

**BILL NO. \_\_\_\_\_**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ADDING SECTIONS 64-50 TO 64- 72 TO ARTICLE II OF CHAPTER 64 OF THE CITY’S CODE OF ORDINANCES, REGARDING CERTIFIED LOCAL GOVERNMENT AND ADDING DIVISION 14, SECTION 2- 685 ESTABLISHING THE SEDALIA HISTORIC PRESERVATION COMMISSION.**

**WHEREAS**, the Council of the City of Sedalia, Missouri determines that it would serve the public’s interest and be beneficial for the City of Sedalia and its citizens to establish a certified local government and a historic preservation commission for the reasons espoused hereafter.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SEDALIA, MISSOURI**, as follows:

**Section 1.** Sections 64-50 through and including 64-72 are hereby added to Article II of Chapter 64 of the City’s Code of Ordinances, as follows:

**“Section 64.50: Purpose and intent.**

The City Council finds and declares as a matter of public policy that it is the intent of this Section to:

1. Preserve and protect those structures, buildings and improvements which reflect significant elements of the City of Sedalia’s cultural, artistic, engineering, historic or other heritage;
2. Promote and protect the public health, safety and general welfare of the citizens of the City, including orderly development and coordination of municipal growth and services;
3. Minimize visual blight, avoid demolition by neglect and inappropriate and poor quality of design; and
4. Recognize that historic construction methods differ from today’s building standards and require ongoing maintenance for structural integrity; and
5. Promote and encourage continued private ownership and use of buildings and other structures to further the objectives of this Chapter.
6. Foster civic pride in the beauty and accomplishments of the past;
7. Promote the use and perpetuation of significant structures within the historic district for the education, stimulation and welfare of the people of the City;

8. Develop and maintain appropriate settings and environments for structures within the historic district;
9. Preserve and encourage harmonious architectural styles, reflecting the City's distinct phases of its history;
10. Foster knowledge of the living heritage of the past.

### **Section 64.51: Definitions**

As used in this Chapter, the following terms shall have these prescribed meanings:

*ALTERATION*: Any act or process that changes one (1) or more of the exterior architectural features of a structure including, but not limited to, the erection, construction, reconstruction or removal of any structure.

*AREA*: A specific geographic division of the City of Sedalia.

*BOARD OF ADJUSTMENT*: The Board established pursuant to Section 2-681 of this Code.

*CERTIFICATE OF APPROPRIATENESS*: A certificate issued by the SHPC indicating its review of plans for alteration, construction, removal or demolition of a landmark or of a structure within a historic district.

*COMMISSIONERS*: Members of the Sedalia Historic Preservation Commission (SHPC).

*CONSTRUCTION*: The act of adding to an existing structure or the erection of a new principal or accessory structure on a lot or property.

*COUNCIL*: The City Council of the City of Sedalia.

*DEMOLITION*: Any act or process which destroys, in part or in whole, a landmark or a structure within a historic district or which threatens to destroy a landmark or a structure within a historic district by failure to maintain it in a condition of good repair and maintenance.

*DESIGN GUIDELINE*: A standard of appropriate activity that will preserve the historic and architectural character of a structure or area.

*EXTERIOR ARCHITECTURAL APPEARANCE*: The architectural character and general composition of the exterior of a structure including, but not limited to, the kind, color and texture of the building material and the type, design and character of all windows, doors, light fixtures, signs and appurtenant elements.

*HISTORIC DISTRICT*: An area designated by ordinance of the City Council and which may contain within definable geographic boundaries individual landmarks as well as other properties

or structures which, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics and historical significance of the designated area. The historic district is defined by the historic district map.

*LANDMARK:* A property or structure designated as a "landmark" by ordinance of the City Council, pursuant to procedures prescribed herein, which is worthy of rehabilitation, restoration and preservation because of its historic and/or architectural significance to the City of Sedalia.

*MINIMUM MAINTENANCE:* The minimum regulations governing the conditions and maintenance of all existing structures, as set out in the 2006 Property Maintenance Code for the City of Sedalia as such existing structures code shall be amended from time to time by the City of Sedalia.

*OWNER OF RECORD:* The person, corporation or other legal entity listed as owner on the records of the County Recorder of Deeds.

*PLANNING AND ZONING COMMISSION:* The City of Sedalia Planning and Zoning Commission.

