



# Spokane Plan Commission Agenda

May 22, 2019

2:00 PM to 5:00 PM

City Council Briefing Center

808 W. Spokane Falls Blvd., Spokane WA 99201

**TIMES GIVEN ARE AN ESTIMATE AND ARE SUBJECT TO CHANGE**

## Public Comment Period:

3 minutes each    Citizens are invited to address the Plan Commission on any topic not on the agenda.

## Commission Briefing Session:

2:00 – 2:30	1) Approve <a href="#">May 8, 2019</a> meeting minutes	All
	2) City Council Report	Kate Burke
	3) Community Assembly Liaison Report	Patricia Hansen
	4) President Report	Todd Beyreuther
	5) Transportation Sub-Committee Report	John Dietzman
	6) Secretary Report	Heather Trautman

## Workshops:

2:30 – 3:00	1) <a href="#">LU 1.8 Policy Review (Z19-002)</a>	Tirrell Black
3:00 – 3:30	2) <a href="#">Browne's Addition Overlay Zone</a>	Megan Duvall
3:30 – 4:30	3) <a href="#">Guest Speaker P.E. Moskowitz, author of <i>How to Kill a City</i></a>	Peter Moskowitz

## Adjournment:

Next Plan Commission meeting will be on June 12, 2019 at 2:00 pm

The password for City of Spokane Guest Wireless access has been changed: Username: COS Guest Password: P46FqySx

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# Spokane Plan Commission - Draft Minutes

**April 24, 2019**

Meeting Minutes: Meeting called to order at 2:01 PM

## Attendance:

- Board Members Present: John Dietzman, Todd Beyreuther, Michael Baker, Carole Shook, Sylvia St. Clair, Greg Francis, Christopher Batten, Kate Burke (City Council Liaison)
- Board Members Not Present: Diana Painter, Patricia Hansen (Community Assembly Liaison)
- Staff Members Present: Amanda Winchell, Heather Trautman, Megan Duvall, Nathan Gwinn, James Richman, Kevin Freibott, Melissa Wittstruck, Tirrell Black, Teri Stripes, Christopher Green, Colin Quinn-Hurst

## Public Comment:

None

## Briefing Session:

Minutes from the April 24, 2019 approved unanimously.

### **1. City Council Liaison- Kate Burke**

- Attended a walkability conference in Georgia. Learned about transit, equal mobility, and how to build a more walkable community. This conference made it quite clear that the City can be using beautiful assets like centennial trail to capitalize on a more walkable City. The group formed an action plan to access multimodal transit methods. This will help identify how we can in the future
- The author, Peter Moskowitz, will be coming to present on Gentrification. This discussion will be held on May 22<sup>nd</sup> immediately after the Plan Commission meeting.
- Council voted in the land swap with Union Gospel Mission. The City gave up a couple pieces of land but the UGM is building a new park that they will maintain, they will be completing the Ben Burr Trail.

### **2. Community Assembly Liaison Report - Patricia Hansen**

- None

### **3. Commission President Report - Todd Beyreuther**

- Would like to form a subcommittee that would meet to discuss possible exclusionary impacts with current and upcoming City Projects. Recommends that this subcommittee include 2-3 commissioners and three community members with diverse planning backgrounds.

### **4. Transportation Subcommittee Report - John Dietzman**

- Next Plan Commission Transportation Subcommittee meeting will be held in June 4<sup>th</sup>.
- Citizens Transportation Advisory Board (CTAB) will be meeting on May 22<sup>nd</sup> for the first time since November 2018. This meeting will be to approve the 2018 Annual report and the new residential TBD projects for 2020.

### **5. Secretary Report- Heather Trautman**

- Mayor's holding the Plan Commission vacancies interviews this week. He will make recommendations to the Council Members. The council members will make the final decision on who will fill the vacancies. Currently we have recommended three individuals and the commission currently only has two vacancies.
- Priest Lake planning conference is coming up in June. If you're interested in attending please contact Amanda. The theme of the conference is equity and planning decisions.
- During the May 22<sup>nd</sup> meeting the Author, Peter Moskowitz, will be here to present to the Plan Commission on the topic of Gentrification.
- The Gateway bridge opening was held on May 7<sup>th</sup>.

## Workshops:

### **1. Browne's Addition Design Standards**

- Presentation provided by Megan Duvall
- Questions asked and answered
- Discussion ensued

## **2. LU 1.8 Subcommittee Report Back**

- Presentation and overview provided by Tirrell Black
- Questions asked and answered

### **Hearing:**

#### **1. Six Year Program**

- Presentation and overview provided by Brandon Blankenagel
- Questions asked and answered
- Discussion ensued

Greg Francis makes a motion to recommend to City Council the approval of the 2020-2025 six year comprehensive street program, motion seconded by John Dietzman motion passes unanimously (7/0)

### **Meeting Adjourned at 4:18 PM**

Next Plan Commission Meeting is scheduled for May 22, 2019

BRIEFING PAPER  
City of Spokane  
Review/rewrite Policy LU 1.8 (File Z19-002COMP)  
MAY 22, 2019

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Subject

This is a proposal to amend **Policy LU 1.8 General Commercial Uses** in the City's Comprehensive Plan, Land Use Chapter.

This item was briefed in an abbreviated manner on May 8, 2019 and this is a continuation of that discussion.

Background

The 2019 Comprehensive Plan Annual Amendment Work Program includes review of Policy LU 1.8. Council Member Mumm is the city council sponsor of this amendment. For more information about the work done by the temporary subcommittee with Plan Commission members Francis, St. Clair, and Painter, formed to evaluate potential changes to the policy, and the relationship of this policy to other Chapter 3 Land Use goals, please see the briefing paper in the May 8, 2019 [agenda packet](#).

