



APPLICATION FOR REVIEW OF DEVELOPMENT TOWNSITE HISTORICAL (TSH) ZONING DISTRICT

Date: _____

1. Applicant: _____

2. Address: _____

3. Describe proposed activity: _____

4. Will a building permit be required for the proposed activity? _____

5. Legal description of property: _____

6. Signature of legal owner of property: _____

7. Signature of applicant: _____

8. **The Planning and Zoning Commission will review the application for development in the TSH zoning district upon the applicant's demonstration that all of the following criteria are satisfied.**

1. Reproducible copy of the application signed by the applicant and, if leasing the premises, co-signed by the owner indicating type or nature of business.
2. Current color photographs of the site and of any existing structures representing both the overall condition of structures and accurately portraying materials and color.
3. Reproducible schematic plans of the proposed construction sufficient to show building size and layout, exterior elevations, proposed materials and colors.
4. A landscaping and site plan complying with KMC 14.25 and the development criteria of this chapter drawn to scale showing the existing structure and all proposed alterations and additions in relation to the site.

Approved/Denied _____

Date: _____

Chairman

Attest



"Village with a Past, City with a Future"

210 Fidalgo Avenue, Kenai, Alaska 99611-7794
Telephone: 907-283-7535 / Fax: 907-283-3014
www.ci.kenai.ak.us

KENAI MUNICIPAL CODE – 14.20.105 TOWNSITE HISTORICAL DEVELOPMENT

14.20.105 Townsite Historic (TSH) Zoning District –

- (a) Intent: The TSH Zoning District is intended to provide for a mixed, controlled use in a designated area, which will protect and enhance the historic character of the zone. The goal of the TSH zone is to manage all new development, reconstruction and alterations within the zone.
- (b) Application: An application requiring review in TSH Zoning District shall be filed with the Planning Department. The TSH zoning district, as located within the bounds shown on the City of Kenai Official Zoning Map. The application shall contain:
 - (1) One (1) reproducible copy of the application signed by the applicant and, if leasing the premises, co-signed by the owner indicating type or nature of business.
 - (2) Current color photographs of the site and of any existing structures representing both the overall condition of structures and accurately portraying materials and color.
 - (3) Reproducible schematic plans of the proposed construction sufficient to show building size and layout, exterior elevations, proposed materials and colors.
 - (4) A landscaping and site plan complying with KMC 14.25 and the development criteria of this chapter drawn to scale showing the existing structure and all proposed alterations and additions in relation to the site.
- (c) Development Criteria: The development criteria is intended to provide for a district in which residential and business enterprises cohabit as a desirable and compatible use. All proposed construction, renovation, demolition, or alteration shall:
 - (1) Encourage, whenever possible and compatible with historic character of the TSH zone, foot traffic; restaurants, gift shops, parks, etc.; indigenous Kenai Peninsula flora; wooden structures including log style with soft colored or natural sidings.
 - (2) Discourage uses which will violate the historic and scenic quality of the TSH zone; buildings and building additions that are not compatible with adjacent buildings or which violate the existing character and scale of the district.
 - (3) Specific structures and activities which will not be allowed, but are not limited to:
 - (a) Buildings with “modern design style of architecture” that have no historical correlation with the district;
 - (b) Gas stations;

- (c) Auto repair shops;
 - (d) Kennels or similar uses;
 - (e) Livestock, stables, commercial horseback riding;
 - (f) Auto body and paint shops;
- (4) Commercial buildings are limited to a total area of no more than five thousand (5,000) square feet per story. Any individual unit within the structure may be of no more than two thousand five hundred (2,500) square feet, except that the Commission may allow a larger individual unit if it is determined to be compatible with the zone.
- (5) Metal-sided buildings may be allowed if the Commission determines they are compatible with the zone.
- (d) Criteria for determining acceptable use shall include, but not be limited to the following:
- (1) All alterations to existing structures should be performed so as to preserve the historical and architectural character of the TSH zoning district.
 - (2) The distinguishing original qualities or character of a building, structure, or site in its environment shall not be destroyed. The removal or alteration of any historic material or destruction of architectural features cannot be done without approval.
 - (3) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site, and its environment. These changes may have acquired significance of their own, which should be recognized and respected.
 - (4) Landscaping requirements according to City of Kenai as required by KMC 14.25.
 - (5) All exterior construction must be completed within a year of date of approval.
- (e) Existing structures: All structures existing prior to the enactment of this ordinance will be allowed to continue in their present form and use. In the event of loss of the existing structure due to demolition, fire or natural causes, the structure may be rebuilt with the following requirements:
- (1) The structure to be rebuilt must conform to the previously existing structure in terms of size, shape and location unless the Commission determines the new structure is more compatible with the intent of the TSH zone.
 - (2) The use of the new structure must be the same as the use of the previous structure.
 - (3) Application for reconstruction of the structure must be made to the Planning Department within one (1) year of the date of loss due to demolition or damage.

