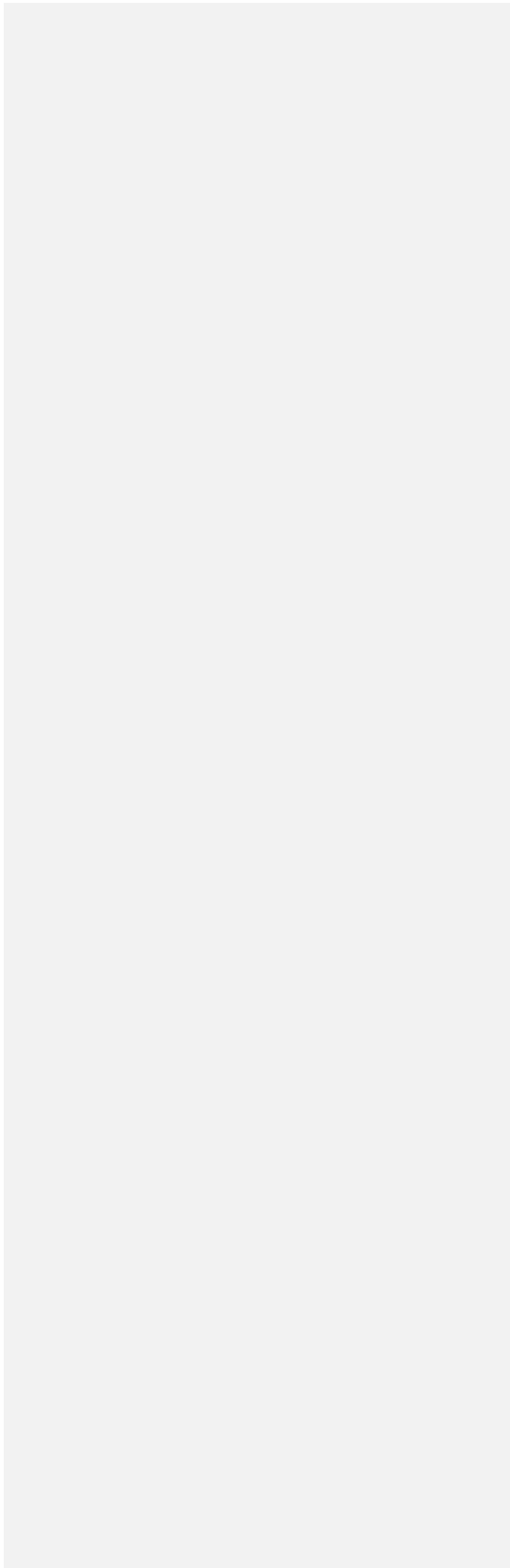
Section 2. These ordinances shall take effect and be in full force from and after its passage, approval, and publication in the *Wyandotte Echo*.

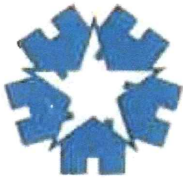
**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT
OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS,
THIS _____ DAY OF _____, 2022.**

Tyrone Garner, Mayor/CEO

Attest:

Unified Government Clerk





**HOME BUILDERS ASSOCIATION
OF GREATER KANSAS CITY**

Affiliated With



**National
Association
of Home
Builders**

600 EAST 103RD STREET • KANSAS CITY, MISSOURI 64131-4300 • (816) 942-8800 • FAX (816) 942-8367 • www.kchba.org

February 4, 2022

Commissioner Brian McKiernan,

Thank you for the opportunity to submit a formal position regarding the city's adoption of the 2018 International Residential Code (IRC). The Home Builders Association of Greater Kansas City (KCHBA) is proud to be the voice of the local housing industry. Consisting of approximately 550 member companies, the KCHBA represents an industry that supports more than 20,000 local jobs while contributing more than \$1.8 billion to both short and long-term economic growth in the region. While the residential construction industry makes up our membership, it's the consumer that has our full and undivided attention.

The Home Builders Association of Greater Kansas City supports and endorses reasonable codes that safeguard public safety, health and general welfare through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property. With the consumer in mind, the association generally supports the current proposed adoption before you as amended. The adoption of the 2018 family of codes without these locally appropriate amendments would significantly increase the cost burden on the consumer preventing future homeownership. For every \$1000 added to the price of a new home approximately 1,238 Kansas City area families are priced out of the local market. Home ownership remains one of the best ways to establish long term financial stability for the average American. By building equity and contributing to the tax base, home ownership fuels our local economies and serves as the foundation of our society.

KCHBA continuously supports local control of codes as we feel that elected officials and city staff understand the importance of customizing the National family of codes to allow for a productive local market and protect the longevity of the economy within their jurisdiction. The Home Builders Association greatly values our quality working relationships with the Kansas City local government as we share the common goals of promoting new economic growth, homeownership, attainable housing, and strong communities. We look forward to our continued work with the city.

Please do not hesitate to call on me if either the KCHBA or I can ever be of any assistance to the Commission and the people you serve. Thank you for your consideration.

Sincerely,

Will Ruder
Executive Vice President
Home Builders Association of Greater Kansas City

(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.
------------------	---

~~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 × 1 foot × 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

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
-------------------------------	---

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 [TG1]: 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	80

- 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 [TG2]: 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 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.
------------------	---

~~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	15	8/13	19	10/13	10, 2ft	10/13

For SI: 1 foot – 304.8 mm.

NR = Not Required

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
-------------------------------	---

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 m^2) 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 [TG1]: 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	75

- 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 [TG2]: 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 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.
------------------	---

~~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 × 1 foot × 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 N1102.2.5 STEEL-FRAME CEILING, WALL AND FLOOR INSULATION (*R*-VALUE)

WOOD FRAMER-VALUE REQUIREMENT	COLD-FORMED STEEL EQUIVALENT R-VALUE ^a
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 10 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.

~~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.

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*.

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*.

~~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.

Commented [TG1]: Need to put original wording back in from IRC and change the minimum 3psi to 10psi.

~~Section P2501.1—P2503.9 Chapter 25 is hereby deleted.~~

~~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



Staff Request for Commission Action

Tracking No. 211483

Full Commission Meeting Date: 4/28/22

Committee: Neighborhood & Community Development

Date of Standing Committee Action: 4/4/22
(If none, please explain):

Publication Required: No

<u>Date:</u> 04/28/2022	<u>Contact Name:</u> Misty Brown	<u>Contact Phone:</u> x5067	<u>Contact Email:</u> mbrown@wycokck.org	<u>Department/Division:</u> Legal
<u>Item Description:</u> A resolution of support for Neighborhood Business Revitalization (NBR) Organizations in all of Wyandotte County, including Edwardsville and Bonner Springs and authorization to review and develop additional policies pertaining to NBR organizations.				
<u>Action Requested:</u> To approve.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> NBR Policy Development Resolution				

RESOLUTION NO. _____

**A RESOLUTION OF SUPPORT FOR NEIGHBORHOOD BUSINESS
REVITALIZATION ORGANIZATIONS IN ALL OF WYANDOTTE COUNTY
AND AUTHORIZING AND DIRECTING REVIEW AND DEVELOPMENT OF
POLICIES PERTAINING TO NEIGHBORHOOD BUSINESS
REVITALIZATION ORGANIZATIONS.**

WHEREAS, the Unified Government of Wyandotte County/Kansas City, Kansas (hereinafter “Unified Government”) supports and wishes to continue to support neighborhoods in all of Wyandotte County through development of services to current and prospective neighborhoods of Wyandotte County; and

WHEREAS, the Unified Government has allocated funds in the past for Neighborhood Business Revitalization (NBR) Organizations of Wyandotte County; and

WHEREAS, the NBR Organizations contract with the Unified Government and agree to work and serve in partnership with the Unified Government to address economic, social, and civic issues that will improve the quality of life for its identified service area in Wyandotte County; and

WHEREAS, there are currently eight NBRs in Wyandotte County, that service identified areas but none of the eight serve Edwardsville and Bonner Springs, Kansas.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE
UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:**

1. That the Unified Government Board of Commission of Wyandotte County/Kansas City, Kansas wishes to support neighborhoods in all of Wyandotte County in a fair and fiscally responsible manner.

2. That the Unified Government Board of Commission of Wyandotte County/Kansas City, Kansas wishes to utilize county funds to support and contract with a NBR organization that would service an identified area in Edwardsville and Bonner Springs, Kansas.

3. That the Unified Government Board of Commission of Wyandotte County/Kansas City, Kansas directs and authorizes additional review and development of policies surrounding NBR organizations to address the application process, term, boundaries, performance reviews, community satisfaction, contractual requirements, and funding sources.

4. That any development or change of existing NBR policy shall not be implemented until formal action is taken by the Unified Government Board of Commission of Wyandotte County/Kansas City, Kansas.

5. The Mayor, the County Administrator, and the Unified Government's other officers, agents, and employees are hereby authorized and directed to take such further action, and execute such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

ADOPTED BY THE COMMISSION OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS
THIS _____ DAY OF _____, 2022.

Tyrone Garner, Mayor/CEO

ATTEST:

Unified Government Clerk

Approved as to Form:

Misty S. Brown, Chief Counsel



Staff Request for Commission Action

Tracking No. 211506

Full Commission Meeting Date: 5/26/2022

Committee: Neighborhood & Community Development

Date of Standing Committee Action: 5/9/2022
(If none, please explain):

Publication Required: No

<u>Date:</u> 04/04/2022	<u>Contact Name:</u> Gunnar Hand	<u>Contact Phone:</u> 5751	<u>Contact Email:</u> ghand@wycokck.org	<u>Department/Division:</u> Planning and Urban Design
<u>Item Description:</u> Staff is seeking approval to pursue a MARC PSP Grant for a Traffic Management Plan, High Accident Intersection Study, and Implementation Strategy for a Complete, Green Rainbow Boulevard Corridor between I-35 and Shawnee Mission Parkway in partnership with the cities of Westwood, Westwood Hills, and Fairway. No matching funds are expected. The PSP Call for Projects opens May 5, 2022, and closes June 17, 2022. The UG was awarded three (3) PSP Grants in MARC's last cycle in 2020.				
<u>Action Requested:</u> Recommend approval to the Full Commission.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u>				



Staff Request for Commission Action

Tracking No. 211507

Full Commission Meeting Date: 5/26/2022

Committee: Neighborhood & Community Development

Date of Standing Committee Action: 5/9/2022
(If none, please explain):

Publication Required: No

<u>Date:</u> 04/04/2022	<u>Contact Name:</u> Gunnar Hand	<u>Contact Phone:</u> 5751	<u>Contact Email:</u> ghand@wycokck.org	<u>Department/Division:</u> Planning and Urban Design
<u>Item Description:</u> In collaboration (partnership) with the Landmarks Commission, the proposed Historic Preservation Plan will develop a comprehensive strategy for Historic Preservation efforts across Kansas City, Kansas, including but not limited to, new designations, expansion of districts, various restoration projects and extensive public outreach and engagement. UG received a HPF Grant in 2021 for the creation of a Downtown/KCK Historic Commercial District and multiple-listing designation for Downtown KCK Historic Churches.				
<u>Action Requested:</u> Recommend approval to the Full Commission.				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u> FINAL_FY2022 Historic Preservation Fund Grant Application				

FY2022 Historic Preservation Fund Grant Application

Project title

Citywide Historic Preservation Plan for the Unified Government of Wyandotte County and Kansas City, Kansas.

Application Questions 1-7

1. Record information about the applicant organization. Please provide the name of the applicant entity. Applicants must be local governments, non-profit organizations, or universities. Provide the applicant's mailing address, along with an email address and phone number from someone who serves as a representative of the applicant.

Applicant Name: **Unified Government of Wyandotte County and Kansas City, Kansas**

Applicant's Mailing Address: **701 North 7th Street Trafficway, Suite 423, Kansas City, KS 66101**

Applicant's Email Address: **ghand@wycokck.org**

Applicant's Phone Number: **(913) 573-5750**

2. Record information here about the person who will serve as the grant administrator and to whom questions about the application should be directed. Make sure this person accepts this role before using their information. Include the person's name, mailing address, email address, and phone number.

Project Contact Person*: **Gunnar Hand, AICP**

Contact Person's Mailing Address*: **701 North 7th Street Trafficway, Suite 423, Kansas City, KS 66101**

Contact Person's Email Address*: **ghand@wycokck.org**

Contact Person's Phone Number*: **(913) 573-5750**

3. Please record the organization's name (if different than indicated in #1 above) and DUNS number or Unique Entity Identifier of the applicant organization. Starting in April 2022, the federal government will stop using the DUNS number to uniquely identify entities. At that point, entities doing business with the federal government will use a Unique Entity Identifier (SAM) created in [SAM.gov](https://sam.gov).

DUNS Number*: **030693592**

UEI: **PD76T7LUCLS2**

4. Please record the number of the U.S. Congressional District(s) where the project will take place.

U.S. Congressional District*: **KS-3**

5. Applications from Certified Local Governments (CLGs) will be given priority consideration. A current list of CLGs in Kansas is available online at <https://www.kshs.org/14605>. Please

indicate if the applicant is a local government entity certified by the National Park Service.

The City of Kansas City, Kansas is a Certified Local Government.

6. Provide an estimated ending date for the project. All grant-funded products must be submitted on or before **August 1, 2023**, to provide enough time for SHPO staff to review and comment. The funding for this program expires September 30, 2023.

August 1, 2023

7. Indicate the type of project being proposed. See the current HPF Products Manual for further guidance linked at <https://www.kshs.org/14615>.

Citywide Historic Preservation Plan

A. PROJECT RATIONALE AND OBJECTIVES

Write a narrative description of the problem, need, or research question your project will answer. Answer all of the following questions as they pertain to your project. Your narrative is limited to 500 words.

- **Why** is the project needed?
- **Describe** what questions or needs this project will address.
- **How** does your project address the priorities listed in the application introduction?
- **Explain why** grant support is required to address these needs.
- **Please cite** any research you may have conducted that laid the groundwork for this grant project (i.e. survey prior to a historic district nomination).
- **Would** partial funding allow you to meet some of the project goals? **Explain** why or why not

Wyandotte County holds a wealth of history that reflects events that occurred in the broader United States, including the movement of Native Americans in the mid-nineteenth century, the waves of immigrants looking for a better life, the growth of the local economy in the early twentieth century and the decline of the local economy decade later, and the steady growth of the community today. There is a lack of direction in the preservation of these resources by the Unified Government, largely due to historic preservation being a newly revived program. This project is needed to inform and guide the Department of Planning and Urban Design to create the best strategy to preserve these historically significant buildings and sites while integrating this heritage into the city-wide and area master plans for the UG.

The greatest need the project will answer is that there is so much that needs to be done in terms of historic preservation in the UG. We need to both catalog this need and define a strategy to best proceed with our efforts. It will define areas in need of surveys, define projects to support existing landmarks and districts, identify other opportunities and constraints, then prioritize these projects.

There have been a series of surveys, largely completed between 1982 and 1993, for both current, expanded, and potentially new historic districts primarily on the east side of Wyandotte County, though there are a few historic resources or historic surveys in the central and western areas of the County. These surveys provide background information on the area and potentially significant historic resources that should be preserved. KCK Department of Planning and Urban Design Historic Resources: <https://www.wycokck.org/Departments/Planning-Urban-Design/Plans>

Grant support would be necessary to meet the goal of a pro-active preservation strategy at the UG. Building on our existing surveys and the work to manage existing districts and landmarks (i.e. decades of Certificates of Appropriateness and Environs Reviews), this information will inform and take stock of efforts to date in order to define a future historic preservation strategy moving forward.

Partial support would prevent a comprehensive analysis and strategy. This would most likely result in a smaller project area, likely to be concentrated on eastern Wyandotte County when very little historic preservation work has occurred elsewhere and potentially leaving important heritage sites from the proposed planning process.

B. PROJECT DESCRIPTION AND PRODUCTS

Provide a narrative answer to each question below

1. All grants must produce a product or tangible result to qualify for funding. Write a narrative description of the **project products**. Note the number of products that may result from this project. Consult the HPF Products Manual for examples of specific products such as nominations, survey reports, brochures, etc. Be specific regarding the content and format of the products. **The answer to this question should explain how the completion of these products will address the issues you have identified in your PROJECT RATIONALE AND OBJECTIVES.**

The project product will be a citywide historic preservation plan for the UG. The preservation plan will address issues of misinformation and confusion that surround historic preservation by creating public outreach efforts. The plan will also guide the UG's engagement with the public during historic preservation projects and incorporating more diversity in local historic landmark/district designations. The preservation plan will also assist the Department of Planning and Urban Design with the integration of historic resources into larger master and area planning efforts, as well as guide the creation of heritage tourism, which will benefit the local economy. The preservation plan will do this through research, defining areas in need of surveys, prioritizing potential projects and designations, and generally engage the public and both lead the public discourses and educate awareness of these resources.

2. Describe how you will **implement the project**. For example, will you hire a consultant or utilize staff and volunteer labor? Be certain to describe major components or phases of the project and the estimated dates when each will be accomplished. The answer to this question will, to a large degree, determine the evaluators' expectations regarding the timeline of the project and will provide the milestones by which it will be evaluated should your application be funded. Remember to allow 30 days for SHPO staff to review all drafts, final products, consultant contracts, request for proposals (RFP), etc. Reimbursement to the grantee will be withheld if the project products do not meet the requirements of the HPF grant program. *Final products should be submitted to the SHPO on or before August 1, 2023, to allow time for review. All work on the project must be completed on or before September 30, 2023.*

The development of a citywide historic preservation plan will commence subsequent to the completion of the current Historic Preservation Fund project for the Downtown KCK

Commercial Historic District and the Multiple Listings for Downtown KCK Historic Churches formation, by August 1, 2022. The work will begin following the distribution of an RFP, interviewing interested consultant groups, and choosing the most qualified team/firm to execute the scope of work. In late October to early November 2022, the chosen consultant team will begin research into the potential resources and local communities. The chosen consultants and UG will conduct public outreach and engagement efforts throughout the planning process. Utilizing identified community values through these efforts will inform the development of strategies starting in early 2023. A list of potential projects/programs/efforts will begin to form in Spring 2023 with an anticipated draft plan developed shortly thereafter. The final plan and approval process with adoption by the UG Board of Commissioners is anticipated for Summer 2023.

3. Explain the geographic boundaries of this project. For example, projects involving nomination of a historic district or survey of an area would include a description of the neighborhood or number of blocks to be included in the district. A **map** that identifies the approximate boundaries of the proposed district and indicates the approximate number of resources expected to be included in the nomination is also helpful. Even if your project does not involve a nomination or a survey, please describe where the project will take place.

The geographic boundaries for this project will cover the area of the Unified Government of Wyandotte County and Kansas City, Kansas. This is almost the entirety of the Wyandotte County, except for the cities of Bonner Springs, Edwardsville, and the City of Lake Quivera.

4. **For projects involving survey of cultural resources only**, estimate the number of **acres** within the project boundaries.

The Unified Government of Wyandotte County and Kansas City, Kansas encompasses 81,920 acres. No survey will be conducted as a part of this planning process, but potential future surveys will be identified within this area.

5. If appropriate for your project, upload a maximum of 10 digital images illustrating the area(s) or resources to be affected by this project. Files may be .doc, .docx, .pdf, .jpf, .jpeg, .png, .tif, or .tiff.

Please see attached images.

C. APPLICANT ORGANIZATION AND PERSONNEL

1. Briefly describe the **applicant organization** (i.e. city government, non-profit, university, etc.). Include information concerning organizational structure, personnel, facilities, and past involvement in preservation-related issues or grant-funded activities that will assist you with completing a successful project. Be clear as to who will be responsible for the project daily. This person should also be listed as the contact for the project on the application's first page.

The Unified Government of Wyandotte County, Kansas City Kansas is a local municipality that consolidated the municipalities of Wyandotte County and Kansas City, Kansas in 1997. The City of Kansas City, KS is a Certified Local Government (CLG) whose City Landmarks Commission has been creating local designations, reviewing projects, and proactively

supporting preservation efforts since its creation by Ordinance was originally adopted in 1970. We are currently administering an HPF Grant. The project manager will be Gunnar Hand, AICP, the Director of Planning and Urban Design with staff support and in collaboration with the City Landmarks Commission.

