

**MEETING DATE:** October 24th, 2023

**STAFF:** Rick Arroyo, Assistant Community Development Director

**PROJECT NAME:** UDO Amendment #61 – Historic Conservation Overlay

**CASE NUMBER / REQUEST:** Case 23-175-07 – UDO Amendment #61 – Historic Conservation Overlay– The City proposes Amendment #61 of the Unified Development Ordinance pertaining to Historic and Conservation Overlay.

---

**APPLICANT:** City of Independence

**PUBLIC NOTICE:**

- Public notice published in Independence Examiner – October 4<sup>th</sup>, 2023

**FURTHER ACTION:**

Following action by the Planning Commission, this UDO Amendment is scheduled for first reading by City Council on November 20, 2023 and second reading December 4, 2023.

### RECOMMENDATION

Staff recommends **APPROVAL** of the proposed amendment to the Unified Development Ordinance.

### PROJECT DESCRIPTION & BACKGROUND INFORMATION

**PROJECT DESCRIPTION:**

The City proposes Amendment #61 to the Unified Development Ordinance (UDO) related to Historic and Conservation Overlays.

**BACKGROUND & HISTORY:**

The Community Development Department is responsible for oversight and administration of several City commissions. While reviewing Chapter 14, Article 9 of the UDO for necessary text updates, staff has identified procedural changes to the historical designation code to better streamline the process and reduce redundancies for applicants seeking designations to Conservation, Historic, and Historic Landmark Overlay Districts.

After review and consideration, staff recommends the following amendments to the UDO:

Chapter 14, Article 9 Section 14-906/CD Conservation Overlay District

1. 14-906-07 *Nominations for designation of conservation districts*  
Change notifications to property owners from certified mail to regular mail along with other text updates.
2. 14-906-08-A  
Update to reference article 14-700.
3. 14-906-08-B  
Make recommendation to City Council rather than Planning Commission.
4. 14-906-08-C  
Have public hearings held by City Council only.
5. 14-906-08-D  
Heritage Commission must adopt a resolution in support or denial of the application and submit a report to Council with supporting documentation. City Council shall hold a new evidence public hearing as provided in section 14-700.
6. 14-906-09 *Interim Control*  
Remove reference to Planning Commission.

Chapter 14, Article 9 Section 14-907/HD Historic Overlay District

7. 14-906-04 *Development/design standards*  
Authorizing the Heritage Commission to propose a /HD district to City Council.
8. 14-906-05 *Nominations for designation of historic districts*  
Change notifications to property owners from certified mail to regular mail along with other text updates.
9. 14-906-07-A *Generally*  
Added language to update the zoning district map with Historic District /HD designations that are approved with boundaries outlined in the staff report.
10. 14-907-09 *Action by Planning Commission*  
Removes this section as reference pertaining to Planning Commission holding a public hearing and forwarding a recommendation to City Council.
11. 14-907-10 *Action by City Council*  
Removes reference to Planning Commission, and updates public hearing section to 14-700. Clarifies date before resubmittal after a decision of denial.

Chapter 14, Article 9 Section 14-908/HL Historic Landmark Overlay District

12. 14-908-03 *Reports and recommendation of Heritage Commission*  
Added language to update the zoning district map with Historic District /HD designations that are approved with boundaries outlined in the staff report.
13. 14-908-05 *Action by Planning Commission*  
Removes this section as reference pertaining to Planning Commission recommendation.

14. 14-908-06-A  
Removes reference of Planning Commission.
15. 14-908-06-B  
Removes this section as reference pertaining to Planning Commission recommendation.
16. 14-908-06-C  
Removes reference to Planning Commission receiving copy of designation.  
Clarifies date before resubmittal after a decision of denial.
17. 14-908 /*HL properties established*  
Updates list of properties with Historic Landmark designation to include the Silver Heart Inn, located at 1114 South Noland Road.

Staff believes the proposed amendments will better serve our community while streamlining the review process and recommendations of these historic and conservation overlays. These proposed changes were reviewed and recommended by the Heritage Commission on October 3, 2023.

#### **EXHIBITS**

1. Amended Section 14-906/CD
2. Amended Section 14-907/HD
3. Amended Section 14-908/HL