

**CITY COUNCIL MEETINGS  
RULES – PUBLIC DECORUM**

**Strict adherence to the following rules of decorum by the public will be observed and adhered to during City Council meetings, including open forum, public comment period on legislative items, and Council deliberations:**

- 1. No Clapping!**
- 2. No Cheering!**
- 3. No Booing!**
- 4. No public outbursts!**
- 5. Three-minute time limit for comments made during open forum and public testimony on legislative items!**

**In addition, please silence your cell phones when entering the Council Chambers!**

Further, keep the following City Council Rules in mind:

**Rule 2.2      Open Forum**

2.2.4 The open forum is a limited public forum and all matters discussed shall relate to affairs of the City. No person may use the open forum to speak on such matters and in such a manner as to violate the laws governing the conduct of municipal affairs. No person shall be permitted to speak on matters related to the current or advance agendas, potential or pending hearing items, or ballot propositions for a pending election. Individuals speaking during the open forum shall address their comments to the Council President and shall not make personal comment or verbal insults about any individual.

**Rule 5.4      Public Testimony Regarding Legislative Agenda Items – Time Limits**

- 5.3.1 Members of the public may address the Council regarding items on the Council's legislative agenda, special consideration items, hearing items and other items before the City Council requiring Council action that are not adjudicatory or administrative in nature. This rule shall not limit the public's right to speak during the open forum.
- 5.3.2 No one may speak without first being recognized for that purpose by the Chair. Except for named parties to an adjudicative hearing, a person may be required to sign a sign-up sheet and provide his or her address as a condition of recognition. In order for a council member to be recognized by the Chair for the purpose of obtaining the floor, the council member shall either raise a hand or depress the call button on the dais until recognized by the Council President.
- 5.3.3 Each person speaking at the public microphone shall verbally identify him(her)self by name and, if appropriate, representative capacity.
- 5.3.4 Each speaker shall follow all written and verbal instructions so that verbal remarks are electronically recorded and documents submitted for the record are identified and marked by the Clerk.
- 5.3.5 In order that evidence and expressions of opinion be included in the record and that — decorum befitting a deliberative process be maintained, no modes of expression not provided by these rules, such as demonstrations, banners, applause and the like will be permitted.
- 5.3.6 A speaker asserting a statement of fact may be asked to document and identify the source of the factual datum being asserted.
- 5.3.7 When addressing the Council, members of the public shall direct all remarks to the Council President and shall confine remarks to the matters that are specifically before the Council at that time.
- 5.3.8 When any person, including members of the public, City staff and others are addressing the Council, council members shall observe the same decorum and process, as the rules require among the members inter se. That is, a council member shall not engage the person addressing the Council in colloquy, but shall speak only when granted the floor by the Council President. All persons and/or council members shall not interrupt one another. The duty of mutual respect set forth in Rule 1.2 and the rules governing debate set forth in *Robert's Rules of Order* shall extend to all speakers before the City Council. The council president pro-tem shall be charged with the task of assisting the council president to insure that all individuals desiring to speak, be they members of the public, staff or council members, shall be identified and provided the opportunity to speak.

# THE CITY OF SPOKANE



## ADVANCE COUNCIL AGENDA

MEETING OF MONDAY, JULY 20, 2015

### MISSION STATEMENT

TO DELIVER EFFICIENT AND EFFECTIVE SERVICES  
THAT FACILITATE ECONOMIC OPPORTUNITY  
AND ENHANCE QUALITY OF LIFE.

MAYOR DAVID A. CONDON

COUNCIL PRESIDENT BEN STUCKART

COUNCIL MEMBER MICHAEL A. ALLEN

COUNCIL MEMBER CANDACE MUMM

COUNCIL MEMBER KAREN STRATTON

COUNCIL MEMBER MIKE FAGAN

COUNCIL MEMBER JON SNYDER

COUNCIL MEMBER AMBER WALDREF

CITY COUNCIL CHAMBERS  
CITY HALL

808 W. SPOKANE FALLS BLVD.  
SPOKANE, WA 99201

## CITY COUNCIL BRIEFING SESSION

Council will adopt the Administrative Session Consent Agenda after they have had appropriate discussion. Items may be moved to the 6:00 p.m. Legislative Session for formal consideration by the Council at the request of any Council Member.

SPOKANE CITY COUNCIL BRIEFING SESSIONS (BEGINNING AT 3:30 P.M. EACH MONDAY) AND LEGISLATIVE SESSIONS (BEGINNING AT 6:00 P.M. EACH MONDAY) ARE BROADCAST LIVE ON CITY CABLE CHANNEL FIVE AND STREAMED LIVE ON THE CHANNEL FIVE WEBSITE. THE SESSIONS ARE REPLAYED ON CHANNEL FIVE ON THURSDAYS AT 6:00 P.M. AND FRIDAYS AT 10:00 A.M.

The Briefing Session is open to the public, but will be a workshop meeting. Discussion will be limited to Council Members and appropriate Staff and Counsel. There will be an opportunity for the expression of public views on any issue not relating to the Current or Advance Agendas during the Open Forum at the beginning and the conclusion of the Legislative Agenda.

### ADDRESSING THE COUNCIL

- No one may speak without first being recognized for that purpose by the Chair. Except for named parties to an adjudicative hearing, a person may be required to sign a sign-up sheet as a condition of recognition.
- Each person speaking at the public microphone shall print his or her name and address on the sheet provided at the entrance and verbally identify him/herself by name, address and, if appropriate, representative capacity.
- If you are submitting letters or documents to the Council Members, please provide a minimum of ten copies via the City Clerk. The City Clerk is responsible for officially filing and distributing your submittal.
- In order that evidence and expressions of opinion be included in the record and that decorum befitting a deliberative process be maintained, modes of expression such as demonstration, banners, applause and the like will not be permitted.
- A speaker asserting a statement of fact may be asked to document and identify the source of the factual datum being asserted.

**SPEAKING TIME LIMITS:** Unless deemed otherwise by the Chair, each person addressing the Council shall be limited to a three-minute speaking time.

**CITY COUNCIL AGENDA:** The City Council Advance and Current Agendas may be obtained prior to Council Meetings from the Office of the City Clerk during regular business hours (8 a.m. - 5 p.m.). The Agenda may also be accessed on the City website at [www.spokanecity.org](http://www.spokanecity.org). Agenda items are available for public review in the Office of the City Clerk during regular business hours.

**AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION:** The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Spokane City Council Chamber in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and also is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) at the City Cable 5 Production Booth located on the First Floor of the Municipal Building, directly above the Chase Gallery or through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Christine Cavanaugh at (509) 625-6383, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or [ccavanaugh@spokanecity.org](mailto:ccavanaugh@spokanecity.org). Persons who are deaf or hard of hearing may contact Ms. Cavanaugh at (509) 625-7083 through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

If you have questions, please call the Agenda Hotline at 625-6350.

**BRIEFING SESSION**

(3:30 p.m.)

(Council Chambers Lower Level of City Hall)

(No Public Testimony Taken)

Council Reports

Staff Reports

Committee Reports

Advance Agenda Review

Current Agenda Review

**ADMINISTRATIVE SESSION**

Roll Call of Council

**CONSENT AGENDA****REPORTS, CONTRACTS AND CLAIMS****RECOMMENDATION**

- |  |                                   |               |
|--|-----------------------------------|---------------|
| 1. Interlocal Agreement with Spokane County supporting prosecution and the public defense of defendants accepted into the joint City/County Mental Health Court for 2015. An important outcome resulting from this Court is improved public safety.<br><b>Justin Bingham</b>               | Approve                           | OPR 2015-0600 |
| 2. Accept Integrated Capital Management's proposed Federal Grant applications<br><b>Marcia Davis and Brandon Blankenagel</b>   | Approve                           | OPR 2015-0601 |
| 3. Report of the Mayor of pending claims and payments of previously approved obligations, including those of Parks and Library, through _____, 2014, total \$_____, with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$_____. | Approve &<br>Authorize<br>Payment | CPR 2015-0002 |
| 4. City Council Meeting Minutes: _____, 2015   | Approve<br>All                    | CPR 2015-0013 |



## **EXECUTIVE SESSION**

(Closed Session of Council)

(Executive Session may be held or reconvened during the 6:00 p.m. Legislative Session)

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## **CITY COUNCIL SESSION**

(May be held or reconvened following the 3:30 p.m. Administrative Session)

(Council Briefing Center)

This session may be held for the purpose of City Council meeting with Mayoral nominees to Boards and/or Commissions. The session is open to the public.

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## **LEGISLATIVE SESSION**

(6:00 P.M.)

(Council Reconvenes in Council Chamber)

**WORDS OF INSPIRATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL OF COUNCIL**

**ANNOUNCEMENTS**

(Announcements regarding Changes to the City Council Agenda)

**BOARDS AND COMMISSIONS APPOINTMENTS**

(Includes Announcements of Boards and Commissions Vacancies)

**APPOINTMENTS**

**RECOMMENDATION**

**HOLD FOR MAYORAL OPO COMMISSION NOMINEES:**

**Confirm**

**CPR 2015-0034**

**CITY ADMINISTRATION REPORT**

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**COUNCIL COMMITTEE REPORTS**

(Committee Reports for Finance, Neighborhoods, Public Safety, Public Works, and Planning/Community and Economic Development Committees and other Boards and Commissions)

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**OPEN FORUM**

This is an opportunity for citizens to discuss items of interest not relating to the Current or Advance Agendas nor relating to political campaigns/items on upcoming election ballots. This Forum shall be for a period of time not to exceed thirty minutes. After all the matters on the Agenda have been acted

on, unless it is 10:00 p.m. or later, the open forum shall continue for a period of time not to exceed thirty minutes. Each speaker will be limited to three minutes, unless otherwise deemed by the Chair. If you wish to speak at the forum, please sign up on the sign-up sheet located in the Chase Gallery.

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# LEGISLATIVE AGENDA

## EMERGENCY BUDGET ORDINANCES

(Require Five Affirmative, Recorded Roll Call Votes)

Ordinances amending Ordinance No. C35185 passed the City Council November 24, 2014, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2015, making appropriations to the various funds, departments and programs of the City of Spokane government for the fiscal year ending December 31, 2015, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

**ORD C35283**      Integrated Capital Management Fund  
FROM: Unappropriated Reserves, \$2,500,000,  
TO:      Arterial Streets \$2,500,000;

and

Arterial Street Fund  
FROM: Unappropriated Reserves, \$2,500,000  
TO:      Construction of Fixed Assets, \$900,000 and,  
            Street Maintenance, \$1,600,000;

and

Street Maintenance Fund  
FROM: Arterial Streets, \$1,600,000;  
TO:      Other Repairs/Maint Supplies, \$1,600,000.

**Rick Romero**

(This action provides for the Utilities payment for shared use of right of way system for utility needs for the last half of 2014.)

**ORD C35284**      Park and Recreation Fund  
FROM: Unappropriated Reserves, \$9,000,  
TO:      Parks Department, \$9,000

**Leroy Eadie**

(This action provides funding to increase a Clerk III position from .80 to 100 percent due to the amount of extra work because of the Park Bond passing.)

## NO EMERGENCY ORDINANCES

## RESOLUTIONS & FINAL READING ORDINANCES

(Require Four Affirmative, Recorded Roll Call Votes)

- RES 2015-0072 Approving the appointment of Kimberly Bustos as the Director of the Accounting Department for the City of Spokane.  
**Heather Lowe**
- ORD C35278 Relating to animal cruelty amending Spokane Municipal Code sections 1.05.210, and; adding a new section to chapter 10.23A.  
**Tim Szambelan**
- ORD C35279 Relating to enhanced penalties for violation of regulations concerning parking in taxi stands and amending SMC section 08.02.083 and SMC section 16A.61.5705.  
**Council President Stuckart and Council Member Fagan**
- ORD C35280 (To be considered under Hearings Item H2.b.)

## FIRST READING ORDINANCES

(No Public Testimony Will Be Taken)

- ORD C35282 (To be considered under Hearings Item H1.b.)

### FURTHER ACTION DEFERRED

## NO SPECIAL CONSIDERATIONS

## HEARINGS

(If there are items listed you wish to speak on, please sign your name on the sign-up sheets in the Chase Gallery.)

### RECOMMENDATION

- |     |   |                         |               |
|-----|---|-------------------------|---------------|
| H1. | a. Hearing on Proposed Initiative No. 2015-2, petitions filed on behalf of Envision Worker Rights Political Committee, sponsor, relating to a Worker Bill of Rights.  | Council Decision        | LGL 2015-0016 |
|     | b. First Reading Ordinance C35282 relating to amending the City Charter to include a Worker Bill of Rights, which secures the right to a family wage when employed by a large employer, right to equal pay for equal work, right not to be wrongfully terminated, and elevates Charter rights above rights claimed by corporations.<br><b>Terri Pfister</b> | Further Action Deferred | ORD C35282    |

- |     |   |                      |              |            |
|-----|---|----------------------|--------------|------------|
| H2. | a. Hearing on Ordinance relating to design standards and guidelines, and minimum parking and site planting standards, for sites located in Center and Corridor Zones; amending Spokane Municipal Code Sections 17C.122.060, 17C.230.120, 17G.040.020, and 17C.200.040.          | Council<br>Decision  |              |            |
|     | <b>Tirrell Black</b>  |                      |              |            |
|     | b. Final Reading Ordinance C35280 relating to design standards and guidelines, and minimum parking and site planting standards, for sites located in Center and Corridor Zones; amending Spokane Municipal Code Sections 17C.122.060, 17C.230.120, 17G.040.020, and 17C.200.040 | Pass<br>Roll<br>Vote | Upon<br>Call | ORD C35280 |

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**Motion to Approve Advance Agenda for July 20, 2015**  
(per Council Rule 2.1.2)

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**OPEN FORUM (CONTINUED)**

This is an opportunity for citizens to discuss items of interest not relating to the Current or Advance Agendas nor relating to political campaigns/items on upcoming election ballots. This Forum shall be for a period of time not to exceed thirty minutes. After all the matters on the Agenda have been acted on, unless it is 10:00 p.m. or later, the open forum shall continue for a period of time not to exceed thirty minutes. Each speaker will be limited to three minutes, unless otherwise deemed by the Chair. If you wish to speak at the forum, please sign up on the sign-up sheet located in the Chase Gallery.

**ADJOURNMENT**

The July 20, 2015, Regular Legislative Session of the City Council is adjourned to July 27, 2015.

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**NOTES**



**Agenda Sheet for City Council Meeting of:**  
07/20/2015

<b>Date Rec'd</b>	6/29/2015
<b>Clerk's File #</b>	OPR 2015-0600
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	CITY ATTORNEY
<b>Contact Name/Phone</b>	JUSTIN BINGHAM 835-5994
<b>Contact E-Mail</b>	JBINGHAM@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Contract Item
<b>Agenda Item Name</b>	0500-2015 MENTAL HEALTH COURT INTERLOCAL

**Agenda Wording**

Interlocal Agreement with Spokane County supporting prosecution and the public defense of defendants accepted into the joint City/County Mental Health Court. An important outcome resulting from this Court is improved public safety.

**Summary (Background)**

The City and County work cooperatively to maintain a Mental Health Court for the City and County residents. This court has a District Court judge working part time on City cases. It is staffed by a City prosecutor prosecuting City cases only and City and County public defenders representing the indigent. This Interlocal defines the prosecution and defense functions. The prosecution and defense positions are partially reimbursed by a non-general fund, county-wide sales tax provision.

<b><u>Fiscal Impact</u></b>		<b><u>Budget Account</u></b>	
Revenue	\$ 82,560.00	#	0500-19500-99999-33815
Revenue	\$ 109,440.00	#	0700-19500-99999-33815
Select	\$	#	
Select	\$	#	
<b><u>Approvals</u></b>		<b><u>Council Notifications</u></b>	
<b><u>Dept Head</u></b>	DALTON, PAT	<b><u>Study Session</u></b>	
<b><u>Division Director</u></b>		<b><u>Other</u></b>	PSC 6/15/2015
<b><u>Finance</u></b>	SALSTROM, JOHN	<b><u>Distribution List</u></b>	
<b><u>Legal</u></b>	DALTON, PAT	jbingham@spokanecity.org	
<b><u>For the Mayor</u></b>	SANDERS, THERESA	epbrown@spokanecity.org	
<b><u>Additional Approvals</u></b>		szambelan@spokanecounty.org	
<b><u>Purchasing</u></b>		gvasquez@spokanecounty.org	
		knox@spokanecity.org	
		tkrzynski@spokanecounty.org	
		lhaskell@spokanecounty.org	

**BRIEFING PAPER**  
**City of Spokane**  
**City Legal-City Prosecutor's Office**  
**2015 Mental Health Court Interlocal**  
**June 15, 2015-PSC**

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**Subject**

Interlocal Agreement with Spokane County supporting prosecution and the public defense of defendants accepted into the joint City/County Mental Health Court.

**Background**

The City and County work cooperatively to maintain a Mental Health Court for City and County residents. This court has a District Court judge working part-time on City cases. It is staffed by a City prosecutor prosecuting City cases only and City and County public defenders representing the indigent. This Interlocal defines the prosecution and defense functions. The prosecution and defense positions are partially reimbursed by a non-general fund, county-wide sales tax provision.

**Impact**

- improved access for defendants to public mental health treatment services
- improved well-being of defendants, who are serviced by professional specialists
- prevents unnecessary incarceration of defendants with mental health issues

An important outcome resulting from this Court for the larger community is improved public safety.

**Action**

Recommendation of the Public Safety Committee for City Council approval of the 2015 Spokane Mental Health Court Interlocal Agreement (January 1, 2015 – December 31, 2015).

**Funding**

City funds for this interlocal agreement are available in the City's 2015 annual budget.

## **MENTAL HEALTH COURT INTERLOCAL AGREEMENT**

(January 1, 2015 - December 31, 2015)

**THIS AGREEMENT** entered into among SPOKANE COUNTY, a political subdivision of the state of Washington, having offices for the transaction of business at 1116 West Broadway Avenue, Spokane, Washington 99260, hereinafter referred to as "**COUNTY**," the CITY OF SPOKANE, a municipal corporation of the state of Washington, having offices for the transaction of business at 808 West Spokane Falls Boulevard, Spokane, Washington 99201, herein after referred to as "**CITY**," the SPOKANE COUNTY PROSECUTING ATTORNEY, an elective office of the County of Spokane, having offices for the transaction of business at 1100 West Mallon, Avenue, Spokane, Washington 99260, hereinafter referred to as "**PROSECUTOR**," and the SPOKANE COUNTY PUBLIC DEFENDER, an appointive position of the County of Spokane, having offices for the transaction of business at 1033 West Gardner Avenue, Spokane, Washington 99260-0280, hereinafter referred to as "**PUBLIC DEFENDER**," hereinafter individually referred to as a "**PARTY**" and collectively referred to as the "**PARTIES**."

### **W I T N E S S E T H:**

**WHEREAS**, pursuant to the provisions of RCW 36.32.120(6), the COUNTY, acting through the Board of County Commissioners, has the care of county property and management of county funds and business; and

**WHEREAS**, pursuant to RCW 36.27.020, the PROSECUTOR shall prosecute all criminal actions in which the state or the county may be a PARTY; and

**WHEREAS**, pursuant to RCW 36.26.070, the PUBLIC DEFENDER must represent, without charge every indigent person who is or has been arrested or charged with a crime for which court appointed counsel for indigent defendants is required either under the Constitution of the United States or under the Constitution and laws of the state of Washington; and

**WHEREAS**, pursuant to the provisions of RCW 39.34.180, the CITY is responsible for the prosecution and representation of misdemeanor and gross misdemeanor offenses committed by adults in its jurisdiction and has appointed its own prosecutor and public defender; and

**WHEREAS**, pursuant to the provisions of RCW 82.14.460, the legislature authorized county legislative authorities without a vote of the electorate to fix and impose a sales and use tax of one tenth of one-percent of the selling price in the case of a sales tax, or the value of an article used, in the case of a use tax, the moneys collected there from to be used solely for the purpose of providing new or expanded chemical dependency or mental health treatment services and for the operation of new or expanded therapeutic court programs. The Board of County Commissioners placed before the electorate of Spokane County an advisory ballot proposition concerning whether or not, consistent with the provisions of RCW 82.14.460, the Board of County Commissioners should fix and impose a sales and use tax. Consistent with the wishes of the voters expressed at the November 8, 2005, General Election, the Board of County Commissioners fixed and imposed a sales and use tax of one tenth of one-percent, the moneys collected there from to be used solely for

the purpose of providing new or expanded chemical dependency or mental health treatment services and for the operation of new or expanded therapeutic court programs. The Ordinance, adopted under Resolution No. 05-1163, took effect at 12:01 a.m. April 1, 2006, and automatically expired on midnight March 31, 2009; and

**WHEREAS**, pursuant to the provisions of RCW 82.14.460, the Board of County Commissioners held a public hearing on December 2, 2008, to consider public testimony and take action on a proposed Ordinance which would *renew* the imposition of an additional one-tenth of one percent sales and use tax in Spokane County for a five (5) year time frame commencing April 1, 2009, and terminating March 31, 2014, to fund new or expanded chemical dependency or mental health treatment services and for the operation of new or expanded therapeutic court programs and after considering such testimony enacted said ordinance under Resolution No. 08-1071; and

**WHEREAS**, pursuant to the provisions of RCW 82.14.460, the Board of County Commissioners held a public hearing on October 22, 2013, to consider public testimony and take action on a proposed Ordinance which would *renew* the imposition of an additional one-tenth of one percent sales and use tax in Spokane County for a five (5) year nine (9) month time frame commencing April 1, 2014, and terminating December 31, 2019, to fund new or expanded chemical dependency or mental health treatment services and for the operation of new or expanded therapeutic court programs and after considering such testimony enacted said ordinance under Resolution No. 13-0964; and

**WHEREAS**, the COUNTY is desirous of making 2015 revenues generated from the one tenth of one-percent mental health sales and use tax imposed under Resolution No. 13-0964 available to the PARTIES in conjunction with an 2015 expanded Mental Health Court; and

**WHEREAS**, pursuant to the provisions of chapter 39.34 RCW, two (2) or more public entities may jointly cooperate between each other to perform functions which each may individually perform.

**NOW THEREFORE**, for and in consideration of the mutual promises set forth hereinafter the PARTIES agree as follows:

**SECTION NO. 1:    PURPOSE.**

The purpose of this Agreement is to set forth the terms under which the PARTIES will cooperatively participate in the Mental Health Court with moneys made available by the COUNTY through the Regional Support Network (RSN) solely from revenues generated from the mental health one-tenth of one percent sales and use tax enacted under Spokane County Resolutions No. 13-0964.

**SECTION NO. 2:    TERM.**

This Agreement shall begin on January 1, 2015, and continue until December 31, 2015.



The CITY, PROSECUTOR or PUBLIC DEFENDER may terminate this Agreement at any time upon ninety (90) days written notice to each of the other PARTIES. PROVIDED, however, in the event of such termination, the CITY, at the sole option of the PUBLIC DEFENDER, will continue to provide defense services through December 31, 2015, for any individual who has been accepted into and remains in the Mental Health Court and who the CITY represented on behalf of the PUBLIC DEFENDER prior to the Notice of Termination. Provided, after the date of Notice of Termination the City Public Defender is not obligated to provide defense services for any individual who has not been accepted into the Mental Health Court as of the date of such Notice of Termination.

The PARTIES recognize that funding for the Agreement will come **solely** from revenues generated from the mental health one-tenth of one percent sales and use tax enacted under Spokane County Resolution No.13-0964. If for any reason whatsoever the legislation authorizing the mental health one-tenth of one percent sales and use tax enacted under Spokane County Resolution No. 13-0964 is found unlawful or unconstitutional, this Agreement shall automatically terminate. Upon such occurrence, the COUNTY shall have no obligation of any kind or nature to fund positions and related maintenance and operation expenses (hereinafter referred to as "M&O) provided for under this Agreement. The COUNTY shall give the PARTIES advance notice of any lawsuit challenging the lawfulness of the legislation authorizing the mental health one-tenth of one percent sales and use tax or Spokane County Resolution No. 13-0964. Provided further, the COUNTY reserves the right to reduce its funding under this Agreement to any PARTY in the event the revenues generated from the one-tenth of one percent sales and use tax enacted under Spokane County Resolution No. 13-0964 are less than those projected. Any such reduction will be will be allocated to the PARTIES in the same percentage as the reduction in revenues. For example, if revenues are down three (3) percent from what was projected in the 2015 1/10<sup>th</sup> of 1% sales and use tax enacted under Spokane County Resolution No. 13-0964 budget, all PARTIES funding will be reduced three (3) percent from what was granted under this Agreement. In such circumstance, the COUNTY agrees to give the PARTIES thirty (30) days advance notice of any reduction in funding.

Forty-five (45) days prior to the end of the term of this Agreement, in the event it is not renewed, the PARTIES will meet to determine the transition of individuals represented by City Public Defender on behalf of the PUBLIC DEFENDER back to the PUBLIC DEFENDER.

### **SECTION NO. 3: RESPONSIBILITIES OF PARTIES**

#### **A. FUNCTIONS OF THE CITY WITH RESPECT TO THE COURT.**

For the purpose of this Section, the functions to be performed by the City Prosecutor, City Public Defender and others with respect to the Mental Health Court shall include the following:

- 1) City Presiding Judge:
  - Receiving motions from the CITY for transfer of an existing Municipal Court case to the Mental Health Court,

- Participating with the City's Mental Health Court Prosecutor and City Public Defender in determining who should be referred to participate in Mental Health Court, and
  - Executing the order of transfer from the Municipal Court to the Mental Health Court.
- 2) City Prosecutor:
- Participating in the Mental Health Court process in determining who should be accepted to participate in Mental Health Court,
  - Prosecuting those individuals who are accepted into and remain in the Mental Health Court, and
  - Representing the interests only of the CITY in conjunction with the Mental Health Court.
- 3) City Public Defender:
- Participating in the Mental Health Court process in determining who should be accepted to participate in Mental Health Court,
  - Representing the interests of indigents which the CITY is required to represent in conjunction with the Mental Health Court.