Impact

This policy provides guidance to the Plan Commission and staff when reviewing proposed amendments to the Land Use Plan Map (Map LU1) to expand a "General Commercial" Land Use Plan Map designation. Clarifying the policy will be useful when there is interest in pursuing a land use plan map change.

Requested Direction

Staff propose to circulate the two attached drafts during the public comment period:

1. **Subcommittee Draft.**
2. **Additional Draft.** As discussed at the workshop on May 8, 2019, the attached additional draft incorporates staff and Plan Commission suggested changes to include the factors in consideration of potential expansions discussed with the subcommittee. It also removes references to a specific distance—250 feet from the street.

The 60-day public comment period for the Annual Amendment Work Program is anticipated to occur May 28-July 29, 2019. Workshops on all comprehensive plan amendments, including this one, are scheduled during that period; staff are scheduled to present again on this topic at a Plan Commission workshop on July 10, 2019, when staff would ask the Commission to select one of the versions for public hearing.

# Draft 1

## Plan Commission Subcommittee Working Group

### Draft Policy LU 1.8, proposed changes:

#### **LU 1.8 General Commercial Uses**

*Contain General Commercial areas within the boundaries occupied by existing business designations and within the boundaries of designated Centers and Corridors.*

**Discussion:** General Commercial areas provide locations for a wide range of commercial uses. Typical development in these areas includes freestanding business sites and larger grouped businesses (shopping centers). Commercial uses that are auto-oriented and include outdoor sales and warehousing are also allowed in this designation. Land designated for General Commercial use is usually located at the intersection of or in strips along principal arterial streets. In many areas such as along Northwest Boulevard, this designation is located near residential neighborhoods.

To address conflicts that may occur in these areas, zoning categories should be implemented that limit the range of uses, and site development standards should be adopted to minimize detrimental impacts on the residential area. Existing commercial strips should be contained within their current boundaries with no further extension along arterial streets allowed.

~~Recognizing existing investments by both the City of Spokane and private parties, and given deference to existing land use patterns, an exception to the containment policy may be allowed by means of a comprehensive plan amendment to expand an existing commercial designation, (Neighborhood Retail, Neighborhood Mini-Center, or General Commercial) at the intersection of two principal arterial streets or onto properties which are not designated for residential use at a signalized intersection of at least one principal arterial street which as of September 2, 2003, has traffic at volumes greater than 20,000 vehicular trips a day. Expansion of the commercial designation under this exception shall be limited to property immediately adjacent to the arterial street and the subject intersection and may not extend more than 250 feet from the center of the intersection unless a single lot, immediately adjacent to the subject intersection and in existence at the time this comprehensive plan was initially adopted, extends beyond 250 feet from the center of the intersection. In this case the commercial designation may extend the length of that lot but in no event should it extend farther than 500 feet or have an area greater than three acres.~~

~~If a General Commercial land use designation (Neighborhood Retail, Neighborhood Mini-Center, or General Commercial) exists at the intersection of two principal arterials, a zone land use plan map change to allow the commercial use to be extended to the next street or alley that runs parallel to the principal arterial street may be allowed, but should not exceed 250 feet from a principal arterial. If there is not a street that runs parallel to the principal arterial, the maximum depth of commercial development extending from the arterial street shall not exceed 250 feet.~~

Areas designated General Commercial within Centers and Corridors are encouraged to be developed in accordance with the policies for Centers and Corridors. Through a neighborhood planning process for the Center, these General Commercial areas will be designated in a land use category that is appropriate in the context of a Center and to meet the needs of the neighborhood.

Residential uses are permitted in these areas. Residences may be in the form of single-family homes on individual lots, upper-floor apartments above business establishments, or other higher density residential uses.

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# Draft 2

## Plan Commission

### Additional Draft Policy LU 1.8, proposed changes:

#### **LU 1.8 General Commercial Uses**

~~Contain~~ Direct new General Commercial ~~areas within the boundaries occupied by existing business designations and within the boundaries of designated~~ uses to Centers and Corridors designated on the Land Use Plan Map.

**Discussion:** General Commercial areas provide locations for a wide range of commercial uses. Typical development in these areas includes freestanding business sites and larger grouped businesses (shopping centers). Commercial uses that are auto-oriented and include outdoor sales and warehousing are also allowed in this designation. Land designated for General Commercial use is usually located at the intersection of or in strips along principal arterial streets. In many areas such as along Northwest Boulevard, this designation is located near residential neighborhoods.

To address conflicts that may occur in these areas, zoning categories should be implemented that limit the range of uses, and site development standards should be adopted to minimize detrimental impacts on the residential area. New General Commercial areas should not be designated in locations outside Centers and Corridors. Existing commercial strips should be contained within their current boundaries with no further extension along arterial streets allowed.

