

**Demolition Permits for Listed or Eligible Historic Buildings
Downtown or in Established Historic Districts**
This is not a completed draft ordinance – these are concepts for discussion

Purpose:

The preservation of Spokane’s architectural heritage provides a public benefit and supports economic development and revitalization. This ordinance outlines conditions for issuing demolition permits for significant historic buildings in the Downtown Boundary Area and in established historic districts.

No Required Review under this Section If:

The property (or addition) is less than 50 years of age and is not “exceptionally significant” under NR standards and definitions

The demolition is for a minor feature or percentage of the building

The property is listed on the Spokane Register and governed by section 17D.040.220

The Building Official or Fire Marshal have issued demolition orders based on public safety.

Economic Hardship can be proven (existing procedures)

The Landmarks Commission recommends waiving review in lieu of federal or state review/public process/mitigation

Review and Approval Required:

The property is 50 or more years of age, or meets the terms of “exceptionally significant” under 36CFR60

The property is listed or eligible for the National or Spokane Register

For Properties owned by the City of Spokane or one of its departments

If Eligibility is unknown (Eligibility Hearing then required)

Demolitions Can Be Referred to the Landmarks Commission (or committee):

At request of Staff

At request of Neighborhood Council

At request of City Council

At request of Landmarks Commission

For Properties owned by the City of Spokane or one of its departments

Public Notification

Required if the demolition is referred to Landmarks Commission:

Staff will notify Neighborhood Council to coordinate neighborhood review of pending

Notice will be posted on property for 30 days prior to permit issuance

Basis for Landmarks Commission (or Committee) Approval:

Replacement Structure - approval landmarks commission or require Design Review?

Bond (financial commitment)

All permits for project withdrawn if replacement structure is not built

Economic Hardship. Negotiated mitigation is required.

The demolition is part of a Master Plan that includes a preservation plan that considered the effects of the demolition. Negotiated mitigation is required.

The demolition supports a certified rehabilitation of a Spokane Register property. Negotiated mitigation is required.

Transfer Development Rights are granted

Denial by Landmarks Commission (or Committee)

Delay Period: A demolition permit may not be issued until ninety days from the decision to deny the permit, except with the concurrence of the historic landmarks commission.

Feasible Alternatives: Within forty-five days of the application, the applicant and the historic landmarks commission shall meet to determine if there are feasible alternatives to demolition. The attempt to find feasible alternatives may continue beyond forty-five days if both parties agree to an extension. If no feasible alternative to demolition has been agreed to, the historic landmarks commission may either approve the demolition, allowing the permit to be issued, or deny it.

Mitigation: If the Landmarks Commission does not give approval, the demolition permit may not be issued for an additional forty-five days in order to permit the historic landmarks commission to develop non-binding mitigation measures, encourage the landowner to salvage significant architectural features of the structure, and require the landowner to provide documentation of the building before the issuance of the demolition permit.

Negotiated Mitigation:

- Documentation
- Education
- Relocation
- Deconstruction and Recycling
- Contribution to a local HP grant program
- Other (leave open)

Definitions:

Significance: Use procedures and criteria in 36CFR60.

Established Historic District

Replacement Structure

Demolition/Partial Demolition: The destruction or removal, or relocation, of a building or structure, in whole or in part. Destroying the significant features of a building that are important to defining the building or structure's historic character. This does not include the removal of past additions to accomplish an historic rehabilitation. This does not include the destruction or removal of portions of a building or structure that are not significant to defining its historic character.