2. **Describe** the role the local historic preservation commission will play in the project (e.g. conducting the project, reviewing drafts, serving on the project team, etc.). If your community does not have a preservation commission, you may enter N/A.

The City Landmarks Commission will provide general oversight of UG staff during the execution of the project. This includes the development of the Request for Proposals, confirmation of the selected consultant, providing other relevant policy direction, and the tracking of project milestones. Ultimately, the City Landmarks Commission will recommend the adoption of the Citywide Historic Preservation Plan to the full Board of Commissioners for final adoption by ordinance.

3. Describe the project team and their qualifications. If the project is to be staffed by consultants hired from outside the applicant organization, describe the planned hiring process and the qualifications you will be seeking. Upload a maximum of 5 resumes for the project team to illustrate their relevant education and experience.

A consultant team will be hired to complete the scope of work. A Request for Proposals will be issued in Fall 2022 to find a candidate that has previous experience with similar projects, expert knowledge on how best to complete a project of this scale, and who is working with the public in mind. The two primary support staff at the UG is Gunnar Hand, AICP, Director of Planning and Urban Design, and Emma Dambek, Americorps VISTA for historic preservation. Both resumes are attached to this application for your reference.

4. List the qualifications of any **additional resource persons** not employed by the applicant organization or on the project team who might provide information or guidance for the project activities and development. For example, will you be seeking out consultant services for additional help? Will someone else in the community or your organization be available to help if called upon?

Local groups interested in aiding the creation of a Historic Preservation Plan include the Wyandotte County Historical Society and Museum, Historic Kansas City, Friends of Sacred Structures, Ginter House, as well as the City Landmarks Commission. The process will also engage the UG's many Neighborhood Business Revitalization organizations.

5. Has the applicant **previously received an HPF grant** from the Kansas SHPO? If so, describe the grant(s), including the project year and products produced. Administration of past grant projects may be taken into consideration by the grant review committee as they evaluate your application. You are welcome to use a bullet point list here.

The Unified Government of Wyandotte County and Kansas City, Kansas received two HPF grants in 2021 for a survey and nomination of the Downtown KCK Historic Commercial District to the National Register of Historic Places and the Register of Historic Kansas Places,

and the nomination of a multiple property documentation of Downtown KCK Historic Churches. These projects began fall 2021 and will be completed by August 2023.

6. Has the applicant sought out any **other funding sources** for this project? If so, describe the funding source, whether you have already applied for it, and whether you were successful in receiving that funding.

No other funding sources have been considered for this project. The UG's Planning and Urban Design Department will use its long-range planning budget and the required staff time of Mr. Gunnar Hand, Ms. Janet Parker, and Ms. Emma Dambek to fund its portion of this grant request.

7. Provide written documentation from the applicant organization, especially applicants that are also units of local government, expressing support for this application. Upload a file to illustrate that support. Examples might include a resolution from the governing body of the city or the board of directors.

Please see attached letters of support from the City Landmarks Commission.

D. PUBLIC EDUCATION AND IMPACT

Write a narrative to address the points below. Your answer is restricted to 500 words.

- **Describe** how the public will be involved in the project or informed about the project.
- **Describe how the project will educate the public** about methods and issues related to historic preservation.
- **How** will the results of this project be distributed to the public?
- **What** audience or sector of the public is most likely to be reached by this effort?
- If physical materials are to be produced, **describe** their intended content and their value to the targeted audience. This includes project products intended for use by professionals or government officials.
- **Include** a description of any activities, promotional plans, or contacts that will be undertaken to disseminate project results.
- **Explain** how the success of this project will be measured.

The many communities of the UG are at the heart of this county-wide historic preservation plan. From the beginning of the process to the final document, public input and education will be vital to steer historic preservation planning in a direction that will put the community first. Through public events, surveys, and other outreach strategies, the public will learn more about historic preservation, its many benefits, and help identify the historic resources throughout the County. In turn, the input received will guide the preservation plan to focus on certain areas where there are the most questions or the most confusion, and supply the Department of Planning and Urban Design with input and outreach ideas to better involve the public moving forward.

The public will be involved in the project through outreach measures performed by the consultant team, such as surveys to gauge knowledge or understanding of historic preservation, events to raise awareness of the project and what they want to see from it, and a growth of encouragement from the UG to ask questions about historic preservation in their communities.

Historic preservation is often a misunderstood part of planning in KCK. The project will define historic preservation and expand on the benefits of historic preservation to the public. The results of this project will be distributed to the public through the Department of Planning and Urban Design website with the other citywide plans. Since the final product will be an electronic community-wide historic preservation plan, property owners will be informed that the preservation plan is available online and to direct questions about the historic preservation plan to the Department of Planning and Urban Design.

Property owners are the main audience for this preservation plan, though ideally the preservation plan will reach all members of the UG and engage them in the historic resources within their communities.

The success of this project will be measured through several outcomes. First is the growth of public engagement during and following the publication of the preservation plan. The goal is to encourage the public to be more engaged in their local history. Second is the integration of historic resources into other master planning efforts. Integrating the value of preserving our heritage through these efforts must be ingrained in our planning processes, integrated into decision-making, and ultimately championed by the public over time.

E. PROJECT BUDGET

NOTE: There are two parts to the Project Budget Section. These include, 1) the Budget Chart and, 2) the Budget Narrative. Be sure to complete both parts. A sample budget chart and description can be found at the end of this application.

E. Budget Chart

Provide a detailed project budget utilizing the chart found in the grant application. Use the Budget Items categories provided that best fit your project; clarification of the budget categories can be provided in the Budget Narrative section. The budget chart should be filled out in the following manner:

- **Column #1, "Recipient Match,"** should be used to show how the project match will be provided. If the applicant is to pay for the goods or services directly with cash, the estimated cost should be entered in the "Cash" column (1a). Time invested by paid staff should be included as "Cash" as well. If the budget item is to be provided with volunteer time or donated goods, the value should be listed as in-kind expenses (1b). The match should equal a minimum of 40% of the project total. Overmatch is okay.
- **Column #2, "Indirect Expenses,"** is to be used by organizations wishing to charge an indirect expense to their project budget. A maximum of ten percent (10%) of the funds claimed for salaries of project personnel may be charged as indirect costs. Indirect costs may be counted toward match or toward the federal share.
- **Column #3, "Federal Share,"** is used to indicate the costs that will be reimbursed by the HPF grant. A maximum of sixty percent (60%) of total project costs can be reimbursed with grant funds. Grant funds cannot reimburse for volunteer labor or in-kind services. Please indicate actual dollar amounts rather than percentages in this column.
- **Column #4, "Total,"** should tabulate automatically along with the Total line at the bottom of the chart.

BUDGET ITEMS	1. RECIPIENT MATCH		2. INDIRECT EXPENSES	3. FEDERAL SHARE	4. TOTAL
	a) CASH	b) IN-KIND	Maximum of 10% of Salaries		
Salaries (List each separately)	\$4000	\$0	\$0	\$0	\$4000
Administrator					
Surveyor			\$0		
Secretary			\$0		
Volunteer(s)			\$0		
Bookkeeper			\$0		
Others			\$0		
Consultant	\$17,000		\$0	\$33,000	\$50,000
Mileage			\$0		
Expendable Supplies			\$0		

Communication			\$0		
Office Rent			\$0		
Printing and Advertising		\$1000	\$0		\$1000
Utilities			\$0		
Equipment Rent			\$0		
Equipment Maintenance			\$0		
Insurance and Bonding			\$0		
Other			\$0		
TOTAL			\$0		\$55,000

E. Budget Narrative

Write a **budget narrative** that justifies each of the expenses noted in the budget chart. The budget chart supplied with this application only provides figures and a very brief label for each line item expense. Without an itemized budget narrative, the evaluators will not be able to determine whether the amounts are accurate or answer questions concerning the allocation of project resources. For this reason, we ask you to be thorough in your budget narrative. **At the end of the budget narrative, please describe the accounting system that will be used for the project.**

The following sections have been written to assist you in the preparation of the budget narrative:

SALARIES

a. Provide the basis for establishing the figures listed. As an example, staff is usually paid on an hourly basis. Indicate that hourly rate and the amount of time staff are expected to spend on this project. Total up the hourly rate and the estimated time to explain the total shown in the budget chart.

The UG will use this grant to fund a consultant to complete the scope of work. Based on our understanding of the consultant costs for such a project, we estimate the project total to be \$55,000 of which \$5,000 is cash match for UG staff time and materials, and up to \$17,000 for the cash match of the total \$50,000 consultant fee.

Staff time associated with the administration of the grant, and any printing materials associated with the project and its outreach efforts will be assumed as in-kind by the UG. All consultant costs included in the above is assumed to be all inclusive of labor and materials

b. The figures entered on the budget chart should reflect the proportion of the individual's time that will be invested in the project. For instance, if the project administrator is expected to invest ten percent of his time toward the project, his monthly salary should be stated, multiplied by the number of months of the duration of the project, and then divided by ten. Additional costs such as fringe benefits and unemployment insurance should not be broken out as separate items but should be included in the overall hourly or monthly rate.

The hourly salaries for the staff support are as follows: Project Manager Gunnar Hand, AICP, Director of Planning and Urban Design: \$66.15; Janet Parker, Executive Assistant to Gunnar Hand, AICP: \$28.19; Emma Dambek, AmeriCorps VISTA Historic Preservationist: \$7.25.

c. Time donated by volunteers for in-kind matching funds must be calculated on an hourly basis equal to the most current figures reported for volunteer labor in Kansas via <https://independentsector.org/value-of-volunteer-time-2021/> or the current federal minimum wage. Use the figure that best fits the labor being provided. Professionals who are donating their time may match their standard fee as an in-kind expense only if their volunteer activities correspond with the duties they perform professionally and when those duties are essential to the completion of the project. Please contact our office if you are in doubt as to whether the rates quoted for donated services are acceptable for the application.

MILEAGE

Travel incurred for the performance of project-related activities may be charged to the grant at a rate determined by your city/organization but not to exceed the current federal rate. Travel must take place within the grant period. The grant period begins when the applicant signs a project agreement and ends upon submission of a completion report.

EXPENDABLE SUPPLIES

This category would include consumable items purchased for short-term use. The applicant does not need to include a detailed itemization for minimal costs. It may be more efficient to claim indirect costs for small expenses.

COMMUNICATION

This category should be used to describe the estimated cost of all long-distance calls and postage. This would include postage needed to distribute publicity mailings. The full cost of a telephone line should not be included unless the line is used only for project activities. Costs should be prorated to reflect the percentage of time used for grant-related activities or the specific number of calls.

OFFICE RENT

In this category give the rental value of the office space used for the administration of the project. If you are not sure of its value, use similar locally available office space as a guide. **The prevailing rental value of the property will need to be verified through an independent source, such as a real estate agent before it can be claimed as match for reimbursement.** When office costs are included for personnel not employed full-time on the project, the amount should be adjusted in accordance with the percentage of time invested in project activities.

PRINTING AND ADVERTISING

This would include printing of reports, photographs, and promotional items. The cost of newspaper advertisements or media time may be entered under this category as well. If media space is donated it may be listed as an in-kind expense. Include photocopies. In-house printing will need to be substantiated with documentation of the cost if claimed as match.

\$1000 will be able to cover any necessary printing related to the project, including promotional items, newspaper costs, etc.

UTILITIES

Utility costs incurred for the office space of the project personnel may be included here. When utility costs are included for personnel or spaces not employed full-time on project activities, the rates should be prorated as with office space.

EQUIPMENT RENTAL

Grant funds may not be used to purchase any equipment that will remain with the grant recipient after the completion of the project. The use of equipment may be counted as an in-kind contribution by placing a fair market value on such use. Please identify the equipment to be used and the estimated cost of its use; provide documentation for that estimate.

EQUIPMENT MAINTENANCE

This category may be used to document expenses for the upkeep of any equipment directly used in the project. The purpose of this category is to cover the wear and tear that such use might place on equipment owned by or donated to the applicant (i.e. printers and copiers). Claiming indirect costs may be a more efficient way to capture such costs.

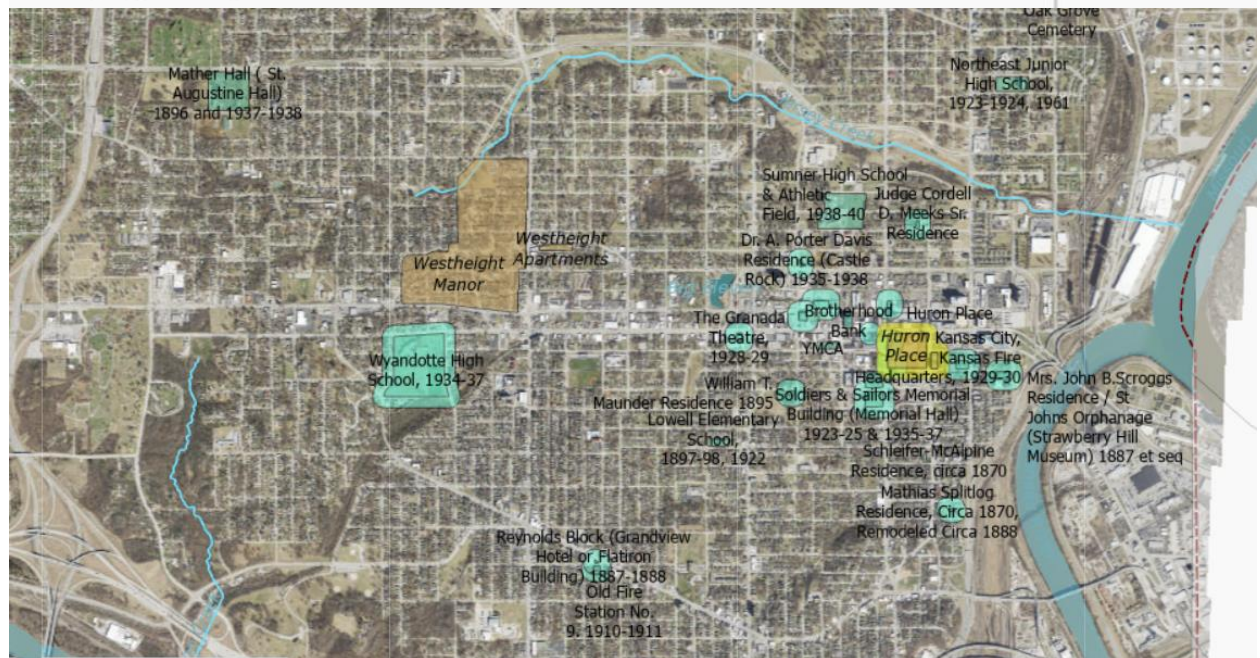
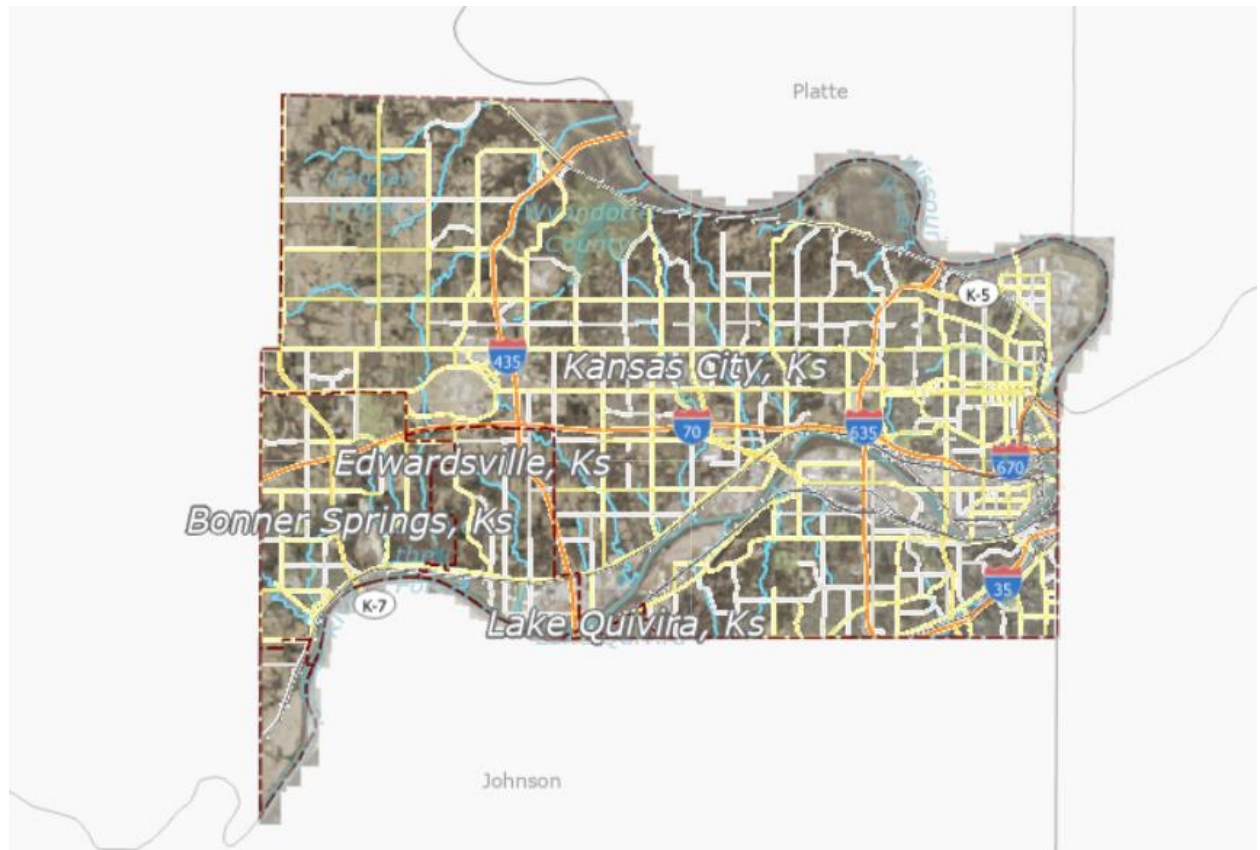
INSURANCE AND BONDING

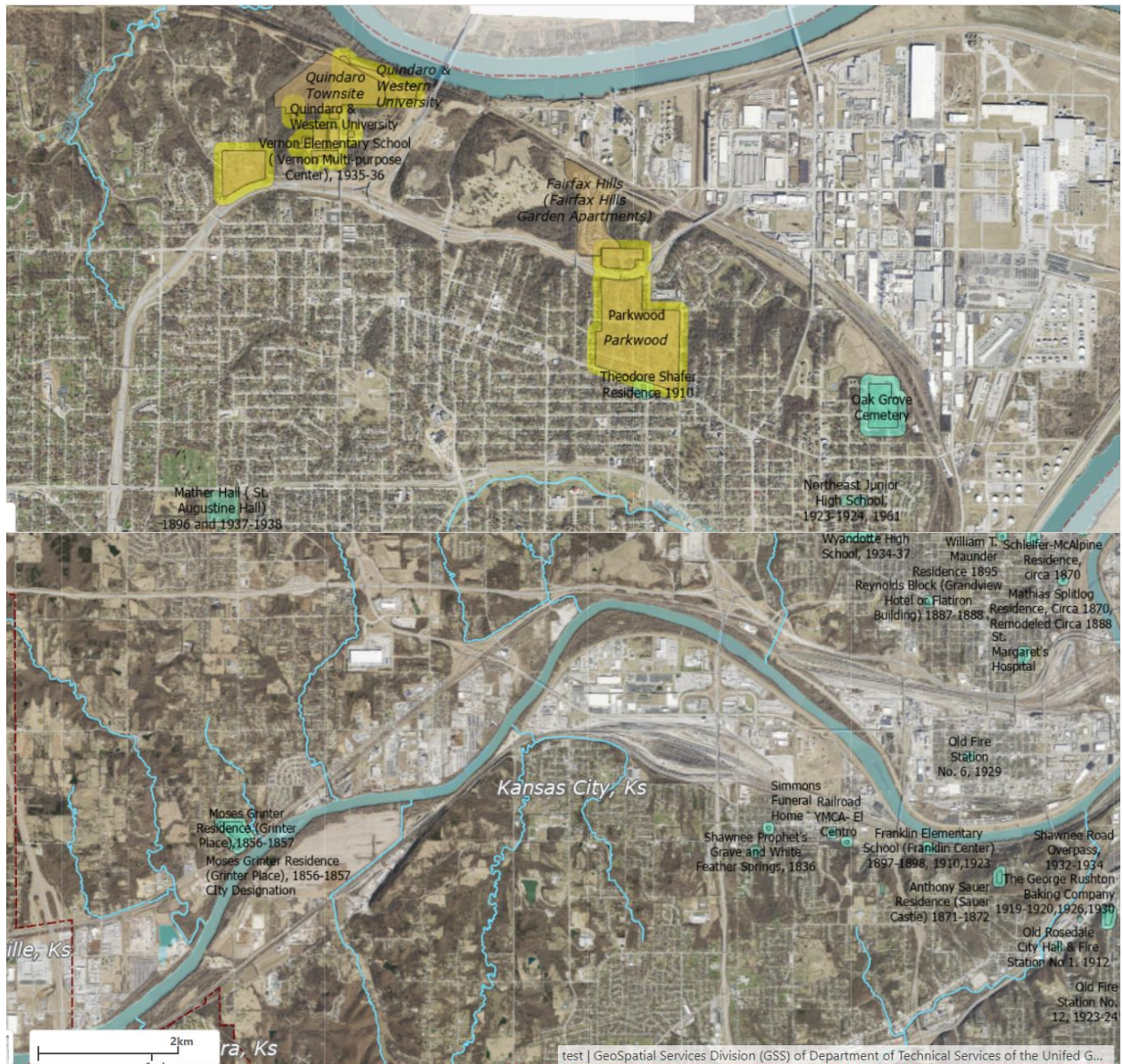
Please list relevant costs for bonding or additional expenses for insurance brought about by the acceptance of the grant award. An example of this would be increased liability insurance necessitated by the hiring of additional personnel for project-related activities.

