



Demolition Code Updates

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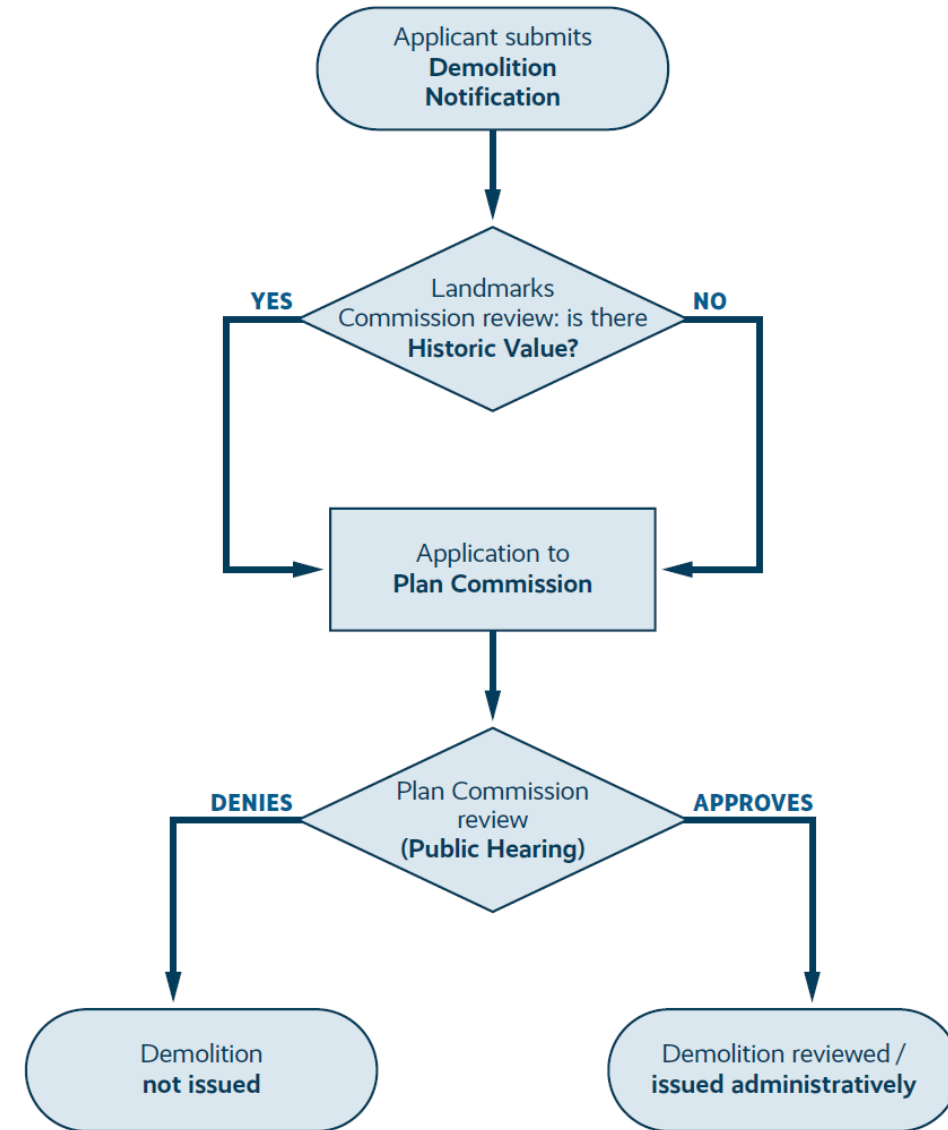
Meagan Tuttle, Planning Division Director

February 17, 2025

Demolition Approval Process – Why change it?

