

Request for HP Demolition Approval Submittal Requirements

For properties with Historic Preservation (HP) or Historic Preservation-Landmark (HP-L) zoning, a complete application to demolish or move a structure consists of the following items:

- 1. A completed Request for HP Demolition Approval form for the structure(s) or area(s) of a structure proposed for demolition. This form is available online.
- 2. A <u>minimum</u> of **one** close-up photograph and **one** overview/context photograph of each structure or area of a structure proposed for demolition.

Please note: additional photographs of the structure, both inside and out, showing the condition are helpful when determining whether or not it retains sufficient integrity to be considered a contributor.

3. If more than one structure is on a single legal parcel, or only a portion of a given building is being considered for demolition, then a scaled and labeled site plan showing the locations of each structure proposed for demolition and preservation on the site is required.

Incomplete applications will not be accepted for review.

The application can be submitted online through the <u>SHAPE PHX portal</u> or in person at the HP Counter on the 3rd floor of Phoenix City Hall at 200 West Washington Street, Phoenix, Arizona 85003. (In-person submittals will require an appointment, which can be scheduled at the <u>Planning and Development Online Appointment Scheduling website</u>.)

According to <u>Section 813</u> of the Zoning Ordinance, demolition or moving of structures listed on the Phoenix Historic Property Register proceeds as follows:

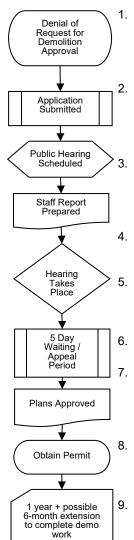
- 1. Within three business days after receiving a demolition application for a property listed on the Phoenix Historic Property Register, HP staff will evaluate an application based on:
 - (A) Whether the structure is of no historic or architectural value or significance and does not contribute to the historic value of the property, and
 - (B) Whether the loss of the structure would not adversely affect the integrity of the HP Overlay District or the historic, architectural or aesthetic relationship to adjacent properties and whether its demolition shall be inconsequential to historic preservation needs of the area.

To help identify the types of projects that meet the criteria above, the city's HP Commission has adopted the HP Administrative Demolition Approval.

- 2. If the demolition application meets the above criteria, the applicant may need to provide the HP Office with a reuse plan for the property. Approval of this plan (via a <u>Certificates of Appropriateness</u> or <u>Certificates of No Effect</u> as determined by HP staff) is needed prior to obtaining HP approval for the demolition work.
- 3. If a demolition application is denied, the applicant has the option to submit a <u>Request for Certification of Economic Hardship</u> and request a hearing (see additional information on following page). Otherwise, the city cannot issue a demolition permit on the property for a period of one year from the date of the denial. For properties designated as Landmarks, the restraint of demolition applies for three years (see Sections <u>813.C</u> and <u>813.D</u> of the Zoning Ordinance).
- 4. From the time the demolition restraint expires or demolition approval is granted, the owner has one year to obtain a city demolition permit and complete all demolition work. The HP Office may grant a one-time, sixmonth extension if the demolition work is not completed within one year due to unforeseeable circumstances. If the work is not completed within this time frame, the owner must re-apply for a demolition permit according to the regular demolition permit procedures delineated above.

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REQUEST FOR CERTIFICATION OF ECONOMIC HARDSHIP PROCESS



- The applicant submits a Request for Demolition Approval Form that is denied by the HP Officer. The applicant is informed of the option to wait until the restraint of demolition has expired (one year from the date of the denial in the case of most properties within the historic preservation overlay, three years from the date of the denial in the case of properties designated as historic landmarks) or to file a Request for Certification of Economic Hardship hearing.
- The applicant submits a completed application form and all required materials from the Request for Certification of Economic Hardship Checklist to the HP Office. The assigned planner determines whether the application is administratively complete within 10 days of the date that the application is submitted. The hearing will be scheduled within 20 days of the determination that the application is administratively complete.
- The city will post a sign on the property and send letters to the owner and neighborhood association providing information on the hearing date, time and scope of work. The sign must be posted at least 10 days prior to the hearing. Either the owner or a representative must be present at the hearing. The public may attend a Request for Certification of Economic Hardship hearing to express support or concerns regarding a proposal or may send a letter or email to that effect.
- The assigned planner will perform a site visit and then review the application to determine whether the project meets the city's standards for obtaining Certification of Economic Hardship. The planner then will prepare and forward a staff report to the applicant three days in advance of the hearing.
- The hearing officer will provide the applicant with an opportunity to explain his/her application, answer questions and provide additional information. The hearing officer will approve or deny the application based on the standards established in Section 814 of the Zoning Ordinance or continue the hearing if additional information is needed.
- An appeal process is available for the applicant or other interested parties aggrieved by the decision of the hearing officer. **See below for information regarding the appeal process.**
- 7. If the Request for Certification of Economic Hardship is approved, the applicant must wait until the five-day appeal period has passed before the permit can be issued. If the Request for Certification of Economic Hardship is denied, the applicant still has the option to wait until the demolition restraint expires on the one- or three-year anniversary of the original denial of the Request for Demolition Approval.
- Once the final demolition approval from the HP Office has been provided, the applicant then applies for the permit. This can be done either through the <u>SHAPE PHX portal</u> or in person at the 2nd floor permit counters. (In-person submittals will require an appointment, which can be scheduled at the <u>Planning and Development Online Appointment Scheduling website</u>.)
- . The applicant has one year from the date of the final demolition approval to obtain a demolition permit. A one-time, six-month extension may be approved if the demolition work is not completed within one year due to unforeseeable conditions. If the work is not completed within this time frame, the owner must re-apply for a demolition permit according to the regular demolition permit procedures delineated above.

APPEAL PROCESS

Any person aggrieved by the decision of the HP Hearing Officer may appeal that decision <u>within five calendar</u> <u>days</u> of the action. The appeal form must be delivered in person to the HP by the specified date and time. If the fifth day falls on a weekend or holiday, the appeal period will expire at the close of business on the next regular business day (see <u>Section 812.C.3</u> of the Zoning Ordinance for more information).

All appeals are heard by the city's HP Commission at its next available meeting. Any person aggrieved by a decision of the HP Commission may appeal that decision to the City Council. A written appeal must be filed in person with the HP Office within five calendar days of the HP Commission's decision. All appeals of HP Commission's decisions will be heard by the City Council at its next available meeting.

IMPORTANT

The Hearing Officer, HP Commission and City Council all act in a quasi-judicial manner for Certificate of Appropriateness hearings. There is to be no ex parte communication with any of these entities to include phone calls, e-mails, text messages or meetings. Supplemental materials may be submitted through the HP Office to be included in the packet provided to the hearing body. Check with staff on any deadlines for submission of supplemental materials. Materials provided at the hearing should include copies for the hearing body, staff, applicant, and appellant.

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