**B. CITY:**

- 1) Employ and house an Assistant City Prosecutor and necessary staff to be assigned to the Mental Health Court. The City Prosecutor and staff shall represent **ONLY** the interests of the City in conjunction with the Mental Health Court. The Assistant City Prosecutor will work with the PROSECUTOR to cross deputize deputies to facilitate Mental Health Court proceedings.
- 2) Employ and house one (1) City Public Defender and necessary staff to be assigned solely to the Mental Health Court. The City Public Defender and staff shall represent the interests of indigents which the CITY is required to represent in conjunction with the Mental Health Court as well as indigents which the PUBLIC DEFENDER is required to represent in conjunction with the Mental Health Court.
- 3) Specially authorize as provided by law that Assistant Public Defender hired by the PUBLIC DEFENDER under the terms of this Agreement and assigned solely to the Mental Health Court to represent the interests of indigents which the PUBLIC DEFENDER is required to represent so that if needed he/she can also represents the interests of indigents which the CITY is required to represent in conjunction with the Mental Health Court.

**C. PROSECUTOR:**

- 1) Employ and house County Prosecutor(s) and necessary staff to be assigned to the Mental Health Court. The County Prosecutor and necessary staff shall represent the interests ONLY of the State and County in conjunction with the Mental Health Court. The PROSECUTOR will work with the City Prosecutor to cross deputize deputies to facilitate Mental Health Court proceedings.

**D. PUBLIC DEFENDER:**

- 1) Employ and house one (1) County Public Defender to be assigned solely to the Mental Health Court. The County Public Defender shall represent the interests of indigents which the PUBLIC DEFENDER is required to represent in conjunction with the Mental Health Court.
- 2) Specially authorize as provided by law that Assistant Public Defender hired by the CITY under the terms of this Agreement and assigned solely to the Mental Health Court to represent the interests of indigents which the CITY is required to represent so that if needed he/she can also represents the interests of indigents which the PUBLIC DEFENDER is required to represent in conjunction with the Mental Health Court.
- 3) If a client has both CITY and COUNTY cases, the PUBLIC DEFENDER shall handle all files (both CITY and COUNTY) for the individual defendant as the City Public Defender and the County PUBLIC DEFENDER agree are in the best interests of the defendant.

**E. COUNTY:**

- 1) Provide funding through the RSN **solely** from revenues generated from the mental health one-tenth of one percent sales and use tax enacted under Spokane County Resolution No. 13-0964 for those positions hired by the CITY, PROSECUTOR or PUBLIC DEFENDER under the terms of this Agreement. The funding for such positions is more particularly set forth in Attachment "A", attached hereto and incorporated herein by reference.

**F. LIMITED RESOURCES / COOPERATION:**

- 1) The PARTIES agree to work together in a cooperative manner for the success of the Mental Health Court recognizing that neither the Spokane County District Court nor the City of Spokane Municipal Court is a PARTY to this Agreement.
- 2) The PARTIES acknowledge that this Agreement covers only certain aspects of the full potential of the enabling state law and COUNTY ordinances relating to the funding of dedicated attorneys for the Mental Health Court. RCW 82.14.460 and the

implementing COUNTY ordinance set forth how the revenues generated from the sales and use tax can be expended.

- 3) The COUNTY agrees to share with the PARTIES any new or expanded programs affecting the scope of the Mental Health Court and its current allocated resources/funds prior to implementation and afford the PARTIES an opportunity to provide input.

#### **SECTION NO. 4:    COMPENSATION**

The COUNTY through the Regional Support Network (RSN) shall reimburse the CITY, PROSECUTOR, and PUBLIC DEFENDER on a quarterly basis for expenditures any PARTY incurs as provided for in Attachment "A".

The CITY shall send all requests for reimbursement for the City as set forth in Attachment "A" to the County Regional Support Network (RSN) at 312 West 8<sup>th</sup> Avenue, Spokane, Washington 99204 directed to the attention of the Finance Manager.

The PROSECUTOR shall send all requests for reimbursement for the Prosecutor as set forth in Attachment "A" to the County Regional Support Network (RSN) at 312 West 8<sup>th</sup> Avenue, Spokane, Washington 99204 directed to the attention of the Finance Manager.

The PUBLIC DEFENDER shall send all requests for reimbursement for the Public Defender as set forth in Attachment "A" to the County Regional Support Network (RSN) at 312 West 8<sup>th</sup> Avenue, Spokane, Washington 99204 directed to the attention of the Finance Manager.

All requests for reimbursement by the CITY, PROSECUTOR, or PUBLIC DEFENDER shall include a certification that the reimbursement requested was solely for expenditures by the PARTY to meet its responsibilities in Section No. 3. Reimbursement by the County RSN to the CITY, PROSECUTOR, or PUBLIC DEFENDER shall normally be made within fourteen (14) calendar days of the receipt of a reimbursement request. Under no circumstance will the County RSN reimburse any PARTY in excess of that amount set forth in Attachment "A".

#### **SECTION NO. 5:    AGREEMENT TO BE FILED**

The CITY shall file this Agreement with its City Clerk. The COUNTY will place the Agreement on its WEB site.

#### **SECTION NO. 6:    MAINTENANCE OF RECORDS**

The CITY shall make available to the COUNTY or the Washington State Auditor, or their duly authorized representatives, at any time during their normal operating hour and consistent with any applicable Rules of Professional Conduct, all records, books or pertinent information which the CITY shall have kept in conjunction with this Agreement and which the COUNTY may be required by law to make part of its auditing procedures, an audit trail, or which may be required for the purpose of funding its obligations under the terms of this Agreement.

#### **SECTION NO. 7:    ADMINISTRATION**

No new or separate legal or administrative entity is created to administer the provisions of this Agreement.

#### **SECTION NO. 8:    PROPERTY UPON TERMINATION**

Title to all personal property acquired by any PARTY in the performance of this Agreement shall remain with the acquiring party upon termination of the Agreement.

#### **SECTION NO. 9:    LIABILITY**

For the purpose of this Section, the terminology "CITY" shall include the City Public Defender and City Prosecutor. The terminology "COUNTY" shall include the PROSECUTOR and PUBLIC DEFENDER.

The CITY shall indemnify, defend and hold harmless the COUNTY, its officers and employees from all claims, demands, or suits in law or equity arising from the CITY'S negligence or breach of its obligations under the Agreement. The CITY'S duty to indemnify shall not apply to liability caused by the negligence of the COUNTY, its officers and employees.

The COUNTY shall indemnify, defend and hold harmless the CITY, its officers and employees from all claims, demands, or suits in law or equity arising from the COUNTY'S negligence or breach of its obligations under the Agreement. The COUNTY'S duty to indemnify shall not apply to liability caused by the negligence of the CITY, its officers and employees.

If the comparative negligence of the PARTIES and their officers and employees is a cause of such damage or injury, the liability, loss, cost, or expense shall be shared between the PARTIES in proportion to their relative degree of negligence and the right of indemnity shall apply to such proportion.

Where an officer or employee of a PARTY is acting under the direction and control of the other PARTY, the PARTY directing and controlling the officer or employee in the activity and/or omission giving rise to liability shall accept all liability for the other PARTY's officer or employee's negligence.

Each PARTY's duty to indemnify shall survive the termination or expiration of the Agreement.

Each PARTY waives, with respect to the other PARTY only, its immunity under RCW Title 51, Industrial Insurance. The PARTIES have specifically negotiated this provision.

#### **SECTION NO. 10:    NOTICES**

All notices shall be in writing and served either personally or by certified mail, return receipt requested, to the following persons. Notices sent by certified mail shall be deemed served when deposited in the United States mail, postage prepaid.

COUNTY: Chief Executive Officer or his/her authorized representative  
1116 West Broadway Avenue  
Spokane, Washington 99260

Copy: County Regional Support Network  
312 W. 8<sup>th</sup> Avenue  
Spokane, Washington 99204

CITY: City Administrator or his/her authorized representative  
City Hall, Seventh Floor  
808 West Spokane Falls Boulevard  
Spokane, Washington 99201-3303

Copies: City Public Defender  
824 North Monroe Street  
Spokane, Washington 99201

City Prosecutor  
909 West Mallon Avenue  
Spokane, Washington 99201

PROSECUTOR: Spokane County Prosecuting Attorney  
1100 West Mallon Avenue  
Spokane, Washington 99260

PUBLIC DEFENDER: Spokane County Public Defender  
1033 West Gardner Avenue  
Gardner Court Building  
Spokane, Washington 99260

#### **SECTION NO. 11: INSURANCE**

During the term of the Agreement, the CITY and COUNTY shall each maintain in force at its sole expense, each insurance noted below:

- (1) Workers' Compensation Insurance in compliance with Title 51 RCW, which requires subject employers to provide workers' compensation coverage for all their subject workers and Employer's Liability Insurance in the amount of \$1,000,000;
- (2) General Liability Insurance on an occurrence basis, with a combined single limit of not less than \$10,000,000 each occurrence for bodily injury and property damage. It shall include contractual liability coverage for the indemnity provided under this Agreement;

- (3) Automobile Liability Insurance with a combined single limit, or the equivalent of not less than \$1,000,000 each accident for bodily injury and property damage, including coverage for owned, hired and non-owned vehicles; and
- (4) Professional Liability Insurance with a combined single limit of not less than \$5,000,000 each claim, incident or occurrence. This is to cover damages caused by the error, omission, or negligent acts related to the professional services to be provided under this Agreement. The coverage must remain in effect for at least two years after the Agreement is completed.

There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without 30 days written notice from the CITY or its insurer(s) to the COUNTY.

Written evidence of insurance shall reflect that the insurance afforded therein shall be primary insurance and any insurance or self-insurance carried by the COUNTY shall be excess and not contributory insurance to that provided by the CITY. As evidence of the insurance coverages required by this Agreement, the CITY shall furnish written evidence of acceptable insurance to the COUNTY at the time it returns the signed Agreement. If requested, complete copies of insurance policies shall be provided to the COUNTY. The CITY shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance. The CITY shall not receive any funds through the RSN until a Certificate of Insurance, meeting the requirements set forth herein has been approved by the Spokane County Risk Management Department and filed with the County department(s) with whom the Agreement is executed.

#### **SECTION NO. 12: NON-WAIVER**

No waiver by any PARTY of any of the terms of this Agreement shall be construed as a waiver of the same or other rights of that PARTY in the future.

#### **SECTION NO. 13: HEADINGS**

Headings are inserted for convenience of reference only and are not to be deemed part of or to be used in construing this Agreement.

#### **SECTION NO. 14: ENTIRE AGREEMENT**

This Agreement contains the entire understanding of the PARTIES. No representations, promises, or agreements not expressed herein have been made to induce any PARTY to sign this Agreement.

#### **SECTION NO. 15: MODIFICATION**

No modifications or amendments to this Agreement shall be valid until put in writing and signed with the same formalities as this Agreement.

**SECTION NO. 16: ASSIGNMENT**

No PARTY may assign its interest in this Agreement without the express written consent of the other PARTIES.

**SECTION NO. 17: SEVERABILITY**

In the event any portion of this Agreement should become invalid or unenforceable, the rest of the Agreement shall remain in full force and effect.

**SECTION NO. 18: COMPLIANCE WITH LAWS**

The PARTIES shall observe all federal, state and local laws, ordinances and regulations, to the extent that they may be applicable to the terms of this Agreement.

**SECTION NO. 19: NONDISCRIMINATION**

No individual shall be excluded from participation in, denied the benefit of, subjected to discrimination under, or denied employment in the administration of or in connection with this Agreement because of age, sex, race, color, religion, creed, marital status, familial status, sexual orientation, national origin, honorably discharged veteran or military status, the presence of any sensory, mental or physical disability, or use of a service animal by a person with disabilities.

**SECTION NO. 20: VENUE STIPULATION**

This Agreement shall be construed under the laws of Washington State. Any action at law, suit in equity or judicial proceeding regarding this Agreement or any provision hereto shall be instituted only in courts of competent jurisdiction within Spokane County, Washington.

**SECTION NO. 21: COUNTERPARTS**

This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original, but such counterparts shall together constitute but one and the same.

**SECTION NO. 22: CHAPTER 39.34 RCW REQUIRED CLAUSES**

- A. Purpose. See Section No. 1 above.
- B. Duration. See Section No. 2 above.
- C. Organization of Separate Entity and Its Powers. See Section No. 6 above.
- D. Responsibilities of the Parties. See provisions above.
- E. Agreement to be filed. See Section No. 4 above.



- F. Financing. See Section 3 above.
- G. Termination. See Section No. 2 above.
- H. Property upon Termination. See Section No. 7 above.

IN WITNESS WHEREOF, the PARTIES have caused this Agreement to be executed on the date and year below their respective signatures.

BOARD OF COUNTY COMMISSIONERS  
OF SPOKANE, COUNTY, WASHINGTON

DATED: 4.28.15



ATTEST:

Ginna Vasquez  
Ginna Vasquez, Interim 2015-0347  
Clerk of the Board

Todd Mielke  
TODD MIELKE, Chair

Shelly O'Quinn  
SHELLY O'QUINN, Vice Chair

Al French  
AL FRENCH, Commissioner

DATED: \_\_\_\_\_

CITY OF SPOKANE:

Attest:

By: \_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

Approved as to form:

John L. [Signature]  
Assistant City Attorney

DATED: 5/4/15

SPOKANE COUNTY PROSECUTING  
ATTORNEY

By: L. H. Harbuck

Its: PROSECUTOR  
(Title)

DATED: \_\_\_\_\_

SPOKANE COUNTY PUBLIC DEFENDER

By: T. K. Thomas Krzyminski

Its: Director  
(Title)

Approved:

CITY OF SPOKANE MUNICIPAL COURT

Michelle D. Szambelan  
Michelle D. Szambelan, Presiding Judge

CITY PUBLIC DEFENDER

Katherine A. Knox  
Katherine Knox

CITY PROSECUTOR

Justin Bingham  
Justin Bingham

2015  
ATTACHMENT "A"

<b>PARTY</b>	<b>COUNTY FUNDING FROM MENTAL HEALTH TAX</b>	<b>FUNDING TO BE USED FOR</b>
CITY	\$192,000.00	City may use this money for Prosecutor/Support Staff/M&O, City Public Defender/Support Staff/M&O, or any other item consistent with RCW 82.14.460.
COUNTY PROSECUTOR	\$ 108,000	County Prosecutor/Support Staff/M&O
COUNTY PUBLIC DEFENDER	\$175,000	County Public Defender/Support Staff/M&O

**Agenda Sheet for City Council Meeting of:**

07/20/2015

**Date Rec'd**

7/8/2015

**Clerk's File #**

OPR 2015-0601

**Renews #****Submitting**

INTEGRATED CAPITAL MGMT

**Cross Ref #****Contact**

MARCIA DAVIS/BRANDON 625-6398/625-6419

**Project #****Contact E-**

MDAVIS@SPOKANECITY.ORG/BBLANKENAGEL@SPO

**Bid #****Agenda**

Report Item

**Requisition #****Agenda**

4250 FEDERAL GRANT APPLICATIONS

**Agenda Wording**

Integrated Capital Management is seeking approval of proposed Federal Grant applications.

**Summary (Background)**

Pursuant to SMC 7.19 approval of Grant Applications, the City Council shall approve all applications for state or federal grants prior to submission either in conjunction with the adopted budget or subsequently as part of Council's consent agenda. Washington State Department of Ecology has announced two grant opportunities for stormwater projects. Applications are due July 30, 2015. Also, the Washington State Transportation Improvement Board (TIB) has an open call for Urban Arterial projects

**Fiscal Impact****Budget Account**

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

**Approvals****Council Notifications****Dept Head**

TAYLOR, MIKE

**Study Session****Division**

ROMERO, RICK

**Other**

Public

**Finance**

SALSTROM, JOHN

**Distribution List****Legal**

WHALEY, HUNT

lhattenburg@spokanecity.org

**For the**

SANDERS, THERESA

kemiller@spokanecity.org

**Additional Approvals**

mhughes@spokanecity.org

**Purchasing**

jsalstrom@spokanecityi.org

bblankenagel@spokanecity.org

mdavis@spokanecity.org



**Continuation of Wording, Summary, Budget, and Distribution**

**Agenda Wording**

**Summary (Background)**

and Sidewalk projects. Applications are due August 21, 2015.

**Fiscal Impact**

Select      \$

Select      \$

**Budget Account**

#

#

**Distribution List**


**BRIEFING PAPER**  
**Public Works Committee**  
**Integrated Capital Management**  
**July 13, 2015**

---

**Subject:**

Washington State Department of Ecology has announced 2 grant opportunities: 1) stormwater pre-construction and 2) regional permit compliance.

The State Transportation Improvement Board (TIB) also has an opportunity. SMC chapter 7.19 requires that prior to submittal all applications need Council approval.

**Background:**

Integrated Capital Management has identified projects that meet the funding timeline, and will be both eligible and competitive for the grants.

Preconstruction grants will fund design and projects have been identified from the draft Six Year Stormwater Program.

Grants of Regional or Statewide Significance will fund public education and outreach, training programs, technical tools, or monitoring for Phase II municipal stormwater permit management. The project listed has been discussed with the Spokane Region.

The City is planning to apply for one grant, but to support the region on other grants.

TIB grants focus on funding projects within the Six Year Comprehensive Street Program.

The attached list of projects is being presented to Council for approval prior to the July 30, 2015 application submission date.

**Impact:**

There is no match required for either of the Ecology grants. TIB requires a 20% match.

**Action:**

Recommend approval of the attached lists of proposed applications.

**Funding:**

The Ecology grants are funded by State capital stormwater monies. The TIB grant comes from state transportation dollars.

**BRIEFING PAPER**  
**Public Works Committee**  
**Integrated Capital Management**  
**July 13, 2015**

**Preconstruction grants (up to 10; \$250k max each; \$0 match)**

**Design completed by 3/31/2017**

	<b>Project to be Designed</b>	<b>Construction Year</b>	<b>Design Amount</b>
1	CSO Basin 14 & 15 Green Infrastructure	2017	\$250,000
2	TJ Meenach Stormwater with Levy project	2017	\$80,000
3	N Monroe (Indiana to Cora) Stormwater with Street project	2018	\$80,000
4	CSO Basin 25 Stormwater Separation	2017	\$160,000
5	CSO Basin 34 WSDOT Stormwater Mitigation from Interstate 90	2018	\$250,000
6	Cochran Biofiltration Facility at TJ Meenach		\$150,000

*Total \$970,000*

**Grants of Regional Or Statewide Significance (\$300k max each; \$0 match)**

**Project completed by 3/31/2017**

	<b>Project</b>	<b>Lead Agency</b>	<b>Partners</b>
1	Spokane River/Aquifer Branding with PCB emphasis	City of Spokane	SRTTF, Spokane County, Spokane Valley
2	k-12 Education for Eastern WA	Spokane County	Eastern Washington Permit Holders
3	Effectiveness Monitoring Program Phase 2 & 3	Spokane Valley	Eastern Washington Permit Holders
4	Mobile Contractors Education and Outreach	Ellensburg	Eastern Washington Permit Holders
5	Unvegetated Soil Mix Development and Effectiveness Study	Not identified	Eastern Washington Permit Holders
6	WA Stormwater Conference in Eastern WA	Not identified	Eastern Washington Permit Holders

**BRIEFING PAPER**  
**Public Works Committee**  
**Integrated Capital Management**  
**July 13, 2015**

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Street TIB grant possibilities:

1. Sprague Avenue from Altamont to Helena – Pavement reconstruction, streetscape and stormwater improvements.
  - a. \$4,000,000 to \$6,000,000 request (of \$9.6M available)
  - b. 2016 Construction
2. Ray-Thor Street from 17<sup>th</sup> to 3<sup>rd</sup> – Pavement resurfacing
  - a. \$2,000,000 to \$2,700,000 request
  - b. 2018 Construction
3. Post Street Bridge Deck Replacement
  - a. \$2,000,000 to \$3,500,000 request
  - b. 2017 Construction
4. Downtown Sidewalk Repair/Replacement
  - a. \$300,000 to \$600,000 request (of \$840,000 available)
  - b. 2017 Construction



**Agenda Sheet for City Council Meeting of:**

07/20/2015

**Date Rec'd**

7/8/2015

**Clerk's File #**

ORD C35283

**Renews #****Cross Ref #**ORD C35185  
OPR 2015-0561**Submitting Dept**

UTILITIES

**Contact Name/Phone**

RICK ROMERO 625-6361

**Contact E-Mail**

RROMERO@SPOKANECITY.ORG

**Project #****Bid #****Agenda Item Type**

Emergency Budget Ordinance

**Requisition #**

EBO

**Agenda Item Name**

UTILITIES 2014 PAYMENT FOR SHARED USE OF RIGHT OF WAY

**Agenda Wording**

Amending Ordinance C35185 and appropriating funds to allow for a payment from Utilities to street accounts. FROM: Various Accounts, \$2,500,000; TO: Various Accounts, same amount. This action provides for the Utilities payment for shared use of right

**Summary (Background)**

This EBO allows for a planned \$2.5 million Utility payment for shared use of right of way. The funds will be placed into the Arterial Street Fund and the Street Maintenance Fund. This payment was anticipated and authorized with the adoption of a new interdepartmental agreement between the City's Utilities, Finance, and Business & Developer Services divisions at the June 29, 2015, Council Meeting. That agreement is retroactive to July 1, 2014, and this action budgets the payment required

**Fiscal Impact****Budget Account**

Neutral \$ \$2,500,000

# Various

Select \$

#

Select \$

#

Select \$

#

**Approvals****Council Notifications****Dept Head**

ROMERO, RICK

**Study Session****Division Director**

ROMERO, RICK

**Other**

PWC 7/13/2015

**Finance**

SALSTROM, JOHN

**Distribution List****Legal**

DALTON, PAT

Tim Dunivant

**For the Mayor**

SANDERS, THERESA

Rick Romero

**Additional Approvals**

Scott Simmons

**Purchasing**

Mark Serbousek

Sandra Mann

Michelle Hughes

Marlene Feist



**Continuation of Wording, Summary, Budget, and Distribution**

**Agenda Wording**

of way system for utility needs for the last half of 2014.

**Summary (Background)**

for the second half of 2014.

**Fiscal Impact**

Select      \$

Select      \$

**Budget Account**

#

#

**Distribution List**


## ORDINANCE NO C35283

An ordinance amending Ordinance No. C-35185, passed the City Council November 24, 2014, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2015, making appropriations to the various funds, departments, and programs of the City of Spokane government for the fiscal year ending December 31, 2015, and providing it shall take effect immediately upon passage", and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2015 budget Ordinance No. C-35185, as above entitled, and which passed the City Council November 24, 2014, it is necessary to make changes in the appropriations of the Integrated Capital Management Fund, the Arterial Street Fund, and Street Maintenance Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

WHEREAS, this ordinance has been on file in the City Clerk's Office for five days; - Now, Therefore,

The City of Spokane does ordain:

Section 1. That in the budget of the Integrated Capital Management Fund, and the budget annexed thereto with reference to the Integrated Capital Management Fund, the following changes be made:

FROM:	4250-99999 99999-	Integrated Capital Management Fund Unappropriated Reserves	<u>\$ 2,500,000</u>
TO:	4250-30210 97140-80101	Integrated Capital Management Fund Transfer to Arterial Streets	<u>\$ 2,500,000</u>

Section 2. That in the budget of the Arterial Street Fund, and the budget annexed thereto with reference to the Arterial Street Fund, the following changes be made:

FROM:	3200-49199 99999-39763	Arterial Street Fund Unappropriated Reserves	<u>\$ 2,500,000</u>
TO:	3200-49199 95300-56501 97111-80101	Arterial Street Fund Construction of Fixed Assets Transfer to Street Maintenance	900,000 1,600,000
			<u>\$ 2,500,000</u>

Section 3. That in the budget of the Street Maintenance Fund, and the budget annexed thereto with reference to the Street Maintenance Fund, the following changes be made:

FROM:	1100-21700 99999-39733	Street Maintenance Fund Transfer from Arterial Street Fund	<u>\$ 1,600,000</u>
TO:	1100-21700 42300-54850	Street Maintenance Fund Other Repairs/Maint Supplies	<u>\$ 1,600,000</u>

Section 4. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to meet commitments to construct integrated street projects and maintenance projects and to implement the recently passed interdepartmental agreement on shared use of the right of way (OPR 2015-0561) approved by Council on June 29, 2015 and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed the City Council \_\_\_\_\_

\_\_\_\_\_  
Council President

Attest: \_\_\_\_\_  
City Clerk

Approved as to form: \_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date



**Agenda Sheet for City Council Meeting of:**  
07/20/2015

<b>Date Rec'd</b>	7/8/2015
<b>Clerk's File #</b>	ORD C35284
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	
<b>Submitting Dept</b>	PARKS & RECREATION
<b>Contact Name/Phone</b>	LEROY EADIE 625-6204
<b>Contact E-Mail</b>	LEADIE@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Emergency Budget Ordinance
<b>Agenda Item Name</b>	1400-EMERG BUDGET ORD RE: AMENDING ORDINANCE NO. C-35185

**Agenda Wording**

Recommend approval of EBO amending Ordinance No. C-35185 to provide funding for a Clerk III from part-time to full-time.

**Summary (Background)**

EBO to provide funding to increase a Clerk III position from .80 to 100 percent due to the amount of extra work because of the Park Bond passing.

