

**CITY OF ANCHORAGE, KENTUCKY**

**ORDINANCE 5, SERIES 2019**

**AN ORDINANCE AMENDING SECTIONS 152.32, 152.50, AND 152.61 OF THE CODE OF ORDINANCES OF THE CITY OF ANCHORAGE TO CLARIFY THE APPROVAL PROCESS FOR CHANGING GUIDELINES FOR THE HISTORIC PRESERVATION DISTRICT, WHEN A CERTIFICATE OF APPROPRIATENESS IS REQUIRED FOR THE ALTERATION OF AN EXTERIOR PART OF A BUILDING OR STRUCTURE IN THE HISTORIC DISTRICT, AND TO RESOLVE A CONFLICT BETWEEN THE PROCESS FOR AN APPEAL OF A DECISION OF THE COMMISSION THAT NOW EXISTS WITHIN THE CODE OF ORDINANCES.**

**WHEREAS**, Chapter 152 of the Code of Ordinances of the City of Anchorage regarding historic preservation has not been reviewed or revised since 1998; and,

**WHEREAS**, the City Council deems it appropriate that any change in the existing guidelines for the historic district be approved by the Council; and,

**WHEREAS**, the Council wishes to clarify Section 152.50 on when a certificate of appropriateness is required and to specify that jurisdiction of the Commission is limited to only that portion of a building or structure that is visible from a public street and not the entirety of an alteration; and,

**WHEREAS**, the Council wishes to resolve a conflict that was inadvertently created with the adoption of Section 32.60 and affirm that the more recently enacted ordinance controls the appeal process from decisions of the Commission;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ANCHORAGE AS FOLLOWS:**

**Section 1:** Code of Ordinances Section 152.32 is hereby revised to read as follows:

**§ 152.32 ADOPTION OF GUIDELINES.**

Before its first public hearing on a designation, the Commission shall adopt general guidelines that will apply to Historic Preservation Districts and landmarks and will assist owners in the preservation and rehabilitation of their property. The guidelines shall include the Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitation Historic Buildings* and may include other guidelines that will apply to all designated property in the city. In its guidelines and in its decisions the Commission shall not limit new construction to any one architectural style but shall seek to preserve the character and integrity of the historic districts and landmarks. The Commission may expand or

amend the guidelines it has adopted provided it holds a public hearing on the changes and submits the proposed changes to the City Council for its comments **and approval**.

**Section 2:** Code of Ordinances Section 152.50 is hereby revised to read as follows:

**§ 152.50 CERTIFICATE OF APPROPRIATENESS REQUIRED**

(A) A certificate of appropriateness from the commission shall be required before a person may undertake the following actions affecting a landmark or a property in a historic preservation district:

- (1) Alteration of ~~the~~ **any portion of an** exterior part of a building or structure that is visible ~~to the public~~ **from a public street**;
- (2) New construction;
- (3) Demolition; or
- (4) Relocation.

(B) A certificate of appropriateness is required even when the proposed work does not require a building permit. When seeking a building permit from county government for a project involving designated property, a person must submit a certificate of appropriateness approving any of the work listed in this division.

**Section 3:** Code of Ordinances Section 152.61 is hereby repealed in its entirety and amended to read as follows:

**§ 152.61 APPEAL OF COMMISSION'S DECISION.**

**Any applicant for a certificate of appropriateness that is denied by the Commission, in whole or in part, and any resident of the City who objects to the issuance of a certificate of appropriateness that is approved by the Commission, shall have an appeal to the City Council as provided by City of Anchorage Code of Ordinances Section 32.60.**

**Section 4:** That this ordinance shall take effect and be in force from and after its date of passage and publication as required by law.

**Section 5:** The provisions of this Ordinance are severable; the invalidity of any such provision of this Ordinance shall not affect the validity of any other provision

thereof. Such other provision shall remain in full force and effect as long as they remain valid in the absence of those provisions deemed to be invalid.

**Section 6:** All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

**Section 7:** This Ordinance becomes law upon its passage and approval, and publication as required by law, and becomes effective July 1, 2019.

W. Thomas Hewitt  
Mayor, City of Anchorage

Renee Major  
City Clerk