OTHER

This category should be used for any additional grant-related expenses. If you are uncertain as to whether an expense is eligible under this program, **please** verify it with the SHPO prior to submission of the grant application.

Caution: Please consider your ability to obtain adequate documentation for each item claimed in your budget. Reimbursement for expenses cannot be processed without adequate documentation (i.e. receipts, invoices, vouchers, timesheets, etc.).









Staff Request for Commission Action

Tracking No. 211552

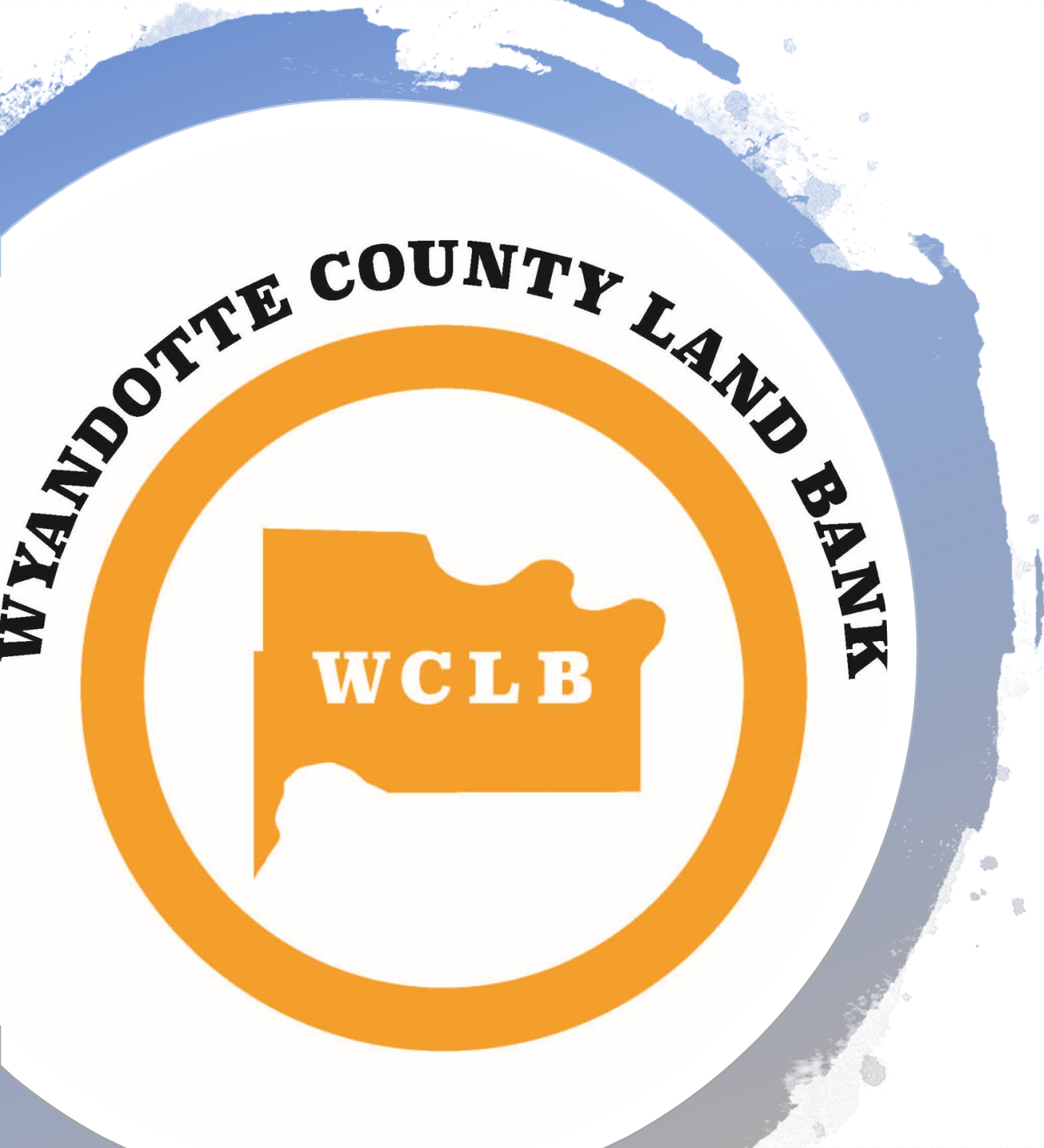
Full Commission Meeting Date: 5/26/22

Committee: Neighborhood & Community Development

Date of Standing Committee Action: 5/9/22
(If none, please explain):

Publication Required: No

<u>Date:</u> 04/26/2022	<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, Land Bank Manager 10 Single Family homes 48 Units Multi Family 5 Commercial 5 Garages				
<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> 05.09.22 Land Bank Standing Committee, NCD Memo Land Bank Options 05.09.22 V2				