<b><u>Fiscal Impact</u></b>		<b><u>Budget Account</u></b>	
Expense	\$ 9,000	#	1400-99999-99999
Revenue	\$ 9,000	#	1400-30210-76100-00030
Select	\$	#	
Select	\$	#	
<b><u>Approvals</u></b>		<b><u>Council Notifications</u></b>	
<b><u>Dept Head</u></b>	EADIE, LEROY	<b><u>Study Session</u></b>	
<b><u>Division Director</u></b>		<b><u>Other</u></b>	
<b><u>Finance</u></b>	SALSTROM, JOHN	<b><u>Distribution List</u></b>	
<b><u>Legal</u></b>	DALTON, PAT		
<b><u>For the Mayor</u></b>	SANDERS, THERESA		
<b><u>Additional Approvals</u></b>			
<b><u>Purchasing</u></b>			

ORDINANCE NO C35284

An ordinance amending Ordinance No. C-35185, passed the City Council November 24, 2014, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2015, making appropriations to the various funds, departments, and programs of the City of Spokane government for the fiscal year ending December 31, 2015, and providing it shall take effect immediately upon passage", and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2015 budget Ordinance No. C-35185, as above entitled, and which passed the City Council November 24, 2014, it is necessary to make changes in the appropriations of the General Fund and Parks and Recreation Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

WHEREAS, this ordinance has been on file in the City Clerk's Office for five days; - Now, Therefore,

The City of Spokane does ordain:

Section 1. That in the budget of the General Fund, and the budget annexed thereto with reference to the General Fund, the following changes be made:

FROM:	1400-99999	Park and Recreation Fund	
	99999-	Unappropriated Reserves	<u>\$ 9,000</u>
TO:	1400-30210	Parks Dept	
	76100-00030	Clerk III	<u>\$ 9,000</u>

Section 3. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to provide funding to increase a Clerk III position from .80 percent to 100 percent due to the amount of extra work because of the Park Bond passing, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed the City Council \_\_\_\_\_

\_\_\_\_\_  
Council President

Attest: \_\_\_\_\_  
City Clerk

Approved as to form: \_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date



**Agenda Sheet for City Council Meeting of:**  
07/20/2015

<b>Date Rec'd</b>	7/8/2015
<b>Clerk's File #</b>	RES 2015-0072
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	
<b>Submitting Dept</b>	HUMAN RESOURCES
<b>Contact Name/Phone</b>	HEATHER LOWE 625-6233
<b>Contact E-Mail</b>	HLOWE@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Resolutions
<b>Agenda Item Name</b>	0620 RESOLUTION APPOINTING KIM BUSTOS DIRECTOR OF ACCOUNTING

**Agenda Wording**

A RESOLUTION APPROVING THE APPOINTMENT OF KIM BUSTOS DIRECTOR OF ACCOUNTING

**Summary (Background)**

A RESOLUTION APPROVING THE APPOINTMENT OF KIM BUSTOS DIRECTOR OF ACCOUNTING

**Fiscal Impact**

**Budget Account**

Select	\$	#
Select	\$	#
Select	\$	#
Select	\$	#

**Approvals**

**Council Notifications**

<b><u>Dept Head</u></b>	LOWE, HEATHER	<b><u>Study Session</u></b>	
<b><u>Division Director</u></b>	LOWE, HEATHER	<b><u>Other</u></b>	
<b><u>Finance</u></b>	SALSTROM, JOHN	<b><u>Distribution List</u></b>	
<b><u>Legal</u></b>	DALTON, PAT		
<b><u>For the Mayor</u></b>	SANDERS, THERESA		

**Additional Approvals**

<b><u>Purchasing</u></b>		

**RESOLUTION 2015 - 0072**

A Resolution approving the appointment of Kimberly Bustos as the Director of the Accounting Department for the City of Spokane.

WHEREAS, Section 24 of the City Charter provides that the Mayor shall have the power to appoint department heads subject to the approval of the City Council; and

WHEREAS, Section 5.2.6 of the City Council Rules of Procedure states that approval of appointment of department heads shall be by Resolution; and

WHEREAS, after full consideration, Mayor David Condon has appointed Ms Bustos as Director of the Accounting Department for the City of Spokane --

NOW, THEREFORE,

BE IT RESOLVED by the City Council for the City of Spokane that it hereby approves the appointment of Kimberly Bustos as the Director of the Accounting Department.

ADOPTED BY THE CITY COUNCIL ON \_\_\_\_\_, 2015

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Assistant City Attorney



**Agenda Sheet for City Council Meeting of:**

07/13/2015

**Date Rec'd**

6/22/2015

**Clerk's File #**

ORD C35278

**Renews #****Submitting Dept**

CITY ATTORNEY

**Cross Ref #****Contact Name/Phone**

TIM 625-6218

**Project #****Contact E-Mail**

TSZAMBELAN@SPOKANECITY.ORG

**Bid #****Agenda Item Type**

First Reading Ordinance

**Requisition #****Agenda Item Name**

ANIMAL SAFETY ORDINANCE

**Agenda Wording**

An ordinance relating to animal cruelty amending Spokane Municipal Code sections 01.05.210, and; adding a new section to chapter 10.23A.

**Summary (Background)**

The Washington State legislature passed SB5501 relating to animal safety. The bill created a new law that makes it an infraction to leave or confine any animal unattended in a motor vehicle or enclosed space if the animal could be harmed or killed by exposure to excessive heat, cold, lack of ventilation, or lack of necessary water. There have been situations that have occurred in the City involving animals being left in cars without food or water in extreme weather conditions. Owners who leave their animals in such conditions expose their animals to significant health risks and even death. The ability to issue an owner an infraction will help educate owners from leaving their animals in a vehicle or structure that places them at risk.

**Fiscal Impact****Budget Account**

Select \$

#

Select \$

#

Select \$

#

Select \$

#

**Approvals****Council Notifications****Dept Head**

DALTON, PAT

**Study Session****Division Director****Other****Finance**

SALSTROM, JOHN

**Distribution List****Legal**

DALTON, PAT

**For the Mayor**

SANDERS, THERESA

**Additional Approvals****Purchasing**

## ORDINANCE NO. C35278

An ordinance relating to animal cruelty amending Spokane Municipal Code sections 01.05.210, and; adding a new section to chapter 10.23A. to read as follows :

-- Now, Therefore,

The City of Spokane does ordain:

Section 1. That SMC 1.05.210 is amended.

### **SMC 1.05.210 Penalty Schedule - Personal Conduct**

<b>Infraction</b>	<b>Violation Class</b>	
IFC 307.1	Open Burning	1
SMC 1.06.040	Act of Discrimination	1
SMC 10.03.060	Barking Dog	1
SMC 10.03.100	Offenses Relating to Safety and Sanitation	4
SMC 10.03.110	Allow Animal in Riverfront Park or Special Permitted Event Area when Banned	3
SMC 10.08.010	Deposit of Tobacco Product Capable of Being Lit	\$500
SMC 10.08.010	Littering, Unlawful Disposal of Rubbish	1
SMC 10.08D.080 SMC 10.08D.090(C)	Noise Control	2
SMC 10.08D.120 – First violation within a one year period		
SMC 10.08.055	Purchase, Possession of Tobacco by Minor	3
SMC 10.08.100 SMC 10.08.120 SMC 10.08.140(B-D)	Homeless Encampment	1
SMC 10.08.246	Liquor Purchase by Apparently Intoxicated Person	\$500
SMC 10.08A.040(D)	Failure to Respond – Chronic Nuisance	1
SMC 10.10.040 SMC 12.06.050 – SMC 12.06.080	Offending Peace and Order in Public Park	1
SMC 10.11.042	Not Having or Displaying Concealed Pistol License	1
SMC 10.15.115	Selling or Giving Drug Paraphernalia	1
SMC 10.15.220	Open Possession/Consumption of Marijuana, Usable Marijuana or Marijuana-Infused Products	3
SMC 10.17.030	Helmet Safety – Failure to Wear Approved Helmet	4
SMC 10.17.040	Helmet Safety – Failure to Require Wearing of Approved Helmets at Special Events	4
SMC 10.17.050	Helmet Safety – Failure to Rent, Lease, or Loan Approved Helmet	4
SMC 10.17.060	Helmet Safety – Failure to Sell or Offer to Sell Approved Helmet	4
SMC 10.24.010	Harbor Dog or Cat Without License	3

SMC 10.24.020	Permit Animal to Run at Large	3
SMC 10.24.040	Rabies	3
SMC 10.24.060	Property Damage by Animal	3
SMC 10.24.090	Sale of Animals	2
<u>SMC 10.24A180</u>	<u>Animal Safety – Animal Left in Vehicle or</u>	<u>2</u>
	<u>Enclosed Space</u>	
SMC 10.33A.055	Sell, Use, Discharge Fireworks	1
SMC 12.02.910 SMC 12.02.914	No Tree Permit; Destroy, Injure Street Tree, or Other Violations	1
SMC 17F.100.050	Disposal of Liquid Waste in Unapproved Place or Manner	1
SMC 17G.050.050	Ex Parte Contact with Adjudicative Officer	2

Section 2. That a new section is added to Chapter 10.24A. of the Spokane Municipal Code.

Section SMC 10.24A.180 ANIMAL SAFETY – ANIMAL LEFT IN VEHICLE OR ENCLOSED SPACE

- (1) To protect the health and safety of an animal, an animal control officer or law enforcement officer who reasonably believes that an animal is suffering or is likely to suffer harm from exposure to excessive heat, cold, lack of ventilation, or lack of necessary water is authorized to enter a vehicle or enclosed space to remove an animal by any means reasonable under the circumstances if no other person is present in the immediate area who has access to the vehicle or enclosed space and who will immediately remove the animal. An animal control officer, law enforcement officer, or the department or agency taking such action to remove the animal is not liable for any damage to property resulting from actions taken under this section.
- (2) It is a class 2 civil infraction under SMC 1.05.210 to leave or confine any animal unattended in a motor vehicle or enclosed space if the animal could be harmed or killed by exposure to excessive heat, cold, lack of ventilation, or lack of necessary water.

(3) Nothing in this section prevents the person who has confined the animal in the vehicle or enclosed space from being convicted of separate offenses for animal cruelty under RCW 16.52.205 or RCW 16.52.207.

Passed by the City Council on \_\_\_\_\_ 2015.

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date



**Agenda Sheet for City Council Meeting of:**  
07/13/2015

<b>Date Rec'd</b>	6/25/2015
<b>Clerk's File #</b>	ORD C35279
<b>Renews #</b>	

<b>Submitting Dept</b>	CITY COUNCIL	<b>Cross Ref #</b>	
<b>Contact Name/Phone</b>	BEN 625-6269	<b>Project #</b>	
<b>Contact E-Mail</b>	AMCDANIEL@SPOKANECITY.ORG	<b>Bid #</b>	
<b>Agenda Item Type</b>	First Reading Ordinance	<b>Requisition #</b>	
<b>Agenda Item Name</b>	0320 AN ORDINANCE RELATING PARKING IN TAXI STANDS		

**Agenda Wording**

An ordinance relating to enhanced penalties for violation of regulations concerning parking in taxi stands and amending SMC section 08.02.083 and SMC section 16A.61.5705.

**Summary (Background)**

This ordinance increases the penalty for unauthorized parking in taxi stands from \$30 to \$100. It also strikes language which creates an exception to the prohibition on parking non-taxis in taxicab stands.

<b>Fiscal Impact</b>		<b>Budget Account</b>	
Select	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
<b>Approvals</b>		<b>Council Notifications</b>	
<b>Dept Head</b>	MCDANIEL, ADAM	<b>Study Session</b>	
<b>Division Director</b>		<b>Other</b>	
<b>Finance</b>	SALSTROM, JOHN	<b>Distribution List</b>	
<b>Legal</b>	PICCOLO, MIKE		
<b>For the Mayor</b>	SANDERS, THERESA		
<b>Additional Approvals</b>			
<b>Purchasing</b>			

## ORDINANCE NO. C35279

An ordinance relating to enhanced penalties for violation of regulations concerning parking in taxi stands and amending SMC section 08.02.083 and SMC section 16A.61.5705.

The City of Spokane does ordain:

Section 1. That chapter 08.02 of the Spokane Municipal Code is amended to read as follows:

### Section 08.02.083 Fees and Charges

#### A. Commercial Loading Zones.

The fee for a permit and identifying decal authorizing a commercial vehicle to occupy a loading zone is:

1. one hundred dollars per year,
2. fifty dollars for the rest of the year when issued after June 30th,
3. fifteen dollars for a single occasion permit,
4. fifteen dollars for a transfer.

#### B. Special Loading Zones.

A special loading zone is a temporary loading zone created by placement of an authorized parking meter bag. Special loading zones are reserved only for vehicles being used for the purpose for which the parking meter bag has been issued. The rates for parking meter bags, in addition to a twenty-five dollar returnable bag deposit, are:

1. Commercial.
  - A. Quarterly: Three hundred fifty dollars per bag.
  - B. Monthly: One hundred twenty-five dollars per bag.
  - C. Daily: Fifteen dollars per bag.
2. News Media – Annually.

One thousand dollars for the first bag and five hundred dollars for each additional bag.
3. Charitable Nonprofit – Annually.

Sixty dollars per month per bag, with a maximum of two bags.

#### C. Removal of Parking Meters.

The fee charged a contractor for removal and reinstallation of a parking meter to accommodate construction work is sixty dollars.

#### D. Parking Meters.

1. The fee for parking in a metered space depends upon the time limit and location. The fees are indicated on the meters. The fees for parking in a metered space are:
  - A. Thirty-minute space: Sixty cents per thirty minutes.

- B. Two-hour space: One dollar twenty cents per hour.
- C. Four-hour space: Eighty cents per hour.
- D. All day space: Forty cents per hour.
- 2. The coin or combinations of coins accepted by the meter will be indicated by a sign or legend for each space. Coins of denominations greater than the fee for the space may be accepted for the convenience of the motorist.

E. Motor Vehicle Violations.

- 1. The penalties for traffic infractions are provided by schedules adopted by court rule, or as specifically provided in Title 16A SMC or state statute.
- 2. Unless otherwise provided, the basic penalties for parking infractions are:
  - A. two hundred fifty dollars for disabled parking violations (SMC 16A.61.381);
  - B. ten dollars for parking at a meter beyond the maximum time provided for that metered space (feeding meter) (SMC 16A.61.5914);
  - C. fifteen dollars for expired meter parking (SMC 16A.61.5910);
  - D. one hundred dollars for parking at a space reserved with a parking meter bag within the entertainment parking district [Cross reference: SMC 16A.61.5903];
  - E. one hundred dollars for parking in a taxicab stand as described in SMC 16A.61.5705;
  - F. Violation of bag use: Meter bag applicants and users must limit the use of bags to the purpose for which the bag is issued. Violation of proper parking meter bag use shall result in the bag being removed from the meter, cancellation of the permit, and forfeiture of the bag deposit as provided in SMC 16A.61.5703(H). No meter bags may be issued to an applicant or user who has not paid all fees and fines or is otherwise in violation of conditions of bag use. Additional penalties will be assessed on repeat offenders within the same calendar year as follows:
    - A. Second violation: Fifty dollars.
    - B. Third violation: One hundred dollars.
    - C. Fourth and additional violations: Two hundred dollars per violation.
  - G. thirty dollars for all others.
- 3. The additional penalty for failure to respond to a notice of traffic violation is twenty-five dollars.
- 4. There are, in addition, penalty assessments provided by state law.

F. Towing and Impound.

Towing, storage, and related fees and charges by registered disposers are prominently posted on the disposers' premises but are not directly regulated by the City. Some rates may be fixed by contract.

G. Criminal Violations.

The penalties for criminal traffic violations are as provided in the state traffic code.

H. Accident Reports.

The fee for furnishing copies of accident reports required by chapter 46.52 RCW is as fixed from time to time by the mayor as provided in SMC 8.02.011.

I. Junk Vehicle Affidavit.

The fee for furnishing a junk vehicle affidavit (hulk slip) is ten dollars.

J. Motorist Information Signs.

The fees for follow-through signs from the freeway to the motorist service business are:

1. Fifty dollars as the application processing fee.
2. One hundred dollars as the installation fee for each sign installed.
3. Actual cost for purchasing the signs from the Washington department of transportation.
4. Actual cost for maintenance, repairs, and replacement; and
5. Fifteen dollars as an assignment fee to transfer the permit to a new owner or operator.

K. Golf Cart Registration Decal.

The fee for an annual golf cart registration decal is fifty dollars.

L. Scofflaw List Administrative Fee.

The fee for vehicles added to the scofflaw list is twenty five dollars.

M. Immobilization Administrative Fee.

The fee for immobilizing a vehicle is fifty dollars.

N. Residential Parking Passes.

The fee for a residential parking permit is twenty five dollars per month.

Section 2. That chapter 16A.61 of the Spokane Municipal Code is amended to read as follows:

Section 16A.61.5705 Taxicabs and Buses to Park Only in Designated Stands – Rights of Other Vehicles in Zones

- A. The driver of a bus or taxicab shall not stand or park upon any public street or highway in the congested district at any place other than at a bus stop or taxicab stand, respectively, except that this provision shall not prevent the driver of any vehicle from temporarily stopping in accordance with other stopping or parking regulations at any place for the purpose of, and while actually engaged in, loading or unloading passengers.



- B. No person shall stop, stand, or park a vehicle other than a bus in a bus stop, or other than a taxicab in a taxicab stand, when any such stop or stand has been officially designated and appropriately signed by the street director(~~(, except the driver of a passenger vehicle may temporarily stop therein for the purpose and while actually engaged in loading passengers, when such stopping does not interfere with any bus or taxicab waiting to enter or about to enter such zone))~~).
- C. The driver of a taxicab may park in a metered parking space if the meter is paid and then for a period not to exceed the designated time allotment on the meter.

PASSED by the City Council on \_\_\_\_\_.

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date

**Agenda Sheet for City Council Meeting of:**

07/13/2015

**Date Rec'd**

7/6/2015

**Clerk's File #**

LGL 2015-0016

**Renews #****Submitting Dept**

CITY CLERK

**Cross Ref #****Contact Name/Phone**

TERRI PFISTER 625-6354

**Project #****Contact E-Mail**

TPFISTER@SPOKANECITY.ORG

**Bid #****Agenda Item Type**

Report Item

**Requisition #****Agenda Item Name**

0260 INITIATIVE NO. 2015-2 PETITIONS

**Agenda Wording**

Set hearing before City Council for Monday, July 20, 2015, on proposed Initiative No.2015-2 petitions filed on behalf of Envision Worker Rights Political Committee, sponsor, relating to a Worker Bill of Rights.

**Summary (Background)**

On July 6, 2015, proponent of Initiative 2015-2 filed with the City Clerk's Office petitions bearing 3,744 signatures. This constitutes 7.558 percent of the votes cast at the last general election (held November 5, 2013). The signatures have not been validated. Pursuant to SMC 2.02.080 and Section 84 of the City Charter, at the Hearing on the petition, the City Council determines whether to:

**Fiscal Impact****Budget Account**

Select \$

#

Select \$

#

Select \$

#

Select \$

#

**Approvals****Council Notifications****Dept Head**

FARNSWORTH, LAURIE

**Study Session****Division Director****Other****Finance**

SALSTROM, JOHN

**Distribution List****Legal**

DALTON, PAT

mpiccolo@spokanecity.org

**For the Mayor**

SANDERS, THERESA

mbblread@comcast.net

**Additional Approvals****Purchasing**



**Continuation of Wording, Summary, Budget, and Distribution**

**Agenda Wording**

**Summary (Background)**

1. Grant the petition and pass the measure as requested; 2. Accept the petition but decline to pass the measure as requested and direct the City Clerk to validate the signatures; or 3. Propose an alternative measure to either be adopted by the City Council or submitted to the voters on the City Council's own motion.

Number of votes cast in November 5, 2013, City of Spokane General Municipal Election: 49,536; 5% = 2,477.

<b>Fiscal Impact</b>		<b><u>Budget Account</u></b>
Select	<b>\$</b>	<b>#</b>
Select	<b>\$</b>	<b>#</b>
<b><u>Distribution List</u></b>		

# WARNING

000002

Under Washington State law every person who signs an initiative or referendum petition with any other than his or her true name, knowingly signs more than once, or signs when he or she is not a legal voter; or signs a petition when he or she is otherwise not qualified to sign, or who makes any false statement on such petition may be guilty of a misdemeanor.

## INITIATIVE PETITION TO THE PEOPLE OF THE CITY OF SPOKANE INITIATIVE NO. 2015 - 2

We, the undersigned citizens and legal voters of the City of Spokane, Washington, respectfully direct that this proposed City Charter amendment known as Initiative No. 2015 - 2, a full, true, and correct copy of which is printed herein, be submitted to the electors of the City of Spokane for their approval or rejection at the next available special or general municipal election. The proposed City Charter amendment shall appear as the following proposition:

### BALLOT TITLE

Shall the Spokane City Charter be amended to add a Worker Bill of Rights, which secures the right to a family wage when employed by a large employer, right to equal pay for equal work, right not to be wrongfully terminated, and elevates Charter rights above rights claimed by corporations?

Each of us for himself or herself says: I have personally signed this petition; I am a legal voter of the City of Spokane; my residence address is correctly stated; and I have knowingly signed this petition only once.

(The full text of the proposed City Charter amendment is printed on the reverse side of this page)

PETITIONER'S SIGNATURE (as on voter registration)	PRINTED NAME	RESIDENCE ADDRESS (Street Address; Zip Code)	DAYTIME PHONE (optional)	CHECK IF REGISTERED ADDRESS IS DIFFERENT
	KARIN EMLEY	315 W. RIVERSIDE AVE #507		
	Matthew Charles Cardinale	908 W. 1st Ave. Apt 35	(404) 983 6049	
	Carole Lopes	1120 W. Sprague Ave #1510		
	TAYLOR WEECH	11 SOUTH 21M ST., 99201		
	Thomas K. Ashman	4248 E 2th 99202	953-6225	
	Jacob S. Pederson	3010 E. 13th Ave 99202	939-4457	
	Laurie J. Fleming	2724 E. 44th Ave 99221		
	Rebecca Carlson	23709 E Maxwell 99019	714-3718	
	Mary Katherine Sorensen	4009 S. Grand Blvd 99203		
	Elizabeth Blessing	4005 S Grand Blvd 99203		
	Jay Larsen	PO Box 2253 99210		
	Morton Alexander	818 West 19th Avenue 99201	624-6855	
	Carol Suzanne Bryan	1616 W. Clark Ave 99201	466-1396	
	Steve Krenado	1818 W 1st Ave #22	624-3537	
	CHRISTOPHER LAWRENCE	19 E 32nd 99203	624-6659	
	John Waite	15 W. Main Sp, WA 99201	(509) 475-8383	
	Brad Read	1028 E. 13th Spokane 99202		
	Suzanne Schreiner	1511 W 21st Ave 99203		
	Pat Hughes	1526 S Chestnut St 99224		

Envision Worker Rights Political Committee, 1028 E. 13th Avenue, Spokane, WA 99202

### SUMMARY OF THE MEASURE

#### THE LAW AS IT CURRENTLY EXISTS:

No Worker Bill of Rights exists in the City Charter. Chapter 1.06 of the Spokane Municipal Code, regarding laws against discrimination, does prohibit discrimination in certain employment practices.

#### THE EFFECT OF THE PROPOSAL, IF APPROVED:

This measure would amend the Spokane City Charter with a Worker Bill of Rights, which secures a right to (1) a family wage when employed by an employer with 150 or more full-time equivalent workers except for workers in a probationary period, in certain internships or certified apprenticeship programs; (2) equal pay for equal work regardless of gender, sexual orientation, gender identity, gender expression, familial status, race, ethnicity, national origin, citizenship, economic class, religion, age, or developmental, mental, or physical ability for all workers; (3) just cause for termination of employment when employed by an employer with ten or more full-time equivalent workers; and (4) the right to enforce this section against competing rights claimed by corporations.

## A CHARTER AMENDMENT ESTABLISHING A WORKER BILL OF RIGHTS

WHEREAS, the people of the City of Spokane wish to build a healthy, sustainable, economically just, and democratic community; and

WHEREAS, the people of the City of Spokane believe in the rights of workers to receive (1) a decent and fair family wage, (2) equitable pay regardless of personal traits, qualities, or characteristics, and (3) just cause for termination from employment; and

WHEREAS, the people of the City of Spokane believe these rights are superior to competing rights claimed by corporations; and

WHEREAS, the people of the City of Spokane have adopted a Comprehensive Plan for the City of Spokane, which envisions, among other items, income equity, living wages, and sustainable economic strategies, but the people recognize that the Comprehensive Plan is not legally enforceable in many important respects; and

WHEREAS, the people of the City of Spokane wish to create a Worker Bill of Rights, which would, among other goals, establish legally enforceable rights for workers to protect the local economy and build the people's vision of a healthy, sustainable, economically just, and democratic community.

### NOW, THEREFORE, THE PEOPLE OF THE CITY OF SPOKANE HEREBY ORDAIN:

**Section 1.** That the City Charter of the City of Spokane shall be amended by adding a new section regarding a Worker Bill of Rights to read as follows:

#### Section 120. Worker Bill of Rights

##### A. Worker Bill of Rights

1. Right to a Family Wage. Workers in the City of Spokane have a right to a family wage. Workers employed by an employer with one hundred fifty (150) or more full-time equivalent workers shall be paid, at minimum, a family wage for work performed. The employer requirement to pay a family wage shall not apply to workers in a ninety (90) day or less probationary period, in an internship if enrolled in school, or when enrolled in a Washington state certified apprenticeship program.
2. Right to Equal Pay. All workers in the City of Spokane have a right to equal pay for equal work. No employer may provide different wage rates or other compensation to workers who are performing jobs that require equal skill, effort, and responsibility because of the worker's gender, sexual orientation, gender identity, gender expression, familial status, race, ethnicity, national origin, citizenship, economic class, religion, age or developmental, mental, or physical ability.
3. Right Not to be Wrongfully Terminated. Workers in the City of Spokane have a right to be free from wrongful termination. Employers with ten (10) or more full-time equivalent workers shall not terminate a worker except for just cause, unless the worker is in a ninety (90) day or less probationary period, is enrolled in a Washington state certified apprenticeship program, or is expressly hired for a particular project and the project has ended. The term "just cause" shall be interpreted in accordance with established, common law principles of collective bargaining and labor relations, as developed by labor arbitration decisions, and an employer seeking to terminate a worker for just cause must demonstrate:
  - a. Timely and adequate work performance warnings and opportunities to correct work performance, unless the misconduct of the worker is serious enough to warrant immediate termination, such as criminal activity at work;
  - b. A fair, objective, and non-discriminatory termination process, where the worker has an opportunity to be heard in opposition to the termination; and
  - c. The termination is for work performance reasons, unless the employer can demonstrate that a layoff of a worker is necessary for economic hardship.If a court finds a worker has been wrongfully terminated, the affected worker shall receive compensation in the form of back pay, reinstatement, attorney fees, costs, and damages.
4. Corporate Powers Subordinate To People's Rights. Corporations that violate, or seek to violate, this section shall not be deemed to be "persons" to the extent that such treatment would interfere with the rights enumerated in this section, nor shall corporations possess any other legal rights that would interfere with the rights enumerated by this section, including standing to challenge this section in court, the power to assert state or federal preemptive laws in an attempt to overturn this section, and the power to assert that the people of this municipality lack the authority to adopt this section.