*PUBLIC IMPROVEMENT PROJECT:* An action by the City of Sedalia or any of its departments or agencies involving major modification or replacement of streets, sidewalks, curbs, street lights, street or sidewalk furniture, landscaping or other portions of the public infrastructure servicing commercial, residential or industrial development.

*REMOVAL:* Any relocation of a structure on its site or to another site.

*REPAIR:* Any change that is not construction, removal or alteration.

*SHPC:* The Sedalia Historic Preservation Commission.

*STOP WORK ORDER:* An order of the SHPC directing an owner, occupant, contractor or subcontractor to halt an action for which a certification of appropriateness is required and notifying the owner, occupant, contractor or subcontractor of the application process for a certification of appropriateness.

*STRUCTURE:* Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground including, but without limiting the generality of the foregoing, buildings, fences, gazebos, advertising signs, billboards, backstops for tennis courts, radio and television antennae and towers and swimming pools.

#### **Section 64.52: Surveys and research.**

The SHPC shall undertake an ongoing survey and research effort in the City of Sedalia to identify neighborhoods, areas, sites, structures and objects which have historic, community, architectural or aesthetic importance, interest or value. As part of the survey, the SHPC shall review and evaluate any prior surveys and studies by any unit of government or private

organization and compile appropriate descriptions, facts and photographs. Before the SHPC shall on its own initiative nominate any landmark for designation, it shall develop a plan and schedule for completing a survey of the City of Sedalia to identify potential landmarks. The SHPC shall then systematically identify potential landmarks and adopt procedures to nominate them in groups based upon the following criteria:

1. The potential landmarks in one (1) identifiable neighborhood or distinct geographical area of the City of Sedalia.
2. The potential landmarks associated with a particular person, event or historical period.
3. The potential landmarks of a particular architectural style or school or of a particular architect, engineer, builder, designer or craftsman.
4. Such other criteria as may be adopted by the SHPC to assure systematic survey and nomination of all potential landmarks within the City of Sedalia.

**Section 64.53: Nomination of landmarks and historic districts.**

A. *General.* Nominations shall be made to the SHPC on a form prepared by the Commission and may be submitted by a member of the SHPC, the owner of record of the nominated property or structures or the City Council.

B. *Criteria for Designation Of Nomination.* The SHPC shall, upon such investigation as it deems necessary, make a determination as to whether a nominated property, structure or area meets one (1) or more of the following criteria:

1. Its character, interest or value as part of the development, heritage or cultural characteristics of the community, County, State or country.
2. Its location as a site of a significant local, County, State or national event.
3. Its identification with a person or persons who significantly contributed to the development of the community, County, State or country.
4. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction or use of indigenous materials.
5. Its identification as the work of a master builder, designer, architect or landscape architect whose individual work has influenced the development of the community, County, State or country.
6. Its embodiment of elements of design, detailing, materials or craftsmanship which renders it architecturally significant.

7. Its embodiment of design elements that make it structurally or architecturally innovative.
8. Its unique location or singular physical characteristics that make it an established or familiar visual feature of the neighborhood, community or City, or the fact that it has yielded or may be likely to yield information important in history.
9. Its character as a particularly fine or unique example of a utilitarian structure including, but not limited to, farmhouses, gas stations or other commercial structures with a high level of integrity or architectural significance.
10. Its suitability for preservation or restoration.
11. A copy of the foregoing Criteria for Designation of Landmarks and Historic Districts shall be made available to the public upon request at the office of the Community Development Director.

**Section 64.54: Report and recommendation of SHPC.**

The SHPC shall, within forty-five (45) days from receipt of a completed nomination in proper form, adopt by resolution a recommendation stating whether or not the nominated landmark or historic district meets the criteria for designation in Section 64.53. The resolution shall be accompanied by a report to the Planning and Zoning Commission containing the following information:

1. Explanation of the significance or lack of significance of the nominated landmark or historic district as it relates to the criteria for designation.
2. Explanation of the integrity or lack of integrity of the nominated landmark or historic district.
3. In the case of a nominated landmark found to meet the criteria for designation:
  - a. The significant exterior architectural features of the nominated landmark that should be protected.
  - b. The types of construction, alteration, demolition and removal, other than those requiring a building or demolition permit, which should be reviewed for a certificate of appropriateness.
4. In the case of a nominated historic district found to meet the criteria for designation:
  - a. The types of significant exterior architectural features of the structures within the nominated historic district that should be protected.