~~Recognizing existing investments by both the City of Spokane and private parties, and given deference to existing land use patterns, an exception to the containment policy may be allowed by means of a comprehensive plan amendment to expand an existing commercial designation, (Neighborhood Retail, Neighborhood Mini-Center, or General Commercial) at the intersection of two principal arterial streets or onto properties which are not designated for residential use at a signalized intersection of at least one principal arterial street which as of September 2, 2003, has traffic at volumes greater than 20,000 vehicular trips a day. Expansion of the commercial designation under this exception shall be limited to property immediately adjacent to the arterial street and the subject intersection and may not extend more than 250 feet from the center of the intersection unless a single lot, immediately adjacent to the subject intersection and in existence at the time this comprehensive plan was initially adopted, extends beyond 250 feet from the center of the intersection. In this case the commercial designation may extend the length of that lot but in no event should it extend farther than 500 feet or have an area greater than three acres.~~

~~If a commercial designation (Neighborhood Retail, Neighborhood Mini-Center, or General Commercial) exists at the intersection of two principal arterials, a zone change to allow the commercial use to be extended to the next street that runs parallel to the principal arterial street may be allowed. If there is not a street that runs parallel to the principal arterial, the maximum depth of commercial development extending from the arterial street shall not exceed 250 feet.~~

However, recognizing existing investments, and given deference to existing land-use patterns, exceptions to the containment policy may be allowed for limited expansions adjacent to existing General Commercial areas located outside Centers and Corridors. The factors to consider in such adjacent expansions include: maintaining the minimum depth from an arterial street necessary for the establishment or expansion of a neighborhood-scale business; avoiding intrusion of incompatible land uses in established neighborhoods; and confining any such expansion within physical boundaries such as streets or alleys.

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Areas designated General Commercial within Centers and Corridors are encouraged to be developed in accordance with the policies for Centers and Corridors. Through a neighborhood planning process for the Center, these General Commercial areas will be designated in a land use category that is appropriate in the context of a Center and to meet the needs of the neighborhood.

Residential uses are permitted in these areas. Residences may be in the form of single-family homes on individual lots, upper-floor apartments above business establishments, or other higher density residential uses.

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BRIEFING PAPER  
City of Spokane  
Plan Commission Briefing  
May 22, 2019

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Subject

*Browne's Addition Historic District Overlay Zone*

Background

***\*\*This workshop is to address comments provided by both Long Range Planning, Current Planning Staff and Legal (see attached spreadsheet). We are working through the suggestions and revising the Browne's Addition Standards and Guidelines document accordingly. We will have an updated spreadsheet at the time of the workshop on 5/22/19 and explain how we addressed each of the questions, comments, edits.***

***This workshop will also include revisions to the Historic Preservation Ordinance (SMC 17D100) dealing mostly with notice and process for Certificate of Appropriateness applications within historic districts.\*\****

In 2015, the Browne's Addition Neighborhood Council (BANC) started a conversation with the City's Historic Preservation Office (HPO) to create a means to better protect the historic character of the neighborhood. While Browne's Addition has been a National Register Historic District since 1976, that designation does not offer the protection against demolition and general character features that a local listing would. In response to the BANC concerns, CM Kinneer instituted a short-term demolition moratorium within the neighborhood to give the HPO time to strategize a plan for Browne's Addition. Ultimately, the BANC decided that they wanted to pursue a Spokane Register of Historic Places historic district to both offer protection of historic resources through design review, while at the same time, provide incentives to property owners who significantly improve historic properties.

In order to create a large historic district, the SMC 17D.040 (Historic Preservation Ordinance) needed to be revised to allow for district creation through a vote of property owners within the proposed district. The ordinance revision passed City Council in February of 2018 and a new Historic Preservation chapter (SMC 17D.100) has been implemented.

The HPO received a grant in June of 2017 to hire an historic preservation consultant to create three documents – a nomination form, resources forms for each property within the district, and design standards and guidelines within the district. Each of those documents has been reviewed by both the BANC, property owners in the district, and the Spokane Historic Landmarks Commission:

- [Browne's Addition Spokane Register Historic District Nomination Form](#)
- [Browne's Addition Resource Forms](#)
- [Browne's Addition Design Standards and Guidelines](#)

Borth Preservation Consultant, LLC and local partner, Betsy Bradley were contracted in May of 2018 to both engage the neighborhood partners and create the documents above. The HPO is currently taking neighborhood comments on the final drafts and working with internal stakeholders and agency reviewers to put together the final documents prior to beginning the balloting process.

The HPO has led efforts to engage the neighborhood with the following outreach activities targeted to both district property owners and residents including the creation of a project website (11/30/16); at least ten public meetings with stakeholders and BANC, committee members, and volunteers; an online survey specific to the design standards and guidelines questions (53 responses); two first class mailings to all property owners within the district; social media posts ('Spokane Historic Landmarks' is the HPO Facebook page); and press releases.

The neighborhood driven creation of the historic district will allow for:

- Regulation of changes to the exteriors of existing properties when a building permit is sought through the Certificate of Appropriateness (CoA) application process by the HPO and/or the Spokane Historic Landmarks Commission
  - Most decisions can be made at the staff level based on the design standards and guidelines, but larger projects with more extensive changes would be heard at a public hearing by the SHLC
- Regulation of demolitions of "contributing" structures within the district through a CoA application
  - Requires a public hearing of the SHLC
- Design review of new construction within the district based on a framework created for compatibility in the district (pg. 67 of the Design Standards and Guidelines document)

The district is not a tool to limit growth in this high density residential neighborhood, rather, it is a way that the neighborhood can participate in a public process geared toward appropriate changes as well as growth within the district. The Design Standards and Guidelines are extensive and meant to provide clear direction to both property owners and developers as they approach rehabilitation of historic resources or consider building something new in the neighborhood. By providing an avenue for public process and review of substantial changes to the neighborhood, the historic district designation gives citizens an opportunity to express their thoughts on proposals, but ultimately, decisions will be made by the Spokane Historic Landmarks Commission based on standards.