- (4) Reconstruction of the structure must be complete within two (2) years of the date of the loss due to demolition or damage.
 - (5) If applicant wants to rebuild, other than a pre-existing structure, the existing structure provisions as stated above are not applicable.
- (f) Criteria for designation of landmarks to be included in the TSH zone:
- (1) Its age-approximately fifty (50) years old.
 - (2) Its character, interest or value as part of the development, heritage, or cultural characteristics of the City of Kenai.
 - (3) Its location as the site of a significant historic event.
 - (4) Its identification with a person or persons who significantly contributed to the culture and development of the City of Kenai.
 - (5) Its distinguishing characteristics of an architectural type.
 - (6) Its relationship to other distinctive areas that are eligible for preservation according to a historical, cultural, or architectural criteria.
- (g) Uses.
- (1) Principal Permitted Uses as allowed in Land Use Table.
 - (2) Conditional Uses: As allowed in the Land Use Table (KMC 14.20.150) and subject to the provision of this chapter.
- (h) Review Process. The Commission will review all building permit applications as well as all exterior architectural alterations and demolition to properties included in the Historic Preservation Plan. Upon submittal of such an application, the Planning Department shall schedule the application for review by the Planning and Zoning Commission at the following appropriate meeting. Any other building permits within the Townsite Historic District shall be handled administratively by the Building Official.
- (i) Historic Preservation. The Commission shall:
- (1) Conduct or cause to be conducted a survey of the historic, architectural, and archaeological resources within the community. The survey shall be compatible with the Alaska Heritage Resources Survey and able to be readily integrated into statewide comprehensive historic preservation planning and other planning processes. Survey and inventory documents shall be maintained to protect the site location(s) from possible vandalism. The survey shall be updated annually.

- (2) Review and comment to the State Historic Preservation Officer on all proposed National Register nominations within the boundaries of the City. When the Commission considers a National Register nomination that is normally evaluated by professionals in a specific discipline, the Commission will seek expertise in this area before rendering a decision.
 - (3) Develop a local historical preservation plan that will be compatible with the Alaska State Historic Preservation Plan and produce information that is compatible with the Alaska Heritage Resource Survey.
- (j) Signs. Signs shall be as allowed as set forth in KMC 14.20.220(b).
- (k) Penalties. Penalties for non-compliance with this Chapter shall be as set forth by KMC 14.20.260.
- (l) Definitions.
- (1) Alteration. Any act or process that changes one or more of the exterior architectural features of a structure, including, but not limited to, the erection, construction, reconstruction, or removal of any structure which requires a building permit.
 - (2) Construction. The act of adding an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property which requires a building permit.
 - (3) Demolition. Any act or process that destroys in part or in whole a landmark or a structure within a historic district.
 - (4) Certified Local Government. A local government “that has been certified to carry out the provisions of Section 101(b) of the National Historic Preservation Act.”
 - (5) Historic District. An area designated as a “historic district” by ordinance of the City Council, which contains within definable geographic boundaries, one (1) or more landmark and which may have within its boundaries other properties or structures that, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the landmark or landmarks located within the historic district.
 - (6) Historic Preservation. The act of adopting regulations and restrictions for the protection and preservation of places and areas of historical and cultural importance to Kenai.
 - (7) Landmark. A property or structure designated as a “landmark” by ordinance of the City Council, pursuant to procedures prescribed herein, that is worthy of

rehabilitation, restoration, and preservation because of its historic and/or architectural significance to the City of Kenai.

- (8) New Development. Any development which requires a building permit.
- (9) Reconstruction. The action of returning a structure to original state.
- (10) Relocation. Any relocation of a structure on its site or to another site.
- (11) Renovation. To restore to a former better state (as by repairing or rebuilding).
- (12) Site Plan. Schematic drawing complying with the development criteria of this chapter and drawn to scale showing proposed structure in relation to the site.

(Ords. 1133, 1527-93, 1567-93, 1637-95, 1727-96, 1862-2000, 1867-2000, 1892-2000, 1894-2001)