- b. The types of alterations and demolitions that should be reviewed for a certificate of appropriateness.
5. Proposed design guidelines, including minimum maintenance requirements, for applying the criteria for review of certificates of appropriateness to the nominated landmark or historic district.
6. The relationship of the nominated landmark or historic district to the ongoing effort of the SHPC to identify and nominate all potential areas and structures that meet the criteria for designation.
7. Any initial recommendation as to appropriate permitted uses, special uses, height and area regulations, minimum dwelling size, floor area, sign regulations and parking regulations necessary or appropriate to the preservation of the nominated landmark or historic district.
8. A map showing the location of the nominated landmark and the boundaries of the nominated historic district.
9. The recommendation and report of the SHPC shall be sent to the Planning and Zoning Commission within seven (7) days following the vote on the resolution and shall be available to the public at the offices of the Community Development Director.

**Section 64.55: Notification of nomination.**

The Planning and Zoning Commission shall schedule and hold a meeting on the nomination following receipt of a report and recommendation from the SHPC as to whether or not a nominated historic district meets the criteria for designation. The meeting shall be scheduled, held and conducted in the same manner as other meetings to consider applications for Zoning Map amendments or ordinance amendments. Notice of the date, time, place and purpose of the meeting and a copy of the completed nomination form and designation criteria shall be sent by regular mail to the owner(s) of record and to the nominators.

**Section 64.56: Determination by the Planning and Zoning Commission.**

Within sixty (60) days following the close of the meeting of the Planning and Zoning Commission, the Planning and Zoning Commission shall make a determination upon the evidence as to whether or not the nominated landmark or historic district meets the criteria for designation. Such a determination shall be made upon a motion and vote of the Planning and Zoning Commission and shall be accompanied by a report to the City Council stating the findings of the Planning and Zoning Commission concerning the relationship between the criteria for designation described in Section 64.53 and the nominated landmark or historic district and all other information required by Section 64.54.

**Section 64.57: Notification of determination.**

Notice of the determination of the Planning and Zoning Commission, including a copy of the report, shall be sent by regular mail to the owner(s) of record of a nominated landmark and owners of all property within a nominated historic district and to the nominator within seven (7) days following a determination of the Planning and Zoning Commission as to whether or not the nominated landmark or historic district meets the criteria for designation, a copy of the resolution and report accompanied by a recommendation as to whether or not the nominated landmark or historic district shall be designated shall be sent to the City Council. )

**Section 64.58: Action by city council.**

A. The City Council shall, within sixty (60) days after receiving the report and recommendation from the Planning and Zoning Commission, either reject the proposed designation or designate the landmark or historic district by an ordinance. The City Council shall hold a public hearing before enacting the ordinance and provide notice and take testimony in the same manner as provided in Section 64.55. Any ordinance shall be accompanied by a written statement explaining the reasons for the action of the City Council.

B. After the public hearing, the City Clerk shall provide written notification of the action of the City Council by regular mail to the nominator, the owner(s) of record of the nominated landmark or of all property within a nominated historic district. The notice shall include a copy of the designation ordinance or resolution passed by the City Council and shall be sent within seven (7) days of the City Council action. A copy of each designation ordinance shall be sent to the SHPC, the Planning and Zoning Commission and the Community Development Director.

**Section 64.59: Appeal.**

A determination by the City Council as to whether or not to designate a property as a landmark or historic district shall be a final administrative decision, as that term is defined in Chapter 536 RSMo.

**Section 64.60: The designation ordinance.**

Upon designation, the landmark or historic district shall receive the supplemental classification "H" for historic district and the designating ordinance shall prescribe the significant exterior architectural features; the types of construction, alteration, demolition and removal other than those requiring a building or demolition permit that should be submitted for review, the design guidelines, including minimum maintenance standards, for applying the criteria for certificate of appropriateness; permitted uses; special uses; height and area regulations; minimum dwelling size; floor area; sign regulation and parking regulations. The official Zoning Map of the City of Sedalia shall be amended to show the boundaries of the supplemental zoning designation. Any designation of an area as a "historic district" shall be regarded as a supplemental zoning designation and shall not affect in any way the underlying zoning designation as provided in other Chapters of this Code.

**Section 64.61: Amendment and rescission of designation.**

Designation may be amended or rescinded upon petition to the SHPC and compliance with the same procedure and according to the same criteria set forth herein for designation.