This proposal is directly in line with the City of Spokane Comprehensive Plan Chapter 8: Urban Design and Historic Preservation. Pertinent sections include:

***DP 1.1: Landmark Structures, Buildings, and Sites***

*Recognize and preserve unique or outstanding landmark structures, buildings, and sites.*

***DP 1.2: New Development in Established Neighborhoods***

*Encourage new development that is of a type, scale, orientation, and design that maintains or improves the character, aesthetic quality, and livability of the neighborhood*

**DP 2.7: Historic District and Sub-Area Design Guidelines**

*Utilize design guidelines and criteria for sub-areas and historic districts that are based on local community participation and the particular character and development issues of each sub-area or historic district.*

**DP 3.10 Zoning Provisions and Building Regulations**

*Utilize zoning provisions, building regulations, and design standards that are appropriate for historic districts, sites, and structures.*

**DP 3.13 Historic Districts and Neighborhoods**

*Assist neighborhoods and other potential historic districts to identify, recognize, and highlight their social and economic origins and promote the preservation of their historic heritage, cultural resources, and built environment.*

Action

The SHLC will review the final documents after the balloting is complete (and if the neighborhood votes 50% + 1 in favor of the district creation) and recommend approval of the historic district overlay to City Council. In summer of 2019, City Council will consider final adoption of the *Browne's Addition Historic District Overlay Zone* by ordinance.

The Plan Commission also has a role as a recommending body to City Council since this is a land use action with the creation of the overlay zone.

## Changes to Browne's Addition LHD Documents

### Design Standards & Guidelines

Change	Page	Reason
Removed "neighborhood would like this design" incentive points	Page 71	Feedback from Planning Department: Arbitrary item in new construction scoresheet
Changed Standards to Secretary of the Interior's Standards for Rehabilitation and the rest of the document consists of guidelines to expand and customize those standards	Page 11	Feedback from Planning Department: Clarifies the distinction between standards guidelines.
Removed differences from infill ordinance	Page 67	Not necessary
Added COA requirement for new garage construction	Page 58	Feedback from neighborhood via survey
Clarified that no COA will be required for landscaping	Page 54	Feedback from neighborhood via survey
Clarified that no COA will be required for changes to exterior paint color	Page 51	Feedback from neighborhood via survey
Added Design Review chart for what types of work require review administratively, no review or by the full SHLC	page 12	Feedback from Planning/Current Planning
Removed "Offering a design that district residents, in particular, are likely to find compatible"	page 77	Feedback from Planning/Current Planning
Changed "Sometimes a design does not meet certain expectations..." to read "Sometimes a design does not meet ALL expectation..." Added "It is very difficult to articulate all of the possible ways a proposed design may be appropriate for the district - so the option is left open for something that had not been considered at the time these guidelines were created to meet compatibility."	page 77	Feedback from Planning/Current Planning
These standards and guidelines have been adopted as part of a City Ordinance and are not voluntary. **Removed the "and are not voluntary" section of the sentence.	Page 16	Feedback from Planning/Current Planning
Property owners are encouraged to maintain buildings in good condition and can do such work without applying for a COA, <u>but some work may require a City building permit.</u>	Page 14	Added underlined section based on Feedback from Planners/Current Planning
Removed: No permit is needed for these types of maintenance:	Page 14	Feedback from Planning/Current Planning
Added the definition of maintenance to Appendix 1: Glossary of Terms. Maintenance: the process of keeping a building in good condition by regularly checking and repairing it when necessary.	Appendix 1	Feedback from Planning/Current Planning
Added the word "existing" to Single Family and Multi-Family Chapters (both at the Chapter Titles and bottoms of pages)	Throughout	Feedback from Planning/Current Planning
Removed "Design a building that neighborhood resident would think "fits in."	Page 75	Too arbitrary - feedback from planning

<p>In Browne's Addition, the Local Historic District Overlay Zone provides the standards and guidelines for new construction in that portion of the HDR zone. Because these guidelines state expectation for compatibility, rather than include dimensions and requirements, and require site-specific design, they do not include a maximum height for new construction defined in number of feet. The standards for new construction in this document supersede the general development standards adopted for multi-family buildings.</p> <p>TO THIS:</p> <p>In Browne's Addition, the Local Historic District Overlay Zone provides the standards and guidelines for new construction in that portion of the RHD zone. Because these guidelines state expectation for compatibility, rather than include dimensions and requirements, and require site-specific design, they do not include a maximum height for new construction defined in number of feet because each site will be reviewed for compatibility of surrounding buildings.</p> <p>However, the City of Spokane general development standards cap building height at 35 feet for the RHD zone, but may be modified up to 50 feet if certain conditions are met (SMC 17C.110.215 Height). The standards for new construction in this document work in conjunction with the general development standards adopted for multi-family buildings.</p>	page 67	Feedback from Planning/Current Planning
Changed the word 'sidewalk' to path under "Hardscape": Keep and maintain the traditional ratio of paved on-premises <b>paths</b> and building to lawn and vegetated areas.	page 53	Feedback from Planning/Current Planning
Added "The Secretary of the Interior Standards for Rehabilitation have long been the SHLC's standards used for reviewing projects and issuing COAs. The guidelines in this document are intended to help expand and further articulate how the SHLC will use the standards when reviewing properties for COAs in Browne's Addition."	page 16	Feedback from Planning/Current Planning

#### Resource Forms

Change	Page	Reason
Made changes to 2306 W Pacific		Owner feedback
Made changes to 1813 W 1st		Owner feedback
Made changes to Biggerstaff's house		Owner feedback

#### Nomination

Change	Page	Reason
Slightly revised map for consistency/removal of vacant lots on boundary		consistency