Neighborhood & Community Development Standing Committee

May 9th, 2022

Single Family Homes

10

Multi Family Units

48

Commercial

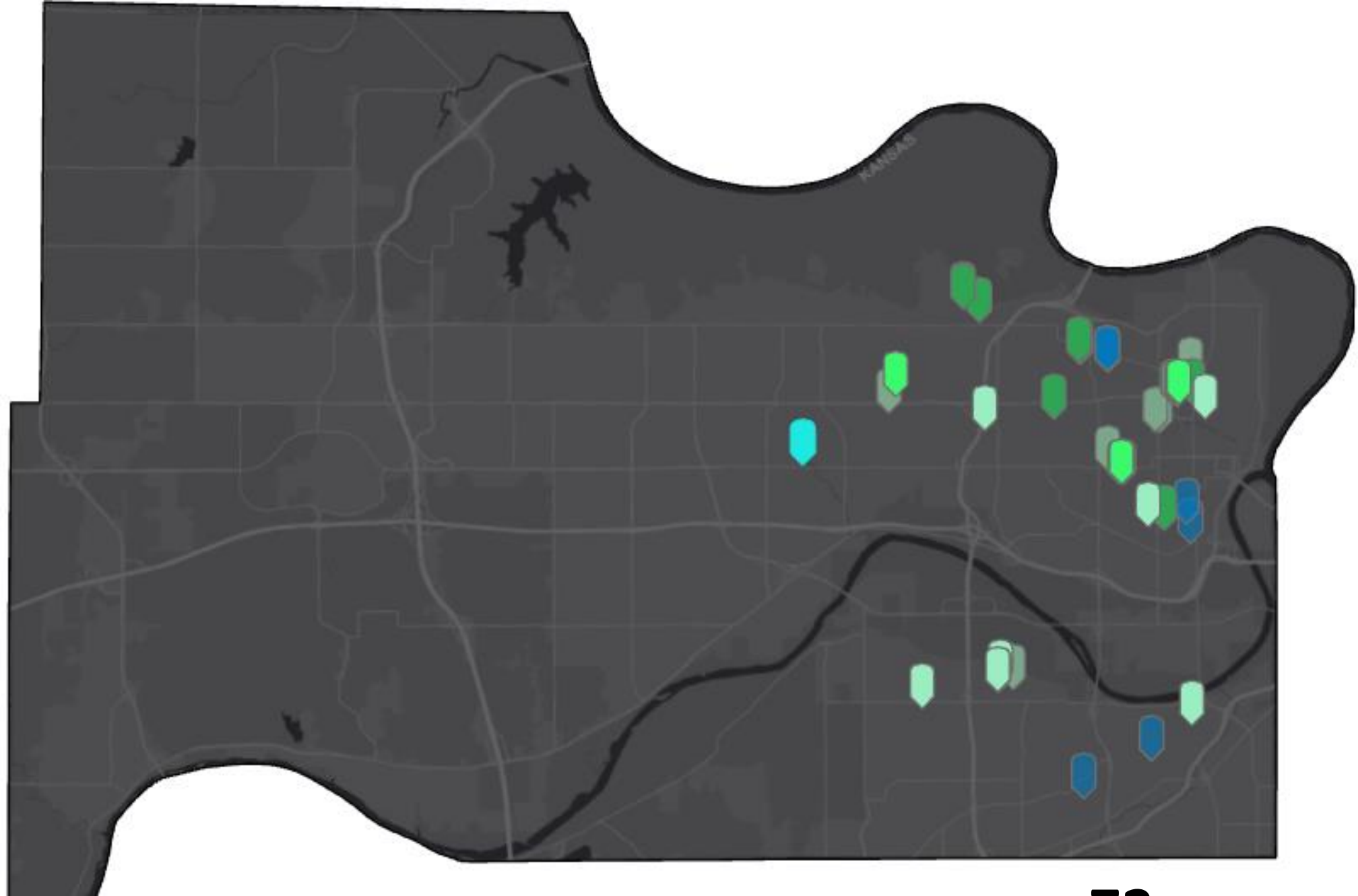
5

Garages

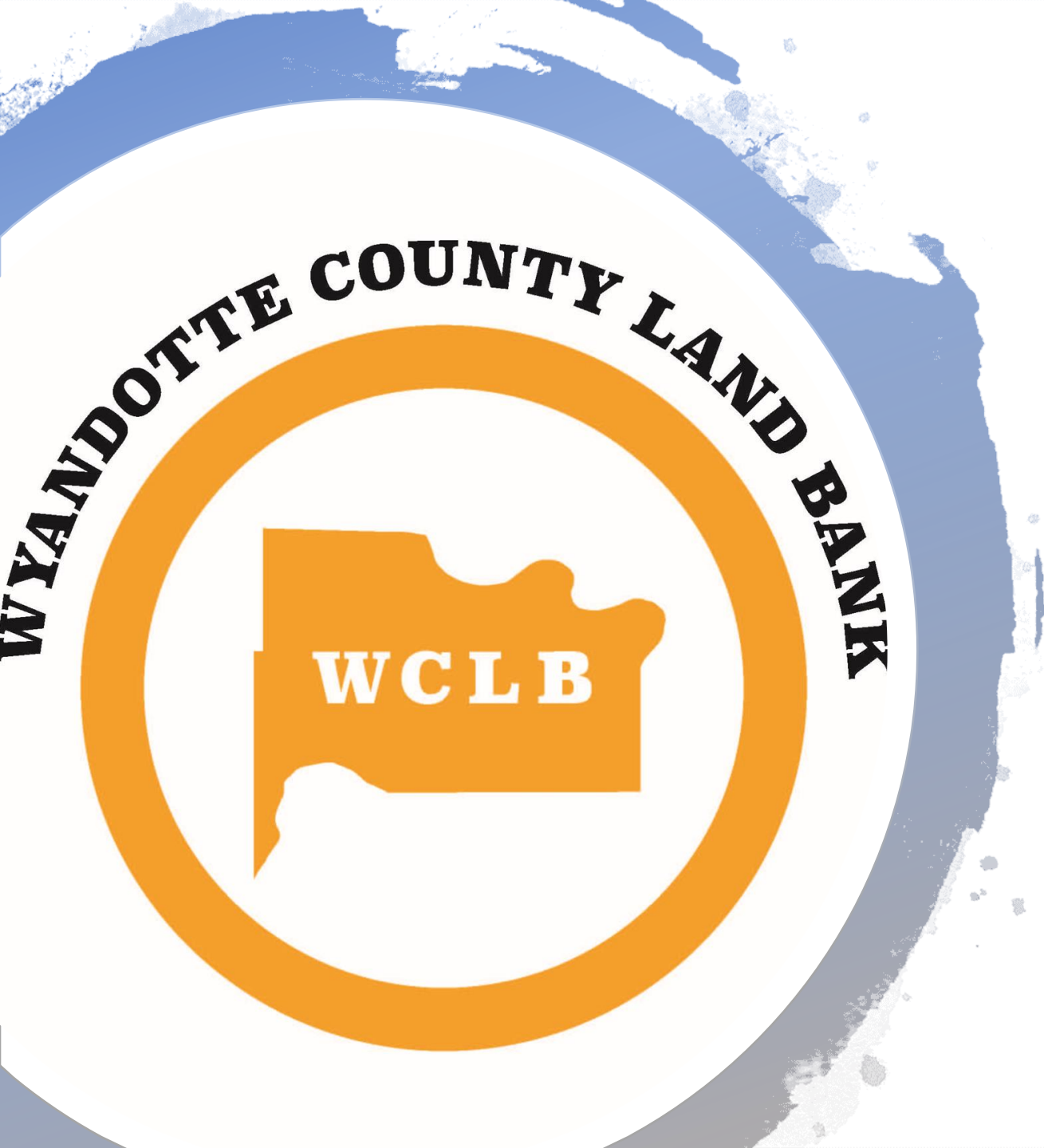
5

Property Transfers

4



Total New Units and Property Transfers **72**



Option Agreements

Agenda Item – A
Single Family Homes

10



COMPLETED OPTION AGREEMENT CHRIS SOLUTIONS LLC



**Ribbon Cutting for the 1st Land
Bank home built with the option
agreement**

1268 Pennsylvania Ave

Completed Option
Agreements

16

Active option
agreements for new
single family homes

137





OPTION AGREEMENTS CHRIS SOLUTIONS LLC



Requesting 3 Land Bank Lots

3815 Strong Ave – 171504

3813 H Strong Ave - 171503

1302 S 38th St - 170703

New Construction

2 Single Family Homes

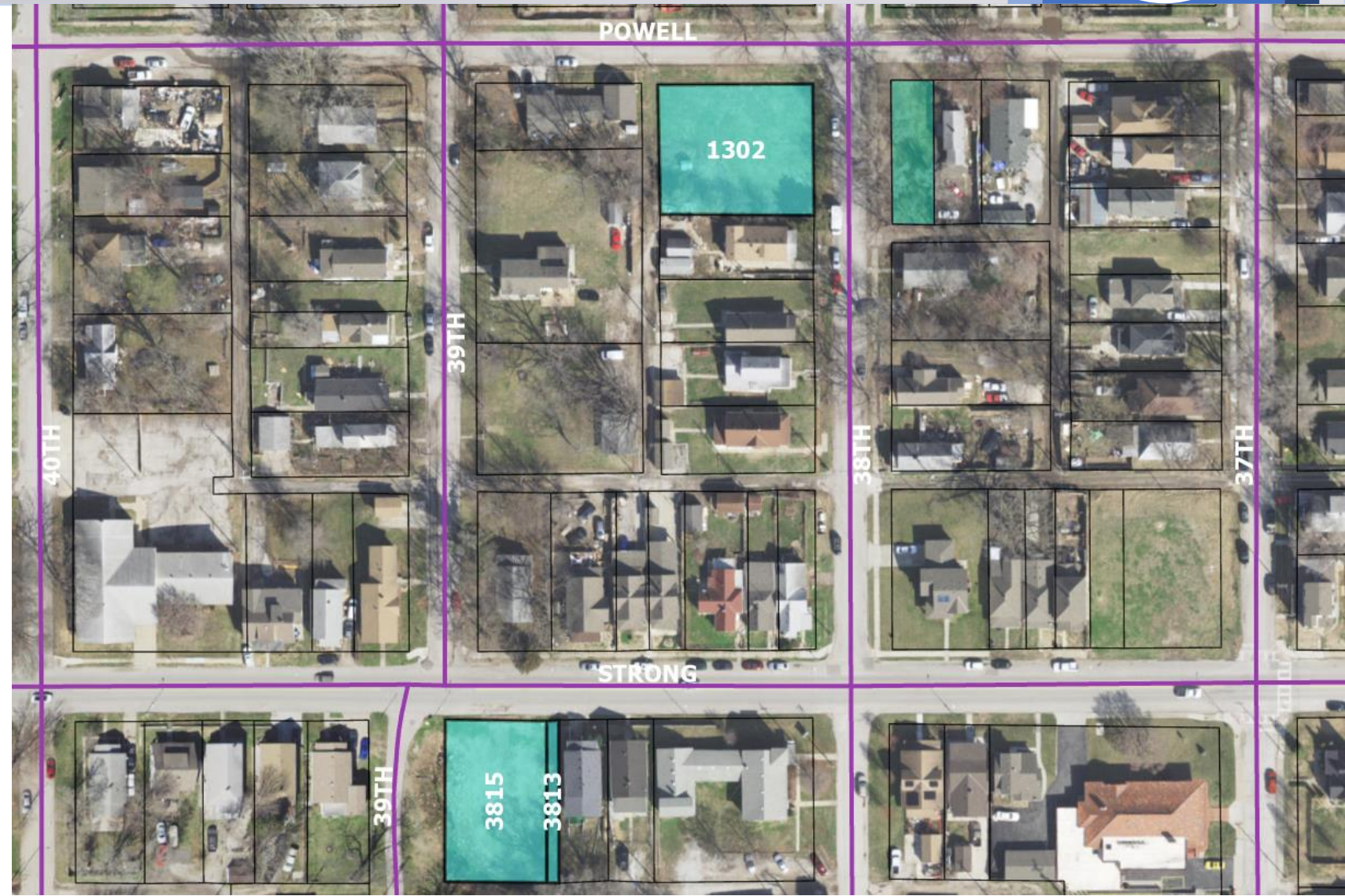
Zoning

R-1(B) Single Family District

Frontage

3815 – 87ft

1302 – 100Ft





OPTION AGREEMENTS CHRIS SOLUTIONS LLC



Building Details

3 Beds / 2 Baths

1,100 SqFt

Timeline

Project Start – July 2022

Project Completion – February 2023

Experience

Just completed a single family home
on a Land Bank Lot

Next steps

Comments

Staff Advisory Committee

Land Bank Advisory Board





OPTION AGREEMENTS CHRIS SOLUTIONS LLC



Requesting Land Bank Lot

1536 S 49th ST - 049690

New Construction

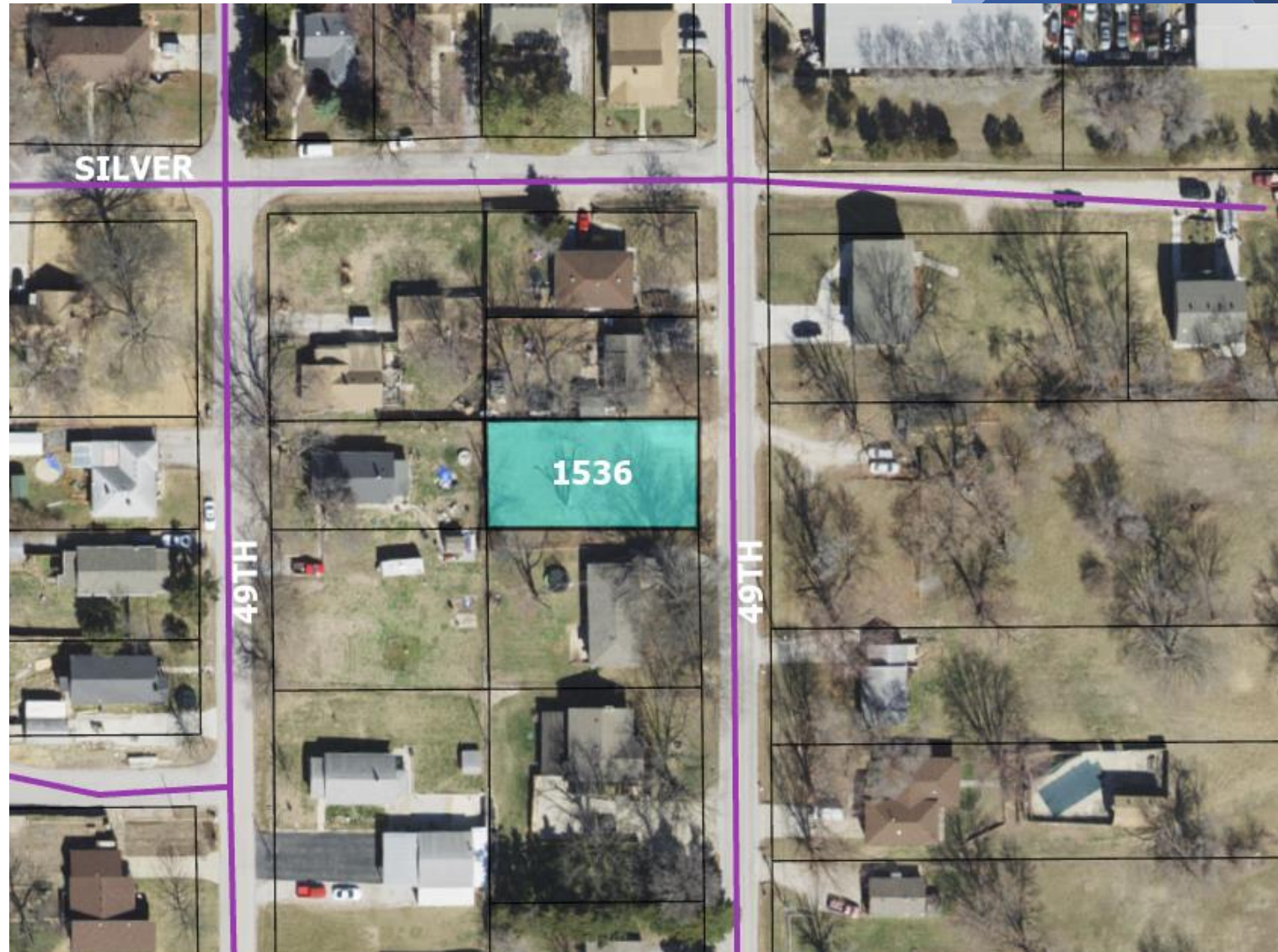
Single Family Home

Zoning

R-1 Single Family District

Frontage

65Ft





OPTION AGREEMENTS CHRIS SOLUTIONS LLC



Building Details

3 Beds / 2 Baths

1,100 SqFt

Timeline

Project Start – July 2022

Project Completion – February 2023

Experience

Just completed a single family home
on a Land Bank Lot

Next steps

Comments

Staff Advisory Committee

Land Bank Advisory Board





OPTION AGREEMENTS CHRIS SOLUTIONS LLC



Requesting Land Bank Lot

741 Shawnee Rd - 155009

New Construction

Single Family Home

Zoning

R-1 Single Family District

Frontage

100Ft





OPTION AGREEMENTS CHRIS SOLUTIONS LLC



Building Details

3 Beds / 2 Baths

1,100 SqFt

Timeline

Project Start – July 2022

Project Completion – February 2023

Experience

Just completed a single family home
on a Land Bank Lot

Next steps

Comments

Staff Advisory Committee

Land Bank Advisory Board

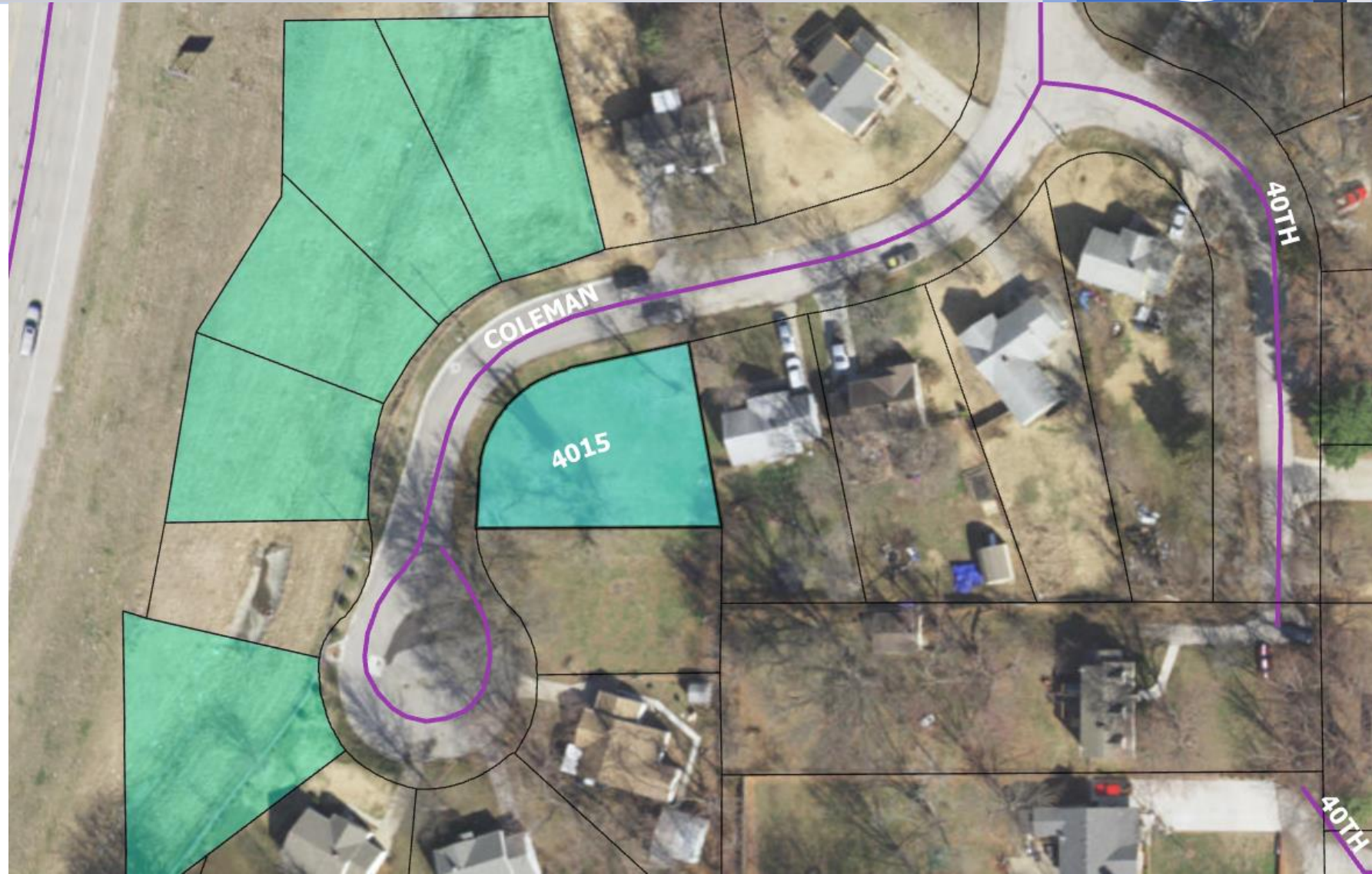
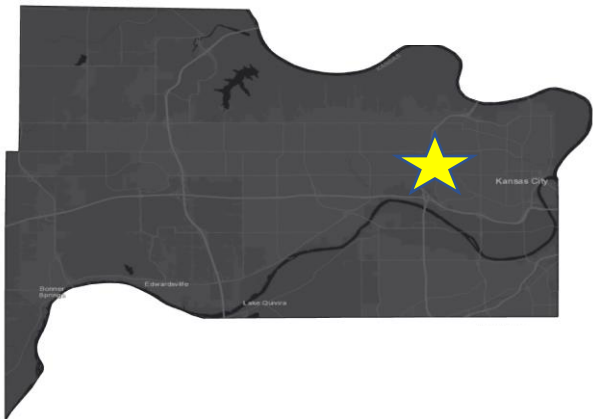




OPTION AGREEMENTS MONIQUE SMITH



Requesting Land Bank Lot
4015 Coleman Ct - 062912
New Construction
Single Family Home
Zoning
R-1(B) Single Family District
Frontage
146Ft





OPTION AGREEMENTS MONIQUE SMITH



Building Details

2 Beds / 2 Baths

928 SqFt

Timeline

Project Start – October 2022

Project Completion – July 2023

Experience

????

Next steps

Comments

Staff Advisory Committee

Land Bank Advisory Board





OPTION AGREEMENTS MONIQUE SMITH

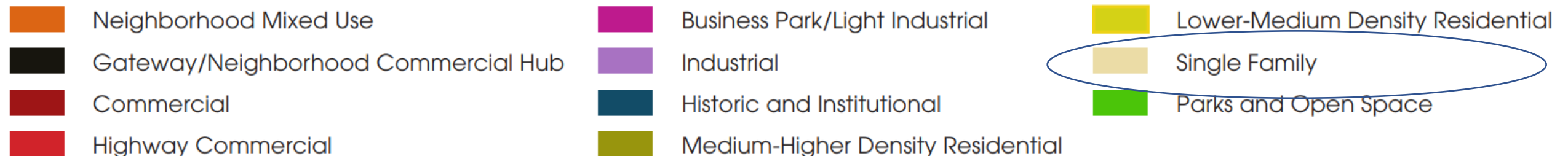


Northeast Area Master Plan

SINGLE FAMILY The Single Family district is intended to protect established single family neighborhoods.

Allowed Building Types

Single Family Homes





OPTION AGREEMENTS RICHARD DUMAS



Requesting Land Bank Lot
1047 Riverview Ave - 093842
New Construction
Single Family Home
Zoning
R-1(B) Single Family District
Frontage
50ft





OPTION AGREEMENTS RICHARD DUMAS



Building Details

2 Beds / 2 Baths

1720 SqFt

Timeline

Project Start – July 2022

Project Completion – July 2023

Next steps

Comments

Staff Advisory Committee

Land Bank Advisory Board





OPTION AGREEMENTS COMMUNITIES CARES, LLC



Requesting Land Bank Lots

4 Homes – 150ft Total Frontage - 37.25 ft per home

1914 N 6th St – 140712

1920 N 6th St - 140711

1922 N 6th St - 140710

1926 N 6th St - 140709

1914 N 6th St - 140712

1 Home – 75ft total frontage

1927 N 6th St – 140635

1929 N 6th ST – 140634

1931 N 6th ST - 140633

New Construction

5 Single Family Homes

Zoning

RP-5 Planned Apartment District





OPTION AGREEMENTS COMMUNITIES CARES, LLC





OPTION AGREEMENTS COMMUNITIES CARES, LLC



Michael Davenport Construction

- The builder for the project
- 45 years of experience
- Built single family homes, condominiums, Shopping strip centers
- Built 30 homes for Habitat for Humanity



2431 Forest Ave
Kansas City, Mo



2549 Tracy Ave
Kansas City, Mo



2542 Tracy Ave
Kansas City, Mo



2547 Tracy Ave
Kansas City, Mo



OPTION AGREEMENTS COMMUNITIES CARES, LLC



Building Details

3 - 4 Beds / 2.5 Baths
2,000 – 2,500 SqFt

Timeline

Project Start – July 2022
Project Completion – July 2023

Next steps

Comments

Staff Advisory Committee

Land Bank Advisory Board





OPTION AGREEMENTS COMMUNITIES CARES, LLC



Northeast Area Master Plan

LOWER-MEDIUM DENSITY RESIDENTIAL

Allowed Building Types

Single Family Homes, Townhomes, Duplexes

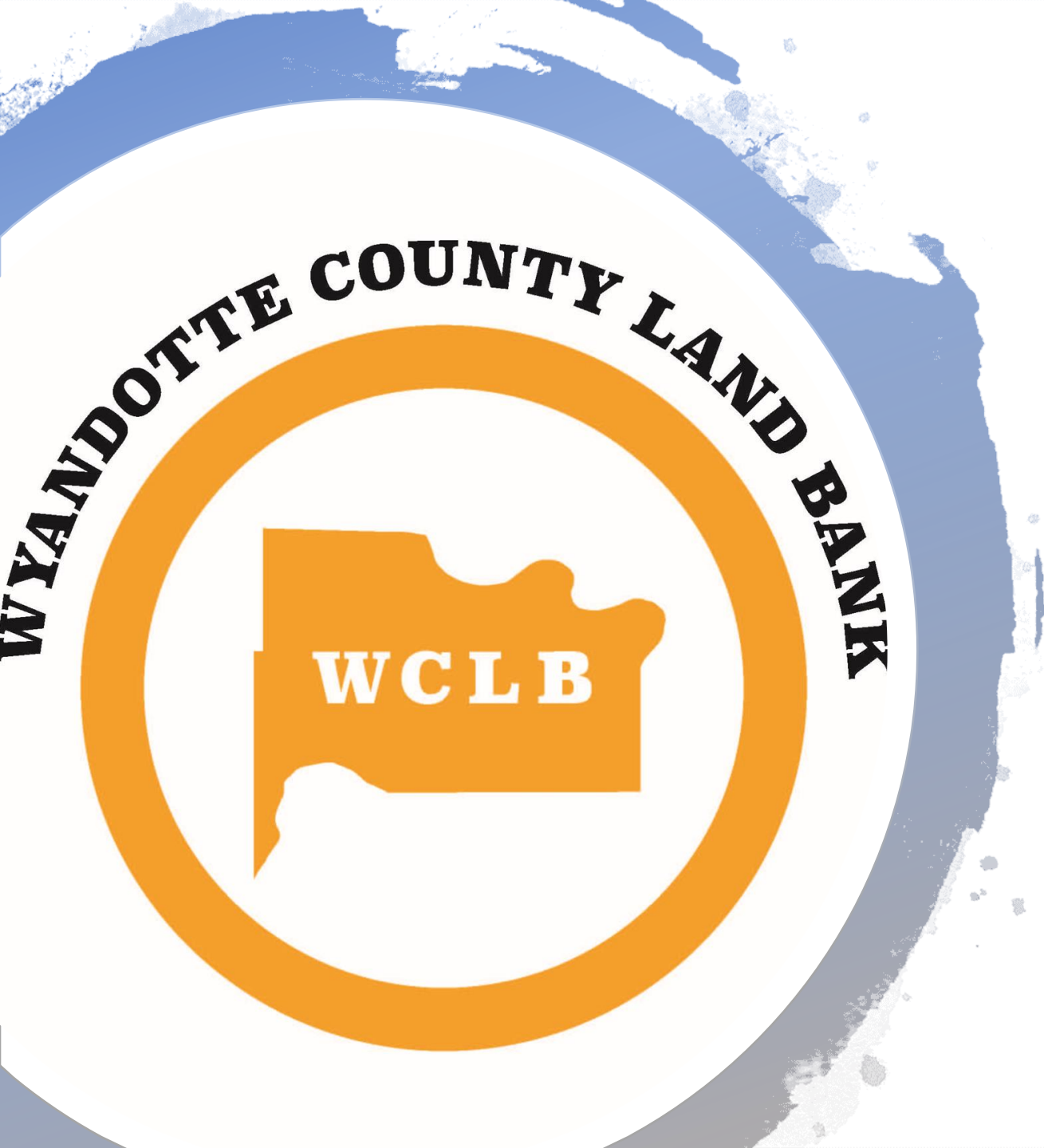
MEDIUM-HIGHER DENSITY RESIDENTIAL

Allowed Building Types

Single Family Houses, Duplexes, Townhomes, Low rise apartments 2-4 stories



	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 – B

Multi Family

48 Units



OPTION AGREEMENTS TRAVIS WILLSON



Requesting 7 Land Bank Lots

New Construction

Townhomes

9 – 10 units

Zoning

RP-5 Planned Apartment District

R-1(B) Single Family District





OPTION AGREEMENTS TRAVIS WILLSON



Townhomes

1305 Ann Ave – 081041
1307 Ann Ave – 081042
1309 H Ann Ave – 081043
1311 Ann Ave – 081044
1315 Ann Ave – 081045
1319 Ann Ave – 081046
1325 Ann Ave - 081048





OPTION AGREEMENTS

TRAVIS WILLSON



Building Details

3 bed / 3 baths

1500 SqFt each unit

Timeline

Project Start – 10/6/22

Project Completion 7/7/23

Next steps

Comments

Staff Advisory Committee
Land Bank Advisory Board





OPTION AGREEMENTS WALL-TIES & FORMS INC



Requesting 8 Land Bank Lots

New Construction

15 units

Townhomes

Urban orchard and garden

Zoning

RP-5 Planned Apartment District





OPTION AGREEMENTS WALL-TIES & FORMS INC



Townhomes

835 Parallel Ave - 095058
831 Parallel Ave - 095057
827 Parallel Ave - 095056
825 Parallel Ave - 095055
834 Troup Ave - 095059
830 Troup Ave - 095060

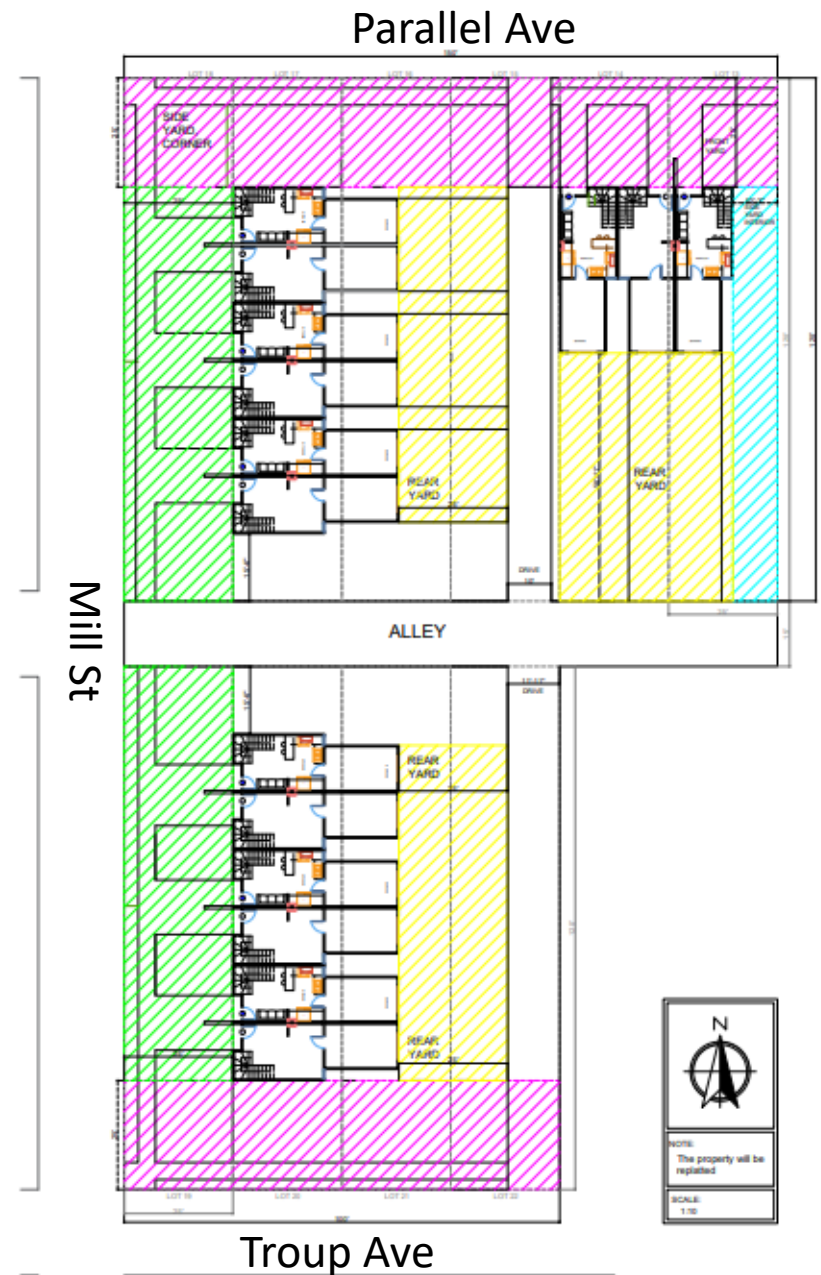
Garden and Orchard

843 Parallel Ave - 095068
851 Parallel Ave - 095069





OPTION AGREEMENTS WALL-TIES & FORMS INC





OPTION AGREEMENTS WALL-TIES & FORMS INC





OPTION AGREEMENTS WALL-TIES & FORMS INC



Building Details

2 bed / 1.5 bath

895 SqFt each unit

Modern, Highly energy efficient,
Parking in rear

Timeline

18 Months

Next steps

1. Narrow lot review
2. Building permit
3. Proof of funds

Comments

Staff Advisory Committee

Narrow lot review doesn't allow for flat roofs

Land Bank Advisory Board





OPTION AGREEMENTS WALL-TIES & FORMS INC



Northeast Area Master Plan

LOWER-MEDIUM DENSITY RESIDENTIAL The Lower-Medium Density Residential district is intended to promote infill development and investment by allowing additional units compared to the Single Family district, while preserving the overall character of existing neighborhoods. Lower-Medium Density Residential areas must follow the narrow lot design guidelines.