##### B. Definitions

1. "Corporation" means any corporation, limited partnership, limited liability partnership, business trust, limited liability company, or other business entity, organized under the laws of any State of the United States or under the laws of any country.
2. "Employer" means government and any business having, or required to have, a business license from the City of Spokane. For the purposes of determining the number of employees of a particular employer, a corporation, as defined in Section 2(a), that is doing business at more than one location shall be treated as a single employer, all franchisees and subsidiary corporations shall be treated as a single employer with the franchisor and parent corporation, and employees employed outside of the City of Spokane shall be counted for the purposes of determining the total number of full-time equivalent workers.
3. "Family wage" means a wage that provides for basic needs and a limited ability to deal with future emergencies without the need of public assistance. The City of Spokane shall calculate the family wage to include, but not be limited to, basic necessities such as food, housing, utilities, transportation, health care, childcare, clothing and other personal items, emergency savings, and taxes. The City shall calculate the family wage rate based on a household size of two, with one person employed, and the family wage rate shall not be less than the Self-Sufficiency Standard for Washington State 2014, as adjusted for inflation. The City shall calculate the initial family wage within six months after the effective date of this section, and shall adjust the family wage each January 1<sup>st</sup> thereafter to reflect the change in the Consumer Price Index for the Spokane Metropolitan Statistical Area. The City may allow deductions from the total family wage by employers who demonstrate one or more basic needs are covered elsewhere in a worker's compensation package. If the City of Spokane does not calculate a family wage, then eligible employers must provide, at minimum, a wage equal to the higher of either (1) three times the federal poverty guidelines for a family of two, or (2) any family wage rate previously calculated by the City of Spokane.
4. The number of "full-time equivalent workers" equals the total number of hours an employer has paid its workers in a year divided by 2,080.
5. "Worker" means an individual employed on a full-time, part-time, temporary, or seasonal basis, including independent contractors, contracted workers, contingent workers, and persons made available to work for the employer through the services of a temporary service, staffing, employment agency, or similar entity. The rights in this section extend to all workers who are physically present in Spokane for any portion of the worker's employment.

##### C. Enforcement

1. Any worker, government entity, or nonprofit entity, may bring an action against the worker's employer for violation of these rights, and is entitled to attorney fees and costs in addition to legal remedies, including back pay, and equitable remedies, including reinstatement. Employers are not entitled to attorney fees and costs under this section.
2. Any person may bring an action against the City of Spokane for failure to promulgate rules and policies necessary for enabling and effectuating the Right to a Family Wage, and that person shall be entitled to attorney fees and costs, in addition to equitable remedies. No action shall lie against the City for failure to enforce the rights contained within this section.

#### Section 2. Effective Date and Implementation of Rights

If approved by the electors, this section shall take effect and be in full force one year from the issuance of the certificate of election by the Spokane County Auditor's Office, except:

Employers shall be required to fully comply with the requirements of the Family Wage Right two years from the effective date, but shall only be required to pay at least 60% of the required wage on the effective date, and 80% of the required wage one year from the effective date.

#### Section 3. Repealer, Interpretation, and Severability

All ordinances, resolutions, motions, or orders in conflict with this section are hereby repealed to the extent of such conflict. The people of Spokane intend for this section to be liberally interpreted to effectuate the broad policy goals articulated in the preamble to the charter amendments set forth in Initiative No. 2015-2, and to be self-executing. If any part or provision of these section provisions is held invalid, the remainder of these provisions shall not be affected by such a holding and shall continue in full force and effect.



OFFICE OF THE CITY CLERK  
808 W. SPOKANE FALLS BLVD.  
SPOKANE, WASHINGTON 99201-3342  
509.625.6350

July 6, 2015

Mr. Brad Read  
Envision Worker Rights Political Committee  
1028 East 13<sup>th</sup> Avenue  
Spokane, WA 99202

RE: INITIATIVE NO. 2015-2 PETITIONS – RELATING TO AMENDING THE CITY  
CHARTER TO ADD A WORKER BILL OF RIGHTS

This serves as acknowledgement that Initiative No. 2015-2 petitions, containing a purported 3,749 unverified signatures, which figure was provided by the proponent, were filed on July 6, 2015, by Mr. Brad Read on behalf of Envision Worker Rights Political Committee. The City Clerk's Office will perform its own tally of the unverified signatures by July 9, 2015.

The ballot title for Initiative No. 2015-2 is, as follows:

*Shall the Spokane City Charter be amended to add a Worker Bill of Rights, which secures the right to a family wage when employed by a large employer, right to equal pay for equal work, right not to be wrongfully terminated, and elevates Charter rights above rights claimed by corporations?*

Laurie Farnsworth  
Spokane Deputy City Clerk

c: Mayor David A. Condon  
City Council Members  
City Administrator Theresa Sanders  
City Attorney Nancy Isserlis  
Assistant City Attorney Mike Piccolo  
City Clerk Terri L. Pfister

**Agenda Sheet for City Council Meeting of:**

07/13/2015

**Date Rec'd**

6/30/2015

**Clerk's File #**

ORD C35280

**Renews #****Submitting Dept**

PLANNING &amp; DEVELOPMENT

**Contact Name/Phone**

TIRRELL BLACK 625-6185

**Contact E-Mail**

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**Agenda Item Type**

First Reading Ordinance

**Cross Ref #****Project #****Bid #****Requisition #****Agenda Item Name**

0650 - ORDINANCE FOR CENTERS AND CORRIDORS

**Agenda Wording**

Ordinance relating to design standards and guidelines and minimum parking and site planting standards for sites located in Center and Corridor Zones; amending Spokane Municipal Code Sections 17C.122.060, 17C.230.120, 17G.040.020, and 17C.200.040.

**Summary (Background)**

Council Member Amber Waldref, in collaboration with members of the community, began working on revisions to the Initial Design Standards and Guidelines for Centers and Corridors in late 2014. The Plan Commission has held four workshops in 2015 and a public hearing on June 10, 2015 on this item. The goal is to encourage quality projects in the City's targeted center and corridor zones.

**Fiscal Impact**

Neutral \$

Select \$

Select \$

Select \$

**Budget Account**

#

#

#

#

**Approvals****Dept Head**

WRIGHT, JO ANNE

**Division Director**

SIMMONS, SCOTT M.

**Finance**

SALSTROM, JOHN

**Legal**

RICHMAN, JAMES

**For the Mayor**

SANDERS, THERESA

**Council Notifications****Study Session****Other**

CC Study Session 6/22/15

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## ORDINANCE NO. C35280

AN ORDINANCE relating to design standards and guidelines, and minimum parking and site planting standards, for sites located in Center and Corridor Zones; amending Spokane Municipal Code Sections 17C.122.060, 17C.230.120, 17G.040.020, and 17C.200.040.

WHEREAS, the Plan Commission recently considered a proposal to amend the City's design standards and guidelines, including minimum parking and site planting standards, for sites located in center and corridor zones, and to amend SMC 17G.040.020 relating to development applications subject to design review; and

WHEREAS, following appropriate environmental determinations and notice, the City Plan Commission held a public hearing on the proposal on June 10, 2015;

WHEREAS, at the conclusion of the hearing, the Plan Commission found that the proposed amendments meet the approval criteria for text amendments to the Unified Development Code as outlined by SMC 17C.025.010(F), and voted 8 to 0 in favor or recommending that the City Council approve the amendments;

WHEREAS, the City Council adopts the recitals set forth herein as its findings and conclusions in support of its adoption of this ordinance and further adopts the Spokane City Plan Commission Findings of Fact, Conclusions, and Recommendations, Proposed Amendment to Centers & Corridors Design Guidelines, Spokane Municipal Code Section 17C.122.060 Initial Design Standards and Guidelines for Centers and Corridors, dated June 10, 2015;--

Now, Therefore, The City of Spokane does ordain:

Section 1. That SMC section 17C.122.060 is amended to read as follows:

### **17C.122.060 ((Initial)) Design Standards and Guidelines for Centers and Corridors**

The document titled “((Initial)) Design Standards and Guidelines for Centers and Corridors” is adopted by reference as a part of the ((initial)) land use code for centers and corridors and incorporated as Attachment “A” to the ((initial)) land use code for centers and corridors. All projects must address these standards and guidelines. The applicant assumes the burden of proof to demonstrate how a proposed design addresses these standards and guidelines. ~~((A determination of consistency with the standards and guidelines will be made by the planning director following an administrative design review process.))~~ For design standards and guidelines in “Attachment A” that are designated Requirement (R), an applicant may apply to the Design Review Board pursuant to the procedures set forth in chapter 17G.040 SMC, and the board may recommend approval of alternatives to strict compliance, upon a finding that the alternative satisfies the decision criteria for a design departure in SMC 17G.030.040.



The design standards and guidelines for all centers and corridors are also applicable to the sites located in the Type 4 mixed use transition zone. In addition, the design standards and guidelines for Type 1 centers and corridors are also applicable to the sites located in the Type 4 mixed use transition zone.

Section 2. That Attachment “A” to the land use code for centers and corridors, as referenced in SMC 17C.122.060, is amended as set forth in Exhibit “A” to this Ordinance.

Section 3. That SMC 17C.230.120 is amended as follows:

### **17C.230.120 Maximum Allowed Parking Spaces**

**A. Purpose.**

Limiting the number of spaces allowed promotes efficient use of land, enhances urban form, encourages use of alternative modes of transportation, provides for better pedestrian movement, and protects air and water quality. The maximum ratios in this section vary with the use the parking it is accessory to. These maximums will accommodate most auto trips to a site based on typical peak parking demand for each use.

**B. Maximum Number of Parking Spaces Allowed.**

Standards in a plan district or overlay zone may supersede the standards in this subsection.

**1. Surface Parking.**

The maximum number of parking spaces allowed is stated in Table 17C.230-1 and [Table 17C.230-2](#), except as specified in subsection (B)(2) of this section.

**2. Structure Parking.**

Parking provided within a building or parking structure is not counted when calculating the maximum parking allowed

<b>TABLE 17C.230-1</b> <b>PARKING SPACES BY ZONE [1]</b> <b>(Refer to Table 17C.230-2 for Parking Spaces Standards by Use)</b>		
<b>ZONE</b>	<b>SPECIFIC USES</b>	<b>REQUIREMENT</b>
RA, RSF, RTF, RMF, RHD	All Land Uses	Minimum and maximum standards are shown in <a href="#">Table 17C.230-2</a> .
O, OR, NR, NMU, CB, GC, Industrial		
CC1, CC2, CC3 [2]	Nonresidential	Minimum ratio is 1 stall per 1,000 gross square feet of floor area. Maximum ratio is 4 stalls per 1,000 gross square feet of floor area.
	Residential	Minimum ratio is 1 stall per 1,000 gross square feet of floor area or a minimum of 1 stall per dwelling unit <u>plus one per bedroom after 3 bedrooms.</u> ((;whichever is less.)) Maximum ratio is the same as for nonresidential uses.

CC4 [2]	Nonresidential	Minimum ratio is 2 stalls per 1,000 gross square feet of floor area. Maximum ratio is 4 stalls per 1,000 gross square feet of floor area.
	Residential	Minimum ratio is 1 stall per 1,000 gross square feet of floor area or a minimum of 1 stall per dwelling unit, whichever is less. Maximum ratio is the same as for nonresidential uses.
Downtown [2]	All Land Uses	See the <a href="#">Downtown Parking Requirement Map 17C.230-M1</a> to determine if parking is required. Minimum ratio for areas shown on the map that require parking is 1 stall per 1,000 gross square feet of floor area or a minimum of 1 stall per dwelling unit, whichever is less. Maximum ratio is 3 stalls per 1,000 gross square feet of floor area.
FBC [2]	All Land Uses	See <a href="#">SMC 17C.123.040</a> , Hamilton Form Based Code for off-street parking requirements.
Overlay	All Land Uses	No off-street parking is required. See the <a href="#">No Off-Street Parking Required Overlay Zone Map 17C.230-M2</a> and <a href="#">No Off-Street Parking Required Overlay Zone Map 17C.230-M3</a> .
[1] Standards in a plan district or overlay zone may supersede the standards of this table. [2] See exceptions in <a href="#">SMC 17C.230.130</a> , CC and Downtown Zone Parking Exceptions.		

Section 4. That SMC 17G.040.020 is amended as follows:

#### **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. F.. 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. G. Other developments or projects listed within the Unified Development Code that require design review.

Section 5. That SMC 17C.200.040 is amended as follows:

### **17C.200.040 Site Planting Standards**

Sites shall be planted in accordance with the following standards:

- A. Street Frontages.
  - 1. The type of plantings as specified below shall be provided inside the property lines:
    - a. along all commercial, light industrial, and planned industrial zoned properties except where buildings are built with no setback from the property line: a six-foot wide planting area of L2

- see-through buffer, including street trees as prescribed in [SMC 17C.200.050](#). Remaining setback areas shall be planted in L3.
- b. along all downtown, CC1, CC2, and CC4 zoned properties except where buildings are built with no setback from the property line: a five-foot wide planting area of L2 see-through buffer, including street trees as prescribed in [SMC 17C.200.050](#), Street Tree Requirements. Remaining setback areas shall be planted in L3. Living ground cover shall be used, with non-living materials (gravel, river rock, etc.) as accent only. In addition, earthen berms, trellises, low decorative masonry walls, or raised masonry planters (overall height including any plantings shall not exceed three feet) may be used to screen parking lots from adjacent streets and walkways.
  - c. in the heavy industrial zone, along a parking lot, outdoor sales, or
  - d. outdoor display area that is across from a residential zone: a six-foot wide planting area of L2 see-through buffer, including street trees as prescribed in [SMC 17C.200.050](#). Remaining setback areas shall be planted in L3.
  - e. in industrial zones, all uses in the commercial categories (see [chapter 17C.190 SMC](#), Use Category Descriptions, Article III, Commercial Categories) are subject to the standards for uses in the general commercial (GC) zone.
  - f. along all RA, RSF, RTF, RMF, and RHD zones, except for single-family residences and duplexes: six feet of L3 open area landscaping, including street trees as prescribed in [SMC 17C.200.050](#). For residential development along principal and minor arterials, a six-foot high fence with shrubs and trees may be used for screening along street frontages. The fence and landscaping shall comply with the standards of [SMC 17C.120.310](#) for the clear view triangle and must be placed no closer than twelve feet from the curb line. A minimum of fifty percent of the fence line shall include shrubs and trees. The landscaping is required to be placed on the exterior (street side) of the fence.
2. Except for attached and detached single-family residences and duplexes, plantings may not exceed thirty-six inches in height or hang lower than ninety-six inches within the clear view triangle at street intersections on corner lots and at driveway entries to public streets. The clear view triangle is defined in [SMC 17C.120.310](#). The director of engineering services may further limit the height of plantings, landscaping structures, and other site development features within the clear view triangle or may expand the size of the clear view triangle as conditions warrant.



**B. Other Property Perimeters.**

A planting strip of five feet in width shall be provided along all other property lines except where buildings are built with no setback from the property line or where a parking lot adjoins another parking lot. In CC zoned subject properties, the planting strip shall be eight feet in width to enhance the screening between CC and Residential zoned properties. The type of planting in this strip varies depending upon the zone designation of the properties sharing the property line (with or without an intervening alley) as indicated in the matrix below. Where properties with dissimilar zones share a common boundary, the property with the more intense zone shall determine the required type of planting. The owners of adjacent properties may agree to consolidate their perimeter plantings along shared boundaries. Therefore, instead of each property providing a five-foot wide planting strip, they together could provide one five-foot wide planting strip, so long as the required planting type, as indicated in the matrix, is provided. Types of landscaping to be provided in planting strips alongside and rear property lines:

SUBJECT PROPERTY ZONE (vertical)	ADJACENT PROPERTY ZONE (horizontal)												
	RA	RSF	RTF	RMF	RHD	O, OR	NR, NMU	CB	GC	CC	LI, PI	HI	DT
RA	--	--	--	--	--	--	--	--	--	--	--	--	--
RSF	--	--	--	--	--	--	--	--	--	--	--	--	--
RTF	--	--	--	--	--	--	--	--	--	--	--	--	--
RMF	L2	L2	L2	L3	L2	L2	L2	L1	L1	L1	--	--	L1
RHD	L2	L2	L2	L2	L3	L2	L2	L2	L2	L2	--	--	L2
O, OR	L2	L2	L2	L2	L2	L3	L2	L2	L2	--	--	--	L2
NR, NMU	L2	L1	L2	L2	L2	L2	L3	L3	L2	--	--	--	L3
CB	L1	L1	L1	L1	L2	L2	L3	L3	L3	--	--	--	L3
GC	L1	L1	L1	L1	L2	L2	L2	L3	L3	--	--	--	L3
<b>CC</b>	<b>L1</b>	<b>L1</b>	<b>L1</b>	<b>L1</b>	<b>L1</b>	<b>--</b>	<b>--</b>	<b>--</b>	<b>--</b>	<b>--</b>	<b>--</b>	<b>--</b>	<b>--</b>
LI, PI [3]	L1	L1	L1	L1	L1	L1	L2	--	--	--	--	--	--
HI [3]	L1	L1	L1	L1	L1	L1	L1	--	--	--	--	--	--
DT	L1	L1	L1	L1	L1	L2	L2	L3	L3	--	--	--	--
Notes: [1] In the industrial zones, all uses in the commercial categories (see <a href="#">chapter 17C.190 SMC</a> , Use Category Descriptions, Article III, Commercial Categories) are subject to the standards for uses in the general commercial (GC) zone.													

**C. Planning Director Discretion.**

The planning director shall have the discretion to waive or reduce the

requirements of subsections (A)(1) and (B) of this section based on the following factors:

1. No useable space for landscaping exists between the proposed new structure and existing structures on adjoining lots or alleys because of inadequate sunlight or inadequate width.
2. The building setback provided in front of the new structure is less than six feet or is developed as a plaza with decorative paving/pavers, trees, planters, or other amenities.
3. Xeriscape landscaping is utilized in designated stormwater control areas.
4. When existing trees and other vegetation serves the same or similar function as the required landscaping, they may be substituted for the required landscaping if they are healthy and appropriate for the site at mature size. When existing trees are eight inches or more in diameter, they shall be equivalent to three required landscape trees. If necessary, supplemental landscaping shall be provided in areas where existing vegetation is utilized to accomplish the intent of this chapter.

D. Other Areas.

All other portions of a site not covered by structures, hard surfaces, or other prescribed landscaping shall be planted in L3 open area landscaping until the maximum landscape requirement threshold is reached (see [SMC 17C.200.080](#)).

E. Parking Lot Landscaping Design.

1. Purpose.

To reduce the visual impact of parking lots through landscaped areas, trellises, and/or other architectural features that complement the overall design and character of developments.



2. Parking Lot Landscaping Design Implementation.

This section is subject to the provisions of [SMC 17C.120.015](#), Design Standards Administration.

3. The parking lot landscape shall reinforce pedestrian and vehicle circulation, especially parking lot entrances, ends of driving aisles, and pedestrian walkways leading through parking lots. (P)
4. Planted areas next to a pedestrian walkways and sidewalks shall be maintained or plant material chosen to maintain a clear zone between three and eight feet from ground level. (R)



5. Low walls and raised planters (a maximum height of three feet), trellises with vines, architectural features, or special interest landscape

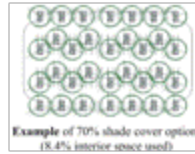
features shall be used to define entrances to parking areas. Where signs are placed on walls, they shall be integrated into the design and complement the architecture or character of other site features. (P)

6. Landscape plant material size, variety, color, and texture within parking lots should be integrated with the overall site landscape design. (C)

F. Parking, Outdoor Sales, and Outdoor Display Areas.

1. In residential, commercial and center and corridor zones, a six-foot wide planting area of L2 see-through buffer landscaping shall be provided between any parking lot, outdoor sales, outdoor display area, and a street right-of-way. Living ground cover shall be used, with non-living materials (gravel, river rock, etc.) as accent only. In addition, earthen berms, trellises, low decorative masonry walls, raised masonry planters, or L1 visual screen landscaping shall be used to screen parking lots from adjacent streets and walkways (overall height including any plantings or structures shall not exceed three feet). Trees required as a part of the L2 landscape strip shall be located according to the standards for street trees in [SMC 17C.200.050](#), Street Tree Requirements.
2. In residential, commercial and center and corridor zones all parking stalls shall be within sixty feet of a planted area with L3 open area landscaping. All individual planting areas within parking lots shall be at least one hundred fifty square feet in size.
3. In residential, commercial and center and corridor zones all paved parking areas on a site with more than fifty cumulative parking spaces shall have plantings that satisfies one of the following options:
  - a. Option 1.  
Interior landscaping consisting of L3 open area landscaping, including trees amounting to at least ten percent of the total area of the paved parking area, excluding required perimeter and street frontage strips. A minimum of one interior tree shall be planted for every six parking spaces.
  - b. Option 2.  
Tree plantings shall be spaced in order that tree canopies cover a minimum of seventy percent of the entire paved area of the parking lot within fifteen years of project completion. Canopy coverage shall be measured in plan view, and be based on projected mature size of the selected tree species. All individual planting areas within parking lots shall be a minimum of eight feet in width, be at least one hundred fifty square feet in size, and in addition to the required trees, shall be planted with a living groundcover. See the "Landscape Plants for the Inland Northwest" issued by the Washington State University cooperative extension and the U.S. department of agriculture, available from the City planning services department, for acceptable mature tree size to be used when calculating canopy

size.



4. Where parking lots are located between the building and a street, the amount of required interior landscaped area shall be increased by fifty percent and the minimum amount of tree shade cover shall increase to eighty percent. Where parking lots are behind buildings, the amount of interior landscaping may be decreased by fifty percent of what the code requires and the minimum amount of tree shade cover shall decrease to fifty percent.
5. A planting strip of five feet in depth with L1 visual screen landscaping or site-obscuring decorative wood, iron, etc. fences or masonry walls at least six feet in height shall be installed along property lines where any adjacent single-family residential zone would have views of parking or service areas.
6. A minimum of two-foot setback shall be provided for all trees and shrubs where vehicles overhang into planted areas.



7. In industrial zones, parking lots, outdoor sales, and outdoor display areas that are abutting or across the street from residential zones are subject to all of the requirements of subsections (E) and (F) of this section.
8. In industrial zones, all uses in the commercial categories (see [chapter 17C.190 SMC](#), Use Category Descriptions, Article III, Commercial Categories) are subject to the standards for uses in the general commercial (GC) zones.
9. In downtown zones an applicant must demonstrate to the director that the following required elements meet the intent of the Downtown Design Guidelines. Key design elements for these features include integrating storm water facilities, improving the pedestrian environment, and adding public amenities next to surface parking; outdoor sales and outdoor display areas so that they help to define space and contribute to a more active street environment.
  - a. Surface Parking Lot Liner Walls in the Downtown Zones. Surface parking lots must have a solid, decorative concrete or masonry wall adjacent to a complete street and behind a sidewalk. The wall must have a minimum height above the surface of the parking lot of two and one-half feet and a maximum height of three feet. The wall shall screen automobile headlights from surrounding properties. A wrought iron fence may be constructed on top of the wall for a combined wall and fence height of six feet. An area with a minimum width of two



feet, measured from the property line, must be provided, landscaped and maintained on the exterior of the required wall. Such walls, fences, and landscaping shall not interfere with the clear view triangle. Pedestrian access through the perimeter wall shall be spaced to provide convenient access between the parking lot and the sidewalk. There shall be a pedestrian access break in the perimeter wall at least every one hundred fifty feet and a minimum of one for every street frontage. Any paving or repaving of a parking lot over one thousand square feet triggers these requirements.



Parking liner walls with plantings contribute to an interesting pedestrian environment. The parking liner wall and screen pictured above is enhanced by larger wall sections near automobile crossing points and a change in sidewalk scoring pattern. Both give cues to pedestrians and drivers.

- b. Surface parking lots in the Downtown zones are subject to the interior parking lot landscaping standard sections (F)(2) through (F)(6).
- c. The exterior boundary of all surface parking lots adjacent to any public right-of-way must include trees spaced no more than twenty-five feet apart. The leaves of the trees or any other landscaping features at maturity shall not obscure vision into the parking lot from a height of between three and eight feet from the ground. The species of trees shall be selected from the city's street tree list. If street trees exist or are provided consistent with [SMC 17C.200.050](#) then this landscaping strip may be omitted.
- d. Outdoor sales and display areas shall contribute to an interesting streetscape by providing the following:
  - i. Monument Features or Artistic Elements along the Street Edge between the Outdoor Display Area and the Sidewalk.  
These shall be integrated with display area lighting and pedestrian amenities.
  - ii. Additional Streetscape Features in the Sidewalk Environment.  
Items may include elements that improve the health of street trees and plantings, improve storm water management, or artistic features that improve the pedestrian environment. This may include items such as permeable pavers in the pedestrian buffer strip, increased soil volumes for street trees, suspended sidewalks around the street tree to increase the amount of un-compacted soils, and engineered soils to support larger and healthier trees.

PASSED by the City Council on \_\_\_\_\_.

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date

## Exhibit “A”

Design Standards and Guidelines for Centers and Corridors (referenced as Attachment “A” in SMC 17C.122.060)



# INITIAL DESIGN STANDARDS AND GUIDELINES for CENTERS AND CORRIDORS

City of Spokane Planning Services  
Third Floor, City Hall  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201-3329  
(509) 625-6300  
[www.spokaneplanning.org](http://www.spokaneplanning.org)

Effective August 11, 2002

LMN Architects  
Revised Summer 2015

## GUIDELINES APPLICATION

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These Initial Design Standards and Guidelines for Centers and Corridors are applied within the CC1, CC2, CC4, and the optional CC3 zoning categories found on the Official City of Spokane Zoning Map. All projects must address the pertinent standards and guidelines. A determination of consistency with the standards and guidelines ~~will~~ shall be made by the Planning Director following an administrative design review process unless the applicant seeks a recommendation from the Design Review Board. If the Design Review Board issues a recommendation, that recommendation will be forwarded to the Director.

Some of the guidelines contained in this document use the word “shall” while others use the word “should”.

Regardless of which term is used, each guideline must be addressed by an applicant. The City will expect to see how the design of a project has responded to every one of the guidelines.

The “shall” statements, with such wording, are absolutely mandatory and offer relatively little flexibility unless choices are provided within the statement itself. All projects must include these elements as described.

However, guidelines that use the word “should” are meant to be applied, but with some flexibility. They indicate that the City is open to design features that are equal to, or better than, that stated - so long as the intent is satisfied. The applicant assumes the burden of proof to demonstrate how a proposed design meets this test and determination will be made by the Director. In those instances designated with the “Requirement ®”, an applicant may seek relief through consultation with the Design Review Board following Chapter 17G.040.

Finally, it should be noted that there are other codes and ordinances that govern development in centers and corridors, such as the Building Code and Public Works Standards. The most restrictive code shall apply.