COMMENTS FROM INITIAL REVIEW OF BROWNE’S ADDITION DESIGN OVERLAY BY PLANNING STAFF

**\*\*Planning comments in BLACK text, responses by Historic Preservation Office in BROWN text**

May 16, 2019

Topic	Issue	Discussion / Examples
Fairness of review process	<p>Subjectivity of approval criteria</p> <ul style="list-style-type: none"><li>HP reviews are inherently subjective in that they do not rely on dimensions for setback, etc. and are considered on a case-by-case basis – which is considered to be fair for each property owner. The immediate context and particularities of the property are taken into account rather than asserting that one condition/solution/“thou shalt” standard is the best decision.</li><li>Absolutely prescriptive standards convey that there is only “one best way” to make any change; these standards somewhat allow for a range of approaches and leaves more autonomy for some decisions for the property owner. This is intentional and seen as a “good thing” in more progressive HP circles.</li><li>Fairness and subjectivity are related but not the same. Fairness in HP means using the process correctly; referring to standards and guidelines as the basis of decisions, and avoiding personal preferences.</li><li>Subjectivity is inherent in the judgements that need to be made: is the proposal close enough to what is stated in the standards and guidelines? Is the intent of the project on target even if not every guideline is met? Appropriateness is used to consider an individual solution rather than a generic one for an entire land use zone.</li><li>Review is fine-grained and project specific.</li></ul>	<p>A number of guidelines are too subjective to be helpful to a decision-maker, applicant, or interested member of the public. For example:</p> <p>“Even so, a small building in a location that has buildings of various ages and sizes may be an appropriate place to use design juxtaposition” (Guidelines page 64).</p> <ul style="list-style-type: none"><li>This articulates what might be called common sense: something small and different has less of an effect on a district than something large and different.</li><li>Juxtaposition is further pointed in this section to not be a preferred design strategy in Browne’s.</li></ul> <p>“Sometimes a design does not meet certain expectations, but feels ‘right’ for the location” (Guidelines page 77).</p> <ul style="list-style-type: none"><li>One of the underlying reasons for this comment is that it is very difficult to articulate all they ways that a proposed design could be appropriate or inappropriate.</li><li>Pg. 77 changed to read: <i>Sometimes a design does not meet all expectations, but feels “right” for the location. It is very difficult to articulate all of the possible ways a proposed design may be appropriate for the district - so the option is left open for something that had not been considered at the time these guidelines were created to meet compatibility.</i></li></ul>

	Noticing requirements	<p>The notification process for projects under review for a Certificate of Appropriateness (COA) appears to default to SMC 17D.100.210.D. It is unclear whether property owners within a certain radius would be provided with notice of projects under COA review. This differs from discretionary review of land use cases, and a stated policy goal of the proposed district, to provide a “public process” on projects under review.</p> <ul style="list-style-type: none"> <li>Attorneys are currently working on making sure that our ordinance SMC17D.100 fully explains all noticing requirements. All of our public hearings are noticed based on publication in a newspaper; publication in the Gazette; notice to property owners and others who have specifically requested information on a particular application; as well as a wide agenda distribution list that has been compiled over many years.</li> <li>We do not notice the same as land use cases in terms of a radius around the property</li> </ul>
	Determining review process	<p>Neither SMC 17D.100.210 nor the guidelines provide criteria for determining whether a proposal can be reviewed for a COA administratively, or whether a hearing before the SHLC is required.</p> <ul style="list-style-type: none"> <li>Added the Design Review Chart as Appendix V in the standards and guidelines</li> <li>Added same chart to our ordinance in SMC 17D.100.200C as an attachment file – “Appendix B is a list of the types of work that are exempt from the requirement of a certificate of appropriateness, that can be approved administratively or that would require a certificate of appropriateness from the commission.”</li> </ul>
	Preliminary approval process	<p>The preliminary review process for new construction, as described on page 14 of the guidelines, does not appear to offer any significant advantage to an applicant, since the preliminary approval “does not ensure final project approval.” On the other hand, a denial at the preliminary review stage can prevent the project from moving forward to SHLC review, until the staff is satisfied that the SHLC would reach a different decision.</p> <ul style="list-style-type: none"> <li>The preliminary review process is a benefit in that the project proponent gets a reading of whether its interpretation of appropriate</li> </ul>

		<p>and compatible is in alignment with the SHLC's. This is much like the Developer Services Center (DSC) offering a "pre-development" meeting to talk through a project before the expense of full building plans is undertaken. Red flags are noted and the applicant may revise plans before submitting for full Landmarks Commission review.</p> <ul style="list-style-type: none"> <li>• The "does not ensure final project approval" phrase reflects experience with projects being described "as just the same as previously reviewed" but nevertheless have differences in materials, details, etc. that cumulatively make a different project.</li> <li>• That a project must be altered before it is submitted again is a deduction from how reviews take place: if the review is conscientiously based on the standards and guideline the first time, it is unlikely that a quite different finding would be made via a second review.</li> <li>• Plus – how different is our preliminary review process from the first meeting with the Design Review Board? There is a strong analogy.</li> </ul>
<p>Clarity on how guidelines/standards would be implemented in the review process</p> <p>The standards and guidelines are applied by the SHPO staff as they work with applicants, the design review committee members most thoroughly via a site visit and review of proposal documents, and then by all Commission members at the public meeting.</p>	<p>Unclear regulatory effect of proposed guidelines</p> <ul style="list-style-type: none"> <li>• The nature of HP design review of existing buildings and often people's homes means that approaches that provide some latitude in decision making on smaller matters that do not affect the buildings overall character, and to subtly provide guidance about what HPs think is the best approach (consider).</li> <li>• The language in the guidelines is very intentional but is not intended to be unclear.</li> </ul>	<p>It is unclear whether the proposed guidelines are meant as regulatory requirements that must be met in order to obtain a COA, or technical guidance for the owners of historic properties. Many of the guidelines are clearly suggestive and non-regulatory, yet the following is stated on page 16: "These standards and guidelines have been adopted as part of a City Ordinance and are not voluntary."</p> <ul style="list-style-type: none"> <li>• Removed the "and are not voluntary."</li> <li>• **Changed paragraph to read: <i>These standards and guidelines have been adopted as part of a City Ordinance. The Secretary of the Interior Standards for Rehabilitation have long been the SHLC's standards used for reviewing projects and issuing COAs. The guidelines in this document are intended to help expand and further articulate how the SHLC will use the Standards when reviewing properties for COAs in Browne's Addition.</i></li> </ul>