Allowed Building Types

Single Family Homes, Townhomes, Duplexes



	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

RAJ BHATIA



Requesting Land Bank Lot

2110 N 51st St - 917814

New Construction

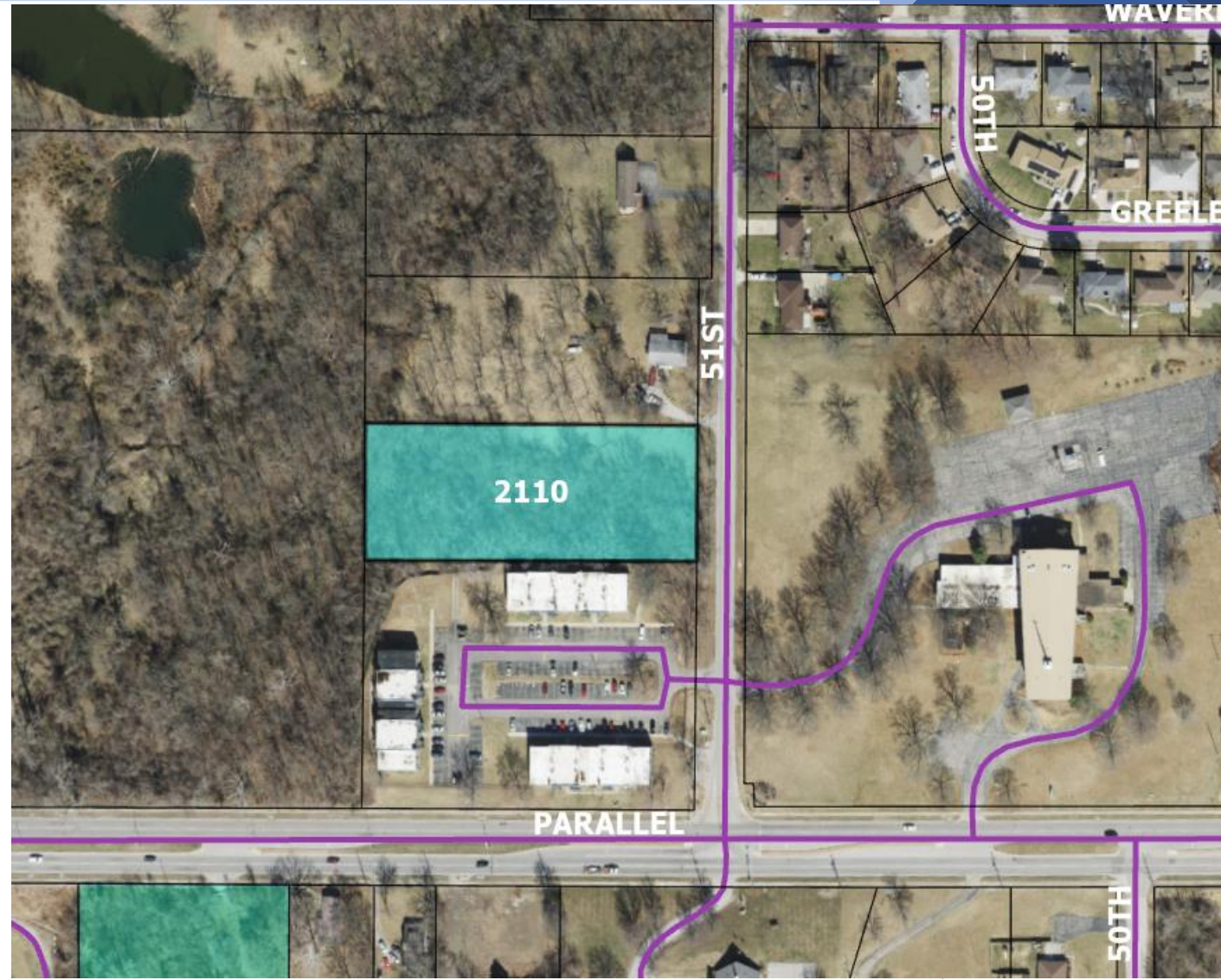
2 Story Row Housing - 24 units

Zoning

RP-5 Planned Apartment District

Frontage

176Ft





OPTION AGREEMENTS

RAJ BHATIA



Building Details

- 24 units
- 2 & 3 Bedrooms 2 & 2.5 Baths
- 1,110 Sq Ft per unit
- 1 car garage

Timeline

- Project Start – May 2022
- Project Completion –December 2022

Next steps

1. Change of zone (**Public Meeting**)
2. Building permit
3. Proof of funds

Comments

Staff Advisory Committee

Need to comply with the multi family design guidelines

Land Bank Advisory Board



Project Goals

1. Build quality, affordable, family friendly housing
2. Create net-zero energy efficient building with solar energy capture
3. Create model community with modern building techniques



OPTION AGREEMENTS

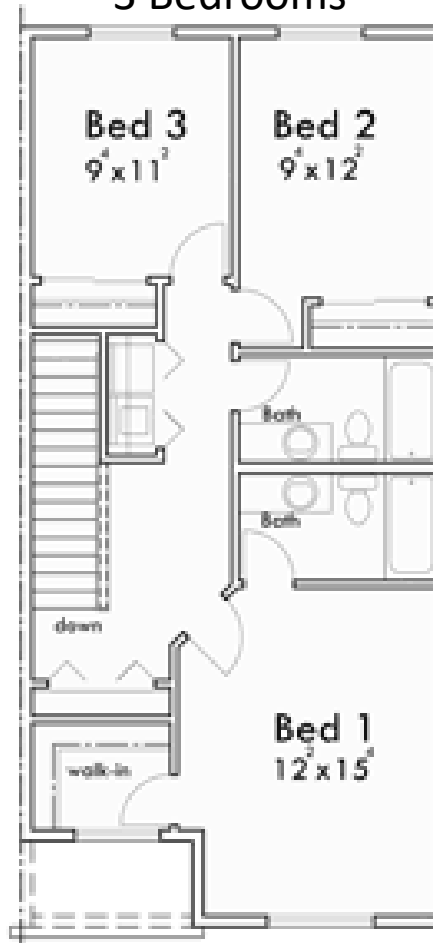
RAJ BHATIA



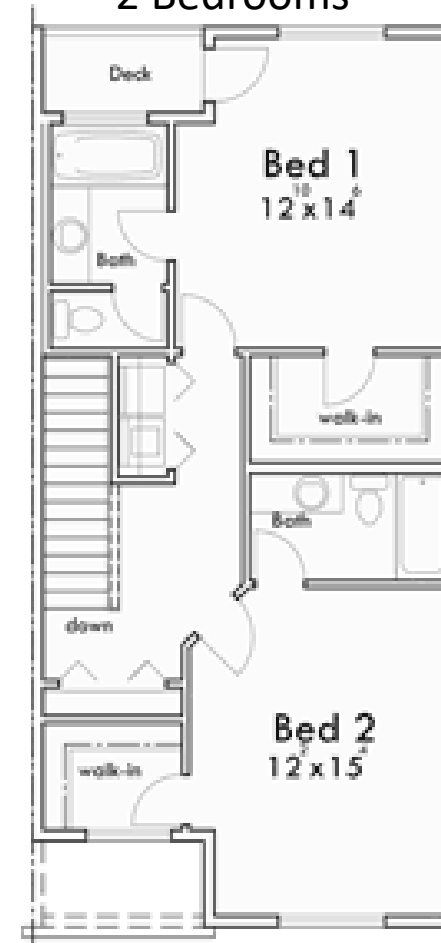
Experience

- Raj Bhatia is President of Vastu Capital LLC, a Kansas Corporation
- Vastu Capital is requesting the option to develop the land(s) mentioned here.
- Raj is a Certified Professional Project Manager for 20+ years
- A Real Estate Agent
- Owner/ manager rental properties
- Supported by team of Architect, Engineer, Builder
 - RB Architecture Engineering Construction
 - Build SMART
 - Tim Weatherly - Class A General Contractor, Certified Passive House Builder

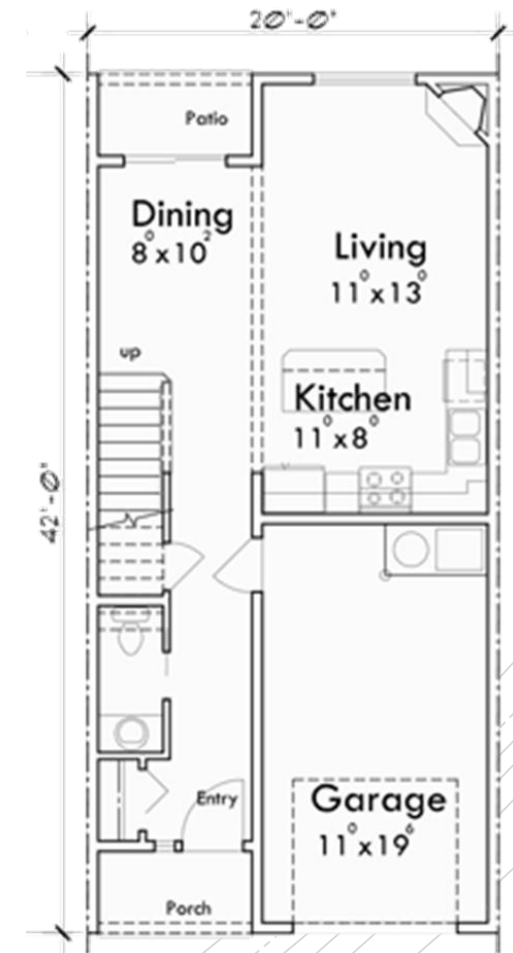
Upper Level
3 Bedrooms

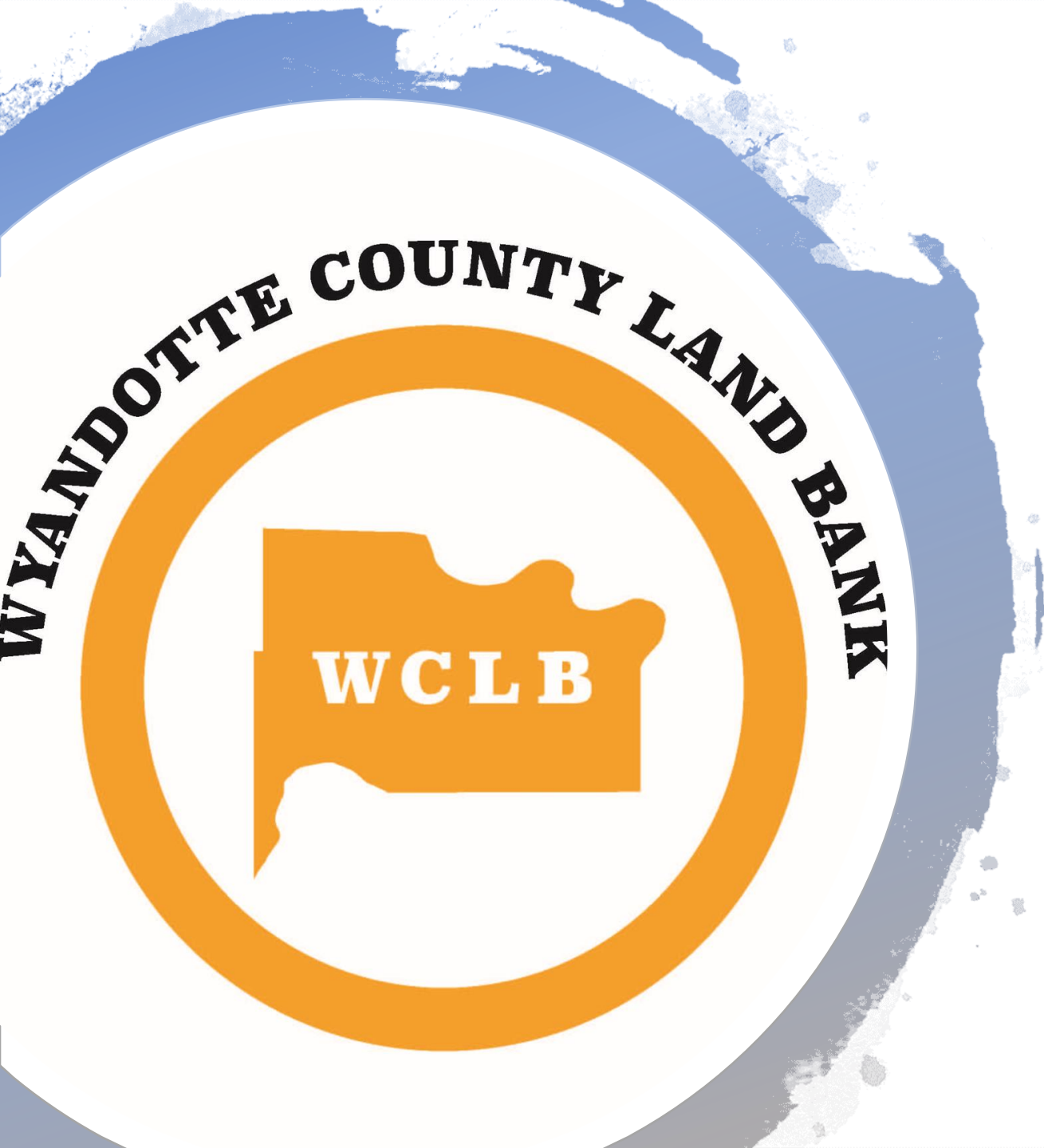


Upper Level
2 Bedrooms



Main Level





Option Agreements

Agenda Item – C
Commercial

5



OPTION AGREEMENTS CHRIS SOLUTIONS LLC



Requesting Land Bank Lot

1604 Minnesota Ave - 907522

New Construction

Plex Pod (Co working space)

Office spaces

Zoning

C-3 Commercial District

Frontage

110Ft





OPTION AGREEMENTS CHRIS SOLUTIONS LLC



Building Details

2,400 SqFt

Timeline

Project Start – July 2022

Project Completion – July 2023

Experience

Just completed a single family home
on a Land Bank Lot

Next steps

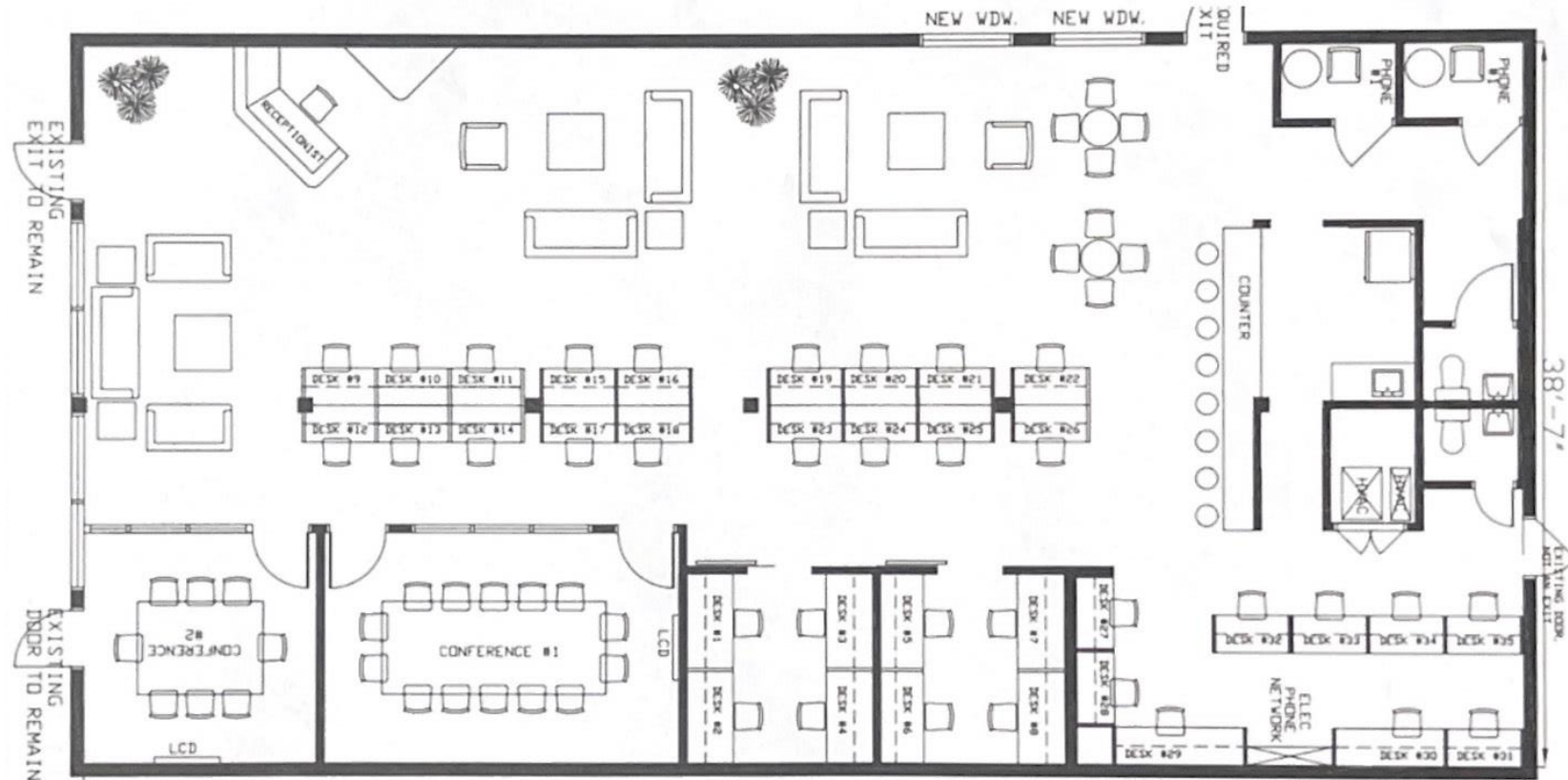
1. DRC
2. Building permit
3. Proof of funds

Comments

Staff Advisory Committee

Must follow the commercial design guidelines

Land Bank Advisory Board





OPTION AGREEMENTS CHRIS SOLUTIONS LLC



Requesting Land Bank Lot

3510 Strong Ave - 170670

New Construction

Plex Pod (Co working space)