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# BUILDINGS ALONG STREET

## Requirement (R)

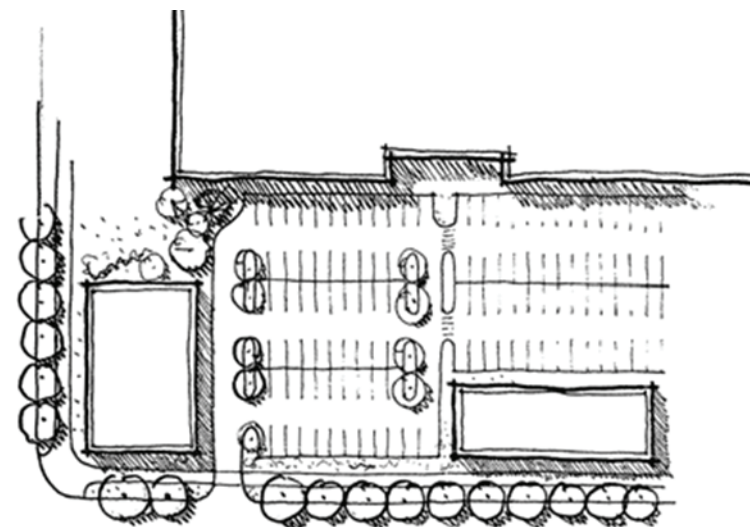
### INTENT:

To ensure that at least some part of the development of a site contributes to the liveliness of sidewalks along the street.

### GUIDELINES:

1. New development ~~should~~ shall not have ~~only~~ parking between buildings and the street and at least 30% of the frontage of the site shall consist of building facades. In shopping centers, buildings shall be placed along the sidewalk so that at least 15% of the frontage of the site consists of building façades.
2. Buildings placed along sidewalks shall have windows and doors facing the street (see “Façade Transparency” and “Prominent Entrances”) and shall incorporate other architectural features (see “Ground Level Details” and “Treatment of Blank Walls”).

Deviation from this guideline must meet the intent of this section and requires a recommendation of approval by the Design Review Board.



smaller building placed along the sidewalk



building entrance is located at the corner of the intersection



## BUILDINGS ALONG INTERSECTION CORNERS

### Requirement (R)

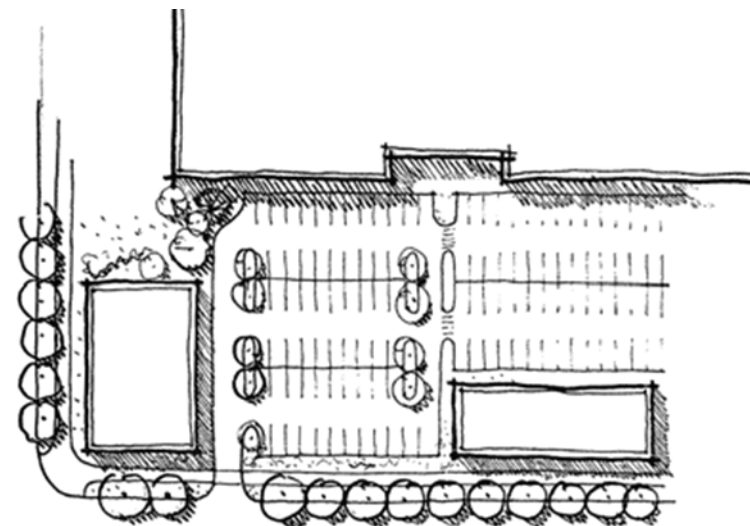
#### INTENT:

To utilize building placement and massing along intersection corners to create an environment that frames the public realm and creates an urban street edge and contributes to the liveliness of sidewalks.

#### GUIDELINES:

1. Buildings shall hold the street corner, although setbacks that accommodate plazas, seating areas, landscaping, clear view triangles (for traffic safety) and prominent entrances are acceptable.
2. When there is more than one intersection corner on the site, the building shall be oriented to the corner with the highest category street. For example the intersection of a principal arterial and a principal arterial would be preferred over the intersection of a principal arterial and a minor arterial.

Deviation from this guideline must meet the intent of this section and requires a recommendation of approval by the Design Review Board.



smaller building placed along the sidewalk



building entrance is located at the corner of the intersection



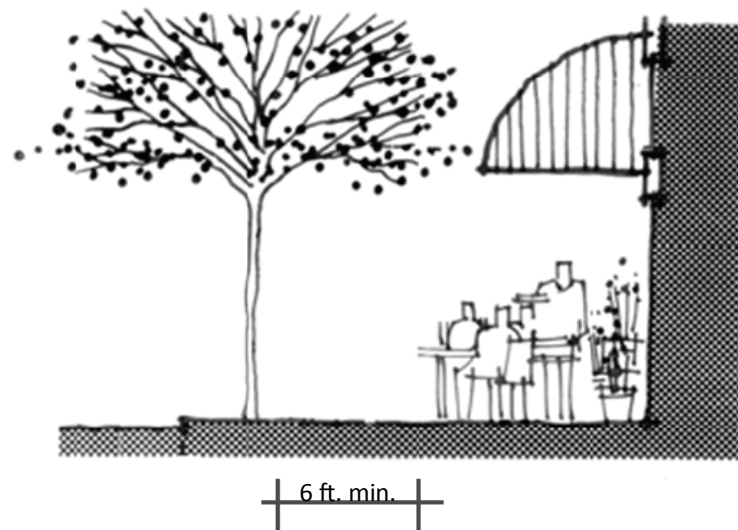
## SIDEWALK ENCROACHMENTS

### INTENT:

To ensure that there is a minimum clear, unobstructed walking route along sidewalks.

### GUIDELINES:

Temporary sidewalk encroachments are allowed. Café seating, planters, ramps, stairs, and sandwich board signs which are located on the sidewalk shall be located in such a manner as to leave a pathway at least 4- six feet wide that is free of obstructions.



café seating on sidewalk leaving enough space for pedestrian movement

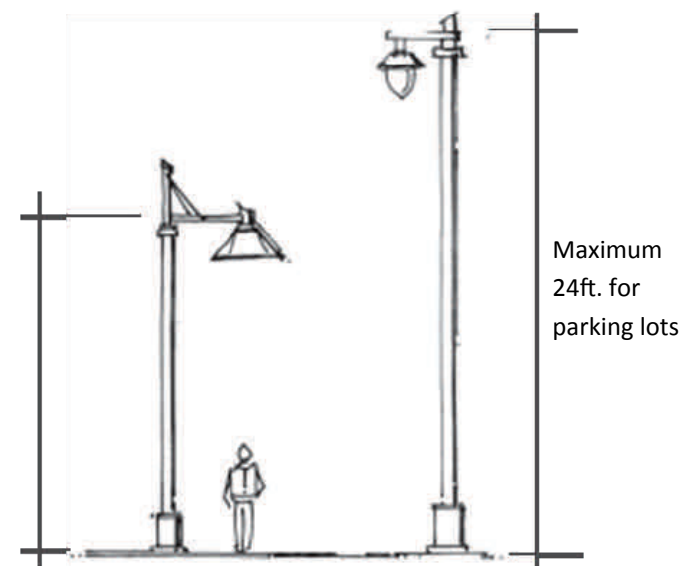
# Lighting

## INTENT:

To ensure that site lighting contributes to the character of the site and does not disturb adjacent development.

## GUIDELINES:

1. Lighting shall be provided within parking lots and along pedestrian walkways.
2. Lighting fixtures shall be limited to heights of 24 ft. for parking lots and 16 ft. for pedestrian walkways.
3. All lighting shall be shielded from producing off-site glare, either through exterior shields or through optical design inside the fixture, so that the direction of light is downward.



lot lighting



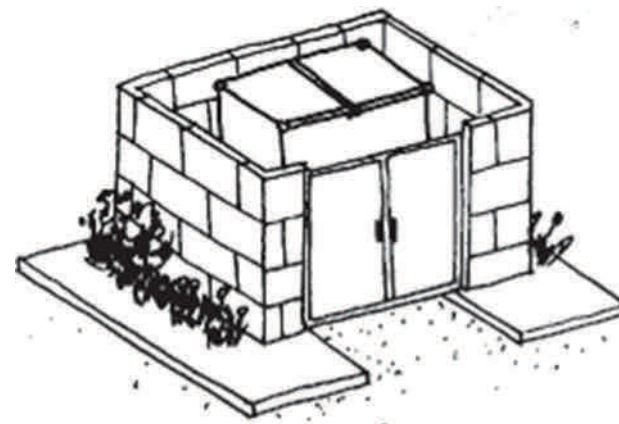
## SCREENING AND NOISE CONTROL OF SERVICE AREAS

### INTENT:

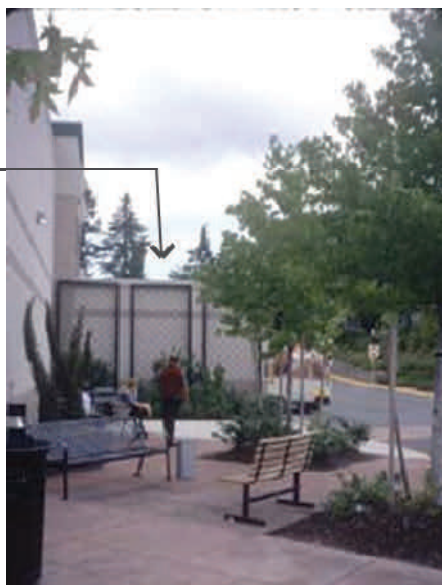
To reduce the impact of service, loading and trash storage areas.

### GUIDELINES:

1. All service, loading and trash collection areas shall be screened by a combination of decorative walls of either masonry, wood, or vinyl, and with planting that meets L2 requirements in SMC 17C.200.
2. Loading and service areas should not face or be adjacent to any residential district, unless no other location is possible.
3. Trash storage areas shall be setback a minimum of 15 feet from street property line.



Service and loading  
area behind wall with  
trellis and planting



screening of service area



Screening of trash area by wall and planting



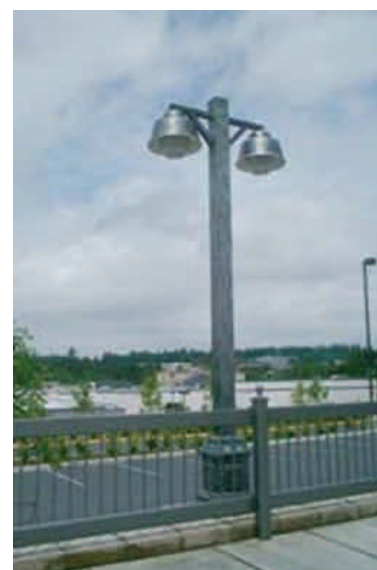
## ANCILLARY SITE ELEMENTS

### INTENT:

To make site elements compatible with each other.

### GUIDELINES:

Site furnishings, such as fences, walls, refuse enclosures, light fixtures, carports and storage units, shall be designed to be integrated with the architectural design of the primary structure(s).



light fixture



Storage units

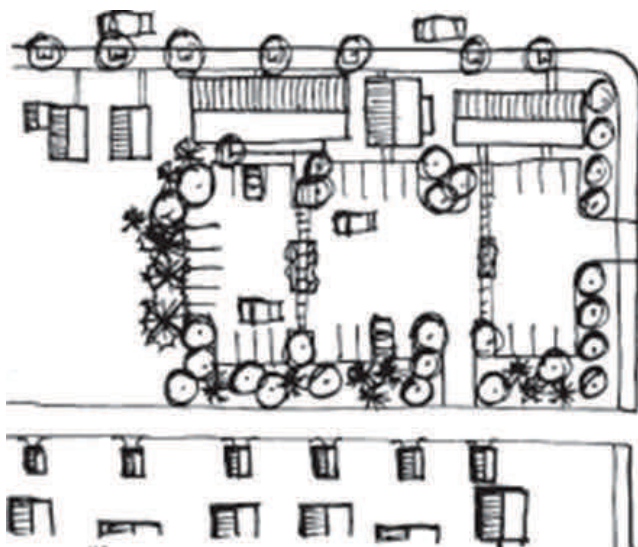
## CURB CUT LIMITATIONS

### INTENT:

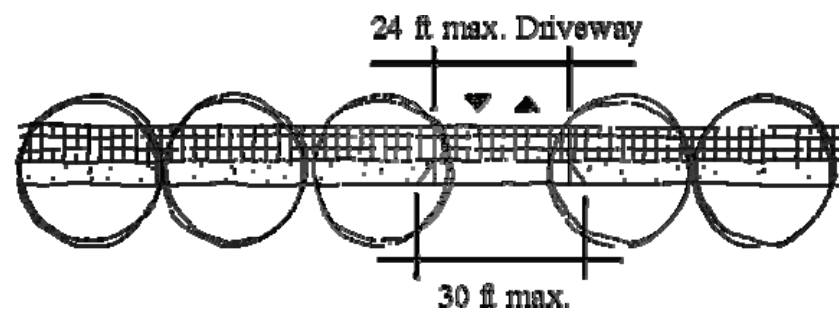
To provide safe, convenient vehicular access without diminishing pedestrian safety.

### GUIDELINES:

1. A curb cut for a nonresidential use should not exceed 30 feet for combined entry/exits. Driveway width where the sidewalk crosses the driveway should not exceed 24 feet in width.
2. The sidewalk pattern shall carry across the driveway.
3. Adjacent developments should share driveways, to the greatest extent possible.
4. Vehicular access should be designated so that traffic is not directed through an abutting residential zone.



shared driveway reduces curb cuts



sidewalk pattern is visibly continuous

## PEDESTRIAN CONNECTIONS IN PARKING LOTS

### INTENT:

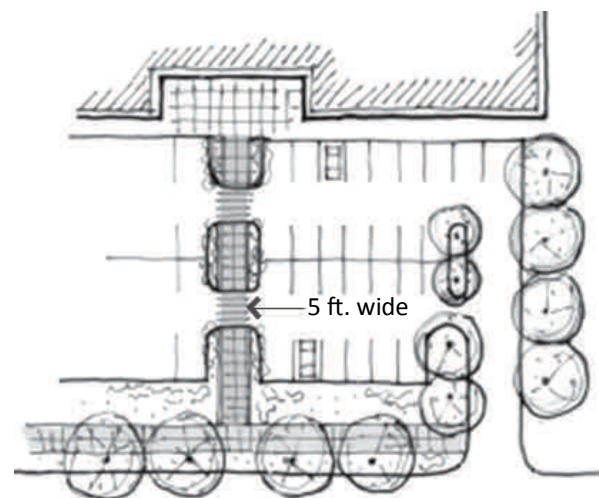
To create a network of safe and attractive linkages for pedestrians.

### GUIDELINES:

1. Within parking lots containing more than 30 stalls, clearly defined pedestrian connections should be provided:
  - Between a all public right-of-way and building entrances
  - Between parking lots and building entrances

Pedestrian connections can be counted toward the amount of required landscaping.

2. Pedestrian connections shall not be less than 5 feet wide.
3. Pedestrian connections shall be clearly defined by at least two of the following:
  - 6 inch vertical curb.
  - Textured paving, including across vehicular lanes.
  - A continuous landscape area at a minimum of 3 feet wide on at least one side of the walkway.
4. When there is a transit stop adjacent to the site, a pedestrian connection between the transit stops and building entrances, especially the prominent entrances, should be provided.
5. Pedestrian connections should maximize directness of travel between pedestrian origin and destination.



Pedestrian connection through parking lot, enhanced by paving and landscape



6 inch vertical curb defines pedestrian connection



Textured paving reinforces pedestrian connection

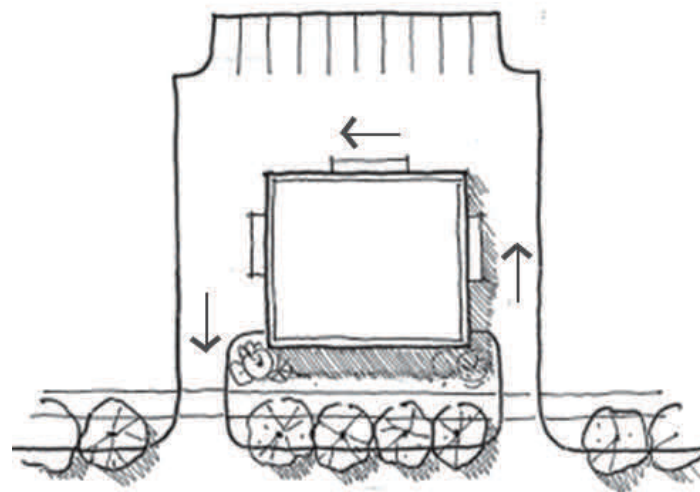
## DRIVE-THROUGH LANES

### INTENT:

To ensure that the streetscape environment is lively and not overwhelmed by the presence of automobiles.

### GUIDELINES:

~~Access and stacking~~ Any lanes serving drive-through businesses shall not be located between the building and any adjacent street.



drive-through lanes less prominent from the street



## TRANSITION BETWEEN COMMERCIAL AND RESIDENTIAL DEVELOPMENT

### Requirement (R)

#### INTENT:

To ensure compatibility between the more intensive uses in centers and corridors and lower intensity uses of adjacent residential zones by incorporating design elements that soften transitions and protect light and privacy for adjacent residents.

#### GUIDELINES:

Code provisions require lower heights for portions of buildings that are close to single family residential zones. In addition, any side of the building visible from the ground level of an adjacent single family residential zone shall be given architectural treatment using ~~two-three~~ or more of the following:

- architectural details mentioned under “Ground Level Details”
- pitched roof form
- windows
- balconies
- if building is on the Spokane Register of Historic Places, the Secretary of the Interior’s Standards for rehabilitation historic design guidelines shall apply.

Deviation from using three of these architectural treatments must meet the intent of this section and requires a recommendation of approval by the Design Review Board.



backside of the building viewed from adjacent residential road



Form and scale of commercial buildings compatible with adjacent residential uses



STANDARDS AND GUIDELINES FOR  
ALL CENTERS AND CORRIDORS

## TREATMENT OF BLANK WALLS

## INTENT:

To ensure that buildings do not display blank, unattractive walls to the adjacent street or residential areas.

## GUIDELINES:

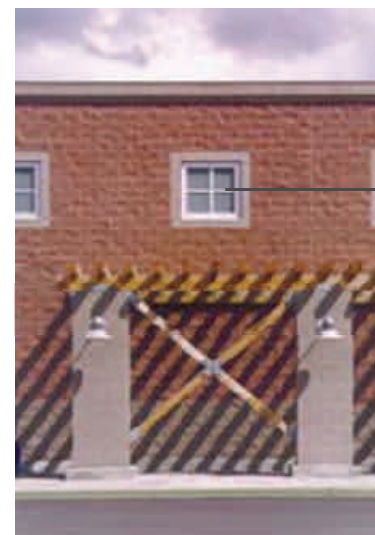
Walls or portions of walls where windows are not provided shall have architectural treatment wherever they face adjacent streets or adjacent residential areas (see guidelines for Façade Transparency). At least four of the following elements shall be incorporated into these walls:

- a. masonry (but not flat concrete block)
- b. concrete or masonry plinth at the base of the wall
- c. belt courses of a different texture and color
- d. Outward projecting cornice
- e. projecting metal canopy
- f. decorative tilework
- g. trellis containing planting
- h. medallions
- i. opaque or translucent glass
- j. artwork
- k. vertical articulation
- l. lighting fixtures
- m. Vertical landscape wall or "green wall"
- n. Display windows
- o. Signage as identified in "Pedestrian Oriented Signs"
- p. An architectural element not listed above, as approved, that meets the intent.



Projecting metal canopy, plinth, wall mounted light on a blank wall

blank wall near the entrance treated with canopy, plinth and horizontal belt courses



faux windows  
(back light at night)

trellis

Architectural treatment of blank walls

## PROMINENT ENTRANCES

### INTENT:

To ensure that main building entrances are easily identifiable, and clearly visible and accessible from streets and sidewalks in order to encourage pedestrian activity and enliven the street.

### GUIDELINES:

1. The principal entry to a store / building shall be marked by
  - (a) ornamentation around the door, and
  - (b) at least one of the following:
    - Recessed entrance (recessed at least 3 ft.)
    - Protruding entrance (protruding at least 3 ft.)
    - Canopy (extending at least 5 ft.)
    - Portico (extending at least 5 ft.)
    - Overhang (extending at least 5 ft.)
2. When possible, the entrance should be considered a collection of elements:
  - Overhead: canopy, porches, building extensions
  - Transitional: stoops, courtyards, stairways, ramps, portals, pocket gardens, deck
  - Ground Surface: seating walls, special paving, landscaping, trees, lighting

Deviation from this guideline must meet the intent of this section and requires a recommendation of approval by the Design Review Board.



recessed entrance



protruding entrance



overhang entrance



entrance with portico  
and ornamental treat-  
ments

## FAÇADE TRANSPARENCY

### INTENT:

To provide visual connection between activities inside and outside the building.

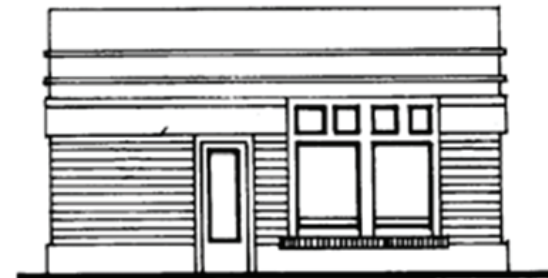
### GUIDELINES:

1. In residential, commercial or mixed-use, a minimum of 15% of any ground floor façade\* that is visible from and fronting on any abutting street shall be comprised of windows with clear, "vision" glass allowing views into the interior.
2. A minimum of 30% of any ground floor commercial or mixed-use building façade\* that is visible from, fronting on, and located within 60 feet of an arterial or pedestrian street shall be comprised of windows with clear, "vision" glass allowing views into the interior. Display windows may be used to meet half of this requirement.
3. A minimum of 50% of any ground floor commercial or mixed-use building façade\* that is visible from and located within 20 feet of an arterial or pedestrian street shall be comprised of windows with clear, "vision" glass allowing views into the interior. Display windows may be used to meet half of this requirement.

\* façade within 2 ft. and 10 ft. above the level of the adjacent sidewalk, walkway or ground level.



Visual connection between indoor and outdoor spaces



30% windows located within 60 ft. of street



50% clear facades located within 20ft of street

## MATERIALS

### INTENT:

To incorporate quality materials and architectural elements in the building design to support pedestrian oriented development.

### GUIDELINES:

1. Subject to the façade transparency requirements of these design standards and guidelines, street level exterior facades, up to 10 feet above the level of the adjacent sidewalk, walkway or ground level that face public streets or sidewalks, should be clad in durable materials compatible with an urban context, including materials such as stone, tile, metal, masonry, concrete, manufactured cement products, and/or glass.
2. Exterior Insulating Finish Systems (EFIS) and lapped siding products generally do not comply with the intent of the City's design standards and guidelines and are not allowed on ground floor exterior walls that face public streets or sidewalks.
3. On street frontages, exit corridors, garage openings, loading docks and all recesses, the design professional should provide a finished appearance to the street with street level exterior finishes fully wrapping into the openings.



## MASSING

### Requirement (R)

#### INTENT:

To reduce the apparent bulk of the buildings by ~~providing a sense of “base” and “top”~~ and provide buildings that frame and define the street and contributes to the quality of the public realm and pedestrian experience.

#### GUIDELINES:

1. Buildings ~~should~~ shall have a distinct “base” at the ground level, using articulation and high-quality materials such as noted in the Materials section. ~~stone, masonry, or decorative concrete.~~
2. The “top” of the building ~~should~~ shall be treated with a distinct outline with elements such as a projecting parapet, cornice, or projection ~~that adds variation through varying heights, steps, or depths.~~ See Roof Form section.
3. New structures shall incorporate vertical and horizontal modulations to develop distinctive architectural volumes, break monotonous volumes, and create fine-grain character in scale with adjacent neighborhood character.

Deviation from these guidelines must meet the intent of this section and be recommended by the Design Review Board.

different material at ground level to define a “base”



STANDARDS AND GUIDELINES FOR  
ALL CENTERS AND CORRIDORS

## ROOF FORM

## Requirement (R)

## INTENT:

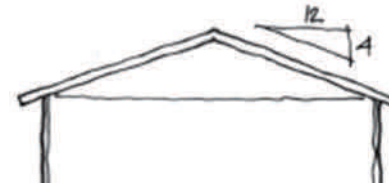
To ensure that roof lines present a distinct profile and appearance for the building and expresses the neighborhood character.

## GUIDELINES:

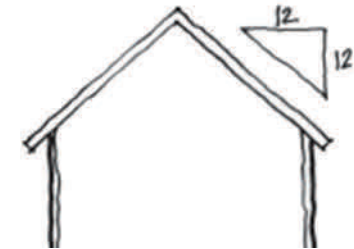
Buildings shall incorporate one of the following roof forms:

- pitched roofs with a minimum slope of 4:12 and maximum slope of 12:12, especially to highlight major entrances.
- outward projecting cornices to create a prominent edge when viewed against the sky.
- Flat roofs are to be used in reference to surrounding context, reinforce the architectural character of the street and be modulated to establish human scale interaction.
- Parapets without vertical or horizontal modulation in any 30 foot span shall have an outward projecting cornice of six inches minimum.
- Stepped parapets of varying heights (2 feet or 0.1 times the wall height), cornice or other architectural projection articulated through varying heights and depths.

Deviation from these guidelines must meet the intent of this section and be approved by the Design Review Board.



minimum slope



maximum slope



projecting cornice

## HISTORIC CONTEXT CONSIDERATIONS

### INTENT:

To ensure that infill and rehabilitation, when it is adjacent to existing buildings having historic architectural character, is compatible with the historic context within the neighborhood.

### GUIDELINES:

1. New development should incorporate historic architectural elements that reinforce the established character of a center or corridor but still remain a product of their own times. The following elements constitute potential existing features that could be reflected in new buildings:

- materials
- window proportions
- cornice or canopy lines
- roof treatment
- colors

2. When rehabilitating existing historic buildings, property owners are encouraged to follow the Secretary of the Interior's Standards for Rehabilitation\*.

- if original details and ornamentation are intact, they should be retained and preserved.
- if original details are presently covered, they should be exposed or repaired.
- if original details are missing, missing parts should be replaced to match the original in appearance. Remaining pieces or old photos should be used as a guide.

3. If a proposed building is not adjacent to other buildings having a desirable architectural character, it may be necessary to look at contextual elements found elsewhere within the area.