		<p>The proposed standards/guidelines do not follow the City's established convention for classifying design guidelines as either Requirements (R), Presumptions (P), or Considerations (C).</p> <ul style="list-style-type: none"> <li>• They were not developed with the presumption that they should follow the city's conventions. The widespread use of the Secretary of Interior's Standards and the approach outlined in them, and the decisions that need to be made, mean that the vast majority of other city's HP standards and guidelines do not conform to other documents in the city.</li> </ul>
	Applicability of design guidelines based on project type	<p>The applicability of the design guidelines is unclear in certain situations, such as projects in the public right-of-way, new and existing commercial properties, and new multifamily construction.</p> <ul style="list-style-type: none"> <li>• The sections on existing buildings and new construction are clearly delineated with headings and content.</li> <li>• Ordinance revision now states in Section 17D.100.100 - D. The design standards and guidelines for either individual properties through a property management agreement or historic districts are not applicable to publically owned structures located in the public right of way.</li> <li>• Commercial properties are an extremely small portion of Browne's Addition and will be reviewed using the Secretary of the Interior's Standards as are other buildings individually listed on the Spokane Register.</li> <li>• New multi-family and new commercial would all be reviewed under the "New Construction" chapter 8 of the Standards &amp; Guidelines.</li> </ul>
	Defining maintenance	<p>The discussion of "maintenance" included on page 14 includes several examples but no definition. This section also states that "No permit is needed for these types of maintenance: ..." and should clarify that no COA is required, but a building permit may still be required.</p> <ul style="list-style-type: none"> <li>• Added the definition of maintenance to Appendix 1: Glossary of Terms. Maintenance: the process of keeping a building in good condition by regularly checking and repairing it when necessary.</li> </ul>

		<ul style="list-style-type: none"> <li>The examples were thought to be more instructive for property owners than one definition of maintenance.</li> <li>Added “but some work may require a City building permit” – pg. 14</li> </ul>
	<p>Default applicability of existing development regulations within the district</p> <p>Added on page 67: In Browne’s Addition, the Local Historic District Overlay Zone provides the standards and guidelines for new construction in that portion of the RHD zone. Because these guidelines state expectation for compatibility, rather than include dimensions and requirements, and require site-specific design, they do not include a maximum height for new construction defined in number of feet because each site will be reviewed for compatibility of surrounding buildings.</p> <p>However, the City of Spokane general development standards cap building height at 35 feet for the RHD zone, but may be modified up to 50 feet if certain conditions are met (SMC 17C.110.215 Height). The standards for new construction in this document work in conjunction with the general development standards adopted for multi-family buildings.</p>	<p>The ordinance or standards/guidelines document should include a statement indicating that underlying development regulations prevail unless otherwise indicated in Standards and Guidelines.</p> <p>Added height limits in the RHD zone on page 67.</p>
	Process for future amendments	<p>The ordinance or standards/guidelines document does not specify a process for the SHLC or City Council to amend the guidelines and/or district boundaries in the future.</p> <ul style="list-style-type: none"> <li>Ordinance states in SMC 17D.100.100 C that ...No less than every five (5) years, the commission shall review and consider amendments to the management and design standards and guidelines for each district established under this section and forward its findings and recommendations to the City Council for adoption</li> <li>We don’t feel that there is a strong need to include that information within the Standards &amp; Guidelines document as well.</li> </ul>

Conflicts between proposed guidelines/standards and existing City policies and regulations	<p>Multifamily design guidelines</p> <ul style="list-style-type: none"> <li>There was confusion by Planning/Current Planning staff as to what sections were dealing with existing buildings and what dealt specifically with new construction.</li> <li>We added the word “existing” to the sections on Single Family and Multi-Family in order to further define that these chapters/guidelines deal with buildings that are already in the neighborhood</li> </ul>	<p>Certain proposed standards/guidelines appear to conflict with provisions allowed, encouraged, or required under the existing multifamily design standards, including:</p> <p>Outdoor space/balconies (Guidelines pages 44, 50, 54, 57, and 72)</p> <ul style="list-style-type: none"> <li>These pages (44, 50, 54, and 57) deal with EXISTING buildings and avoiding highly visible NEW balconies or decks that are not historically appropriate. Page 72 is new construction and advises to “minimize visibility” of outdoor decks for recreation. We would</li> </ul> <p>Individual entrances (Guidelines page 75)</p> <ul style="list-style-type: none"> <li>The standards and guidelines state: Use traditional approach to entrance design: Place individual entrances in multi-family buildings oriented to the street and clearly evident as the main entrance to each unit.</li> <li>Not sure that there is a conflict there – if a site calls for the need for one main entrance for a multifamily building, the SHLC would consider that just as they would consider townhomes with separate entrances oriented to the public street.</li> </ul> <p>Connections between parking/street lighting (Guidelines pages 44 and 53)</p> <ul style="list-style-type: none"> <li>These are existing multifamily building guidelines sections, so we would not be looking at these items on existing historic structures</li> </ul>
	<p>Building height  Changed wording on page 67 from:</p> <p>In Browne’s Addition, the Local Historic District Overlay Zone provides the standards and guidelines for new construction in that portion of the HDR zone. Because these guidelines state expectation for compatibility, rather than include dimensions and requirements, and require site-specific design, they do not include a maximum height for new construction defined in number of feet. The standards for new construction in this document supersede the general development standards adopted for multi-family buildings.</p> <p>TO THIS:</p>	<p>Page 67 of the Guidelines indicate that the guidelines/standards supersede general development standards for the underlying HDR zone, but do not specify a maximum height. There do not appear to be specific criteria for a decision-maker to document the rationale for denying a COA application on the basis of height.</p> <ul style="list-style-type: none"> <li>Changed wording from “The standards for new construction in this document supersede the general development standards adopted for multi-family buildings” <b>to say:</b>  <i>“The standards for new construction in this document work in conjunction with the general development standards adopted for multi-family buildings.”</i></li> </ul>

