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| CITY OF SPOKANE<br>ADMINISTRATIVE POLICY AND PROCEDURE                              | ADMIN 0470-08-01<br>LGL 2008-13 |
| TITLE: <b>FAÇADE EASEMENTS</b><br>EFFECTIVE DATE: May 2, 2008<br>REVISION DATE: N/A |                                 |

## 1.0 GENERAL

1.1 An historic façade easement is given to preserve the appearance of an historic building and its surrounding setting. Often an owner of a property wants to be sure that the visual appearance will not be altered or neglected in the future. By giving an easement, the owner is assured that the property will be protected indefinitely, no matter who the future owners may be. There also may be tax advantages associated with giving such as easement. This document provides procedures for the Historic Preservation Office to process applications for façade easements.

## 1.2 TABLE OF CONTENTS

- 1.0 GENERAL
- 2.0 DEPARTMENTS/DIVISIONS AFFECTED
- 3.0 REFERENCES
- 4.0 DEFINITIONS
- 5.0 POLICY
- 6.0 PROCEDURE
- 7.0 RESPONSIBILITIES
- 8.0 APPENDICES

## 2.0 DEPARTMENTS/DIVISIONS AFFECTED

This policy shall apply to all City divisions and departments.

## 3.0 REFERENCES

36 CFR 67

## 4.0 DEFINITIONS

4.1 "Façade" consists of one (1) exposed side of a building, as seen from the surrounding streets.

- 4.2 “Façade Easement” is an easement granted by the owner to the City and restricts the owner’s exercise of the general and natural rights of the facade on which the easement lies. The purpose of the façade easement is the continued preservation of significant exterior features of a structure.

## 5.0 POLICY

- 5.1 It is the policy of the City of Spokane through the Historic Preservation Office to encourage historic façade easements for eligible buildings and to have an orderly system for processing the easements.
- 5.2 The benefit of a façade easement can be read at:  
<http://www.cr.nps.gov/hps/tps/tax/easement.htm>.

## 6.0 PROCEDURE

- 6.1 Application forms may be obtained from the City’s Historic Preservation Office, 3<sup>rd</sup> Floor, City Hall, 808 West Spokane Falls Boulevard, Spokane, Washington 99201 or on-line at [www.historicspokane.org/incentives.htm](http://www.historicspokane.org/incentives.htm). The applicant for a façade easement is responsible to complete the application form and related paperwork. The Historic Preservation Office cannot complete the application for the applicant.
- 6.2 A façade easement limits changes to an historic site, altering the property’s market value, while benefiting the general public. . The Internal Revenue Service has recognized the “before and after” valuation test as the approach to be utilized in placing a value on preservation easements. Under this method, the fair market value of the property after the granting of the preservation easement is subtracted from the property’s fair market value prior to the easement donation. The difference is the value of the preservation easement for federal income, estate and gift tax purposes. The actual value of a preservation easement should be determined by a qualified appraiser. The applicant is responsible to find a qualified appraiser. The Historic Preservation Office does not maintain a list of qualified appraisers.
- 6.3 The Historic Preservation Office staff will review the completed application to determine:
- a. if all required information has been provided;
  - b. whether or not the property is eligible for a façade easement; and

c. if serious maintenance problems are anticipated.

- 6.4 If the building is deemed eligible, the Historic Preservation Office will forward the application to the City Attorney's Office where a façade agreement will be prepared. The applicant then approves and executes the façade easement agreement. A copy of the draft agreement can be found on-line at [www.historicspokane.org/incentives.htm](http://www.historicspokane.org/incentives.htm).
- 6.5 The Historic Preservation Office files the signed facade agreement with the City Clerk's Office for placement on the City Council's agenda for approval.
- 6.6 Once approved by the City Council, the applicant shall pay to the order of the City of Spokane the cost of the Spokane County recording fee.
- 6.7 The City Clerk's Office files the original agreement with the Spokane County Auditor's Office.
- 6.8 Once recorded, the City Clerk's Office shall retain the original and provide conformed copies to the applicant and the Historic Preservation Office.

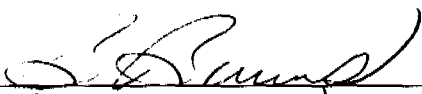
## 7.0 RESPONSIBILITIES

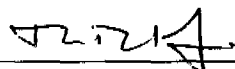
The Historic Preservation Office shall administer this policy.

## 8.0 APPENDICES

None

APPROVED BY:

  
\_\_\_\_\_  
City Attorney (AST)

  
\_\_\_\_\_  
City Administrator

  
\_\_\_\_\_  
Historic Preservation Officer

\_\_\_\_\_  
Date