Office spaces

Zoning

CP-1 Planned Limited Business District

Frontage

100Ft





OPTION AGREEMENTS CHRIS SOLUTIONS LLC



Building Details

2,400 SqFt

Timeline

Project Start – July 2022

Project Completion – July 2023

Experience

Just completed a single family home
on a Land Bank Lot

Next steps

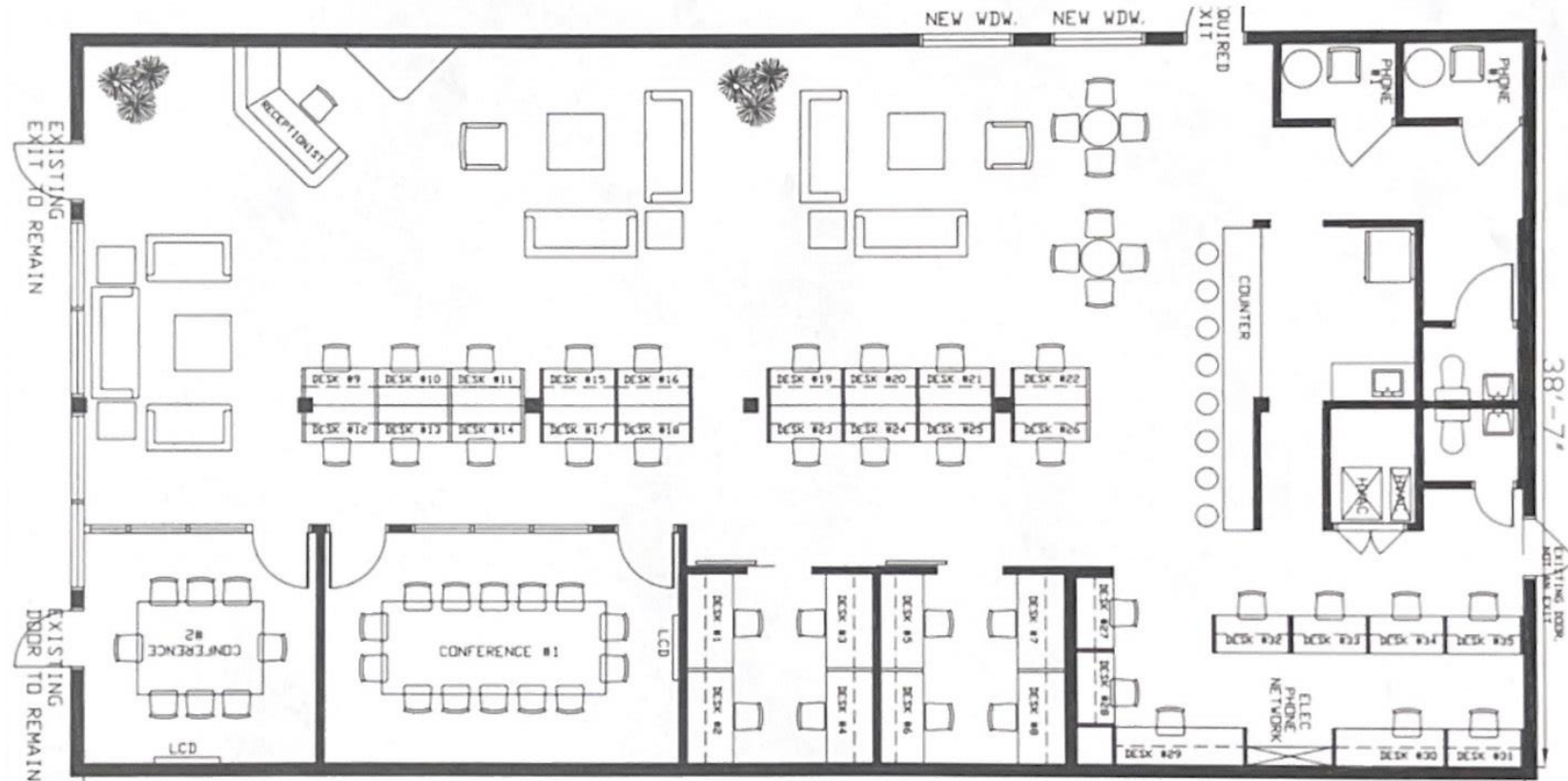
1. DRC
2. Building permit
3. Proof of funds

Comments

Staff Advisory Committee

Must follow the commercial design guidelines

Land Bank Advisory Board





OPTION AGREEMENTS MOHAMMAD A CHAUDHRY



Requesting Land Bank Lot

706 Quindaro Blvd - 111910

Currently Owns

2310 N 7th St – 111912

704 Quindaro Blvd - 111911

New Construction

Parking lot

Zoning

C-3 Commercial District

Frontage

30FT





OPTION AGREEMENTS

MOHAMMAD A CHAUDHRY



Building Details

Need 20 parking spaces

Timeline

Project Start – June 2022

Project Completion – September 2023

Experience

????

Next steps



Comments

Staff Advisory Committee

Land Bank Advisory Board

I have the properties 700 and 704 and I am building a convenience/grocery store and for me to open the store I need to have 20 parking spaces.



OPTION AGREEMENTS

MOHAMMAD A CHAUDHRY

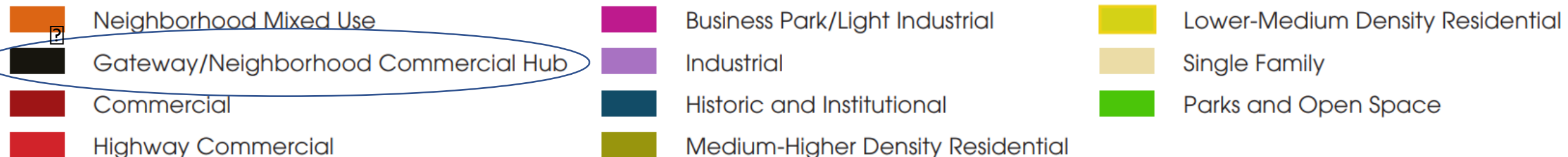


Northeast Area Master Plan

GATEWAY / NEIGHBORHOOD COMMERCIAL HUB The Gateway / Neighborhood Commercial Hub is a commercial district of medium intensity commercial uses that serve the surrounding neighborhoods and could include commercial uses that serve the wider community and region. These hubs are usually centered around a major intersection. These areas should be walkable with wide sidewalks, landscape buffer areas, street trees and accommodates for cyclists and transit. Buildings should be built up to the street to form a consistent street frontage with special consideration and prominence given to major block corners.

Allowed Building Types

Low Rise Apartments (2-4 stories), Small and Medium Commercial Retail and Office Buildings, Mixed Use Buildings (apartments/office above retail/ office), Institutional Buildings





OPTION AGREEMENTS

CHANTELLE L SIMS



Requesting Land Bank Lot

6116 State Ave - 004421

New Construction

Small Restaurant and Boutique

Zoning

C-1 Limited Business District

Arce

0.78





OPTION AGREEMENTS

CHANTELLE L SIMS



Building Details

Containers
2800 SqFt

Timeline

Project Start – September 2022
Project Completion – 2023

Experience

Will be hiring builders

Next steps

Comments

Staff Advisory Committee
Follow commercial design guidelines, right of way permit,
might be better for access off of 62nd st
Land Bank Advisory Board



I know a lot of great small business that I have supported that are only able to afford to work from their home or their car. I want to build an affordable small eat and boutique center where owners are able to rent out build & their business and bring more to the community



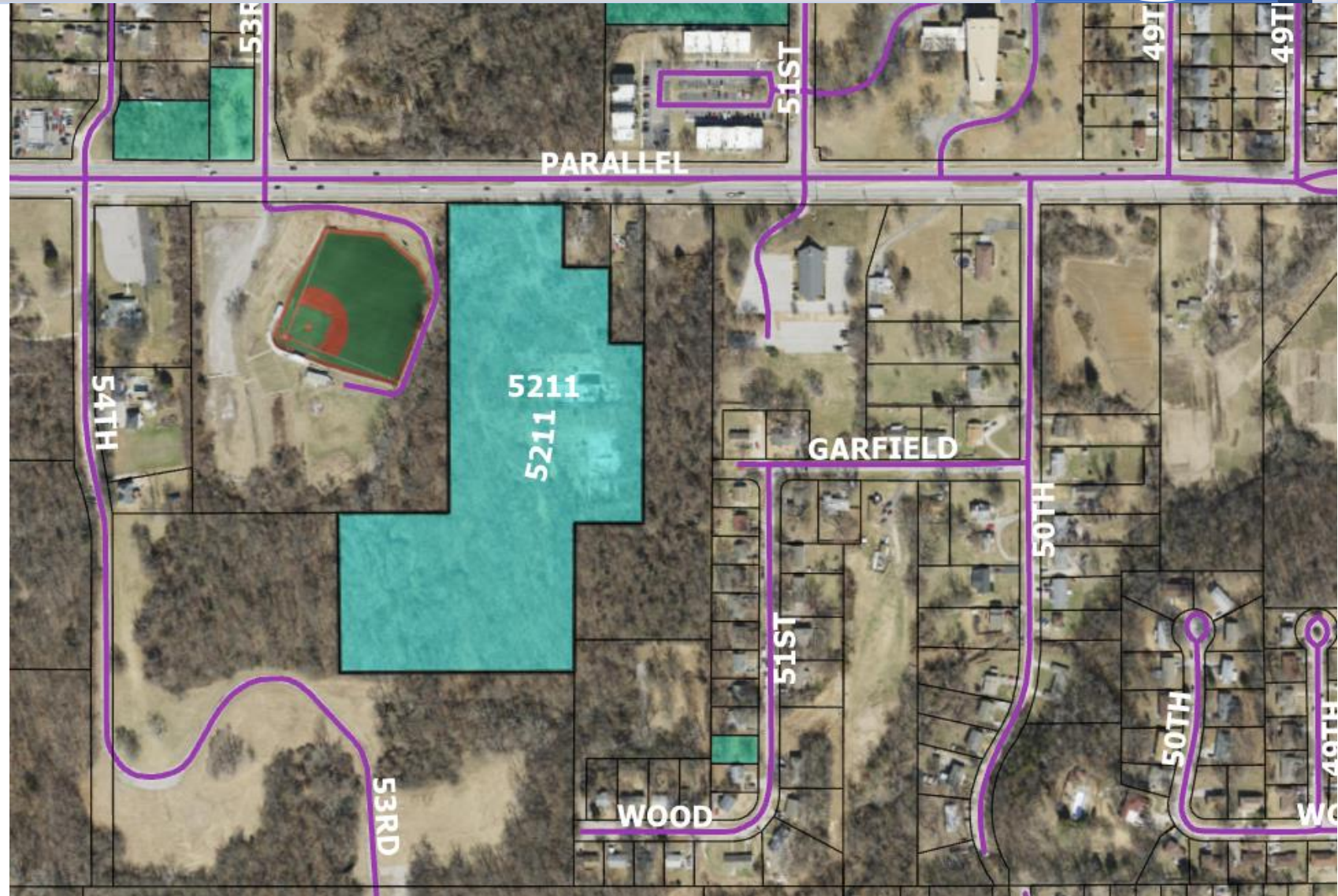
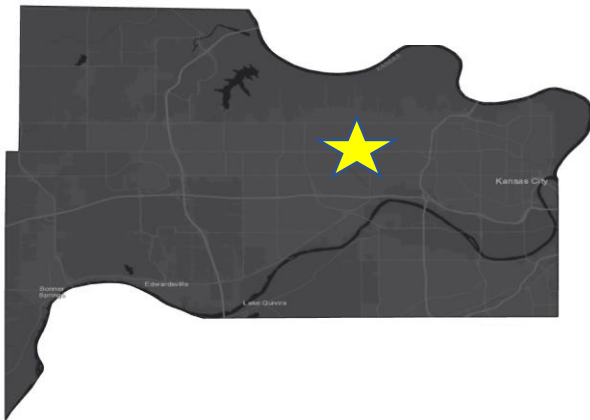


OPTION AGREEMENTS

THE DOMINIQUE EXPERIENCE FOUNDATION



Requesting Land Bank Lot
5211 Parallel Pkwy - 917907
New Construction
Community Center
Zoning
R-1 Single Family District
Acres
11.64





OPTION AGREEMENTS

THE DOMINIQUE EXPERIENCE FOUNDATION



Programs

- Olympic size pool
- Lazy river
- Indoor courts with running track
- Event space with kitchen
- Conference space (large & small)
- Performance Space
- Fitness space
- Café
- Maker's / technology space
- Reading / Study room
- Childcare





OPTION AGREEMENTS

THE DOMINIQUE EXPERIENCE FOUNDATION



Next Steps

1. Master plan amendment (Public Meeting)
2. Change of Zone C-1 (Public Meeting)
3. Special use permit for daycare
4. Building permit
5. Proof of funds

Comments

Staff Advisory Committee

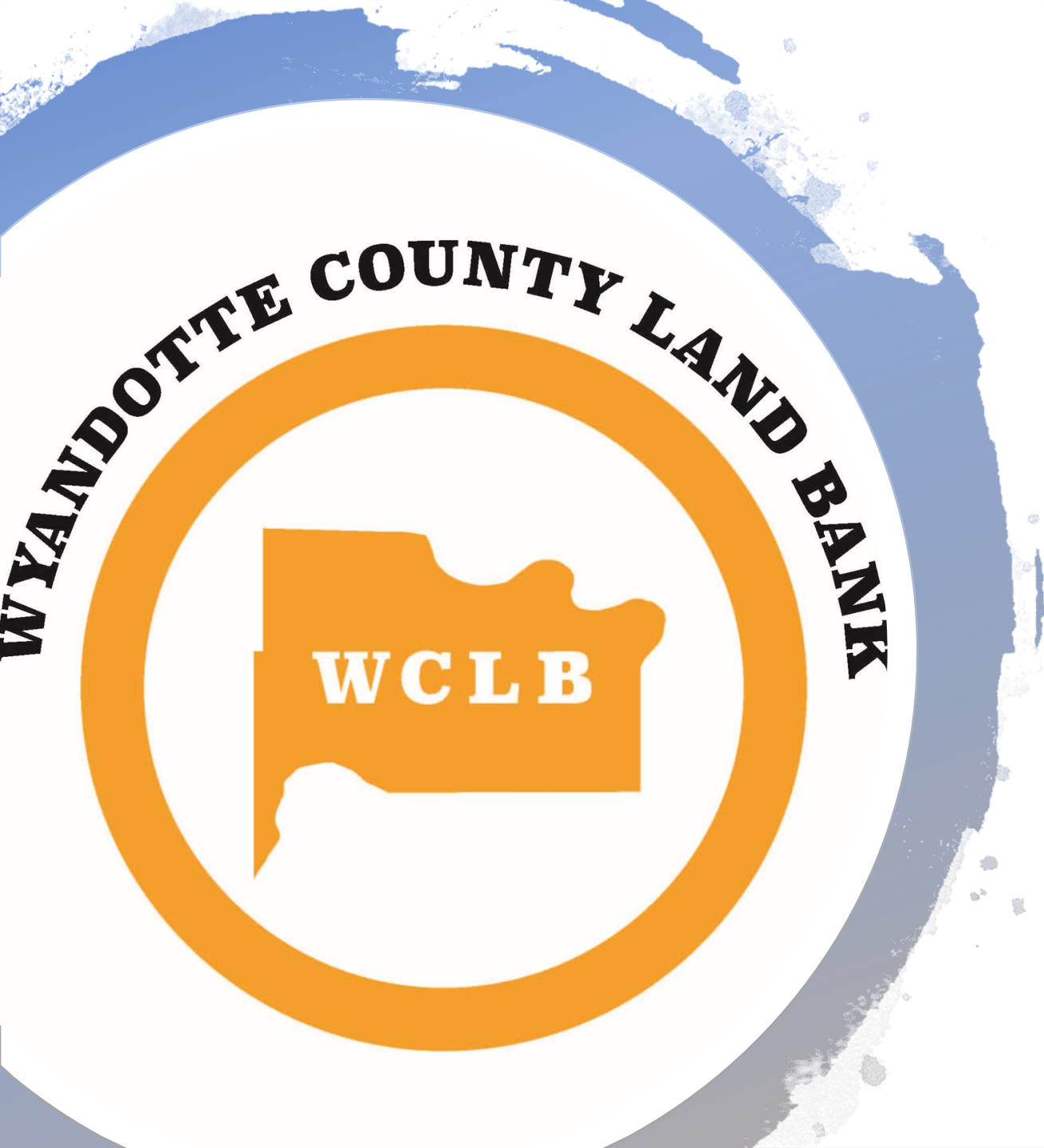
DRC to entitlements

Parking on the side or rear of building

Build a sidewalk

Land Bank Advisory Board

2023	2025	2027	2029	2030 and after	
Phase 1	Phase 2	Phase 3	Phase 4	Phase 5	Phase 6
Gymnasium/basketball courts w/ suites	Performance arts center	Arcade/game room	Baseball field	Go karts	Camp ground
Indoor outdoor water parks & pools					
Fitness center with workout equipment	Football field with suites	Rock wall/foam pit	Tennis court	Laser tag	Library
Café/restaurant/coffee shop/juice bar					
Conference rooms/party rooms	Clinic/exam rooms	Bowling alley	Small business suites		
Offices/breakroom					
Child care center		Skating rink			
Computer room/study hall					
Theatre room					



Option Agreements

Agenda Item – D

Garages

5



OPTION AGREEMENTS

JUAN ANTONIO VIVIDOR ROSA



Requesting Land Bank Lot

4200 Leavenworth Rd - 167115

Currently Owns

4100 Leavenworth Rd- 167106

New Construction

2 car garage

Zoning

R-1(B) Single Family District

Acre

0.46





OPTION AGREEMENTS

JUAN ANTONIO VIVIDOR ROSA



Timeline

Project Start – May 2022

Project Completion – August 2022

Experience

5 years of construction experience

Next steps



Comments

Staff Advisory Committee

Not recommending for approval

Land Bank Advisory Board

Applicant comments

Would like to build a garage for more space to store yard equipment, and additional yard for gardening.



OPTION AGREEMENTS EDWINA GASKIN



Requesting Land Bank Lots

2624 N 21st ST – 158942

2636 R N 21st ST - 163137

Currently Owns

2108 Georgia Ave - 158931

New Construction

2 car garage

Zoning

R-1(B) Single Family District





OPTION AGREEMENTS

EDWINA GASKIN



Timeline

Project Start – May 2022

Project Completion – May 2023

Experience

Currently rehabbing home

Next steps

Comments

Staff Advisory Committee

Not recommending for approval

Land Bank Advisory Board





OPTION AGREEMENTS EDWINA GASKIN



Northeast Area Master Plan

SINGLE FAMILY The Single Family district is intended to protect established single family neighborhoods.