\* a copy is available at the 3rd floor of City Hall or on the Internet at [www.nps.gov](http://www.nps.gov)

new construction      historic building



new construction compatible with historic context



rehabilitated  
historic building



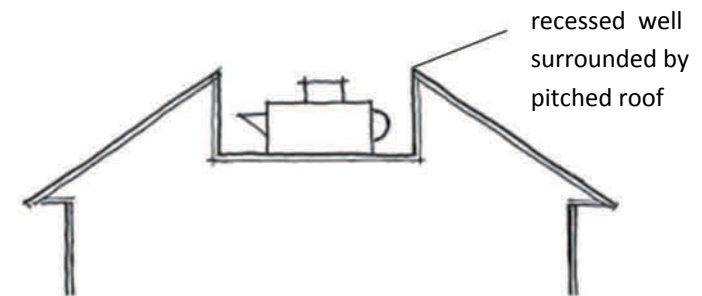
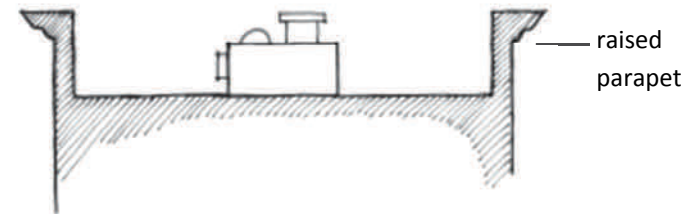
## SCREENING OF ROOFTOP EQUIPMENT

### INTENT:

To screen view of rooftop mechanical and communications equipment from the ground level of nearby streets and residential areas.

### GUIDELINES:

1. Mechanical equipment shall be screened by extended parapet walls or other roof forms that are integrated with the architecture of the building.
2. Painting equipment, erecting fences, and using mansard-type roofs are not acceptable methods of screening.
3. Cell phone transmission equipment should utilize stealth design when located on rooftops. ~~be blended in with the design of the roofs, rather than being merely attached to the roof deck.~~



mechanical equipment  
behind the screen wall



rooftop treatment



STANDARDS AND GUIDELINES FOR SITES ON  
PEDESTRIAN STREETS

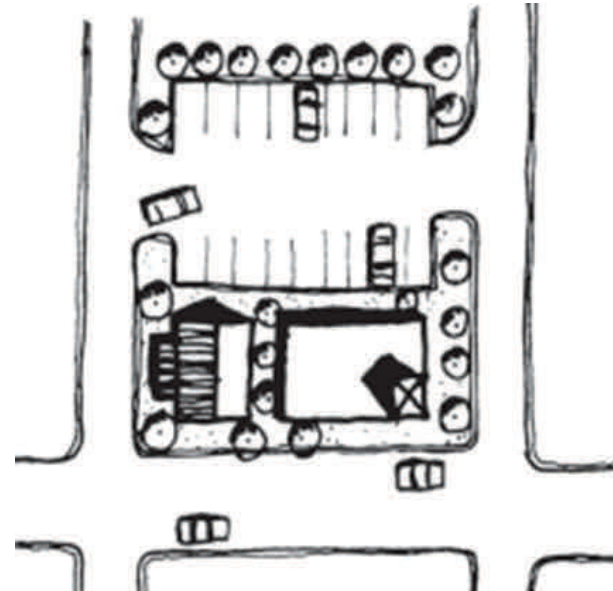
## LOCATION OF PARKING LOTS

### INTENT:

To maintain a contiguous, active pedestrian street front along designated Pedestrian Streets by locating parking lots behind buildings.

### GUIDELINES:

1. Parking lots shall not be located between a building and a Pedestrian Street.



parking lot behind the building



parking lot behind the building

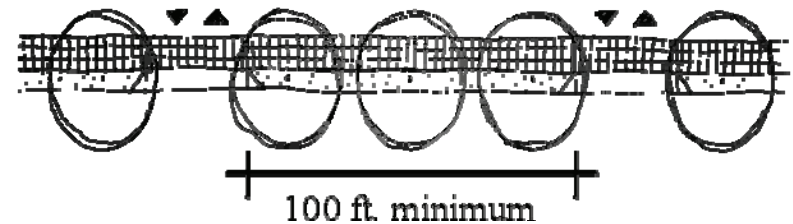
## CURB CUTS

### INTENT:

To maintain a continuous uninterrupted sidewalk by minimizing driveway access

### GUIDELINES:

1. Curb cuts within an ownership should be spaced at no less than 125 feet apart along a principal or minor arterial, and no more than 100 feet apart along a collector arterial.
2. Curb cuts shall not be located along a designated Pedestrian Street.
3. Access to parking should be from the alley, or from a side street if access from the alley is not possible. Access to parking shall not be from a Pedestrian Street unless no other means of access is possible.



STANDARDS AND GUIDELINES FOR SITES ON  
PEDESTRIAN STREETS

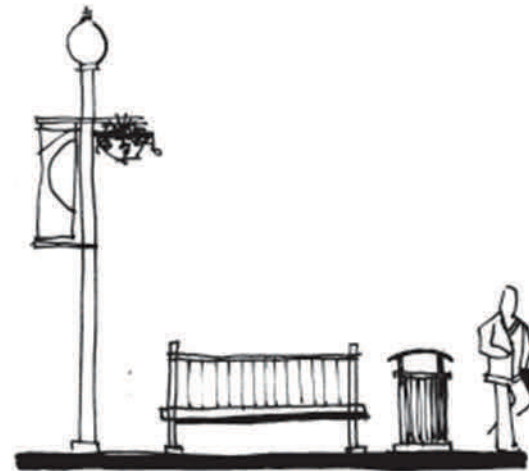
## STREETSCAPE ELEMENTS

### INTENT:

To create a more pedestrian friendly street through the use of site furnishings along designated Pedestrian Streets.

### GUIDELINES:

1. Publicly-usable site furnishings such as benches, tables, bike racks and other pedestrian amenities shall be provided at building entrances, plazas, open spaces, and/or other pedestrian areas for all buildings larger than 10,000 sf. Buildings less than this size are encouraged to include such amenities. Specific types of site furnishings shall be approved by the City.



Bench and trash receptacle grouped with sidewalk light



Bollards, trash receptacles and benches along the sidewalk



## STREET - FACING ENTRANCES

### INTENT:

To ensure that building entrances directly reinforce pedestrian activity on the Pedestrian Street sidewalks.

### GUIDELINES:

The primary entrance to the building shall be visible from and fronting on a Pedestrian Street.



street facing entrances





STANDARDS AND GUIDELINES FOR SITES ON PEDESTRIAN STREETS

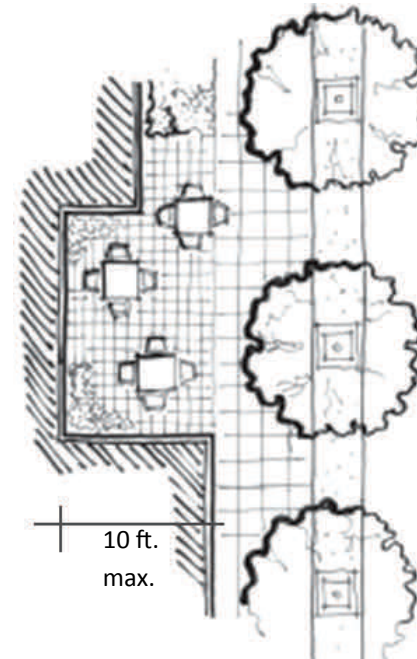
## MAXIMUM SETBACK

### INTENT:

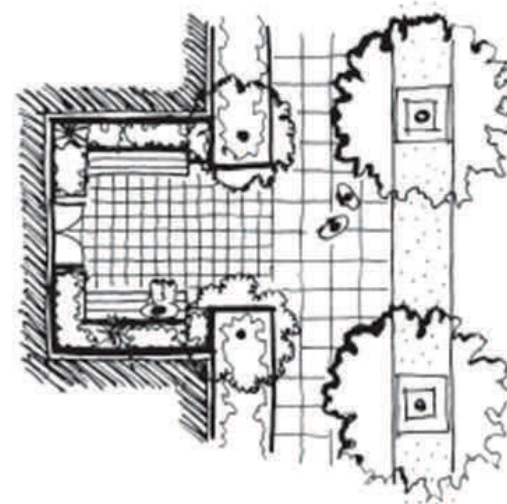
To create a lively, pedestrian friendly sidewalk environment.

### GUIDELINES:

Along Pedestrian Streets, buildings shall be set up to the back of the required sidewalk (see Setbacks section of Land Use Code for Centers and Corridors), except for a setback up to 10 ft. for the purpose of providing a publicly accessible “plaza”, “courtyard” or recessed entrance.



building is set back from sidewalk to provide plaza



building is set back from sidewalk for recessed entrance/forecourt

Building with no setback from sidewalk



STANDARDS AND GUIDELINES FOR SITES ON  
PEDESTRIAN STREETS

## GROUND LEVEL DETAILS

### INTENT:

To ensure that buildings along any Pedestrian Street display the greatest amount of visual interest and reinforce the character of the streetscape.

### GUIDELINES:

Façades of commercial, residential, and mixed-use buildings that face

Pedestrian Streets shall be designed to be pedestrian-friendly through the inclusion of at least three of the following elements:

- a. kickplates for storefront windows
- b. projecting sills
- c. pedestrian scale signs
- d. canopies
- e. Plinths
- f. containers for seasonal planting
- g. tilework
- h. Medallions
- i. Rolling doors or windows
- i. if building is on the Spokane Register of Historic Places, the Secretary of the Interior's Standards for Rehabilitation historic design guidelines shall apply.



elements used at ground level



various ground  
level treatments



ADDITIONAL STANDARDS AND GUIDELINES FOR  
TYPE 1 CENTERS AND CORRIDORS

## PEDESTRIAN ORIENTED SIGNS

## INTENT:

To ensure that signs are interactive with people on foot.

## GUIDELINES:

1. Signs shall be oriented to pedestrians, rather than people in vehicles. The following are types of signs that are oriented to pedestrians:
  - projecting signs (blade signs)
  - window signs (painted on glass or hung behind glass)
  - logo signs (symbols, shapes)
  - wall signs over entrance
  - sandwich board signs
  - ground signs
2. Pole signs shall not be permitted.



blade sign



wall sign



sandwich board sign



window sign



## INTEGRATION WITH ARCHITECTURE

### INTENT:

To ensure that signage is part of the overall design of a project and not additive or an afterthought.

### GUIDELINES:

1. The design of buildings and sites shall identify locations and sizes for future signs. As tenants install signs, such signs shall be in conformance with an overall sign program that allows for advertising which fits with the architectural character, proportions, and details of the development. The sign program shall indicate location, size, and general design.
2. Signs shall not project above the roof, parapet, or exterior wall.



Sign integrated with building order and bays

## ADDITIONAL STANDARDS AND GUIDELINES FOR TYPE 1 CENTERS AND CORRIDORS



sign integrated with the entrance



sign integrated with building mass



# ADDITIONAL STANDARDS AND GUIDELINES FOR TYPE 1 CENTERS AND CORRIDORS

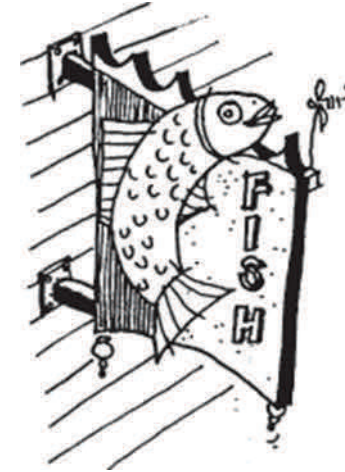
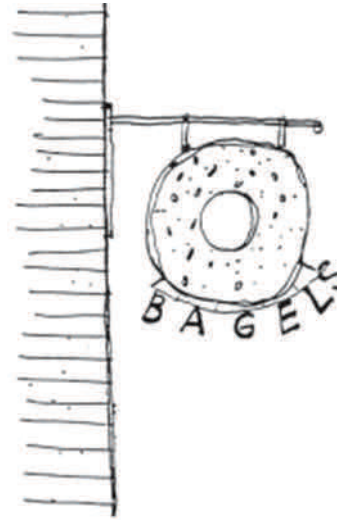
## CREATIVE GRAPHIC DESIGN

### INTENT:

To encourage interesting, creative and unique approaches to the design of signs.

### GUIDELINES:

1. Signs should be highly graphic in form, expressive and individualized.
2. Signs should convey the product or service offered by the business in a bold, graphic form.
3. Projecting signs supported by ornamental brackets and oriented to pedestrians are strongly encouraged.
4. If projecting signs or wall signs incorporate one-of-a-kind graphic elements, the size otherwise allowed by SMC 17C.240, Signs, 11.17, Sign Code, may be increased by 20%, so long as the sign is oriented to pedestrians.



sign expressing the product, integrated with graphic form



unique projecting signs

## UNIQUE LANDMARK SIGNS

### INTENT:

To respond to the unique character of the neighborhood and business.

### GUIDELINES:

1. Retain existing historic signs and landmark structures that feature the character of the area.
2. New landmark signs should correspond to the location, setting and type of businesses and shall be approved by the Planning Director.

## ADDITIONAL STANDARDS AND GUIDELINES FOR TYPE 1 CENTERS AND CORRIDORS



unique landmark sign to express the type of business



Regionally famous landmark structure the milk-bottle restaurant



landmark sign at Garland District

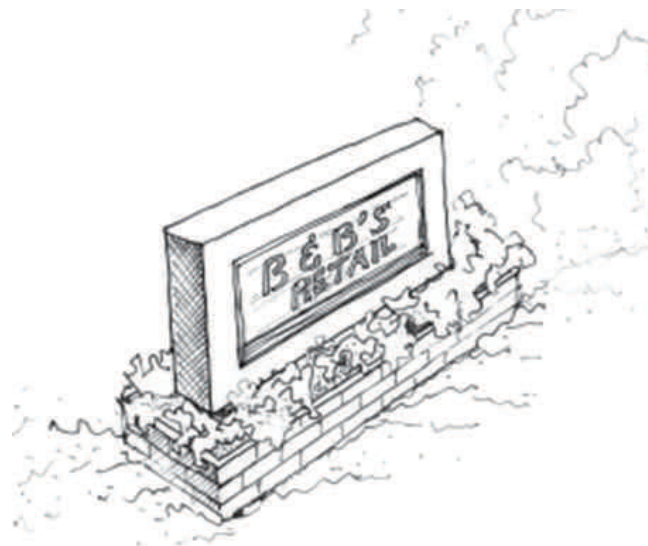
## GROUND SIGNS

### INTENT:

To ensure that signs are not principally oriented to automobile traffic.

### GUIDELINES:

1. Pole signs shall be prohibited. All freestanding signs shall be ground signs no higher than 5 ft feet total.
2. The base of any ground sign shall be planted with shrubs and seasonal flowers.



ground sign with landscaping and sculpture

**Spokane City Plan Commission  
Findings of Fact, Conclusions, and Recommendations  
Proposed Amendment to Centers & Corridors Design Guidelines  
Spokane Municipal Code Section 17C.122.060 Initial Design Standards and  
Guidelines for Centers and Corridors**

**A Recommendation from the City Plan Commission to the City Council to approve proposed amendments to the Unified Development Code. The proposal amends design guidelines for the Centers & Corridors zones, including zones CC1, CC2, CC3, and CC4 by making changes to Spokane Municipal Code (SMC) Chapter 17C.122 Center and Corridor Zones, Chapter 17C.230 Parking, Chapter 17C.200 Landscaping and Screening and Chapter 17G.040 Design Review Board Administration and Procedures.**

**Findings of Fact:**

- A.** The Plan Commission has been asked to consider and make recommendations to the City Council on proposed amendments to chapter 17C.122.060 of the Spokane Municipal Code relating to design standards and guidelines in the City's Center and Corridor (CC) Zones.
- B.** Staff worked with City Member Amber Waldref to develop and present a draft proposal to the Plan Commission. Plan Commission workshops were held on this topic to review interim drafts on February 25, March 25, April 22 and May 13, 2015.
- C.** A public open house was held on February 4, 2015, at the West Central Community Center, to receive public feedback on the proposed amendments to Centers & Corridors Design Guidelines. The City provided a mailed postcard notice of the open house to all property owners and taxpayers of record located within CC zones as shown by the most recent Spokane County Assessor's record. The City also advertised on social media channels and its website.
- D.** The purpose of the proposed amendments is to foster an economically vibrant, pedestrian-safe and walkable, mixed-use environment in the City's Center and Corridor Zones as envisioned in the Comprehensive Plan.
- E.** The proposal is consistent with and implements the following provisions of the City of Spokane's Comprehensive Plan:
  - Land Use 3.2 Centers & Corridors – *Designate centers and corridors (neighborhood scale, community or district scale, and regional scale) on the land use plan map that encourage a mix of uses and activities around which growth is focused.*
  - Land Use 3.5 Mix of Uses in Centers – *Achieve a proportion of uses in centers that will stimulate pedestrian activity and create mutually reinforcing land uses.*

- Land Use 4.2 Land Uses that Support Travel Options - *Provide a compatible mix of housing and commercial uses in neighborhood centers, district centers, employment centers, and corridors.*
  - Urban Design & Historic Preservation Chapter, DP 3.1 Commercial Areas – *Make aesthetic and functional improvements to commercial areas in order to improve their image, appeal, and sales potential.*
  - Urban Design & Historic Preservation Chapter, DP 3.3 Buffers and Transitions – *Use landscaped buffers and less intense land uses between incompatible industrial, commercial, and residential uses.*
  - Urban Design & Historic Preservation Chapter, DP 3.6 Business Entrance Orientation – *Create a sense of cooperation and neighborliness by orienting one or more building entrances of commercial building facades toward the pedestrian sidewalks and pathways that lead to adjoining residential neighborhoods.*
  - Urban Design & Historic Preservation Chapter, DP 6.3 Transit and Pedestrian-Oriented Development – *Encourage attractive transit and pedestrian-oriented development.*
- F.** Staff made a presentation regarding the proposal to the Design Review Board on March 25, 2015 and May 27, 2015.
- G.** On May 26, 2015 staff requested Washington State Department of Commerce grant expedited review from the Growth Management Services Division. On June 8, 2015, the Washington State Department of Commerce and appropriate state agencies were given the expedited review 14-day notice before adoption of proposed changes to the Spokane Municipal Code.
- H.** A Determination of Non Significance (DNS) was issued on May 26, 2015 under WAC 197-11-304(2) with City of Spokane Planning the lead agency. The lead agency will not act on this proposal until June 10, 2015.
- I.** Appropriate notice of the Plan Commission hearing was published in the Spokesman Review on May 27, 2015 and June 3, 2015.
- J.** The Community Assembly was briefed by Council Member Waldref on November 7, 2014 and December 5, 2014.
- K.** The City Plan Commission held a public hearing on June 10, 2015 to obtain public comments on the proposed amendments.

#### **Conclusions:**

- A.** The Plan Commission has reviewed all public testimony received during the public hearings.
- B.** The Plan Commission has found that the proposed amendments meet the approval criteria for text amendments to the Unified Development Code:

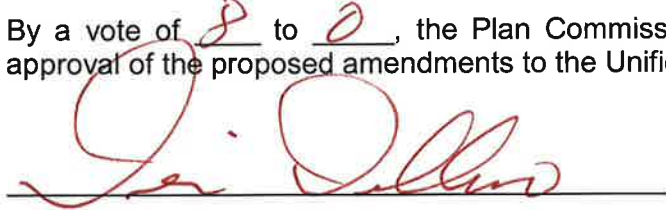
#### SMC 17G.025.010 (F) Approval Criteria:

1. The proposed amendments are consistent with the applicable provisions of the comprehensive plan; and

2. The proposed amendments bear a substantial relation to public health, safety, welfare, and protection of the environment.
- C. The proposed amendments have been reviewed by the City Plan Commission and found to be in conformance with the goals and policies of the City's Comprehensive Plan.

**Recommendations:**

By a vote of 8 to 0, the Plan Commission recommends to the City Council the approval of the proposed amendments to the Unified Development Code.



**Dennis Dellwo, President  
Spokane Plan Commission  
June 10, 2015**



**SPOKANE ENVIRONMENTAL ORDINANCE  
NONPROJECT DETERMINATION OF NONSIGNIFICANCE**

**FILE NO(S):** *City of Spokane Amendment of SMC 17C.122.060 – Centers & Corridors Design Guidelines*

**PROPONENT:** *City of Spokane, Planning & Development*

**DESCRIPTION OF PROPOSAL:** *An ordinance relating to the Design Guidelines for sites located within Centers and Corridors zoning areas, amending the Centers & Corridors Design Standards adopted within SMC 17C.122.060 as "Attachment A"; and amending the following sections of the code: SMC Section 17C.230.120; SMC 17C.200.040; SMC Section 17G.040.020*

**LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:** *This is a citywide development code amendment that applies to areas currently zoned centers & corridors within the City of Spokane.*

**LEAD AGENCY:** *City of Spokane, Planning & Development*

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

- [ ] There is no comment period for this DNS.
- [ ] This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.
- [x] This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date of issuance (below). Comments must be submitted no later than June 10, 2015 at 4:00 p.m. if they are intended to alter the DNS.

\*\*\*\*\*

**Responsible Official:** Louis Meuler

**Position/Title:** Interim Director, Planning and Development      **Phone:** (509) 625-6300

**Address:** 808 West Spokane Falls Boulevard, Spokane, WA 99201-3329

**Date Issued:** May 26, 2015      **Signature:**   
\*\*\*\*\*

**APPEAL OF THIS DETERMINATION**, after it becomes final, may be made to the City of Spokane Hearing Examiner, 808 West Spokane Falls Blvd., Spokane, WA 99201. The appeal deadline is fourteen (14) calendar days after the signing of the DNS. This appeal must be on forms provided by the Responsible Official, make specific factual objections and be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.

\*\*\*\*\*

## Environmental Checklist

### Purpose of Checklist:

File No. Centers &  
Corridors Design  
Standards Update  
(updated May 2015)

The State Environmental Policy Act (SEPA) chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An Environmental Impact Statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

### Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

### Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply."

IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (Part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.



## A. BACKGROUND

1. Name of proposed project, if applicable: An ordinance amending Section 17C.122.060, Initial Design Standards and Guidelines for Centers and Corridors of the Spokane Municipal Code. This is a non-project action.

2. Name of applicant: City of Spokane, City Council Office

3. Address and phone number of applicant or contact person: Council Member Amber Waldref, 808 W Spokane Falls Blvd, Spokane WA 99201; 509-625-6255.

4. Date checklist prepared: ~~November 6, 2014~~ Revised May 18, 2015

5. Agency requesting checklist: Planning Department, City of Spokane, WA

6. Proposed timing or schedule (including phasing, if applicable):

~~Legislation Adoption Winter 2014.~~ Late summer 2015

7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No. This is a non-project action.

b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain.

No. This is a non-project action.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to his proposal.

None required for this non-project action.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affection the property covered by your proposal? If yes, explain.

No. This is a non-project action.

10. List any government approvals or permits that will be needed for your proposal, if known.

No. This is a non-project action.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this

page.

*An ordinance amending Section 17C.122.060, Initial Design Standards and Guidelines for Centers and Corridors and amending Attachment "A" of this section of the Spokane Municipal Code. Associated additional sections of Spokane Municipal Code will be amended: SMC 17C.230.120 Maximum Allowed Parking Spaces; 17G.040.020, Development and Applications Subject to Design Review; 17C.200.040 Site Planting Standards. This is a non-project action. These Design Standards are for new development within the Centers and Corridors zones within the limits of the City of Spokane. Centers and Corridors zoning is a "mixed use" zone which permits both commercial and residential development and encourages a walkable urban environment.*

12. Location of the proposal. Give sufficient information to a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit application related to this checklist.

*This proposal applies to property zoned Centers and Corridors, Type 1 (CC1), Centers and Corridors, Type 2 (CC2), Centers and Corridors Type 3 (CC3) and Centers and Corridors, Type 4 (CC4) within the corporate limits of the City of Spokane.*

13. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? The General Sewer Service Area? The Priority Sewer Service Area? The City of Spokane? (See: Spokane County's ASA Overlay Zone Atlas for boundaries.)

This proposal is city-wide; All of the above.

14. The following questions supplement Part A.

a. Critical Aquifer Recharge Area (CARA) / Aquifer Sensitive Area (ASA)

- (1) Describe any systems, other than those designed for the disposal of sanitary waste, installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities).

None. This is a non-project action.

- (2) Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored?

N/A.

- (3) What protective measures will be taken to insure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater. This includes measures to keep chemicals out of disposal

systems.

N/A.

- (4) Will any chemicals be stored, handled or used on the site in a location where a spill or leak will drain to surface or groundwater or to a stormwater disposal system discharging to surface or groundwater?

No.

b. Stormwater

- (1) What are the depths on the site to groundwater and to bedrock (if known)?

N/A.

- (2) Will stormwater be discharged into the ground? If so, describe any potential impacts?

No.

**TO BE COMPLETED BY APPLICANT**

**B. ENVIRONMENTAL ELEMENTS**

Evaluation for  
Agency Use  
Only

**1. Earth**

- a. General description of the site (circle one): *flat, rolling, hilly, steep slopes, mountains, other.*

This is a city-wide non- project action; there is a variety of topography within the city.

- b. What is the steepest slope on the site (approximate percent slope)?

N/A

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

N/A

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

N/A

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill:

N/A.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

N/A.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

This proposal does not regulate amounts of impervious surfaces.

- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any:

N/A.

## **2. Air**

- a. What type of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial, wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

N/A

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

N/A.

- b. Proposed measures to reduce or control emissions or other impacts to air, if any:

N/A

**3. Water**

a. SURFACE:

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

City-wide non-project action. Latah Creek and the Spokane River flow through the boundaries of the City of Spokane.

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

N/A

- (3) Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

N/A

- (4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

N/A

- (5) Does the proposal lie within a 100-year floodplain? \_\_\_\_ If so, note location on the site plan.

N/A.

- (6) Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

N/A

b. GROUND:

- (1) Will groundwater be withdrawn, or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

N/A

- (2) Describe waste material that will be discharged into the ground from septic tanks or other sanitary waste treatment facility. Describe the general size of the system, the number of houses to be served (if applicable) or the number of persons the system(s) are expected to serve.

N/A

c. WATER RUNOFF (INCLUDING STORMWATER):

- (1) Describe the source of runoff (including stormwater) and method of collection and disposal if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

N/A

- (2) Could waste materials enter ground or surface waters? If so, generally describe.