- As most proposed demolitions are of non-historic buildings, policymakers requested a simplified demolition process
- Policymakers (Plan Commissioners and alders) have shared that the existing Plan Commission Standards of Approval are unclear and difficult to apply
- Policymakers identified some of the standards are not standards but more of administrative checkboxes and therefore not helpful in decision-making
- On rare occasions, buildings pose an imminent threat to the public and cannot wait for a Landmarks review before demolition

Current Demolition Process



Past Demolition Process Modifications

- **1983** – Zoning Code amended to include process that both demolition and the alternative use require Plan Commission review and approval
- **2009 Demolition Sub Committee Amendments** - Process Changes, "Demolition" is defined ([Legislative File 12392](#))
- **2013 – Current Zoning Code** takes effect, largely carries forward the 2009 "Demo Sub Committee" changes
- **September 2021- Demolition Code Amendment** - Removes Plan Commission's approval of future use, additional standards created ([Legislative File 67074](#))
- **December 2023 – Plan Commission Work Session** – Plan Commission discusses a possible new demolition standard which considers the City's adopted plans ([Legislative File 81029](#))
- **March 2024 – Demolition Code Amendment for Additional Standard** – A new demolition approval standard added which allows Plan Commission to consider how a demolition proposal relates to the implementation of the City's adopted plans. ([Legislative File 81966](#))

Proposed Demolition Process Modifications

- **March 2024- Plan Commission Work Session** - In response to some Alders requesting a simplified demolition process, this discussion reviewed the current process, whether to add/update/remove standards for PC review, and options for administrative review for certain demolitions ([Legislative File 82404](#)). PC directs staff to move forward on discussed changes, including creating a path to administrative review for non-historic demolitions and removing procedure-related standards.
- **January 2025- Introduction of *Proposed* Demolition Code changes** to help Plan Commission better work through requests for demolition of buildings with historic value, and simplify the process for requests to demolish non-historic buildings ([Legislative File 86649](#))

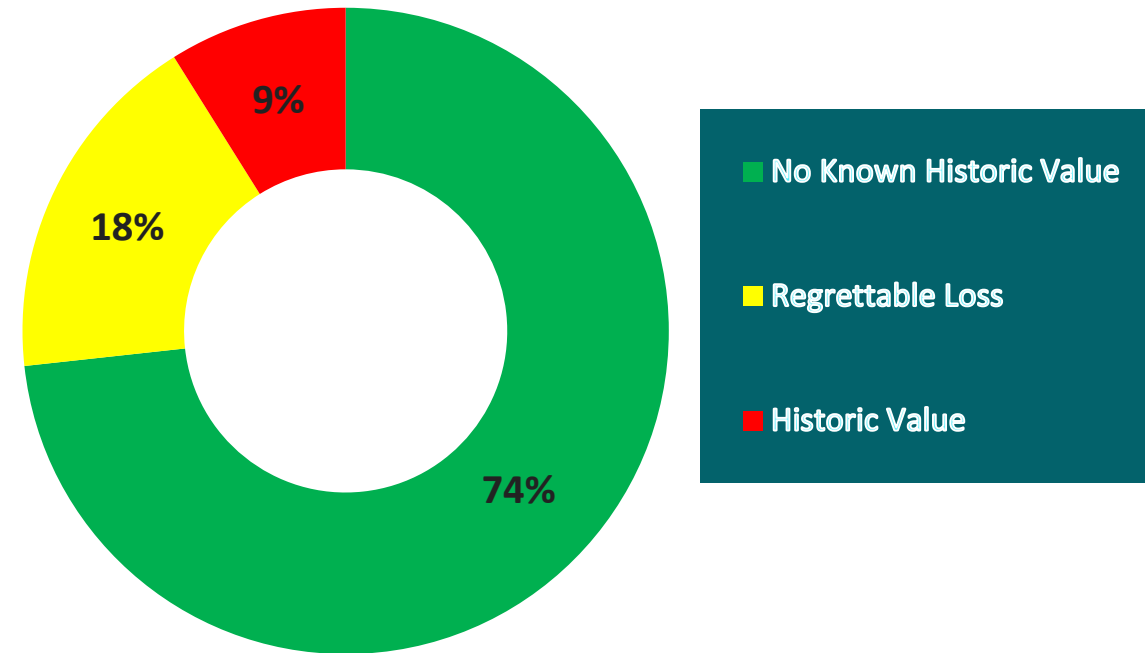
Recent Demolition Statistics

Since Adoption of the Current Demolition Standards

(Oct 2021 - Dec 2024):

