

[Title 17G](#) Administration and Procedures

[Chapter 17G.040](#) Design Review Board Administration and Procedures

[Section 17G.040.010](#) Design Review Board Authority

A. General Authority.

The board shall conduct informal pre-decision hearings and meetings and prepare a record thereof and make a written report or recommendation regarding the design elements of the development or application to the approving body.

B. The board shall craft or provide review and comment on the development of new design guidelines or revisions of existing design guidelines, subject to final legislative approval by the City.

C. Limitation.

Review by the board shall not constitute land use or building code decisions, but shall be restricted to a prompt, reasonable and professional review of the proposal and plans, leaving full responsibility for design and development to the applicant.

Date Passed: Monday, December 14, 2009

Effective Date: Saturday, January 16, 2010

Ordinance C34526 Section 1

[Section 17G.040.020](#) Development and Applications Subject to Design Review

Development Applications Subject to Design Review.

The board shall review the design elements of the following developments and/or project permit applications:

A. All public projects or structures.

B. Shoreline conditional use permit applications.

C. Skywalk applications over a public right-of-way.

D. Projects seeking a design departure per [chapter 17G.030 SMC](#), Design Departures, [SMC 17G.030.030](#), Review Process.

E. Within downtown zones:

1. Within the central area identified on the [Downtown Design Review Threshold Map 17G.040-M1](#):

a. New buildings and structures greater than twenty-five thousand square feet.

- b. Modification of more than twenty-five percent (at minimum three hundred square feet) of a building façade visible from an adjacent street.
- 2. Within the perimeter area identified on the [Downtown Design Review Threshold Map 17G.040-M1](#):
 - a. New buildings and structures greater than fifty thousand square feet.
 - b. Modification of more than twenty-five percent (at minimum three hundred square feet) of a building façade visible from an adjacent street.
- 3. Within the gateway areas identified on the [Downtown Design Review Threshold Map 17G.040-M1](#):
 - a. All new buildings and structures.
 - b. Modification of more than twenty-five percent (at minimum three hundred square feet) of a building façade fronting on a designated gateway street or within one hundred feet of an intersection with a gateway street.
- 4. Sidewalk encroachment by private use.
- F. Within Centers & Corridors zones, application for Design Departures from the Design Standards and Guidelines for Centers and Corridors.
- G. Any other development proposal or planning study about which the plan commission, planning director, or hearing examiner requests to have the board's advice pertaining to any design elements.
- H. Other developments or projects listed within the Unified Development Code that require design review.

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ORD C35280 Section 4

[Section 17G.040.030](#) Projects Exempt from Design Review

- A. Projects Exempt from Design Review.
 - 1. City Parks.
 - a. Maintenance or repair work.
 - b. Development or construction that does not increase the size of the park, or substantially change the physical or visual aspect of the park or park structures; and

- c. Playground and recreational use structures that have been reviewed by neighbors through a public process.

2. Streets.

- a. Projects that occur between, and do not change, existing curb lines and do not have a visual or physical impact beyond the existing curb lines.
- b. Projects that have been designed through a multi-departmental process (including review by staff from engineering, urban design, planning, the urban forester, and other applicable advisory or regulatory departments), clearly meet all adopted City policies, and are not requesting a deviation; and
- c. City street projects that deviate from one or more adopted City policies, regulations, or standards but for which mitigation to address the deviation has been agreed to by engineering services, planning services, and any other affected departments through a decision making process based on prioritized criteria and that results in a memorandum of understanding between the affected departments.

3. Utilities.

- a. Underground utilities with no visual or physical impact, and
- b. Small utility structures of minimal impact that have been reviewed by neighbors through a public process.

4. A federal, state or county project located on a campus that meets one of the following criteria:

- a. more than one hundred fifty feet from a public right-of-way, or
- b. not visible from a public right-of-way or a shoreline due to an existing permanent structure.

B. Downtown Sidewalk Encroachments Exempt from Design Review.

- 1. Temporary business signs (sandwich or 'A' frame signs) of less than six square feet.
- 2. Standard kiosks for newspapers and pamphlets that are less than three feet high.
- 3. Benches, water fountains, bike racks, and other 'catalog' street furniture when in keeping with the established style, if any, of the existing furniture.
- 4. Street lamps when in keeping with the established 'style,' if any, of the existing street lamps.

5. Traffic and direction signage and lights installed by the City for the safety of pedestrians and motorists.
6. Street trees when size, spacing, soil volumes, and location are in accordance with the Spokane Municipal Code and sidewalk clearance standards. Please note that species must be selected from the urban forester's approved street tree list and a planting permit must be obtained from the urban forester.
7. Temporary/seasonal railings for sidewalk café enclosures of a recommended material as noted in the downtown design guidelines.