N/A

- d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water impacts, if any.

N/A

#### 4. Plants

- a. Check or circle type of vegetation found on the site: N/A.
- b. What kind and amount of vegetation will be removed or altered?

N/A

- c. List threatened or endangered species known to be on or near the site.

N/A

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

N/A

#### 5. Animals

- a. Circle any birds and animals which have been observed on or near the site are known to be on or near the site:  
birds: *hawk, heron, eagle, songbirds, other: songbirds*  
mammals: *deer, bear, elk, beaver, other: none*  
fish: *bass, salmon, trout, herring, shellfish, other: none*  
other: \_\_\_\_\_

- b. List any threatened or endangered species known to be on or near the site.

N/A

- c. Is the site part of a migration route? If so, explain.

N/A

- d. Proposed measures to preserve or enhance wildlife, if any:

N/A.

#### 6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating,



manufacturing, etc.

Non-project action;

N/A

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

N/A

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

N/A

## 7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

N/A

Evaluation for  
Agency Use  
Only

- (1) Describe special emergency services that might be required.

N/A

- (2) Proposed measures to reduce or control environmental health hazards, if any:

N/A

b. NOISE:

- (1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

N/A

- (2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

N/A

- (3) Proposed measure to reduce or control noise impacts, if any:

N/A

## 8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?

Not a project action.

- b. Has the site been used for agriculture? If so, describe.

N/A

Evaluation for  
Agency Use  
Only

- c. Describe any structures on the site.

N/A

- d. Will any structures be demolished? If so, which?

N/A

- e. What is the current zoning classification of the site?

Areas zoned CC1, CC2, CC3 (overlay) and CC4 are affected by this proposed amendment to the Design Guidelines.

- f. What is the current comprehensive plan designation of the site?

Areas zoned CC1 and CC2 are designated CC Core on the City's Comprehensive Plan Land Use Map. CC3 is an overlay and has a mix of underlying Comprehensive Plan Land Use Map designations. CC4 areas are designated CC Transition on the Land Use Plan Map.

- g. If applicable, what is the current shoreline master program designation of the site?

N/A

- h. Has any part of the site been classified as a critical area? If so, specify.

N/A

- i. Approximately how many people would reside or work in the completed project?

N/A

- j. Approximately how many people would the completed project displace?

N/A

- k. Proposed measures to avoid or reduce displacement impacts, if any:

N/A

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

N/A. This is a non-project action which does change existing land use plan map designations or zoning categories. These changes are in harmony with existing Comprehensive Plan Goals and Policies.

## 9. Housing

- a. Approximately how many units would be provided, if any?  
Indicate whether high, middle or low-income housing.

N/A

- b. Approximately how many units, if any, would be eliminated?  
Indicate whether high-, middle- or low-income housing.

N/A

- c. Proposed measures to reduce or control housing impacts, if any:

N/A

## 10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

This non-project action does not amend any height standards.

- b. What views in the immediate vicinity would be altered or obstructed?

This non-project action does not regulate views.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

This non-project action is designed to improve aesthetic impacts within Centers and Corridors zoning districts. The previous design standards were adopted as an interim step in December 2005. Some developments have not met the intent of the code. This proposal seeks to address unintended aesthetic impacts and to clarify the Design Standards to improve their usability.

## 11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

N/A

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

N/A

- c. What existing off-site sources of light or glare may affect your proposal?

N/A.

- d. Proposed measures to reduce or control light and glare impacts, if any:

N/A

## **12. Recreation**

- a. What designated and informal recreational opportunities are in the immediate vicinity?

N/A

- b. Would the proposed project displace any existing recreational uses? If so, describe.

N/A

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

N/A

## **13. Historic and cultural preservation**

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

N/A

- b. Generally describe any landmarks or evidence of historic archaeological, scientific or cultural importance known to be on or next to the site.

N/A

- c. Proposed measures to reduce or control impacts, if any:

N/A

Evaluation for  
Agency Use  
Only

#### 14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

This is a non-project action that does not propose new streets.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

N/A

- c. How many parking spaces would the completed project have? How many would the project eliminate?

N/A

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets not including driveways? If so, generally describe (indicate whether public or private).

N/A

- e. Will the project use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe.

N/A.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak would occur.

Non-project action.

*(Note: to assist in review and if known indicate vehicle trips during PM peak, AM Peak and Weekday (24 hours).)*

- g. Proposed measures to reduce or control transportation impacts, if any:

N/A

#### 15. Public services

Evaluation for  
Agency Use  
Only

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

N/A

- d. Proposed measures to reduce or control direct impacts on public services, if any:

N/A

## **16. Utilities**

- a. Circle utilities currently available at the site: *electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:*

N/A

- b. Describe the utilities that are proposed for the project, the utility providing the service and the general construction activities on the site or in the immediate vicinity which might be needed.

N/A

### C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the *agency* must withdraw any determination of **Nonsignificance** that it might issue in reliance upon this checklist.

Date: 9/14/2014

Signature: \_\_\_\_\_

Please **Print or Type**:

Proponent: City of Spokane, 808 W Spokane Falls Blvd \_\_\_\_\_

Phone: 509-625-6300 \_\_\_\_\_

Spokane WA 99201 \_\_\_\_\_

Person completing  
form (if different

from proponent): Tirrell Black, Assistant Planner\_\_Address: 808 W Spokane Falls Blvd

Phone: 509-625-6185 \_\_\_\_\_ Spokane WA 99201

#### FOR STAFF USE ONLY

Staff member(s) reviewing checklist: \_\_\_\_\_

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- ☒ A. there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- ☐ B. probable significant adverse environmental impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- ☐ C. there are probable significant adverse environmental impacts and recommends a Determination of Significance.



4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands?

This proposal does not affect such areas. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Proposed measures to protect such resources or to avoid or reduce impacts are:

N/A

\_\_\_\_\_  
\_\_\_\_\_

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

N/A

\_\_\_\_\_  
\_\_\_\_\_

Proposed measures to avoid or reduce shoreline and land use impacts are:

N/A

\_\_\_\_\_  
\_\_\_\_\_

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

This proposal will not increase demands on transportation or public services or utilities.

Proposed measures to reduce or respond to such demand(s) are:

N/A

\_\_\_\_\_  
\_\_\_\_\_

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment. None known.

\_\_\_\_\_  
\_\_\_\_\_

C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency may withdraw any Determination of Nonsignificance that it might issue in reliance upon this Checklist.

Date:

Signature:



***Please Print or Type:***

Proponent: City of Spokane City Council  
Office

Address: 808 W Spokane Falls Blvd  
Spokane WA 99201

Phone: 509-625-6300

Person completing form (if different from proponent):

Tirrell Black, Assistant Planner

Address: 808 W Spokane Falls Blvd

Phone: 509-625-6300

**FOR STAFF USE ONLY**

Staff member(s) reviewing checklist:



Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- A. there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- B. probable significant adverse impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- C. there are probable significant adverse environmental impacts and recommends a Determination of Significance.

# *Active Living Research*

Using Evidence to Prevent Childhood Obesity  
and Create Active Communities



*Photo by Gary Hack*

## **Business Performance in Walkable Shopping Areas**

**TECHNICAL REPORT**  
*November 2013*

# Business Performance in Walkable Shopping Areas

*This technical report was prepared by Gary Hack, PhD, Professor of Urban Design at the University of Pennsylvania.*

*For updates and a Web-based version of this report, visit [www.activelivingresearch.org](http://www.activelivingresearch.org).*

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## ACKNOWLEDGEMENTS

This report was supported by the Robert Wood Johnson Foundation through its Active Living Research program. The author was greatly assisted in the preparation of this report by Lynne B. Sagalyn and John Robinson. Anastasia Loukaitou-Sideris, Anne Vernez Moudon, William Ascher, James Sallis and Christopher Leinberger also contributed wise comments, suggestions and information.

# Active Living Research

Using Evidence to Prevent Childhood Obesity  
and Create Active Communities

## TECHNICAL REPORT

November 2013

# Business Performance in Walkable Shopping Areas

## Executive Summary

Walkable commercial districts are a key component of communities that promote active living. Walking has great health benefits, including helping people maintain a healthy weight. This report examines whether there are also economic benefits to businesses in walkable communities. The study consisted of a meta-analysis of 70 studies and articles. However, there have been few studies that address economic performance directly and the author conducted an exploratory study of 15 walkable shopping areas judged as successful to examine the sources of success.

## KEY FINDINGS

- There is great enthusiasm for walkable shopping areas among retail experts, developers and many residents of urban and suburban areas;
- Walking shopping areas have a potential to prosper as a result of demographics, increased gas prices, public policies encouraging higher densities and changing life style preferences;
- Businesses can be successful if such areas reach a critical mass, cater to diverse needs, are located in higher density areas or have good mass transit service, and have a supermarket as an anchor;
- With success, enterprises in walkable shopping areas are able to pay higher rents for their space, and housing near walkable commercial areas commonly sells for higher prices than in more distant areas.

## IMPLICATIONS

While the economic performance of walkable shopping areas is worthy of continued empirical research, including interviewing merchants, all the evidence seems to suggest that walkable retail is on the upswing, and likely to grow over the next several decades. Since 45% of daily trips, on average, are made for shopping and running errands, encouraging walking is an important strategy in reducing obesity and improving health. It is also important to reducing energy usage and carbon emissions.



## Introduction

A growing body of research has established that walkable communities promote healthy living patterns.<sup>1,2,3</sup> Researchers also argue that compact walkable settlement patterns are important as a strategy for reducing automobile travel and lowering greenhouse gas emissions.<sup>4,5</sup> An essential aspect of walkability is having local shopping areas near the places people work and live. It seems self-evident that walk-in patronage would improve the prospects of local shopping areas. It should follow that walkability improvements made in commercial areas should improve the performance of businesses. Anecdotes abound about successes and failures of commercial districts that serve walk-in populations, yet this issue has been little studied in any systematic way.

This report assembles existing data, published studies, and consultant reports, to the extent we are able to identify them, on the subject of walkable shopping areas. The author also visited a number of walkable commercial areas and shares his impressions and conversations with merchants and owners in these areas.

## Defining Walkable Commercial Areas

Ultimately every person who shops arrives at a store on foot – except, of course, Internet shoppers and those who drive up to the windows of banks or fast food outlets. The shopper may have walked 50 feet from a car or half a mile from a home or office. The trip may involve one or multiple stops, combining shopping with a visit to a restaurant or an appointment with a dentist. Defining a commercial area as “walkable” requires distinctions to be made beyond how shoppers arrived at their destination and what they do once they arrive.

Those advocating the creation of walkable commercial areas can have in mind several quite different things. The prototypical image of a walkable commercial area is of a lively neighborhood-serving a cluster of shops, restaurants, bars and offices, lining a street and serving the needs of a nearby residential population. This is also the historical image of Main Street U.S.A., but a closer look at the reality on the ground reveals that these areas can be quite varied. Broadway, which extends for several miles as the spine of the Upper West Side of Manhattan, draws almost all of its patronage from pedestrians on foot, including many who live directly over the shops. In suburban shopping strips, such as Germantown Avenue in the Chestnut Hill section of Philadelphia, half or fewer of the shoppers may come on foot, with the balance driving and parking in lots behind the shops. The street may be bisected by heavy traffic (although with generous sidewalks, as on Broadway) or may be along a street where traffic has been “calmed,” and it is possible to park in front of a shop and cross from side to side with abandon, as on Water Street, the main street of Celebration, Florida. Or it may be a street closed to traffic entirely.

With all this variation, when do we call a commercial street a walkable area? The accessibility of the street, its friendliness to pedestrians, and the mix of uses along it qualify it as a walkable commercial area, rather than any particular physical characteristics. A “walkable commercial area” usually means that it is possible for a

significant fraction of patrons to arrive by some other mode than driving, and that they are in a welcome environment for strolling, meeting others and resting for a few moments. In short, they do not have to get in their car to visit store after store. In commercial terms, retail districts serving mainly nearby residents are usually referred to as “neighborhood shopping areas” or “community shopping areas,” depending upon their size and components.<sup>6,7</sup> They typically contain grocery and drug stores, hardware, dry cleaners, clothing and shoe stores, wine and beverage shops, and other stores catering to regular needs, as well as widely used services such as banks, hairdressers, and insurance agents. They may contain a sprinkling of restaurants and bars, and on occasion a movie theater or entertainment venue. Community retail centers typically cater to 10,000-30,000 residents or more. Unless they are in an area with high densities (such as Manhattan or the North Loop in Chicago) or have excellent transit access that creates an extended trade area, they have to rely upon people arriving in their cars as well as walk-in patronage.

Many neighborhood and community shopping areas have their origins in the web of historical streetcar lines that extended out from the centers of North American cities. Where these have been retained, as in Toronto, and parts of San Francisco, Philadelphia and New Orleans, or replaced by electrified trolleys as in Vancouver and Seattle, streets continue to play a vital role in serving the adjacent communities. Underground mass transit often reinforces the role of street-oriented shopping by creating a destination for commuters who shop before or after using transit.

Neighborhood and community shopping areas are distinguished from more local “convenience centers” that may consist simply of a 7/11 store and possibly a dry cleaners and one or two more shops, and from “regional centers” usually anchored by one or more department, discount, or home improvement stores and a large cluster of shops. Many regional centers (and all “super-regional centers”) have large areas devoted to pedestrians, but are usually oriented inwards, off the street, and only a handful of their patrons will come on foot. Despite the amenities they provide for pedestrians, they are not considered walkable commercial centers.

The term “walkable commercial area” is also typically applied to downtown pedestrian zones, where traffic has been removed or restricted, as on Third Street in Santa Monica California, Pearl Street Mall in Boulder Colorado, or Church Street Marketplace in Burlington Vermont. Frequently the mix of uses in these areas is shaded towards restaurants, entertainment and boutiques, rather than shopping for necessities. The majority of the patronage for such areas usually comes by transit or car, but many such areas have made concerted efforts to attract offices and residential uses nearby so that that they have a 24/7 life. However, the distinction between walkable centers and regional urban entertainment districts, such as Kansas City Light and Power or LA Live, is not easily settled by judging their walkability; unless they have a significant residential or work population (beyond those working in the commercial outlets) they probably should be considered in the same category as regional malls.

*Photos by Gary Hack*



*Germantown Avenue, Chestnut Hill, Philadelphia*



*Broadway, Upper West Side, New York*

**TABLE 1**  
**URBAN LAND INSTITUTE'S COMPARISON OF RETAIL CENTER TYPES<sup>8</sup>**

<b>Convenience Shopping Center</b>	
Anchors	Convenience grocery, drug store
Number of Stores	3 – 20 stores
Total Retail Space	10,000 – 30,000 square feet
Site Area	1 – 3 acres
Market Area Population	Under 20,000 people
Market Area Radius	Under 2 miles
<b>Neighborhood Shopping Center</b>	
Anchors	Supermarket and Drug Store
Number of Stores	10 – 40 stores
Total Retail Space	30,000 – 100,000 square feet
Site Area	1 – 3 acres
Market Area Population	10,000 – 30,000 people
Market Area Radius	1 – 3 miles
<b>Community Shopping Center</b>	
Anchors	Junior department or Discount Store
Number of Stores	25 – 80 stores
Total Retail Space	100,000 – 450,000 square feet
Site Area	10 – 30 acres
Market Area Population	30,000 – 75,000 people
Market Area Radius	3 – 8 miles
<b>Regional Shopping Center</b>	
Anchors	1 or 2 full-time department stores
Number of Stores	50 – 100 stores
Total Retail Space	300,000 – 750,000 square feet
Site Area	30 – 50 acres
Market Area Population	100,000 – 250,000 people
Market Area Radius	8 – 15 miles
<b>Super-Regional Shopping Center</b>	
Anchors	3 or more full-time department stores
Number of Stores	100 – 300 stores
Total Retail Space	600,000 – 2,000,000 square feet
Site Area	40 – 100 acres
Market Area Population	250,000 – 600,000 people
Market Area Radius	12 – 50 miles



A third type of walkable commercial center is the town center. Downtown areas served this purpose traditionally, and the revival of Main Streets in many smaller communities has been promoted by emphasizing their walkability. In most cities they do not compete directly with shopping centers or big-box malls, but serve a niche market of providing boutiques, entertainment, dining and drinking.

The contemporary counterparts of Main Street are the planned town centers in large suburban developments, such as Reston Town Center in suburban Washington and Valencia Center in California. These centers, which have substantial and growing residential populations and large office employment, offer shopping, dining and entertainment opportunities to residents and workers without getting into their car. They emphasize the public realm, and often have programmed activities to encourage shopping in the evenings and on weekends. At a smaller scale, many new urbanist developments have created centrally located clusters of shops that are surrounded by higher density housing, and are easily reached on sidewalks. The town center at Laguna West near Sacramento, and downtown Kentlands, in Gaithersburg Maryland are two examples.

Finally, transit-oriented centers are a fourth type of walkable commercial area. There is a long tradition of such centers, dating from the development of commercial centers around suburban rail stations in the late nineteenth Century. Wayne Pennsylvania and Lake Forest Illinois are good examples. In recent years, the development of new light rail or metro transit lines has stimulated the growth of walkable commercial centers around stops. Washington D.C. has many such transit-oriented centers including Friendship Heights, Bethesda and Clarendon in suburban areas and Columbia Heights in the District. Large numbers of high-density housing units and offices provide much of the support for retail and entertainment uses adjacent to the transit station. Fruitvale Village in Oakland California, the Mockingbird Station area in Dallas Texas, the North York station area in Toronto, and Orenco Station in Portland Oregon are other examples of the growing number of transit oriented developments. They become walkable shopping areas when they draw a substantial fraction of their patronage from offices and housing located near the station, and from commuters who live in the surrounding neighborhoods.

There are of course, many other types of walkable shopping areas, including tourist-oriented areas (German Village in Columbus Ohio, the Gaslamp Quarter District in San Diego California, Granville Island in Vancouver, Washington Harbor outside of D.C.), waterfront-living areas with retail space (Harbourfront in Toronto, False Creek in Vancouver, Bayside in San Francisco), historic districts with local shopping (Society Hill in Philadelphia, the North End in Boston, Pike Place and Pioneer Square areas in Seattle), resort towns (Edgartown on Martha's Vineyard, the Village at Haile Plantation in Gainesville Florida) and college- town collections of stores (Harvard Square in Cambridge, Walnut Street adjacent to Penn in Philadelphia, Telegraph Street in Berkeley California). And, of course, there are many hybrid examples. For our purposes here, we use the term "walkable commercial area" to describe places with a diverse range of local-serving shops and services, where a substantial fraction of patrons arrive by walking, cycling or taking mass transit,

where there are good pedestrian links to adjacent neighborhoods, and where pedestrians are treated well once they arrive.

## What Research Tells Us About Walkable Shopping Areas

There is a surprising paucity of studies of how well walkable retail areas actually perform, in economic, social or functional terms. Most of the studies focus on collectively managed neighborhood and community shopping centers, employing readily available data. For diverse street-oriented commercial areas, much of the evidence is anecdotal, and fails to distinguish the demographics or income potential of the areas being served. The sheer diversity of locations and types of retail areas makes it extraordinarily difficult to separate local circumstances from generic issues and attribute results to walkability or other particular variables. The slippery definition of what constitutes a walkable commercial area adds to the difficulty of reaching conclusions. Retail outlets are also notoriously transient, making comparisons over time extremely difficult. One study based on U.S. Census data estimates that more than 50% of the retailers operating in any given year will cease operations within five years.<sup>9</sup>

It seems clear from research that a significant fraction of urbanites in the US would prefer to locate in an area where there are shops, restaurants and services within a walkable distance. A two-city consumer preference study found that 29% of Atlanta residents surveyed and 40% of their counterparts in Boston would prefer living nearby such opportunities.<sup>10</sup> While the fractions vary from city to city, between one third and half of US households appear to prefer walkable neighborhoods.<sup>11</sup> A recent national consumer preference study put the figure much higher: fully 66% of respondents expressed a preference for “living within walking distance of stores, restaurants and other places in a community.”<sup>12</sup>

Studies in Atlanta have shown that many individuals now living in areas where businesses and services are not within walking distance would also prefer to be in more walkable neighborhoods, but cannot find housing that suits them in such areas.<sup>13</sup> When new housing is available and attractive in walkable neighborhoods, it can command a premium of \$20,000 for similar amounts of living space, trading off smaller yards.<sup>14</sup>

Premiums for downtown housing over suburban housing range from 40% in Detroit to 150% in Denver to 200% in New York. Where there are walkable suburban opportunities, as in Kirkland, Washington, the premium is 51% in favor of walkable locations.<sup>15</sup> A careful study in 15 cities, controlling for a variety of contextual factors, found that shifting from average to above-average Walk Score® ratings raised the housing values by \$4,000 to \$34,000, depending upon the metropolitan area. The amounts tended to be greater in dense urban areas such as Chicago and San Francisco and lower in low-density cities such as Tucson and Fresno.<sup>16</sup>

Perhaps not surprising, in walkable neighborhoods the best predictors of whether people actually walk is the presence of nearby attractions. For home-based trips,

nearby grocery stores, eating places (not fast food), retail stores and banks are strongly correlated with pedestrian activity.<sup>17,18</sup> This means having such opportunities within one-third of a mile of residential units,<sup>19</sup> or having effective transit links that support home to shop travel in 20 minutes or less. Very few suburban neighborhoods provide such access to commercial opportunities and services, although areas adjacent to commercial strips and older neighborhoods along old streetcar corridors meet these criteria in many cities.

Does this demand for walkable locations also translate into better business opportunities for merchants and organizations providing services? All the evidence about this is indirect, mainly based on differences in rent charged for commercial spaces. Higher rent is taken as a surrogate for better business opportunities, on the presumption that if businesses are willing or able to pay more for rent their revenues must be correspondingly higher.

Studies in the Washington D.C. metropolitan area by RCLCo show that rent for office space in downtown Washington, with high walkability, commands a 27% premium over comparable space in car-dependent suburban locations.<sup>15</sup> An important large-scale national study of retail, office and residential properties confirmed these findings. Comparing 10,000 properties for which NAREIT data was available, and accounting for other variables, the study found that retail properties with a Walk Score® ranking of 80 were valued 54% higher than properties with a Walk Score® ranking of 20. This was accompanied by an increase in net operating income (NOI) of 42% for the more walkable properties. Office properties showed identical higher premium values, although rental apartments showed only a 6% premium if they were in walkable locations.<sup>20</sup>

These findings seem to confirm the assumption that services and shops in walkable environments are financially more attractive to their tenants, resulting in higher rents to the owners of the properties. However, the results are far from conclusive, partly because of how researchers have estimated walkability. The Walk Score® tool measures walkability by assessing the distance to the nearest educational (schools), retail (groceries, books, clothes, hardware, drugs, music), food (coffee shops, restaurants, bars), recreational (parks, libraries, fitness centers), and entertainment (movie theaters) destinations. The Walk Score® tool was designed mainly to score residential properties in terms of the proximity of nearby shopping and facilities, although it has also been applied to neighborhoods and whole cities to provide a comparative measure of walkability. For office space – which could be occupied by local services or by national corporations that have little to do with their surroundings – high walkability locations are places where employees can easily walk to lunch spots, take in a movie or exercise or go to a bar after work, and do their shopping nearby. The employees may well have driven to work since the Walk Score® rating does not correlate workplaces, shopping and residential locations. For retail properties, high Walk Score® ratings are a measure of the clustering of retail outlets and other services, an index of agglomeration, not an indicator of whether patrons walked to the store from their homes. About all that can be said is that retail areas with high walkability scores offer the potential for shoppers to make multiple

stops in stores without getting back in their cars, and can walk from the shopping area to public and recreational facilities nearby.

There is also an issue of whether rent levels and appraisals of properties are good indicators of the health of commercial areas that provide services to local populations. Commercial areas with high rents are more likely to be occupied by national chains rather than startup or even established local stores. While many local consumers may value and patronize these, the most interesting commercial areas have a mix of unique and generic stores. This requires a mix of low rent properties as well as those commanding high rents. The flowering of restaurants in Center City Philadelphia and in many other walkable locations has a great deal to do with the presence of inexpensive space. When national chains arrive with their standard retail format, many urbanites see them as signaling the demise for neighborhood commercial areas. From a real estate perspective, however, obtaining high retail rents and attracting “credit tenants” may be the critical factor in encouraging developers to undertake mixed-use projects that add to local shopping opportunities.

Researchers, nonetheless, favor rent levels as an index of viability of commercial areas because large data sets are generally available, and they provide a relatively consistent basis for comparison. Identifying the determinants of rents in retail areas has been a long-term preoccupation of land economists. A study of shopping centers in Quebec City concluded that the household income levels of the area where the center is located and the mix of tenants in a center (particularly the presence of anchor stores) trumps proximity in producing high rents – and by extension, high business revenues.<sup>21</sup> Other authors, focusing on rents in community shopping centers, conclude “purchasing power matters greatly,” as does the distance between consumers’ homes and the center. However the value of proximity quickly dissipates beyond four tenths of a mile.<sup>22</sup>

The image of the shopping area also contributes to the rent levels in neighborhood and community centers, according to one study of shopping centers in the Atlanta area. Having a recognized supermarket chain as the anchor for a neighborhood shopping area increases the rent potential of adjacent spaces, as does the diversity of shopping opportunities that are present. L-shaped centers tended to perform better than strip centers, although the differences are slight.<sup>23</sup> The importance of having a dominant (by market share) supermarket chain confirms the findings of an earlier Denver study.<sup>24</sup>

Density has been shown as explaining much of the variation in performance of retail areas, although other factors also make a difference. A study of transportation choices found that “three D’s” – density, diversity and design – generally result in fewer driving trips and encourage non-auto travel.<sup>25</sup> A survey of walking behavior, conducted among a sample of residents in six US cities, found that residential densities and the presence of significant retail opportunities were positively correlated with the probability of residents walking.<sup>26</sup> We know from neighborhood studies that residents of areas with net densities of 21.7 units per acre or more are more likely to walk to destinations in their neighborhood.<sup>19</sup> This correlates with

residential areas that have a mix of apartments, townhouses and small-lot single-family houses.