**Section 64.62: Certificate of appropriateness – scope.**

A. This Chapter shall establish a mandatory design review for all developments located within a historic district as depicted on the Historic District Map.

B. The Historic District Map and all the notations, references and other information shown thereon are a part of this Chapter and shall have the same force and effect as if such map and all the notations, references and other information shown thereon were all fully set forth or described herein, which Historic District Map is properly attested and is on file with the City Clerk.

**Section 64.63: Design review**

A. *Municipal Improvements.* City Officials charged with design responsibility for any municipal improvement, structure or sign within the historic district shall hold preliminary discussions on the proposed project with the SHPC to obtain its preliminary recommendations with respect to environmental, historic, architectural, aesthetic and design considerations of the project. The SHPC shall review municipal improvements at the completions of the design development phase and construction document phase or at any other time it deems necessary to further the purposes of this Chapter. Any significant deviations from a plan approved by the SHPC shall be resubmitted to the SHPC for its further review and recommendation. The SHPC's recommendations on municipal improvements shall not be binding upon the City, but shall be considered in the decisions of City Officials and the City Council.

B. *Requirement.* No person shall begin or substantially change any development subject to review under this Chapter without first obtaining design review by the SHPC and obtaining a certificate of appropriateness or, in the case of demolition, a waiver as a result of review.

C. *Permits.* No City permit or approval shall be issued for any development for projects requiring SHPC review without first obtaining design review by the SHPC and obtaining a certificate of appropriateness or, in the case of demolition, a waiver as a result of review.

D. *Demolition.* No demolition of any building or structure subject to review under this Chapter shall begin without first obtaining design review by the SHPC of the proposed replacement development and obtaining a certificate of appropriateness. In the event the applicant has not determined a replacement development, the SHPC may, after reviewing the effects of the demolition, issue a waiver of design review prior to demolition if it finds that the proposed demolition prior to design review would not be detrimental to the purposes of this Chapter. In the event of a finding by the City of an unsafe condition, an abatement order may be issued by the City without compliance with this Subsection; provided, that all reasonable efforts have first

been made to preserve and correct unsafe conditions rather than damage or demolish valuable buildings, structures or objects.

**Section 64.64: Exemptions.**

The following activities do not require a certificate of appropriateness or review by the SHPC:

1. Ordinary repair or maintenance (to include painting).
2. Emergency repairs.
3. Interior remodeling or interior decoration.
4. Exterior facade improvements on structures located outside of the historic district.

**Section 64.65: Certificate of appropriateness required.**

The following activities require a certificate of appropriateness or review by the SHPC:

1. Exterior facade improvements on all structures located within the historic district.
2. All new construction to include primary and accessory structures within the National Register Historic Districts on the Historic District Map.

**Section 64.66: Design review -- not binding on applicant.**

The recommendations of the SHPC set forth in a certificate of appropriateness shall be advisory only and shall not be binding on the applicant or any other person; provided however, that the applicant may, at his/her option, agree to certain binding conditions contained therein in the course of approval of a variance, special use permit or other City approval related to the development.

**Section 64.67: Pre-application review as optional.**

Prior to submitting an application for design review and/or building permit, any person proposing a development which is subject to review under this Chapter may submit the plans required in Section 64.56 in preliminary or sketch form so that the comments and advice of the SHPC may be incorporated into the plans submitted for application. Such pre-application consultations are encouraged to assist project proponents to achieve the best possible development and to facilitate timely review of the proposal whenever an application is made on the project.

**Section 64.68: Design review – application.**

A. Applications for design review shall be submitted to the SHPC at the Community Development Department and shall consist of a completed application on a form prescribed by

the SHPC, accompanied by a site plan showing the location of the building or buildings, parking, exterior lighting, signs and landscaping; exterior elevations of the front and side with a description of the type and finished color or exterior siding, windows and roofing to be used; detailed drawings of architectural features, signs and trim; historic and "as is" photographs of the subject building or site and adjacent structures. All diagrams shall be drawn to scale. The SHPC may request additional information necessary for their review and recommendation.

B. Applications for a special use permit or variance pursuant to other parts of this Chapter shall submit their plans for review and recommendation to the SHPC at least fifteen (15) days prior to the first (1st) hearing scheduled on the proposed development. )

**Section 64.69: Design review – process.**

A. Upon receipt of a completed application for review, the Community Development Department shall notify the SHPC and forward the application to its members.

