

BRIEFING PAPER
City of Spokane Plan Commission

Proposed: Change to SMC Title 17D.040
Submitted by: Megan Duvall, City/County Historic Preservation Officer
Date Submitted: 12/11/14

Subject

This briefing provides information on a proposed change to SMC Title 17D.040, the section of the Spokane Historic Landmarks Commission (SHLC) ordinance that governs the establishment of the City/County Landmarks Commission by moving it to a new chapter 4.35 of the SMC and changing the appointments of the Commissioners.

This revision also removes reference to the National Register designation as a property type reviewable under the Demolition Permit section SMC 17D.040.230.

Housekeeping edits were also made to SMC 17D.040.300 Waiver of Review which allows the Spokane Historic Landmarks Commission to deny a waiver of review request by the owner if the work proposed does not meet the Secretary of the Interior's Standards for the Treatment of Historic Properties.

Finally, this revision adds a section to the SMC on clarifying the Special Tax Valuation incentive SMC 17D.040.310.

Background

The SHLC is made up of 11 members appointed by both the City of Spokane and Spokane County. This ordinance revision will change the appointments from two county at large appointees and two city at large appointees and seven joint appointees to two county at large appointees and nine city at large appointees with no joint appointments. It also removes a city residency requirement in order to attain the best applicants for the professional positions.

This section of the SMC more accurately belongs in Title 4 of the code to be in line with other city boards and commissions.

The National Register of Historic Places is an honorary designation not a regulatory tool. When the demolition permit section of the SMC (17D.040.230) was created, National Register designation was included as one of the property types that would be reviewed when a demolition permit was sought. This revision removes that National Register designation language as one of the property types to be reviewed for a demolition permit (unless the property is also included on the Spokane Register, in a Spokane Register Historic District, or within the boundaries set out by the Downtown Boundary Area Map - [Map 17D.040.230-M1](#)). The National Park Service specifically quantifies National Register listing as:

- National Register listing places no obligations on private property owners. There are no restrictions on the use, treatment, transfer, or disposition of private property.
- National Register listing does not automatically invoke local historic district zoning or local landmark designation.

Housekeeping edits were also made to SMC 17D.040.300 Waiver of Review which allows the Spokane Historic Landmarks Commission to deny a waiver of review request by the owner if the work

proposed does not meet the Secretary of the Interior's Standards for the Treatment of Historic Properties.

Finally, the language that was adopted in SMC 17D.040.080 Duties C.3 Tax Valuation is vague. We have added section 17D.040.310 to further clarify the processes and procedures of the tax incentive. This does not change the underlying program, rather, it simply adds clarification of an existing incentive.

Attached:

The revised sections of the SMC 17D.040

Public Hearing Schedule/Public Notice Plan:

A workshop is scheduled with the SHLC and the Spokane Plan Commission on December 17, 2014. The Historic Preservation Office will set up a web page to post the ordinance revisions, this briefing paper, the PowerPoint presentation and any future press releases or additional information that should be made available to the public. The HPO will also send out a special email notification to any outside special interest groups such as the Spokane Preservation Advocates. A public hearing will be scheduled for the ordinance revisions at the January 21, 2015 SHLC meeting. A public hearing for the Plan Commission will be scheduled for the January 28, 2015 meeting. City Council action will follow the Plan Commission meeting.

Recommendation

The City/County Historic Preservation Officer recommends that the ordinance revisions are necessary to the continued protection of Spokane's historic resources and to the administration of the duties of the SHLC.