Allowed Building Types

Single Family Homes



	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

AARON G CHANEY



Requesting Land Bank Lot

701 Parallel Ave - 095021

Currently Owns

2010 N 7th St- 095302

New Construction

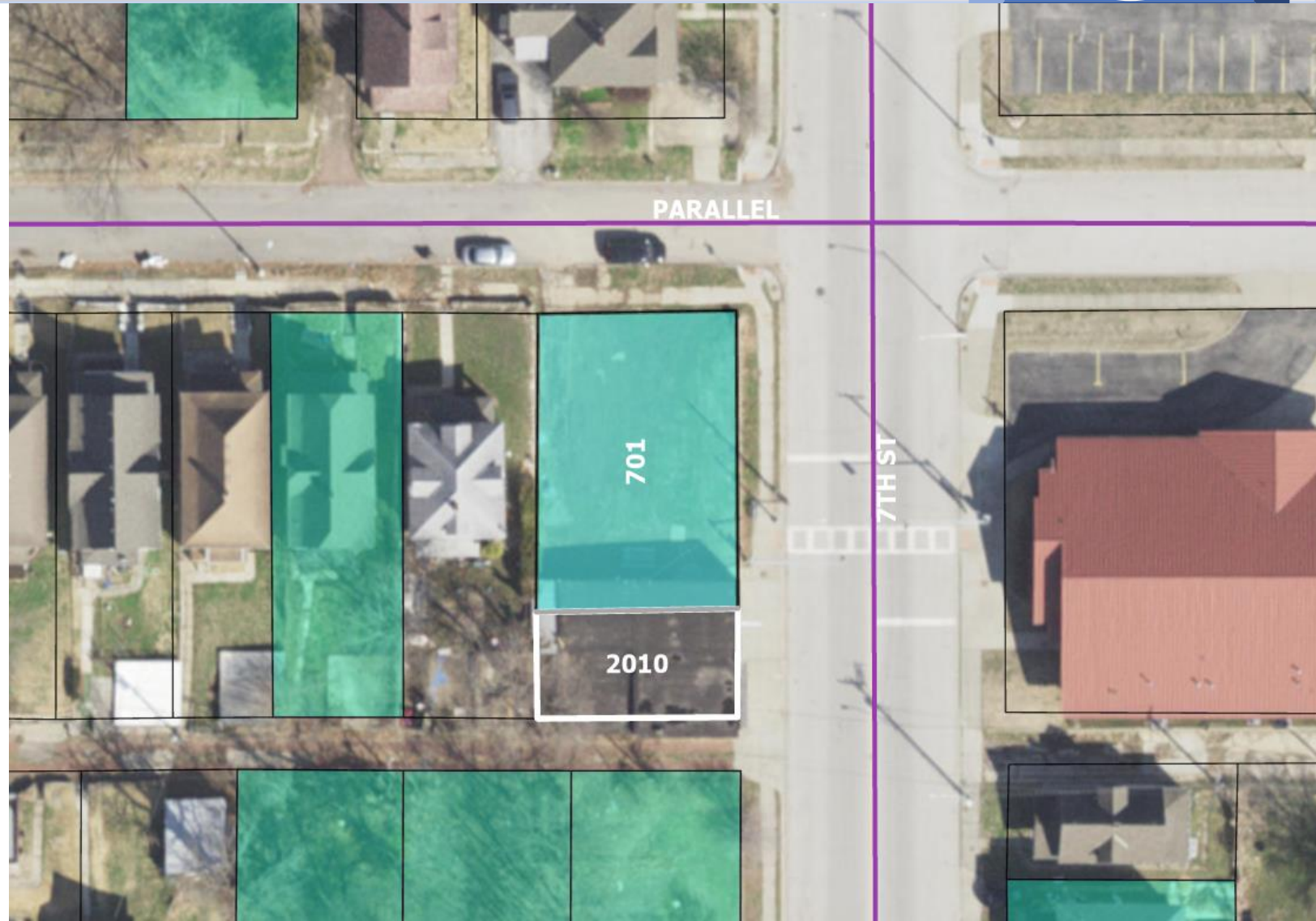
2 car garage

Zoning

C-3 Commercial District

Acre

0.12





OPTION AGREEMENTS

AARON G CHANEY



Timeline

Project Start – May 2022

Project Completion – August 2022

Experience

Will hire a contractor

Next steps

1. Special use permit
2. Building permit
3. Proof of funds

Comments

Staff Advisory Committee

Not recommending for approval – garage next door to residential

Land Bank Advisory Board



The garage will be used for maintenance/repairs and storage of motorcycles currently being worked on. My company name is Mayday Motorz.



OPTION AGREEMENTS AARON G CHANEY



Northeast Area Master Plan

NEIGHBORHOOD MIXED USE The Neighborhood Mixed Use district is generally designated along corridors that include a mix of single family houses, apartment buildings, small commercial buildings, and mixed use buildings. These areas should be walkable with wide sidewalks, landscape buffer areas, street trees and accommodates for cyclists and transit. Buildings should be built up to the street for form a consistent street frontage.

Allowed Building Types

Single Family Homes, Townhomes, Duplexes, Low Rise Apartments, small commercial retails and office buildings, mixed use buildings, institutional buildings



	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 JESUS VALLE



Requesting Land Bank Lot

950 Reynolds Ave - 093384

Currently Owns

946 Reynolds Ave - 093383

New Construction

2 car garage

Zoning

R-1(B) Single Family District





OPTION AGREEMENTS JESUS VALLE



Timeline

Project Start – September 2022

Project Completion – December 2022

Experience

Remodeling and construction experience

Next steps

Comments

Staff Advisory Committee

Not recommending for approval

Land Bank Advisory Board





OPTION AGREEMENTS MARISOL VILLA



Requesting Land Bank Lot

1859 N 28th ST - 195443

Currently Owns

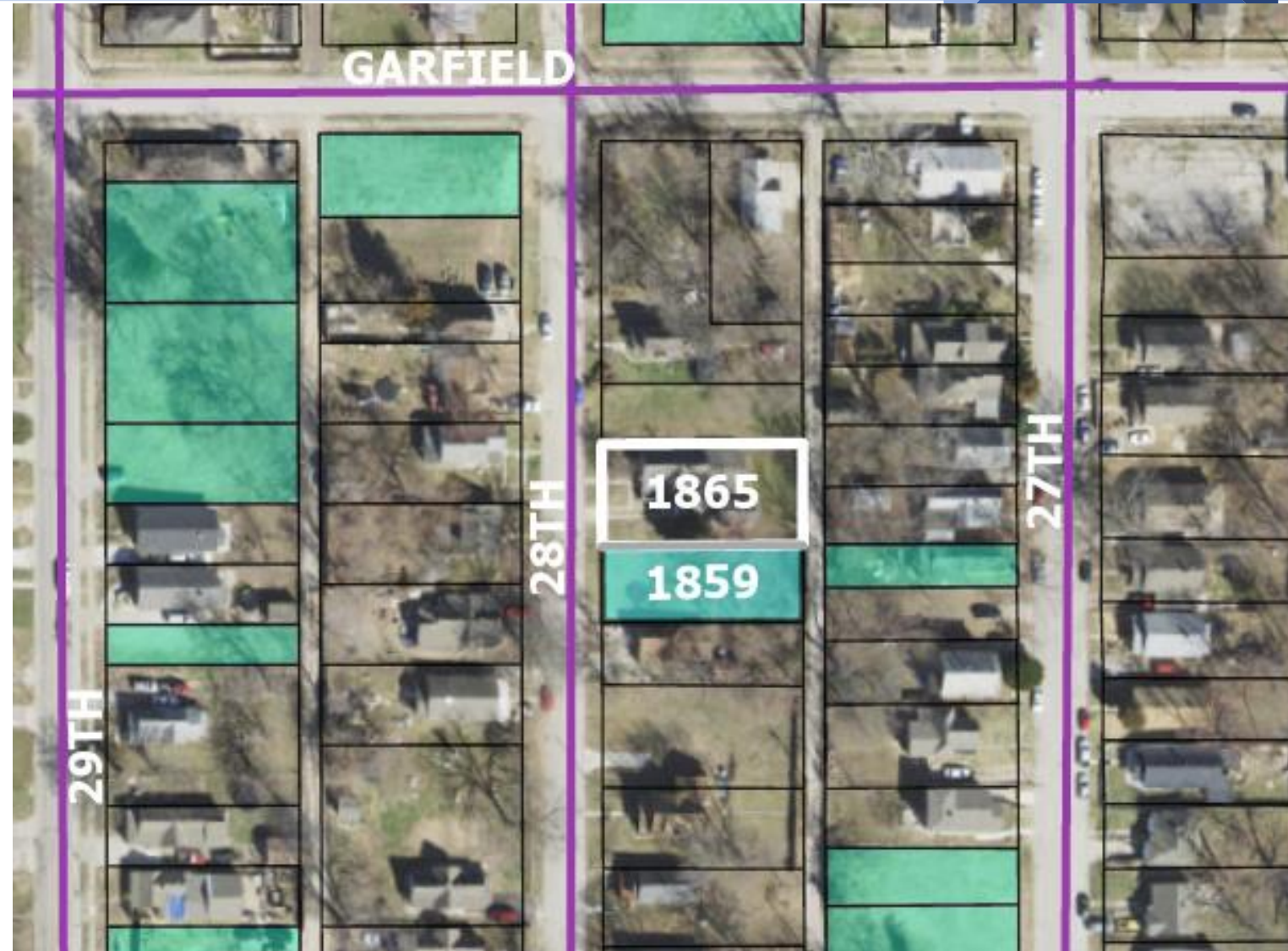
1865 N 28th ST - 195444

New Construction

2 car garage

Zoning

R-1(B) Single Family District





OPTION AGREEMENTS MARISOL VILLA



Timeline

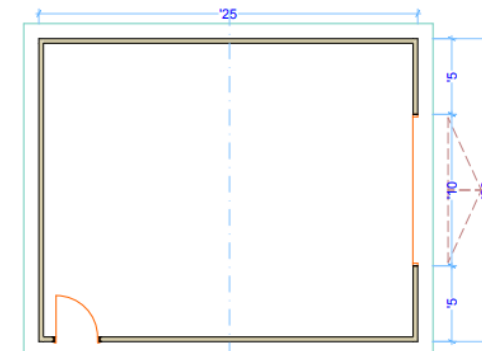
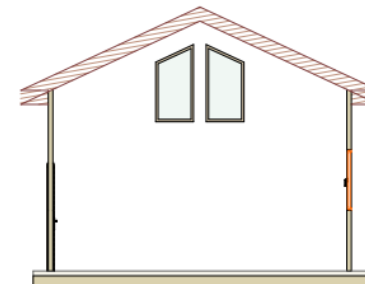
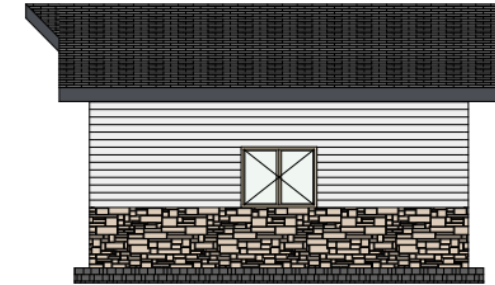
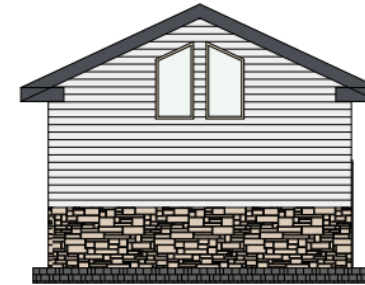
Project Start – June 2022

Project Completion – September 2022

Experience

Remodeling and construction experience

Next steps



Comments

Staff Advisory Committee

Not recommending for approval

Land Bank Advisory Board



OPTION AGREEMENTS MARISOL VILLA

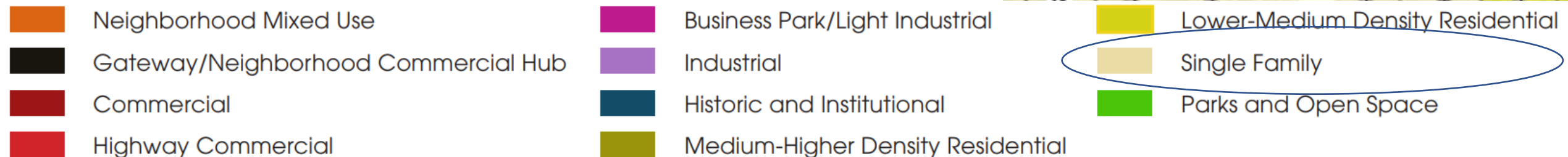


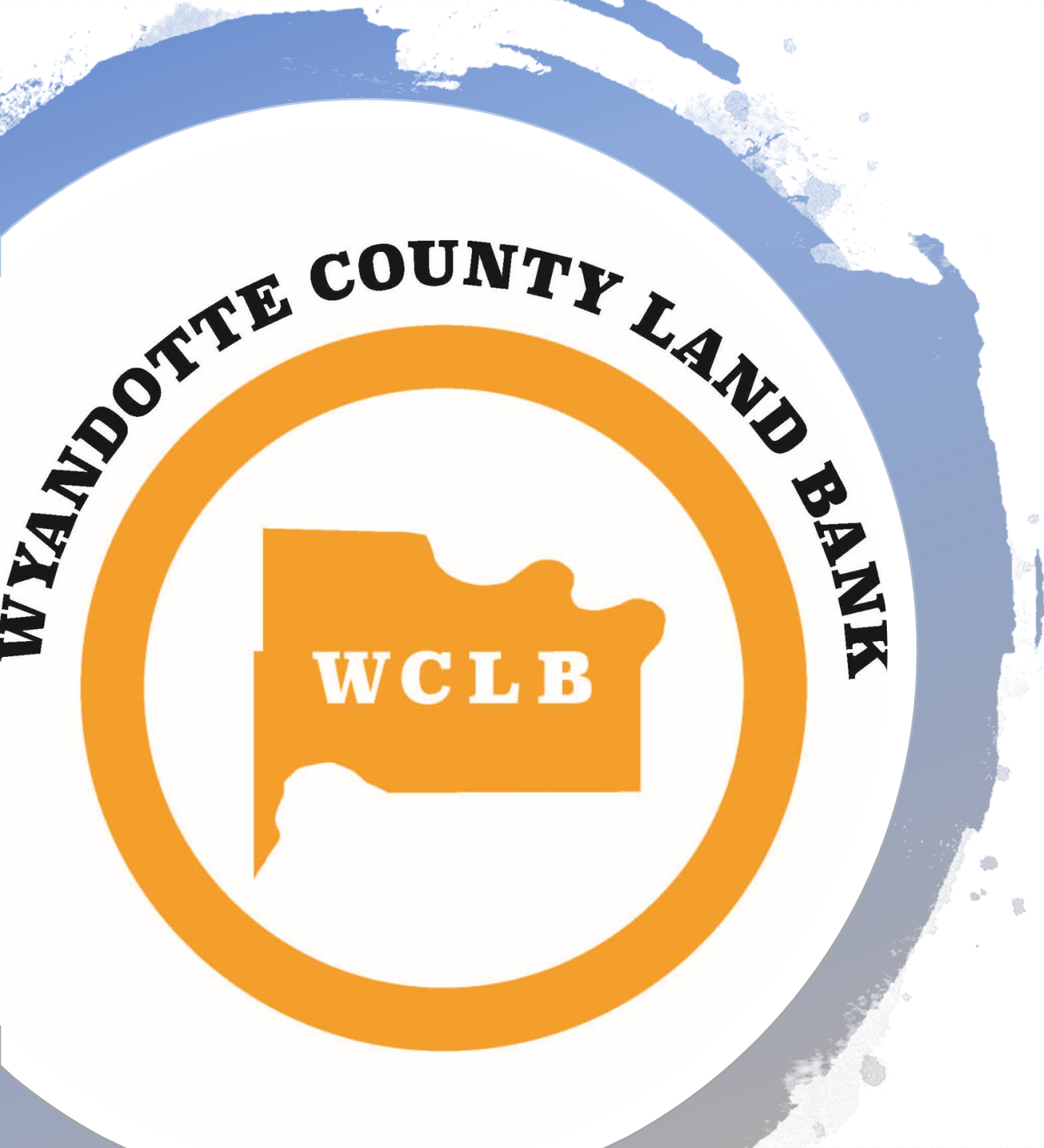
Northeast Area Master Plan

SINGLE FAMILY The Single Family district is intended to protect established single family neighborhoods.