B. The SHPC shall set a public meeting time and place as soon as possible to review the application according to the design review standards established pursuant to 64.70. The SHPC shall request the applicant and may request any design professionals assisting the applicant to attend the meeting. If the applicant or the applicant's representative fails to attend the meeting, an alternate meeting shall be scheduled by the SHPC within thirty (30) days of the initial meeting; provided that in such event, the thirty (30) day review period prescribed in Subsection (E) of this Section shall not commence from the date of the application but shall instead commence on the date to which the meeting on the subject application is continued. Failure of the applicant or the applicant's representative to attend either the initial or continued meeting set for review of the application shall constitute a failure of the application requirements and no permits shall be granted by the City on the project unless and until the applicant has reapplied for review and obtained a certificate of appropriateness pursuant to this Chapter.

C. The SHPC may, in the execution of its review, assign any portion of the review of any application to any member or committee of the SHPC; provided that final action to issue a certificate of appropriateness shall be made by a majority vote of the members present.

D. Upon receipt of an application for a permit for development subject to review under this Chapter, the Chief Building Official shall:

1. Inform the applicant of the review requirements;
2. Report receipt of the application to the SHPC;
3. Assist the SHPC in considering building, zoning, sign and fire code requirements which may apply to the proposed development; and
4. Shall not issue any such permit until a certificate of appropriateness has been obtained.

E. Unless an extension is authorized by the applicant, the SHPC shall complete its review within thirty (30) days of receipt of a complete application. In the event the SHPC fails to issue a certificate of appropriateness within such period, a certificate of appropriateness shall be deemed to have been issued without recommendation as if the SHPC had so acted.

**Section 64.70: Design review -- standards and guidelines.**

A. Design guidelines for review of applications for certificates of appropriateness shall, at a minimum, include the following architectural criteria:

1. *Height.* The height of any proposed alteration or construction should be compatible with the style and character of the landmark and with surrounding structures in a historic district.
2. *Proportions of windows and doors.* The proportions and relationships between doors and windows should be compatible with the architectural style and character of the landmark and with surrounding structures within a historic district.
3. *Relationship of building masses and spaces.* The relationship of a structure within a historic district to the open space between it and adjoining structures should be compatible.
4. *Roof shape.* The design of the roof should be compatible with the architectural style and character of the landmarks and surrounding structures in a historic district.
5. *Landscaping.* Landscaping should be compatible with the architectural character and appearance of the landmark and of surrounding structures and landscapes in historic districts.
6. *Scale.* The scale of the structure after alteration, construction or partial demolition should be compatible with its architectural style and character and with surrounding structures in a historic district.
7. *Directional expression.* Facades in historic districts should blend with other structures with regard to directional expression. Structures in a historic district should be compatible with the dominant horizontal or vertical expression of surrounding structures. The directional expression of a landmark after alterations, construction or partial demolition should be compatible with its original architectural style and character.
8. *Architectural details.* Architectural details including materials, colors and textures should be treated so as to make a landmark compatible with its original character of significant architectural style and to preserve and enhance the landmark or historic district.

9. *Signage.* The character of signs should be in keeping with the historic or architectural character of a landmark or historic district. Character of a sign includes the number, size, area, scale, location, type (e.g., off-site advertising signs and on-site business signs), letter size or style and intensity and type of illumination.
10. *Minimum maintenance.* Significant exterior architectural features should be kept in a condition of good repair and maintenance. All structural and mechanical systems should be maintained in a condition and state of repair that will prevent decay, deterioration or damage to significant architectural features or otherwise adversely affect the historic or architectural character of structures within a historic district.
11. *Guidelines available to the Public.* A copy of the foregoing design review guidelines shall be made available to the public upon request at the office of the Community Development Director.

B. In its review of proposals which are subject to this Chapter, the SHPC shall be guided by the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (revised 1983) including, but not necessarily limited to, the following standards for rehabilitation set forth therein:

1. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure or site and its environment or to use a property for its originally intended use.
2. The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
3. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
4. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.
5. All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historic basis and which seek to create an earlier appearance shall be discouraged.
6. Changes which may have taken place in the course of time are evidence of the history and development of a building. These changes may have acquired significance in their own right and this significance shall be recognized and respected.

7. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be treated with sensitivity.
8. Distinctive architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
9. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
10. Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.

