

**Community Planning & Economic Development  
Planning Division**  
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**City of Minneapolis**  
*Department of Community Planning  
& Economic Development - CPED*

## **MEMORANDUM**

**TO:** Heritage Preservation Commission  
**FROM:** Brian Schaffer, Senior City Planner 612.673.2670  
**DATE:** January 27, 2009  
**RE:** Preservation Ordinance, Chapter 599, Amendments

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Over the past few years Minneapolis has been dealing with a steadily increasing level of demolition activity. In 2006, CPED-Planning staff reviewed 57 wrecking permit applications, in 2007 the number grew to 191 and in 2008, 317 wrecking permits were reviewed by staff. Section 599.460 of the Minneapolis Code of Ordinances requires that preservation staff review all applications for a demolition permit to determine whether the affected property is an historic resource. The increase in demolition activity has allowed staff to identify areas of the preservation ordinance that are in need of refinement. Staff has identified the following problematic trends that have proved to be confusing and inconsistent with city policies.

- Avoidance of a public hearing by applying for a remodel permit versus a demolition permit.
- Confusion on who is responsible for a designation study. The Minneapolis Code of Ordinances does not currently stipulate who pays for designation studies. CPED work plan allows for prioritization of designation studies through the work plan. A pot of money is not established to conduct designation studies to fend off every market-drive proposal to tear down eligible historic resources.
- Protecting the entirety of potential historic districts when threats are posed through individual cases.
- Conducting property due diligence by applying for a wrecking permit.

To address these problematic trends staff is proposing the following ordinance amendments. The intent of the ordinance amendments is to clarify the processes and provide further opportunity for preservation.

- Creating a definition for Demolition in the ordinance (599.110 and 599.460)
- Clarifying the responsibility for a designation study that originates from a Demolition of an Historic Resource Application (599.230 and 599.480)
- Introducing a fee for Demolition of an Historic Resource application (599.175)
- Clarifying the use of demolition delay as an option for the heritage preservation commission decision (599.480)
- Introducing a Certificate of Historic Status to be used for formal due diligence for property owners. (Article XIII)
- Introducing Conservation Districts

In addition to addressing issues surrounding demolitions through ordinance revisions the following administrative and process changes are under consideration. CPED-Planning Preservation & Design staff is leading the coordination of these efforts with our colleagues in Regulatory Services.

- Construction Code Services will be releasing an Administrative Announcement stating that the removal or enclosure of 60 percent of the wall and roof requires a wrecking permit, thus triggering preservation review.
- Minneapolis Development Review will include the language from the International Building Code Section 3307- Protection of Adjoining Property in the wrecking application checklist that requires the notification of property owners adjacent to a proposed demolition ten days in advance of the demolition. Minneapolis Development Review will also provide a sample letter for wrecking contractors to use for notification.
- Minneapolis Development Review will be asking for additional information on a wrecking permit that will help reduce overall review and processing time.

### **Housekeeping Amendments**

Staff is proposing additional amendments to Chapter 599 of the Minneapolis Code of Ordinances. The purpose of these amendments is to clarify current policies and practices. Staff is also proposing to provide more clarity in the ordinance by revising the general application requirements and is introducing required findings for Certificate of Appropriateness applications.

We look forward to reviewing and discussing these proposed ordinance amendments with you at the Business Meeting on January 27, 2009. Attached you will find a draft of the proposed ordinance changes. The proposed new text is underlined and the text that is proposed to be removed is in ~~strikethrough~~.