	<p>In Browne’s Addition, the Local Historic District Overlay Zone provides the standards and guidelines for new construction in that portion of the RHD zone. Because these guidelines state expectation for compatibility, rather than include dimensions and requirements, and require site-specific design, they do not include a maximum height for new construction defined in number of feet because each site will be reviewed for compatibility of surrounding buildings.</p> <p>However, the City of Spokane general development standards cap building height at 35 feet for the RHD zone, but may be modified up to 50 feet if certain conditions are met (SMC 17C.110.215 Height). The standards for new construction in this document work in conjunction with the general development standards adopted for multi-family buildings.</p>	<p>It is unclear whether the two-story height differential described on page 73 of the Guidelines means that a building at least three stories in height <b>would be required</b> at any location within the district.</p> <ul style="list-style-type: none"> <li>• It is intended to mean that a building can be two stories taller than an adjacent building – a three story building would be compatible beside a one-story one but other factors of the design and its overall compatibility assessment means that parts of it might well be over three stories in height if it is taking advantage of the 50 feet modification based on roof slope, etc.</li> <li>• It does not mean that all new buildings in the district would be required to be 3 stories.</li> </ul>
	<p>Site planning</p>	<p>In several places, the proposed standards/guidelines appear to apply <b>subjective guidance</b> to site elements addressed in existing development regulations. These elements are unlikely to contain historic character-defining features, unless specifically addressed in nomination inventory sheets, and include the following:</p> <p>Location of parking (Guidelines pages 72 and 74)</p> <ul style="list-style-type: none"> <li>• The document comments on historic character-defining patterns of parking – on site and to the rear of most buildings; such character features are the basis for guidelines for new construction but the standards and guidelines does not have any parking requirement. That will be something that developers can work through Current Planning with – however, more parking off-street would potentially give a slightly higher score on compatibility for a developer.</li> </ul> <p>Front yard setbacks (Guidelines pages 20, 72, and 73)</p> <ul style="list-style-type: none"> <li>• The standards document and nomination document made a point to describe the set-backs, deep yards, tree canopy, and park-like setting</li> </ul>

		<p>of the front yards as a significant character-defining feature of the district and even discuss this matter per sub-areas of the district.</p> <p>Landscaping and grading (Guidelines pages 53-54 and 72)</p> <ul style="list-style-type: none"> <li>As noted above landscaping is part of the character of the district; in some locations historic retaining walls are prominent and are part of that character.</li> <li>Nevertheless, the decision was made with input from the neighborhood that the standards have a very light touch on landscape review and no COA is required for any changes to landscaping.</li> </ul> <p>Driveway width and location (Guidelines pages 53 and 74)</p> <ul style="list-style-type: none"> <li>Some historic district standards are much more prescriptive on these topics, prohibiting new curb cuts and driveways if that was not the historic pattern. Providing guidelines on driveway width is a pretty light touch. Again, this is something Current Planning would use underlying development regulations for – our comment on it would be minimal.</li> </ul> <p>Sidewalk width (Guidelines page 53)</p> <ul style="list-style-type: none"> <li>This is mainly talking about paths from the public sidewalk to the house/multi-family structure. I’m not seeing anywhere in the standards where the width of those paths is specifically noted. Changed the word “sidewalk” to “path.”</li> </ul>
Connection between the proposed guidelines/standards and historic preservation purposes	Guidelines unrelated to historic preservation purposes	<p>New construction will be “scored higher” on the Compatibility Scoresheet for providing parking because “parking is a consistent issue in Browne’s Addition (Guidelines page 72). This is outside the scope of protecting historic resources, and already regulated elsewhere in SMC 17C.</p> <ul style="list-style-type: none"> <li>Actually parking and the paving needed to provide parking is very much a historic district preservation matter. The addition of a significant amount of paving on properties for parking would change the historic character of the district just as not providing any on-site parking may change the character of the district - the point of the standards and guidelines. The Standards and Guidelines don’t address the number of parking spots required – that is for the</li> </ul>