C. In addition, the SHPC may also from time to time adopt by rule additional or modified standards and guidelines as authorized by the City Council as provided in this Chapter.

**Section 64.71: Certificate of appropriateness.**

Whenever the SHPC has completed its review, it shall issue a certificate of appropriateness on form prescribed by the SHPC. The certificate of appropriateness shall include, but not necessarily be limited to, the following information: the name of the applicant, the date the certificate is issued, the location of the proposed development, a brief narrative description of the development, specific reference to any and all plans submitted by the applicant, whether or not the SHPC finds the proposed development to be contributing to the historic district and any and all specific design recommendations made by the SHPC on the application.

**Section 64.72: Effect of review on other approvals.**

A. Issuance of a certificate of appropriateness by the SHPC does not constitute or imply approval of any other permit or approval which may be required for the development.

B. No provision of this Chapter shall be interpreted as limiting the authority of the hearings body or decision-making body to impose conditions as authorized elsewhere in this Code.

C. Properties subject to review pursuant to this Chapter shall be subject to the provisions set forth in this Chapter, as well as the bulk use, setback and other provisions of the zoning district in which they are located. Nothing contained in this Chapter shall be construed to repeal, modify or waive any applicable provisions of State or local laws, rules, regulations or ordinances.

D. Neither the SHPC nor its members are delegated any executive or legislative power, authority or responsibility.

Secs. 64-73—64-89. – Reserved.”

**Section 2.** Division 14 of Article VI of Chapter 2 of the City’s Code of Ordinances, Section 2-685 is hereby added, as follows:

**“Section 2-685: Historic Preservation Commission.**

A. *Composition of Historic Preservation Commission.* The Sedalia Historic Preservation Commission shall consist of five (5) members, all of whom shall be residents of the City of Sedalia, all of whom shall be appointed by the Mayor and approved by the City Council. The Mayor shall make every reasonable effort to appoint persons with a demonstrated interest in the historical preservation of the City of Sedalia. To the extent available in the community, the Sedalia Historic Preservation Commission shall include professional members representing such disciplines as architecture, architectural history, history, archeology, planning, urban design, cultural geography or any other fields related to historic preservation.

B. *Terms.* The term of office of the members of the SHPC shall be for three (3) years, excepting that the membership of the first (1st) SHPC appointed shall serve respectively for terms of one (1) for one (1) year; two (2) for two (2) years; and two (2) for three (3) years. Vacancies shall be filled by appointment of the mayor and approval of City Council within 60 days of the date of its occurrence. After the initial commissioners’ appointments, the terms shall commence as of August 1<sup>st</sup> and run through July 31<sup>st</sup> for said three year period.

C. *Compensation.* The citizen members shall serve without compensation.

D. *Officers.* Officers shall consist of a Chairman and a Vice Chairman elected by the SHPC, who shall serve a term of one (1) year and shall be eligible for re-election. The Chairman shall preside over meetings. In the absence of the Chairman, the Vice Chairman shall perform the duties of the Chairman. If both are absent, a temporary Chairman shall be elected by those present. The officers shall assure that the following duties of the SHPC are performed.

1. Preparation of minutes of each SHPC meeting.
2. Publication and distribution of copies of the minutes, reports and recommendations of the SHPC to the members of the SHPC.
3. Provision of notice as required herein or by law for all public hearings conducted by the SHPC.
4. Notification to the Mayor of vacancies on the SHPC and expiring terms of members; and

5. Preparation and submission to the City Council of a complete record of the proceedings before the SHPC on any matter requiring City Council consideration.

E. *Meetings.* Meetings shall be held at regularly scheduled times at a minimum of at least quarterly as established by resolution of the SHPC at the beginning of each calendar year or at any time upon the call of the Chairman. A quorum of the SHPC shall consist of at least three (3) members. All decisions or actions of the SHPC shall be made by a majority vote of those members present and voting at any meeting where a quorum exists.

No member of the SHPC shall vote on any matter which may materially or apparently affect the property, income or business interest of that member. No action shall be taken by the Commission which could in any manner deprive or restrict the owner of a property in its use, modification, maintenance, disposition or demolition until such owner shall first have had the opportunity to be heard at public meeting of the SHPC as provided herein. The Chairman, and in his absence the Acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings of the SHPC shall be open to the public. The SHPC shall keep minutes of its proceedings, showing the vote, indicating such fact and shall be immediately filed in the office of the Community Development Director and shall be a public record.