- 143 Demolition requests have been reviewed by Plan Commission, covering 249 buildings
- 96% of Buildings requested for demolition were approved
- Approval, while helpful reference point, does not represent the full context of considerations & outcomes

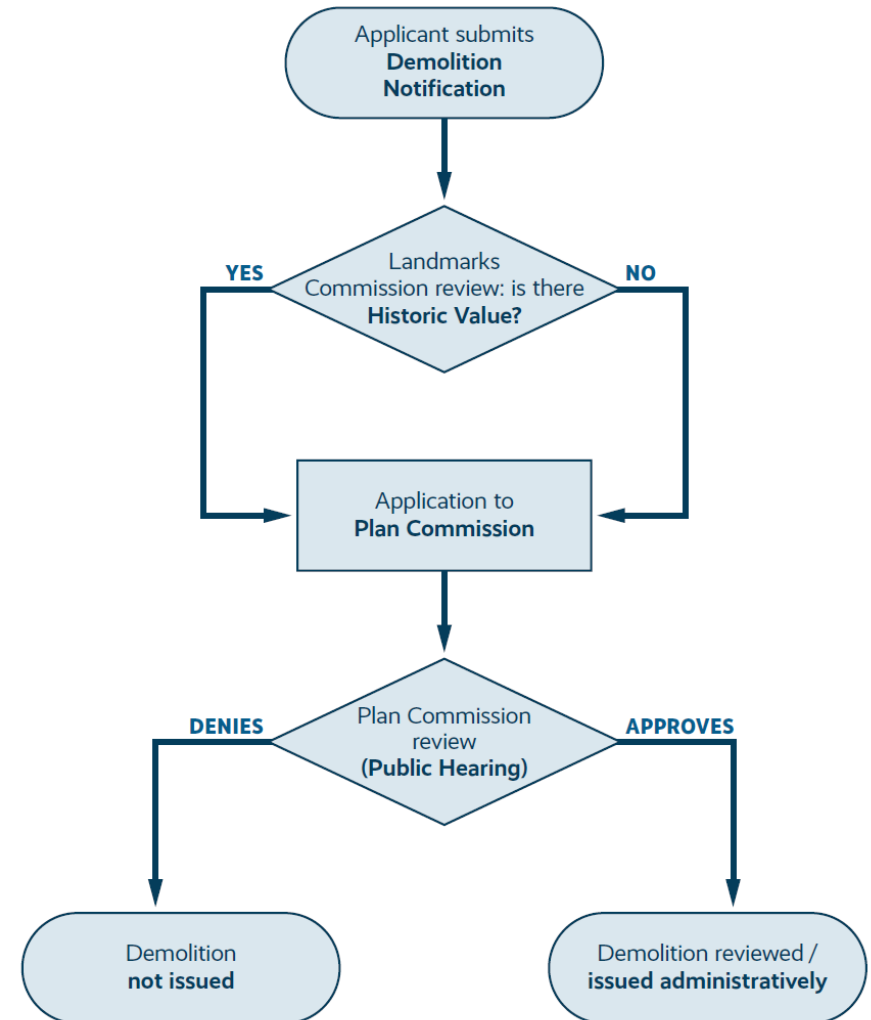
Of Buildings Approved for Demolition:



What is NOT proposed to change in the demolition process?