		<p>underlying development regulations. The guidelines mainly address the location of the parking – ie: rear or side lots.</p> <ul style="list-style-type: none"><li>• Page 72 states: <b><i>Orient buildings and human access to the street while providing provision for automobiles at the rear of the property.</i></b></li><li>• The Standards and Guidelines are incentivizing the historic pattern of development.</li></ul> <p>The “Streetscape Factors” listed on page 72 of the Guidelines address setbacks, lot coverage, site grading, visibility of outdoor decks, and other non-historic factors as part of the Framework for Compatible Design.</p> <ul style="list-style-type: none"><li>• In a historic district visibility of “modern conveniences” are nearly always addressed by standards and guidelines. The intent of a historic district is to protect its historic character for the public good and the public has access to the visible from the street portions of the district. These “mod cons” are possible for all properties – in not visible or least visible portions of the properties.</li><li>• The setbacks, lot coverage, grading are all related to historic patterns and the presumption is that new construction does not detract from the historic character and patterns of the district more than an absolute minimum.</li><li>• Here are some references to the historic nature of streetscape factors in BA from the Local Historic District Nomination:<ul style="list-style-type: none"><li>○ “As with other neighborhoods where residential use predominates so strongly, the feeling and association of residential use is evident not only in the buildings, but also in the landscaping, canopy of mature trees, the scale of the buildings, the presence of a city park, and the limited number of other uses and absence of parking lots.” (Section 8, Page 13)</li></ul></li></ul>
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	<p>DRAFT</p>	<ul style="list-style-type: none"> <li>○ “A historic district is more than its individual parts, it is an ensemble of streetscapes that convey a sense of place through the built environment.” (Section 8, Page 17)</li> <li>○ “Some of the mansions and apartment buildings are in prominent locations and contribute a strong presence in the neighborhood; smaller houses located on the north/south streets have less impact on, but are still part of, the streetscapes that establish the character of the district.” (Section 8, Page 17)</li> </ul> <p>“Avoid regrading to create a walk-out basement [in] a visible location” (Guidelines pages 23, 39, and 72). This type of multifamily or accessory dwelling unit was created during the period significance.</p> <ul style="list-style-type: none"> <li>● Lots of things existed during the period of significance that do not appear in Browne’s Addition. Overall age is not the factor and “could have been there” thinking is not part of the approach supported by the Secretary of Interior’s Standards.</li> <li>● The Guidelines on pages 23 and 39 deal with existing resources rather than new construction. Page 72 only states: <b><i>Do not use unnecessary terraces to raise the lawn above adjacent ones or excavation to create walk-out basements.</i></b></li> </ul> <p>Applicants are instructed to “avoid proposing large, one-story buildings” (Guidelines page 73). However, there are existing buildings in the district constructed within the period of significance that fit this description.</p> <ul style="list-style-type: none"> <li>● Please provide an example. Rosauers is not within the district. No one-story single-family building could be considered large and most one-story ones are small in relationship to taller ones. There are no large, single story multifamily resources within the boundaries of the district.</li> </ul>
	Review for compatibility versus historic features	Review of new construction is based on compatibility with adjacent structures, whether contributing or non-contributing, rather than character-defining features of historic contributing buildings within the district.



		<p>Regardless of other purpose statements in the proposal, this would suggest that the guidelines in effect limit the intensity of development below that allowed by the underlying development regulations, rather than protect specific historic resources.</p> <ul style="list-style-type: none"> <li>• The district contains 24 % of non-contributing buildings where new development can readily take place (both out of the period of significance and due to loss of integrity for those properties constructed prior to 1950). This is by design – knowing that there are redevelopment pressures on the neighborhood. BA is rather densely developed – compared to the typical SFD areas with large lawns.</li> <li>• The city will not be protecting the historic character of BA if new development is not based on compatibility. The intent of the new infill development standards is general; historic district creation is the accepted way to make new development “not general.”</li> <li>• Plus if one takes a look at the streetscapes, most of the non-contributing buildings are compatible. Historic character defines compatibility and vice-versa.</li> </ul>
	<p>Proposed boundary for local district</p>	<p>While the boundary for the 1976 National Register Historic District generally matches the boundaries of the neighborhood, the proposed boundary for the local historic district includes many cut-outs to exclude parcels at the perimeter of the area containing non-contributing buildings. This may lead to confusion regarding the applicability of implementing regulations between historic properties.</p> <ul style="list-style-type: none"> <li>• There are two broad strategies for drawing district boundaries. The National Register district follows one – straight boundaries more similar to zoning boundaries. The district boundaries are tailored to exclude non-contributing buildings and reduce work for SHPO staff and reduce number of non-contributing property owners needing to be involved.</li> <li>• As the National Register has no regulations related to it, except for any a city chooses to assign, such as demolition review, this is an artificial problem for any property owners in BA.</li> </ul>



**BRIEFING PAPER**  
**City of Spokane**  
**Plan Commission Briefing**  
**May 22, 2019**

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Subject

Guest Speaker P.E. Moskowitz, author of *How to Kill a City*: This is an educational opportunity regarding gentrification and is supplemental to a public event the same evening at 5:30pm ([link](#) to registration).

Background

Peter Moskowitz (they/them pronouns) is a former staff writer for *Al Jazeera America*. They have also written for *The New York Times*, *The New Yorker*, *The New Republic*, *The Nation*, *VICE*, *WIRED*, *OUT Magazine*, and others. They co-founded Study Hall, a media collaborative with over 1,500 members.

*How to Kill a City* explores the impacts of gentrification on low income residents and displacement. Gentrification has become a buzz word but there is still uncertainty about the specifics. P.E. Moskowitz attempts to wade through the noise and get to the root of what gentrification is, what it is not, who it affects, and why it happens. New Orleans, Detroit, San Francisco, and New York is used as the lens to speak about gentrification in real terms and to analyze the role of race and inequality.

Councilwoman Burke, in partnership with the Spokane Regional Health District, Better Health Together, and Empire Health Foundation is hosting an event to focus on gentrification with P.E. Moskowitz as the main speaker. They will be speaking at City Hall on May 22<sup>nd</sup> at 5:30pm. This agenda item will be utilized as an opportunity for the Plan Commission to have a deeper and more intimate conversation with P.E. Moskowitz regarding any questions they may have on this subject matter.

For More Information

[Link to Goodreads information](#)

[Link to YouTube video of talk in Denmark](#)