Allowed Building Types

Single Family Homes





Option Agreements

Agenda Item – E
Yard Extensions

1



YARD EXTENSION ROBERT NEEDHAM



Requesting Land Bank Lot

2105 R McDowell Ln - 905541

Currently Owns

2105 McDowell Ln - 905542

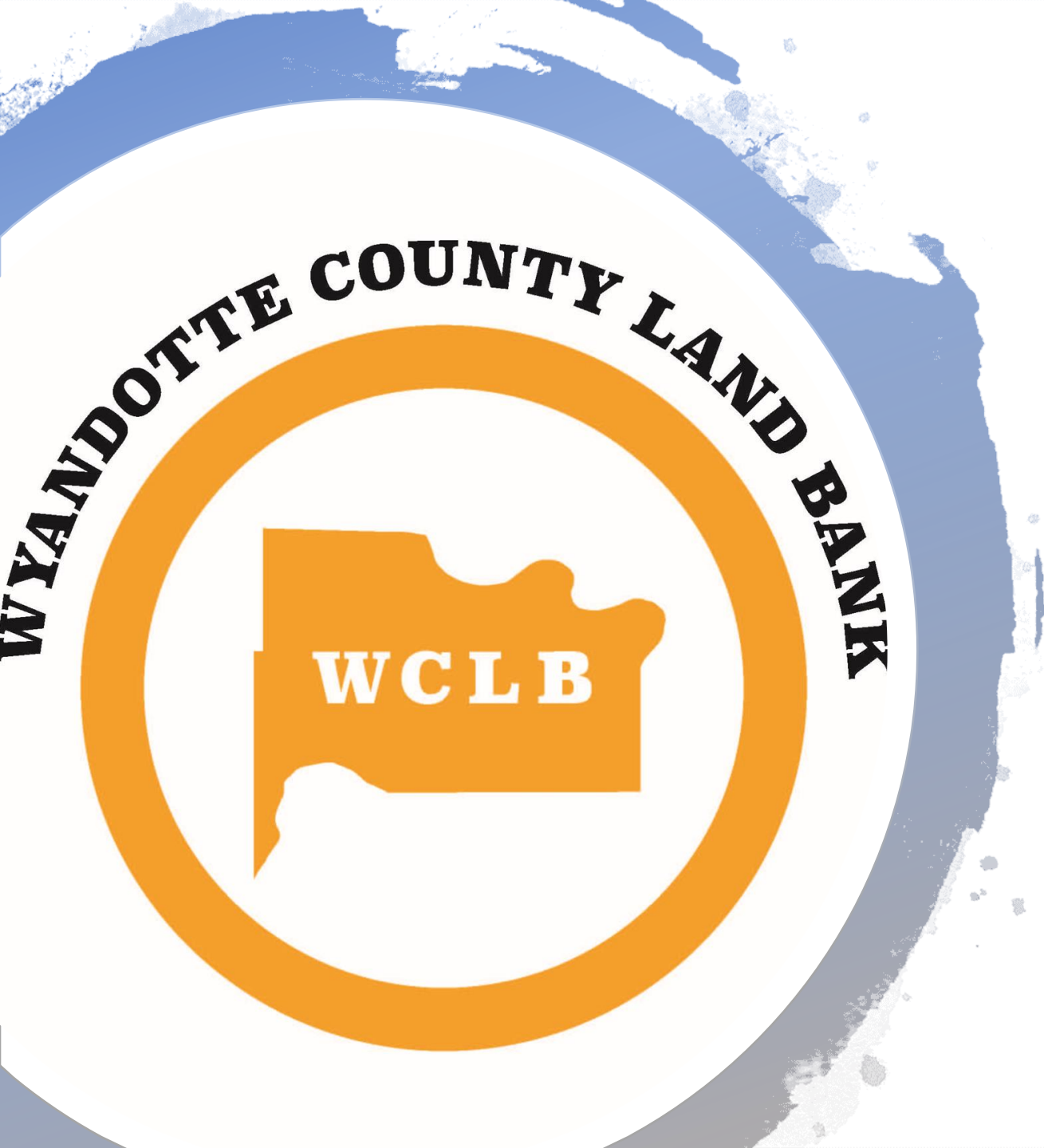
Zoning

R-1(B) Single Family District

Unbuildable

Land Locked





Option Agreements

Agenda Item – F
Property Transfers

2



OPTION AGREEMENTS

OCP NEIGHBORHOOD ASSOCIATION



Requesting 3 Land Bank Lots

2517 N 17th ST – 115853

2515 N 17th ST – 115851

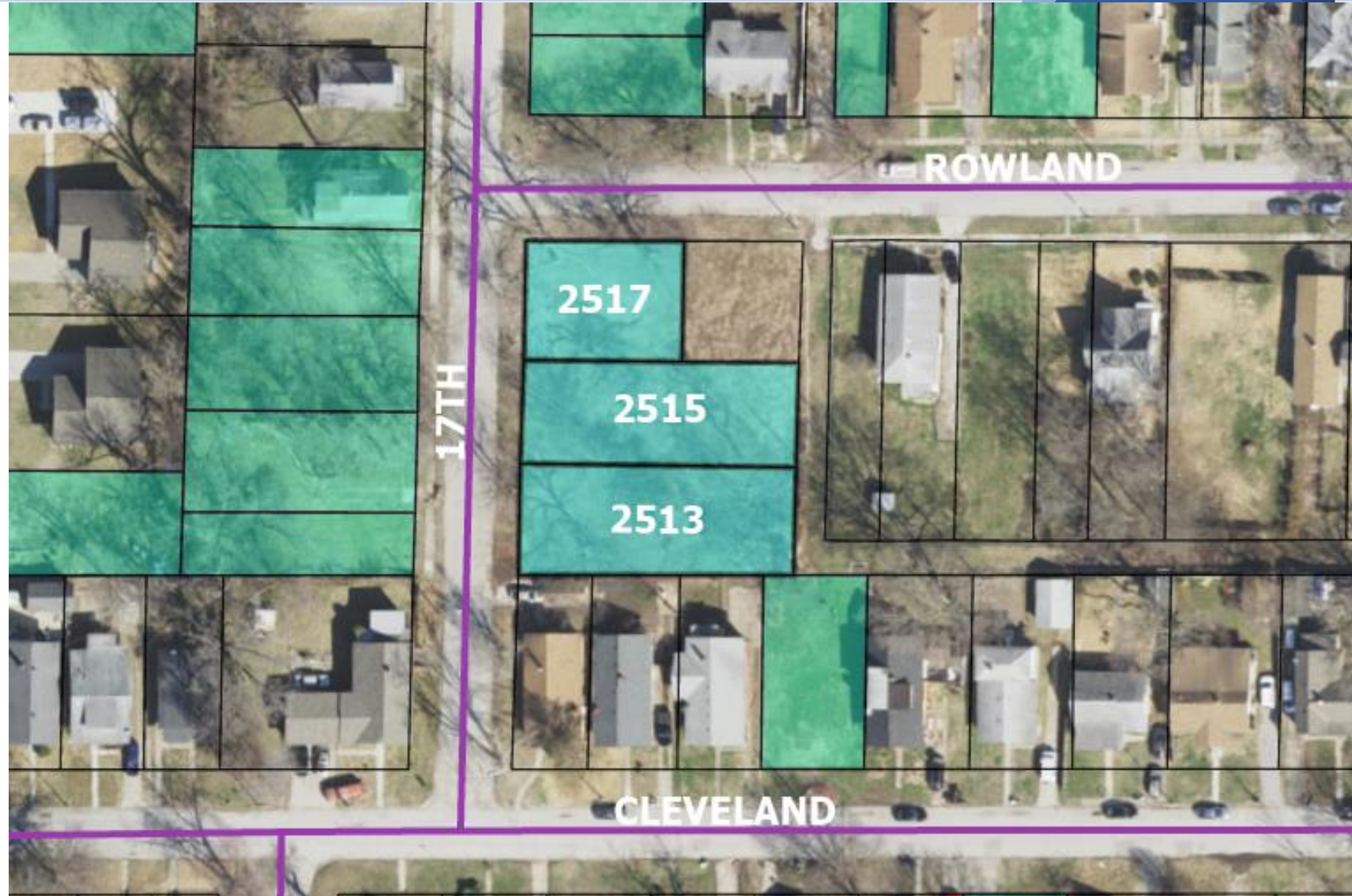
2513 N 17th ST - 115850

New Construction

Park

Zoning

R-1(B) Single Family District



OCP Playground Landscape Plan

2515 N 17th Street

Swinging Benches



Solar Light Post (4-5)

New 5' Sidewalk

SwingSet



Play Structure



Actual equipment piece will be chosen by neighborhood kids

Zip Line





OPTION AGREEMENTS

OCP NEIGHBORHOOD ASSOCIATION



Northeast Area Master Plan

LOWER-MEDIUM DENSITY RESIDENTIAL The Lower-Medium Density Residential district is intended to promote infill development and investment by allowing additional units compared to the Single Family district, while preserving the overall character of existing neighborhoods. Lower-Medium Density Residential areas must follow the narrow lot design guidelines.

Allowed Building Types

Single Family Homes, Townhomes, Duplexes



	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 CABA



Requesting Land Bank Lot

727 Central Ave - 120800

New Construction

Park

Zoning

C-3 Commercial District

Unbuildable lot





OPTION AGREEMENTS CABA



Timeline

Project Start – July 2022

Project Completion – September 2022

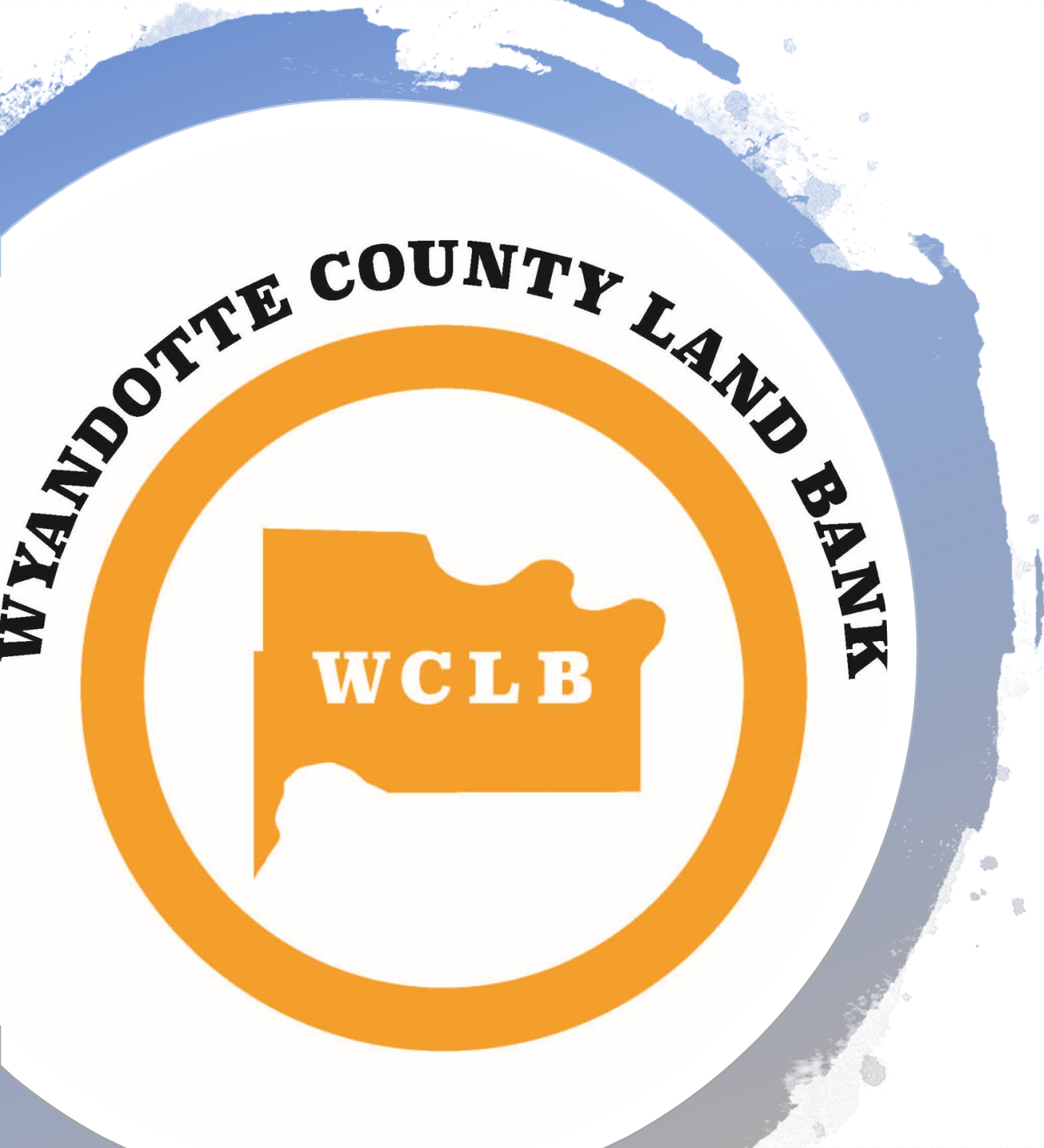
Next steps

Comments

Staff Advisory Committee

Land Bank Advisory Board





Option Agreements

Agenda Item – G
Vacation of Right of Way

1



VACATION ON RIGHT OF WAY

RACHEL BICHARA



Requesting Land Bank Right of Way

731 H Tenny Ave - 119926

Currently Owns

731 Tenny Ave - 120019

Vacation of Right of Way

Requesting all of the right of way be granted to 731 Tenny to allow for off street parking.





VACATION ON RIGHT OF WAY

RACHEL BICHARA



Detailed Outline of Requested Action: The Applicant, Rachel Bichara, is requesting a Vacation of the alleyway adjacent to the subject property at 731 Tenny Avenue. The Applicant previously requested a Change of Zone from R-1(B) Single Family District to R-2(B) Two-Family District. The Vacation has been requested so that the legal non-conforming use becomes conforming. The subject property was originally constructed as a duplex with a carriage-house style garage and third living unit above the garage. The previous owner has demolished the carriage house garage, leaving only the duplex and driveway. The Applicant desired the rezone to complete appropriate renovations and to obtain a rental license, which requires the zoning to reflect the building's physical condition. The driveway access was at some time subdivided from the subject property and adjacent parcel to grant right-of-way utility access, leaving the subject property without access to the parking and without the use of the intended shared drive with the adjacent parcel (731 H Tenny Avenue). The applicant must obtain off-street parking to meet the zoning requirement.



Wyandotte County Land Bank
Economic Development Department
Jud Knapp, 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, Land Bank Manager
DATE: April 28, 2022
SUBJECT: Option applications for consideration

The following **option application(s)** are being presented at the 05/09/2022 meeting:

A. New Construction - Single Family Homes - 10

1. Chris Solutions LLC – 2 Homes
 - i. 3815 Strong Ave – 171504
 - ii. 3813 H Strong Ave – 171503
 - iii. 1302 S 38th St – 170703

Summary – Chris Solutions LLC just completed a new single family home on a Land Bank lot at 1268 Pennsylvania Ave. Chris Solutions has the capacity to build 10 homes per year.
2. Chris Solutions LLC – 1 Home
 - i. 1536 S 49th ST – 049690
3. Chris Solutions LLC – 1 Home
 - i. 741 Shawnee Rd - 155009
4. Monique Smith – 1 Home
 - i. 4015 Coleman Ct – 062912
5. Richard Dumas
 - i. 1047 Riverview Ave – 093842

Summary – The last standing committee the applicant was approved for a new home built on a Land Bank property. (618 N 11th ST) The applicant would like to move their application for a new home to the new selected location.

Staff comments – garage access off alleyway
6. Communities Cares, LLC
 - i. 4 homes built on 5 lots – 37.25ft frontage per home
 1. 1914 N 6th ST – 140712
 2. 1920 N 6th St – 140711
 3. 1922 N 6th St – 140710
 4. 1926 N 6th St – 140709
 5. 1914 N 6th St – 140712

- ii. 1 home built on 3 lots – 75ft frontage total
 - 1. 1927 N 6th St – 140635
 - 2. 1929 N 6th St – 140634
 - 3. 1931 N 6th St – 140633
- Staff comments – narrow lot review

B. New Construction – Multi Family – 48 Units Total

- 1. Travis Willson – 9 or 10 unit Townhomes
 - i. 1305 Ann Ave – 081041
 - ii. 1307 Ann Ave – 081042
 - iii. 1309 H Ann Ave – 081043
 - iv. 1311 Ann Ave – 081044
 - v. 1315 Ann Ave – 081045
 - vi. 1319 Ann Ave – 081046
 - vii. 1325 Ann Ave – 081048

Summary – The applicant is currently working with Planning to come up with a design that will work with the lots selected.
- 2. Wall-Ties & Forms INC – 15 units
 - i. Townhomes
 - 1. 835 Parallel Ave - 095058
 - 2. 831 Parallel Ave – 095057
 - 3. 827 Parallel Ave – 095056
 - 4. 825 Parallel Ave - 095055
 - 5. 834 Troup Ave - 095059
 - 6. 830 Troup Ave - 095060
 - ii. Garden and Orchard
 - 1. 843 Parallel Ave - 095068
 - 2. 851 Parallel Ave – 095069
 - iii. *Summary* – The plan is to build 15 unit townhomes on 6 Land Bank lots. In the NE Area Master Plan this area for the townhomes is Lower-Medium Density Residential which townhomes is an allowed building type. The garden and orchard parcels are in the NE Area Master Plan as parks and open space.
 - iv. *Staff comments* – narrow lot reviews do not allow for flat roofs. If the applicants don't meet these requirements, they will need a variance.
- 3. Raj Bhatia
 - i. 2110 N 51st – 917814
 - ii. Summary –
 - iii. Staff comments – This is a split zoned parcel, which means the parcel has two zoning categories within it. The zoning will need to be changed to RP-3. Also they need to comply with the multifamily design guidelines. Any deviation from these guidelines, will need to specifically request said deviation from the Planning Commission during their entitlement and at the public hearing

C. New Construction – Commercial – 5 Total

- 1. Chris Solutions LLC
 - i. 1604 Minnesota Ave – 907522
 - ii. Summary – This request is to build a co working space / office spaces

- iii. Staff comments – Must follow commercial design guidelines
- 2. Chris Solutions LLC
 - i. 3510 Strong Ave – 170670
 - ii. Summary –this request is to build a co working space / office spaces
 - iii. Staff comments – plan review commercial design guidelines
- 3. Mohammad A Chaudhry
 - i. 706 Quindaro Blvd – 111910
 - ii. Summary – The applicant wants to open a convenience / grocery store at 704 Quindaro Blvd. They currently do not have enough parking to open the store. This request is for the adjoining Land Bank to build a 20 space parking lot.
 - iii. Staff comments – curb cut will be needed.
- 4. Chantelle L Sims
 - i. 6116 State Ave – 004421
 - ii. Summary – The applicants plan is to provide a location for an affordable small eat and boutique center where owners are able to rent out and build their business and bring more to the community
 - iii. Staff comments – Must follow commercial design guidelines. Will need a right of way permit for the large right of way due to state ave. might be easier to access off 62nd street.
- 5. The Dominique Experience Foundation
 - i. 5211 Parallel Pkwy – 917907

Project Summary - This location is the old Wyandotte swim club. This is an 11-acre lot that the applicant would like to use to build a community center. This project includes – Olympic size swimming pool, lazy river, indoor courts and running track, event spaces, fitness space, café, and childcare. This is a very large project, and the applicants have told us that they have funding.

Applicant Summary – My name is Debbie Jennings and I am the President/Founder of The Dominique Experience, Inc. We are a 501c3, non-profit entity and a public charitable organization established in 2019. I am reaching out to you about building a Community center centrally located in Wyandotte County. As I'm sure you are already aware, there is a shortage of available resources and constructive outlets for the youth and families in Kansas City, KS, especially the midtown area. It is the intention of the Dominique Experience to bridge the gap by opening a community center with full amenities, including an aquatic center, sports courts, a workout facility, meeting spaces, teaching and tutoring rooms, entrepreneurial booth spaces, and a day care area; specifically geared to those with low-to-moderate income who lack resources to pay out of pocket for such programs and amenities. In doing so, we will create a safe haven and resource hub for youth and families of Wyandotte County. With that being said, I am inquiring about the Wyandot Swim Club ruins. I believe this is the perfect place to open a community center right in the heart of Wyandotte County. Not only will it have a huge impact on the youth and residents of all ages, it will also shed light and rehab a facility that is such a huge part of Wyandotte County history that many are unaware of. What was once a dream come true swimming club can become a place where new dreams come true.
 - ii. Staff comments – Will have to avoid the creek the property. If they want to keep R1 they must get a SUP. Master plan amendment. Change of zone to C-1. Follow Commercial design guidelines. Will have to get a SUP for the daycare. Parking in the side or rear of building. Build a sidewalk. Go to DRC and get the entitlements

D. New Construction – Garage – 5 Total

1. Juan Antonio Vividor Rosa
 - i. 4200 Leavenworth Rd – 167115
 - ii. Currently owns 4100 Leavenworth Rd - 167106
 - iii. Summary – Wants the property to build a garage and to expand their gardens.
 - iv. Staff comments – not recommending approval. They have the space to build the garage on their current lot.
2. Edwina Gaskin
 - i. Garage – 2624 N 21st st – 158942
 - ii. Unbuildable lot – 2636 R N 21st – 163137
 - iii. Staff comments – not recommending approval for the garage. The unbuildable lot will need additional research to why the land bank owns this lot.
3. Aaron G Chaney
 - i. 701 Parallel Ave – 095021
 - ii. Currently owns 2010 N 7th St – 095302
 - iii. Summary – The garage will be used for maintenance / repairs and storage of motorcycles currently being worked on. The company name is Mayday Motorz
 - iv. Staff comments – not recommending approval next door to residential. SUP needed to expand their use.
4. Jesus Valle
 - i. 950 Reynolds Ave – 093384
 - ii. Currently owns 946 Reynolds Ave – 093383
 - iii. Summary –
 - iv. Staff comments – not recommending approval
5. Marisol Villa
 - i. 1859 N 28th St – 195443
 - ii. Staff comments – not recommending approval



Staff Request for Commission Action

Tracking No. 211553

Full Commission Meeting Date: 5/26/22

Committee: Neighborhood & Community Development

Date of Standing Committee Action:
(If none, please explain):

Publication Required: No

<u>Date:</u> 04/26/2022	<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, Land Bank Manager 1 Yard extension 2 Property transfers 1 Vacation of Right of Way <i>On April 4, 2022, the Neighborhood and Community Development Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.</i>				
<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 08.09.21				



Wyandotte County Land Bank
Economic Development Department
Jud Knapp, 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, Land Bank Manager
DATE: April 28, 2022
SUBJECT: Property Transfers applications for consideration

The following **property transfers application(s)** are being presented at the 05/09/2022 meeting:

A. Yard extensions – 1 Total

1. Robert Needham
 - i. 2105 R McDowell Ln – 905541
 - ii. Currently owns 2105 Mc Dowell Ln – 905542
 - iii. Summary – The current Land Bank guidance on yard extensions is for unbuildable land bank lots that are adjoining to the applicant's primary residence. This request is missing the primary residence, but this lot can't really be joined with any other parcel. This is an unbuildable lot due to it being land locked.

B. Property Transfers – 2 Total

1. OCP Neighborhood Association – Park
 - i. 2517 N 17th ST – 115853
 - ii. 2515 N 17th St – 115851
 - iii. 5213 N 17th St – 115850

Summary – The OCP Neighborhood Association and CHWC have received grant funding to build a park. The long-term maintenance will be provided by CHWC + OCP to do some volunteer based maintenance as well as hiring Groundwork's NRG's Green Team for regular trash pick up and mowing. CHWC will also pay for insurance. OCP is seeking to improve the quality of life of the children within their neighborhood. There is not currently an after-school playground within walking distance. OCP also wants to do something highly visible and positive that shows that their community is improving, is a good place to live, and that their children are valued. Play is a huge part of healthy human development and building this playground represents a solid investment in those who are the future.
2. CABA – Pocket Park
 - i. 727 Central Ave – 120800
 - ii. Summary – to build a pocket park on an unbuildable lot.

C. Vacation of Right of Way

1. Rachel Bichara

i. 731 H Tenny Ave – 119926

- ii. Summary – The home at 731 Tenny Ave is in the process of being remodeled and the plan is for the home to be a rental. A zoning requirement for the home is to have off street parking. To fulfill this requirement the home will have to have a driveway built for parking in the rear. On the current lot there is no room for the driveway. The request is for the home to take all the right of way and not have it split between the neighboring land bank lot. Basically, the Land Bank lot is giving up its share of right of way to allow for the neighboring home to have a driveway. If approved, the Land Bank lot will still be a buildable lot.