C. Building Modifications Exempt from Design Review.

Projects subject to the secretary of the interior's standards for rehabilitation or other historic preservation guidelines established and adopted by the Spokane historic landmarks commission per [SMC 17D.040.210](#), [SMC 17D.040.240](#), or [SMC 17D.040.270](#).

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ORD C34889 Section 2

[Section 17G.040.040](#) Design Review Criteria

Design Review Criteria.

The board shall base its review, report, and/or recommendation on the following criteria:

- A. The requirements, guidelines, and applicable provisions of [Title 17 SMC](#) that apply to the property in question including all additional zoning regulations which may apply to the use or to its area by provision for overlay district, or made applicable by any conditional use or variance approval.
- B. A summary of the design guidelines adopted by the City is found in the Design Review Application Handbook on file in the planning department.

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Ordinance C34526 Section 1

[Section 17G.040.050](#) Design Review Process

A. Design Review Process.

The design review process is found in the Design Review Application Handbook. The planning director is responsible for maintaining the Design Review Application Handbook and design review process. Changes to the Design Review Application Handbook and design review process must be approved by the design review board and adopted as official City administrative policy.

B. Design Review Board Operating Rules.

The board shall adopt rules of procedure for the conduct of its duties and shall provide in such rules for the time and place for holding regular board meetings.

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Ordinance C34526 Section 1

[Section 17G.040.060](#) Design Review Board Meetings

Design Review Board Meetings.

The board meets twice a month if necessary to respond to development applications. The meetings are open to the public.

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Ordinance C34526 Section 1

[Section 17G.040.070](#) Neighborhood Notification

Neighborhood Notification Process.

The neighborhood council chair shall be provided with direct meeting notification for all project(s) subject to design review affecting the neighborhood which they represent.

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Ordinance C34526 Section 1

[Section 17G.040.080](#) Design Review Board Recommendations

Recommendations.

Recommendations of the board are made according to the design review criteria adopted by the city council. In no case may the recommendations of the board contain design solutions contrary to other applicable provisions of this title. The design review criteria reflect the policies of the comprehensive plan.

- A. The functions of the board shall be advisory. The board makes recommendations on matters in which the hearing examiner, planning director, city council, building official, or city engineer is the action-approving authority.
- B. The board makes recommendations to the responsible City official on all other matters for which design review is required.
- C. The board's recommendation shall be recorded in writing and available within seven days of the board's recommendation meeting.

- D. The action approving authority shall consider the board's recommendation, provided that, if there is a unanimous recommendation to the action approving authority, the action approving authority shall issue a decision that makes compliance with the board's recommendation a condition of permit approval, unless the action approving authority concludes that the recommendation:
1. reflects inconsistent application of the design criteria; or
 2. exceeds the authority of the board; or
 3. conflicts with SEPA conditions or other regulatory requirements applicable to the site; or
 4. conflicts with the requirements of state or federal law.

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Ordinance C34526 Section 1

[Section 17G.040.090](#) Vesting

Vesting for Project Permits.

A complete application for a project permit that is entitled to vesting under Washington law and that is subject to design review shall be considered under the land use codes and other land use control ordinances in effect on the date a complete application for either a design review collaborative workshop or an administrative design review process as set forth in [chapter 17G.040 SMC](#) is submitted to the director, provided that a complete project permit application is filed within one hundred eighty days of the design review board final recommendation.

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Ordinance C34526 Section 1

[Section 17G.040.100](#) Expiration of Application

Expiration of Design Review Application.

Applications which have been certified complete for either a design review collaborative workshop or an administrative design review process as set forth in [chapter 17G.040 SMC](#) shall have one year to complete the design review process. After one year the application expires by limitation and becomes null and void. The director may grant one extension of up to one hundred eighty days if the application has been pursued in good faith, the request is in writing, and justifiable cause demonstrated.

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Ordinance C34526 Section 1

[Title 17G](#) Administration and Procedures

[Chapter 17G.060](#) Land Use Application Procedures

[Section 17G.060.060](#) Design Review

- A. Project permit applications that are subject to design review follow the procedures contained within [chapter 17G.040 SMC](#), Design Review Board Administration and Procedures.
- B. Project permit applications that are subject to design review are listed in [SMC 17G.040.020](#), Development and Applications Subject to Design Review.
- C. Prior to submitting a project permit application that is subject to design review under this title, a project permit applicant must have begun the design review process and may be required to participate in a design review collaborative workshop as defined in [SMC 17G.040.050](#), Design Review Process, and outlined in the Design Review Application Handbook.
- D. Project permit applications that are subject to design review shall contain the information specified in [chapter 17G.040 SMC](#). The design review process is completed prior to the end of the public comment period initiated by notice of application and a recommendation is made to the hearing examiner, planning director, building official, or other official as appropriate. The report of the design review board is made available to the action-approving authority by the close of the public comment period.

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