- **Retains** balancing interest in preservation of historic building with interest in accommodation of growth
- **Retains** Landmarks Commission review of all proposed demolitions
- **Retains** the existing Landmarks Commission Certificate of Appropriateness process for demolitions of locally designated landmarks and in local districts.
- **Retains** Plan Commission review of demolitions with historic value
- **Retains** existing allowance for administrative review and approval of demolitions of accessory buildings and buildings that were part of a Council-approved Campus Institutional Master Plan
- **Retains** the existing appeals process

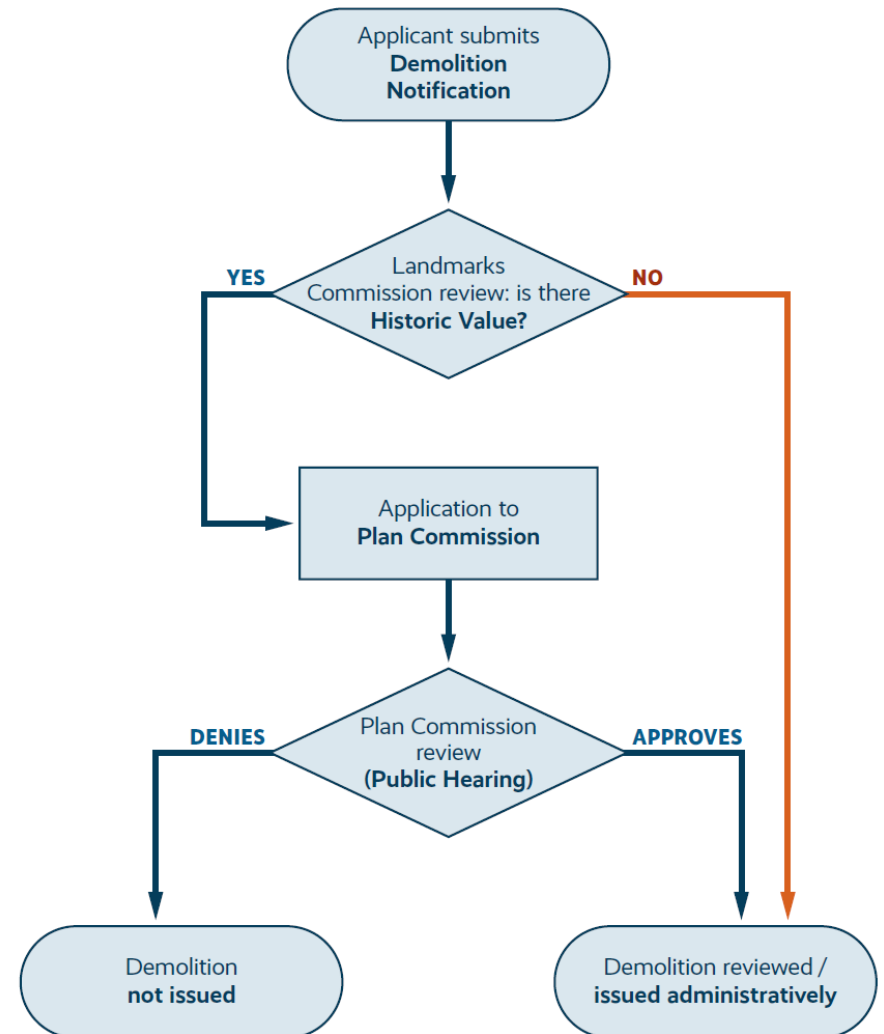
Current Demolition Process



How does the proposal change the demolition process?

- **Proposes to allow** administrative review and approval by City agencies of proposed demolitions that are not historic, after Landmarks Review
- **Proposes to allow** Building Inspection to approve demolitions of structurally unsound buildings that are an imminent threat to the public without Landmarks review
- **Proposes to preclude** applications for demolition that are denied to be resubmitted for reconsideration within a year

Proposed Demolition Process



How does the proposal change historic review?