F. *Funding.* The City Council shall annually appropriate funds, within budget limitations, for the operation of the SHPC. The SHPC may, with the consent of the City Council, apply for, receive or expend any Federal, State or private grant, grant-in-aid, gift or bequest in furtherance of the general purposes of this Chapter.

G. *Powers And Duties.* The SHPC shall have the following powers and duties:

1. To adopt its own procedural regulations, provided that such regulations are consistent with this Chapter and the Revised Statutes of the State of Missouri.
2. To conduct an ongoing survey to identify historically and architecturally significant properties, structures and areas that exemplify the cultural, social, economic, political or architectural history of the nation, State or City.
3. To investigate and recommend to the Planning and Zoning Commission and to the City Council the adoption of ordinances designating properties or structures having special historic, community or architectural value as "landmarks".
4. To investigate and recommend to the Planning and Zoning Commission and to the City Council the adoption of ordinances designating areas as having special historic, community or architectural value as "historic districts".
5. To keep a register of all properties and structures which have been designated as landmarks or historic districts, including all information required for each designation.

6. To confer recognition upon the owners of landmarks and property or structures within historic districts by means of certificates, plaques or markers and to make recommendations for the design and implementation of specific markings of the streets and routes leading from one landmark or historic district to another.
7. To advise and assist owners of landmarks and property or structures within historic districts on physical and financial aspects of preservation, renovation, rehabilitation and reuse and on procedures for inclusion on the National Register of Historic Places.
8. To nominate landmarks and historic districts to the National Register of Historic Places and to review and comment on any National Register nominations submitted to the SHPC upon request of the Mayor or Council.
9. To inform and educate the citizens of Sedalia concerning the historic and architectural heritage of the City by publishing appropriate maps, newsletters, brochures and pamphlets and by holding programs and seminars.
10. To hold all meetings or public hearings specified in this Chapter, to review applications for construction, alteration, removal or demolition affecting proposed or designated landmarks or structures within historic districts and to issue certificates of appropriateness for such actions.
11. To issue stop work orders for any construction, alteration, removal or demolition undertaken without a certificate of appropriateness.
12. To develop minimum safety standards for the alteration, construction or removal of landmarks or property and structures within historic districts. These standards are specific to roof, foundation, mortar and brick, openings, joists and other structural integrity components of a building.
13. To review proposed zoning amendments, applications for special use permits or applications for zoning variances that affect proposed or designated landmarks and historic districts. The Community Development Director shall send applications for special use or zoning variations to the SHPC for comment at least fifteen (15) days prior to the date of the hearing by the Planning and Zoning Commission.
14. To administer on behalf of the City of Sedalia any property or full or partial interest in real property, including easements, which the City of Sedalia may accept as a gift or otherwise acquire, upon authorization and approval by the City Council.
15. To make recommendations to the City Council concerning the application for and utilization of any Federal, State or private grant, grant-in-aid, gift or bequest furthering the general purposes of this Chapter.

16. To make recommendations to the City Council concerning budgetary appropriations to further the general purposes of this Chapter.
17. To call upon available City staff members as well as other experts for technical advice.
18. To retain such specialists or consultants or to appoint such citizen advisory committees as may be required from time to time.
19. To testify before all boards and commissions, including the Planning and Zoning Commission, on any matter affecting historically and architecturally significant property, structures and areas.
20. To develop a preservation component in the Master Plan of the City of Sedalia and to recommend it to the Planning and Zoning Commission and to the City Council.
21. To periodically review the Sedalia zoning ordinance and to recommend to the Planning and Zoning Commission and the City Council any amendments appropriate for the protection and continued use of landmarks or property and structures within historic districts.
22. To undertake any other action or activity necessary or appropriate to the implementation of the purpose of this Chapter.

Secs. 2-686 to 2-707. – Reserved.”

**Section 3.** This ordinance shall be in full force and effect from and after its passage and approval.

Read two times by title, copies of the proposed ordinance having been made available for public inspection prior to the time the bill is under consideration by the Council and passed by the Council of the City of Sedalia, Missouri this 3rd day of August, 2015.

---

Presiding Officer of the Council

Approved by the Mayor of said City this 3rd day of August, 2015.

ATTEST:

---

Stephen J. Galliher, Mayor

---

Arlene Silvey, MPCC, City Clerk