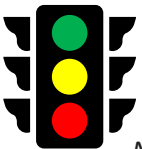
The Proposed Ordinance utilizes a similar methodology already in use by Landmarks Commission to consider historic value for demolition requests, but codifies those categories:

Current

- Landmarks Commission Policy Manual identifies:
 - A: No known historic value
 - B: Regrettable loss
 - C: Historic value

Proposed

- New MGO Section 41.28 (Historic Preservation)
 - A: Historic value
 - B: Regrettable loss
 - C: No known historic value



Note: This was sometimes referred to as a "red light," "yellow light," or "green light" finding.

How does the proposal change review of local Landmarks vs non-local designations?

- In short, it doesn't.
- Demo in local historic districts and on landmark sites require a CoA ([MGO 41.09, 41.12, 41.16](#))
- LC will continue to make comments on the evolution of the cityscape and archaeological sites as part of their advisory reviews for historic value

Examples of No Known Historic Value

74% of Buildings approved for demolition have “No Known Historic Value.” Here are two recent examples found to have "no known historic value" by Landmarks Commission.



2001 Londonderry Dr.



6111 Femrite Dr

Under the proposed, these would be "Category C" demolitions and could proceed administratively after the Landmark Commission's determination.

Examples of Historic Value

9% of buildings approved for demolition had “Historic Value” and 18% were “Regrettable Losses.” These are examples of demolition requests found by the Landmarks Commission to have Historic Value, and examples of types of Plan Commission actions.



223 W Gilman- Historic Value
Approved for Demo



2121 Jefferson St- Historic Value
Not Approved for Demo



117-125 W Mifflin St – Historic Value
Approved with conditions for Demo



Under the proposed, these would be "Category A" and continue to require Plan Commission consideration.

Current Demolition Standards of Approval

The Current Ordinance (MGO 28.185) includes 7 Standards of Approval which are summarized below; the Plan Commission shall not approve request unless it finds that each of the following standards are met.

- Information provided on relocation considerations (#1)
- Certificate of Appropriateness received from Landmarks (if applicable) (#2)
- Approved Reuse & Recycling plan from City (#3)
- Consider City Forester Report (if applicable) (#5)
- Consider Preservation Planner & Landmarks Commission report on historic value (#4)
 - May consider how demo/ redevelopment relates to implementation of plans
- Consider condition of building (#6)
 - May include City reports on unlawful use, fire hazard, health/safety concerns
- Based on #1-6, find consistent with purpose statement & health/welfare (#7)
 - Purpose statement includes: ensure preservation of historic buildings, aid in the implementation of adopted City plans, etc.

How does the proposal change Plan Commission Standards of Approval?

The Proposed Ordinance updates the standards for Plan Commission review to remove application/procedural related standards:

Current (MGO 28.185)

- Information provided on relocation considerations (#1)
- Certificate of Appropriateness received from Landmarks (if applicable) (#2)
- Approved Reuse & Recycling plan from City (#3)
- Consider City Forester Report (if applicable) (#5)

Proposed (MGO 28.185)



In Application Requirements (28.185(3)(e) & (f))



In Review for Historic Value (28.185 (4)(c))



Requirement remains in MGO 10.185, part of administrative reviews



Requirement remains in MGO 10.101, and this is part of pre-application. Building relocation which removes trees requires City Forester approval

How does the proposal change Plan Commission Standards of Approval?

The Proposed Ordinance provides clarity to factors already considered, and introduce a finding related to historic value:

Current (MGO 28.185)

- Consider Preservation Planner & Landmarks Commission report on historic value (#4)
 - May consider how demo/ redevelopment relates to implementation of plans
- Consider condition of building
 - May include City reports on unlawful use, fire hazard, health/safety concerns
- Based on previous criteria, find consistent with purpose statement

Proposed (MGO 28.185)

Prior to PC Hearing, requires all materials provided to Landmarks and LC comments be provided & considered (28.185 (6)(b))

Two Standards, both must be met:

- Demolition aids plan implementation or purpose statement (28.185 (6)(c)1)
- **New: Factors that outweigh preservation**
May include, but not limited to, condition (including City reports on the same), loss of historic features, plans for mitigating the impact of the lost building (28.185 (6)(c)2)



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