Neighborhoods that are friendly to pedestrians often attract a disproportionate amount of commercial activity. A study of transportation diaries of shoppers in the South Bay area of Los Angeles compared four typical linear shopping strips in auto-oriented corridors to more compact shopping areas considered to be examples of “smart growth.” Trips to the more compact centers were more likely to be shorter and more likely to be on foot. It also found that business concentrations in walkable neighborhoods are “from three to four times as large as can be supported by the local resident base, suggesting that the pedestrian-oriented neighborhoods necessarily import shopping trips and hence driving trips from surrounding catchment areas.”<sup>27</sup> In short, there appears to be an unfilled demand for walkable retail uses, even in suburban areas.

Studies of the results of improving the pedestrian environment in shopping areas have generally shown that lowering the speed of traffic passing through an area and providing amenities for pedestrians (wider sidewalks, landscaping, streetscape improvements) pays dividends in terms of retail patronage and sales. Improvements to School Street in Lodi California, coupled with economic incentives, have helped attract 60 new stores, lowering the vacancy rate to 6 percent from 18 percent and resulting in a 30% increase in sales tax revenues (mirroring increased sales) since the improvements were completed in 1997.<sup>28</sup> In 1995, the City of West Palm Beach Florida made major investments in traffic calming and pedestrian realm improvements along Clematis Street, its traditional main street, including restoring the street to two-way movements. Improvements extended into the adjacent neighborhoods, making them more pedestrian-friendly, encouraging residents to walk to Clematis Street. Property values have doubled along the street, with retail rents rising from an average of \$6.00 to \$30.00 per sq ft.<sup>27</sup> Of course, many factors may have contributed to these increases. The changes occurred contemporaneous with the development of City Place, a large mixed-use center, itself a model of a walkable urban development that has attracted many new residents and visitors to the city.

In some cities, a significant fraction of shoppers arrive on bicycles rather than by walking, driving or taking transit, and there has been a rapid growth in efforts to encourage cycling in most cities. Bicycle lanes were added to Valencia Street in the Mission District of San Francisco by reducing driving lanes from two to one in each direction, while retaining on-street parking. Merchants were surveyed about its impacts. The results were encouraging: 63% felt that the number of customers arriving by bicycle increased, 56% felt that the number of local residents shopping there had increased and 37% reported sales increases – although 30% felt that there had been no real increase in business.<sup>29</sup> Interestingly, this occurred even as merchants reported a reduction of automobile traffic on the street. The results of adding bicycle lanes will undoubtedly vary depending upon the population of local neighborhoods and the nature of shops along the street, and in many cities merchants have strongly opposed allocating scarce street space to cyclists.

Improving the quality of the pedestrian environment is a favored strategy for promoting walk-in patronage in neighborhood and community shopping areas. Beginning in the 1960s about 200 American cities turned shopping streets into pedestrian malls, seeking to emulate the car-free environment of shopping centers.<sup>30</sup> Many of these efforts were aimed at reversing the decline of shoppers, as suburban shopping malls captured an increasing share of disposable income. Entertainment and programming was organized in the newly expansive pedestrian spaces. Some cities created transit malls, allowing only busses to travel along them, with expanded pedestrian sidewalks – Nicollet Mall in Minneapolis, Chestnut Street in Philadelphia, and 16th Street in Denver, are examples.<sup>31</sup>

Dozens of studies have been done on the impacts of these pedestrian malls, and the results are decidedly mixed.<sup>30</sup> The improvements have had a variety of impacts on businesses. Some businesses failed during the lengthy period of reconstructing the street, in part because it was difficult for shoppers to reach their stores. Many of these were businesses that were at the edge of failure before the improvements. Most studies indicated a bump in walk-in trade shortly after the mall was opened, after which sales in some areas stabilized, while others returned to their previous downward trend.<sup>32</sup> However, there were also success stories, particularly in college towns where the zones of leisure proved an attractive diversion – Pearl Street in Boulder Colorado, and East Main Street in Charlottesville, Virginia are good examples. Merchants in some shopping areas, including Church Street Marketplace in Burlington Vermont, reoriented their offerings to emphasize the new clientele and successfully revived their businesses. Other areas the mix of businesses evolved, emphasizing food, beverage and entertainment and have enjoyed success. Lincoln Road Mall in Miami Beach, Fourth Street in Louisville, and Third Street in Santa Monica are good examples. In the majority of cities, though, pedestrianization failed to revive the prospects of the business district, and vehicular traffic was restored to the streets, at the merchants' and property owners' insistence.<sup>33, 34</sup>

The favored approach to improving the pedestrian experience today is narrowing or reducing the number of traffic lanes while retaining or restoring on-street parking, widening sidewalks, adding bicycle lanes, improving the quality of materials on the street surface, adding pedestrian scale lights, benches and street trees, and creating zones for sidewalk cafes to add activity to the street. This balancing act is sometimes called creating “complete streets.”

Of course, neither transportation nor streetscape improvements will guarantee the success of a shopping area. Only strong merchants that attract customers can do that. But they can create the conditions where local patronage is encouraged, improving the base of support for stores. Ultimately, other factors will come into play as well, including the size of the area being served, competing opportunities, the cost and availability of sites for commercial uses, and the presence of businesses willing to make a commitment to the area. Most successful shopping streets have created business improvement districts (BIDs) to lead efforts in promoting, maintaining and marketing the attractions in their area.



## What Retail Experts Say About Walkable Shopping Areas

Often formal research lags the knowledge gained in the field by professionals involved directly in urban development. What the professionals know may be based on anecdotes and single -case experiences, but through them they gain a detailed understanding of how factors are weighed by firms and entrepreneurs looking for locations to establish their businesses. And as businesses succeed or fail over time, they reach conclusions about successful circumstances for retail development.

There is considerable enthusiasm for walkable shopping areas among economic development officials, marketing consultants, and real estate research firms. One source of optimism is the changing demographics and life-style preferences of households. Currently, only one third of U.S. households have children, and over the next two decades only 12% of new households being formed will have children.<sup>35</sup> Childfree households are prime candidates for locating in denser areas of cities, within walking range of commercial services and entertainment. Households with two working parents are also increasingly seeking to live in urban areas to simplify their lives, taking advantage of child-care services and after-school educational opportunities available in urban areas. The major deterrent is the quality of public education and the cost of private school alternatives, but charter schools and improving public schools may make this more of an option for young households in the future.

The large number of retiring baby boomers is a second demographic shift that could add support to retail prospects in dense urban areas. A substantial fraction has voiced a desire to be in urban settings, close to cultural and entertainment opportunities, and near high-quality health-care facilities. Many of these retirees are looking forward to a time when they can give up driving, hoping that it is sooner rather than later.<sup>36</sup>

Businesses are realizing the potential of locating in dense urban areas and are changing their formats to fit urban sites. Led by Whole Foods, supermarkets were among the first to adapt to the increased preferences for urban living, creating smaller stores, offering fresh produce and more prepared foods, reducing the parking they expect, and in some cases occupying multiple levels and offering home delivery service.<sup>37</sup> The success of urban pioneers has spawned a host of new entrants into the urban grocery field, and forced longstanding chains to adapt their retailing approach.<sup>38</sup>

Other businesses are also discovering the potential for sales in walkable locations. Formerly big-box retailers including Target and Staples have created scaled-down and multi-story stores in community retail locations, and chains such as Tesco and Safeway have been experimenting with urban prototypes. Reportedly, Wal-Mart has opened a mini-store of only 3,500 sq ft on the University of Arkansas campus – smaller than Sam Walton's original five and dime store.<sup>39</sup> In Vancouver, Home Depot has located in a mixed-use complex (The Rise) in the midst of a residential neighborhood, sharing the footprint of the site with a supermarket and other shops, with office space and housing located above them. Most large-format stores are

exploring how to adapt their retailing strategies to allow them to locate in vertical complexes, particularly where they can serve customers who arrive on foot, by transit as well as by automobile.<sup>40</sup> At the retail complex D.C. USA, located at Washington's Columbia Heights metro stop in the center of a diverse neighborhood, the large-format stores discovered that they had greatly overestimated the number of parking spaces they needed to make their sales targets. Their shoppers are largely people who walk to the complex or arrive by transit.

While supermarkets and chain stores are actively seeking locations in downtown areas and gentrifying neighborhoods, many low-income areas of cities remain underserved by such retail opportunities. Initiatives by The Retail Initiative of the Local Initiative Support Corporation (LISC) and The Reinvestment Fund's (TRF) retail program in Philadelphia, among other financial intermediaries, has resulted in dozens of supermarkets being built in underserved areas providing the anchors for neighborhood shopping areas.<sup>41</sup> And new retail chains that target neighborhood-shopping areas have emerged, including Villa (urban inspired apparel and shoes), Fresh Grocer and Harris Teeter (groceries and prepared foods), Mugshots Coffee House and Gothic Cabinet Craft (furniture).<sup>42</sup>

Every business has its own decision rules about where to locate. For some organizations the rules are formalized: they seek areas with a threshold of a specific number of residents and amount of purchasing power, and look for areas with high rates of growth in income. For others, it is largely an art of finding areas that "feel right." Nonetheless, retail experts offer guidelines for the average number of residents needed to support specific types of neighborhood or community businesses (see Table 2). By one estimate, an average household can support 72 sq ft of retail development. Of this, approximately 40 sq ft are in categories typically present in neighborhood retail areas, such as grocers, drug stores, cleaners, florists, video/entertainment, and eating/drinking establishments.<sup>43</sup> Of course, not all of a household's purchases in these categories will be made in the nearest neighborhood retail area, and an estimate of 15 to 20 sq ft per household is probably a safe estimate of what can be supported locally. Thus, if a neighborhood shopping area has 50,000 sq ft (of which 30,000 is a supermarket), it will require approximately 2,500 to 3,300 households or a population of 5,000 to 6,500 to support such a center.

Many of the new walkable urban shopping areas are being built as mixed-use projects with housing or offices above ground-floor retail outlets. In the past it was difficult to finance mixed-use projects because of lender restrictions such as the Federal National Mortgage Association's (Fannie Mae) limit of no more than 5% retail space in residential projects it financed. However, today there is a growing receptivity in the investment community to support such projects.<sup>14, 44</sup> Lenders believe that these projects generally cost about 10% more to develop, but this is not a deterrent to attracting financing.<sup>45</sup> Developers see mixed-use projects as providing marketing advantages and diversification of the products they are offering.<sup>14</sup>

The retail landscape is also continuing to churn, as a result of the continued growth of on-line purchasing, the demise of several large national chains, the consolidation



of department stores, and the great recession that has changed consumer buying habits. Retail space in many US cities is over-built, resulting in high vacancies in many shopping centers, particularly in older malls and community shopping centers. Even before these changes, several large national chains, including The Gap began to diversify their retail locations, adding street-oriented retail outlets in communities with growing purchasing power.<sup>46</sup>

**TABLE 2**  
**SUPPORTABLE SQUARE FEET OF RETAIL PER HOUSEHOLD<sup>47</sup>**

Store Type	Supportable Sq. Ft. Per Household	% Neighborhood	Neighborhood Sq. Ft. Per Household
Building Material	2.6	0.0%	---
Hardware	0.5	5.0%	0.0
Department/Variety	13.4	0.0%	---
Food/Grocery	11.6	45.0%	5.2
Auto supply	2.6	5.0%	0.1
Gas Stations	5.5	0.0%	---
Apparel	4.5	17.5%	0.8
Shoe	1.3	17.5%	0.2
Furniture	3.5	5.0%	0.2
Home furnishings	1.6	5.0%	0.1
Appliance	0.5	5.0%	0.0
Radio/TV/Computer/Music	2.3	5.0%	0.1
Eating Places	12.4	45.0%	5.6
Drinking Places	1.5	45.0%	0.7
Drug	3.1	45.0%	1.4
Sporting Goods	1.4	5.0%	0.1
Book	1.0	17.5%	0.2
Hobby/Toy	1.0	17.5%	0.2
Gift	1.0	17.5%	0.2
Flower	0.5	17.5%	0.1
<b>Total</b>	<b>71.8</b>		<b>15.1</b>

The ongoing restructuring of retail areas as a result of the entry of large chains such as Target and Wal-Mart into local areas – particularly as they penetrate urban areas – has resulted in the loss of general merchandise, groceries, apparel, electronics, home furnishings and building supplies from downtown and community shopping areas, and their replacement by new businesses such as restaurants, coffee shops, art galleries, antique stores and professional service firms.

Perhaps the greatest uncertainty on the retail horizon today is the long-term implications of rapidly increasing Internet sales. While such sales make up only a small part of the retail pie – about 4.6% in 2011 – sales have been growing by 17% annually.<sup>48</sup> Internet sales are eating into the volumes of many retail outlets, but at the same time firms that have a good web presence have seen their sales explode. Among the casualties in the shift is Borders Books, which was too late in recognizing the implications of Internet book sales and downloads. Their demise has left vacancies in many community shopping areas. In some urban locations Internet sales of groceries is having an effect on supermarket revenues. Many merchants are pursuing a “bricks and clicks” strategy of leveraging their supply chains and local presence to provide rapid Internet service. Businesses selling commodities are likely to be affected more than those with unique products or providing entertainment along with consumption.

These changes are the latest examples of creative destruction Schumpeter spoke about.<sup>49</sup> Many of the functions that lost are being reinvented, with boutique grocery outlets, high-touch services, seasonal pop-up shops and increasingly specialized retailing showing their face in community shopping areas. Retail experts continue to be bullish about the development of “street-based retail” in areas with the potential for a large walk-in population.<sup>14</sup>

## A Look at Examples of Walkable Shopping Areas

Much can be learned about the current status of walkable shopping districts by visiting examples of where they appear to be functioning well. Most cities have a few areas which benefit from walk-in patronage, many cities are promoting the revival of walkable shopping districts, and there are a growing number of new centers being created that aim for a balance of neighborhood serving outlets as well as shops that cater to a wider market area. The following vignettes capture some of the successful types of walkable shopping areas. Recognizing the limitations of Walk Score® ratings, they have been calculated for a central location in each area mentioned.

### Traditional Shopping Streets

Germantown Avenue in the Chestnut Hill and Mount Airy neighborhoods (Walk Score® rating = 89) in Philadelphia is every person’s archetype of a neighborhood shopping street. Following an historic streetcar route (the tracks remain, but trains have been replaced by buses), the cobblestone street slows traffic, and pedestrians cross from side to side easily. Many of the shops have been there for years, including a jeweler in Chestnut Hill that dates from 1912 and is now run by the third generation, but each year enough new shops open to add interest to the street. The street’s allure is the rich diversity of outlets, catering to everyday needs (hardware, food shops, a wine and spirits stores, bakeries, drug stores, dry cleaners, banks, barber and hairdressers), but also offering fashion items for men and women, gourmet foods, gifts, antiques, galleries, home furnishings, kitchen supplies, hobby and craft shops, electronic stores, music stores and academies, cafes, coffee shops, restaurants, and spas. More than 140 shops line the mile-long shopping strip along Germantown Avenue in Chestnut Hill, and at least 50 business and professional

Photo by Mike Szilagyi



Germantown Avenue Streetcar Line

Photo by Gary Hack



Germantown Avenue Shops, Chestnut Hill

services, associations and institutions. Dozens more may be found along the avenue in Mount Airy, a mile away.

Residents of Chestnut Hill and Mount Airy have great loyalty towards their local shopping districts. They value the mix of local and national outlets, and have debated at great length whether to allow large national chains to locate there. The most recent entry of a large new outlet was Borders Books, which for a decade became an anchor at the western end of Germantown Avenue, but now stands vacant looking for a new life. Many local residents walk ten or fifteen minutes to the shopping area, but many more drive there, park and shop several blocks of the street. The Chestnut Hill transit station located on the avenue provides a steady flow of commuters who pass by shops on their way to and from home.

Germantown Avenue is the kind of local shopping street many communities would like to have. However, it is the product of a long, slow evolution that cannot be duplicated overnight. Those who run the shops own many of the structures, and the inventories and fixtures have long since been paid for. The problem for many is succession, not startup costs. Community activism serves as a barrier to large new outlets locating nearby. And the incomes of Chestnut Hill residents are among the highest of any neighborhood in Philadelphia, providing the potential to support many retail functions.

At the opposite end of the spectrum is Broadway on the Upper West Side of Manhattan (Walk Score® rating = 100), a four-mile continuous shopping street that serves as the main street for a community of 200,000 residents. At 60,000 persons per sq mile and household purchasing power that is roughly 200% of the national average, the area is able to support virtually every shopping need of its residents. No one is more than 10 minutes from Broadway, and virtually everyone walks to shops from their home. There is good bus service along the street and mass transit operates below it, with stations spaced six to ten blocks apart (1,500-2,500 feet). This makes it possible to shop by transit along the length of Broadway.

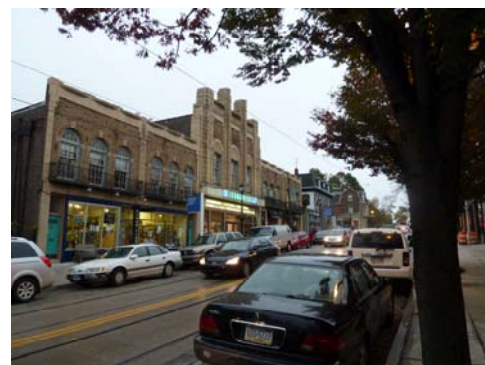
Along Broadway there is a drug store every four blocks, grocery store every six, and florists, convenience stores, hardware and dry cleaners every two to three blocks. Most blocks have at least one restaurant or bar. Every banking chain has distributed its branches regularly along the street. Some areas along Broadway have developed special identities, often centered on New-York-centric shops such as Zabar's, Citarella, and Fairway. The area near Lincoln Center is the zone of cinemas and other entertainment venues. National chains are well represented along Broadway, but there are thousands of local one-of-a-kind stores that local residents swear by. Many of the grocery stores provide home delivery, and virtually every small restaurant delivers take-out orders to nearby resident's doors.

Because of the high cost of space, stores have to make concessions on their layout to locate on Broadway. Fresh Fields operates its highest grossing store entirely on the basement level. A scaled-down Trader Joe's is split between two levels below ground, with a small shop front on the street, as are Staples and many of the drug

*Photos by Gary Hack*



*Germantown Avenue Shops, Chestnut Hill*



*Germantown Avenue, Mount Air*

stores along the street. It is also interesting to note what cannot be found along Broadway: no department stores or large general merchandise discount stores, no branded hotels (north of 66<sup>th</sup> St.), few furniture stores, only one white goods appliance store, and no automobile dealerships or gas stations. All of these are accessible by subway (or car) within a few minutes from the Upper West Side.

Few cities have either the high densities or long traditions of street oriented shopping just cited, but there are thousands of local shopping districts, which command loyalty and provide services within walking distance of where people live. Loyalty is what sustains ethnic shopping areas, attracting customers from many miles who add to the walk-in trade from the neighborhood. A study of three Los Angeles ethnic shopping strips found that half or more of the customers drove one to five miles to obtain foods and goods popular in their culture and to socialize with others with their heritage.<sup>50</sup>

Pacific Boulevard in Huntington Park (Walk Score® rating = 86) reconstituted itself after the Watts Riots as a Latino shopping district and has become the cultural center for groups from Mexico and Central America. The streetscape has been improved and benches added to allow patrons to linger and socialize. The majority of the stores are small, although some larger Mexican chains have located along the one-mile strip. About 40% of the 127 stores were oriented to the fashion preferences of Latinos (including fiesta dresses and tuxedos); 20% offered shoes, and the balance included general merchandise and food stores, jewelry shops, music and electronic stores, restaurants, and fast-food outlets. Six shops specialized in bridal gowns and wedding goods. Much of the street is devoted to discount and value-oriented merchandise. Shoppers come for the special atmosphere of the street, but also to find goods at an affordable price.<sup>50</sup>

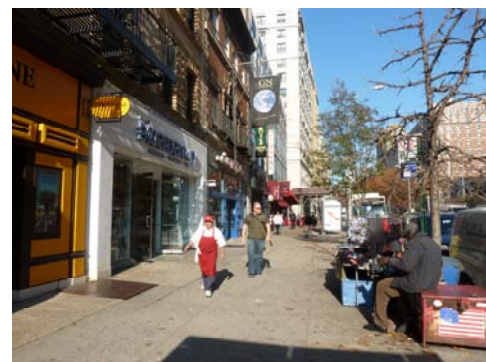
Little Village (Walk Score® rating = 78) is Chicago's version of Pacific Boulevard, and represents the center of Latino commerce in the city. With over 1,000 businesses along West 26<sup>th</sup> Street and a large Mexican-American population nearby, it serves an important role in supporting Latino culture. Most Little Village residents spend some time on the street each week. Part of its attraction is the wide array of services available in Spanish, many of them (such as immigration services) critical to Latino residents. While other shopping areas in the city may offer better value priced goods, none of them is able to serve the regular needs of an immigrant population whose first language is Spanish.

Commercial streets catering to Chinese and other Asian groups also garner wide loyalty and illustrate the special retailing dynamics of ethnic shopping districts. Shops in the commercial strip along Valley Boulevard in San Gabriel, a "suburban Chinatown," are almost equally divided between outlets owned by businessmen, and family owned and run enterprises. The family-operated shops are small, generally with one to five employees (often all family members) running mainly bakeries, dry cleaners, hair salons, and pharmacies. The larger supermarkets, electronics stores, furniture stores and large restaurants, which require greater amounts of capital to establish and run, are owned by a wide array of businessmen from Asian and other countries, and employ a more diverse group of employees, including Mexican

*Photos by Gary Hack*



*Broadway, Upper West Side, New York*



*Broadway, Upper West Side, New York*



Americans.<sup>50</sup> Extending business opportunities to their family is as important to many Asian business owners as making a large profit. They use surplus funds to buy similar stores in other areas, often tapping loan funds from others in their community. As areas become established, Asian-oriented commercial areas have evolved with the construction of small enclosed or L-shaped malls with crowded off-street parking areas to accommodate the growing proportion of shoppers who drive to the centers.

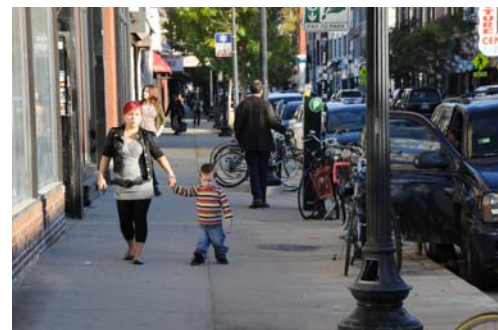
Street oriented retail areas usually reflect and, on occasions, foreshadow ethnic and demographic shifts in the area they serve. The Wicker Park-Bucktown neighborhood in Chicago (Walk Score® rating = 88) has seen a procession of immigrant groups: Germans through 19<sup>th</sup> Century, replaced by Poles who predominated through the 1960s (the area takes its name from the large number of goats or ‘bucks’ kept by the Poles), succeeded by Puerto Ricans and other Latinos until the end of the century, and most recently replaced by a growing artists community and young professionals. The prime location of the neighborhood, near the Loop and well served by subways, has made it a desirable location for new urban households. Houses with good bones in the neighborhood have been renovated, vacant lots filled with modernist houses, and smaller homes replaced by new one and two family structures. This is a classic pattern of gentrification.

With each new ethnic group, the commercial strips along North Milwaukee, West North and Damen Avenues have changed their character. In their most recent incarnation, they have become among the trendiest streets in Chicago, with over 150 restaurants, many coffee houses (16 at last count), unique bars, music spots, theaters, and other entertainment venues. The shopping streets have been transformed, building-by-building, into galleries, boutiques, and shops specializing in everything from apparel and jewelry to crafts and home furnishings. In the process, many older neighborhood-oriented shops have been priced out – many catered to the Latino population that has also been displaced or sold out to capture their gains. But there remain at least 13 food stores, and a new conventional shopping center has been constructed the southern end of the neighborhood, anchored by a large grocery/drug store. Matching street-oriented shopping with a well-sited center containing large-format stores, all within easy walk of residents, has become the preferred strategy in urban shopping locations. Keeping two miles of retail frontages alive in an urban area requires a combination of citywide patronage (particularly supporting the restaurants, entertainment and boutiques), with people arriving by transit or car, and local residents walking to the shopping streets.

*Photos by Gary Hack*



*North Milwaukee Avenue, Bucktown, Chicago*

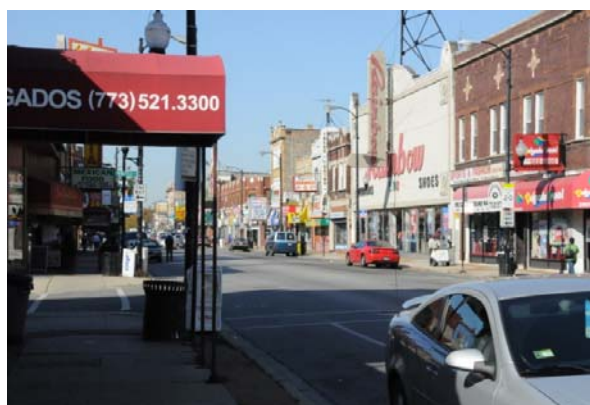


*North Milwaukee Avenue, Bucktown, Chicago*

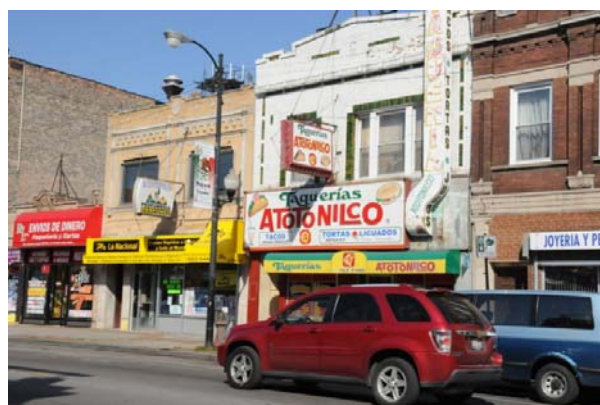
## CASE STUDY: Little Village, Chicago

Walk Score® rating = 78

Photos by Gary Hack



W. 26<sup>th</sup> Street, Little Village



W. 26<sup>th</sup> Street, Little Village

Little Village is reputed to be the largest shopping area, judged by retail sales, outside Central Chicago. It is also the cultural center of Latino groups, hosting the Mexican Independence Day parade and celebrations annually. The shopping street along 26<sup>th</sup> Street centers a well-maintained neighborhood of single, duplex and small apartment houses between Western Ogden, Costner and I-55. About 91,000 residents live in the Little Village area, and over 80% have Mexican origins. The shopping street is 2-4 blocks from the nearest mass transit stations.

Over 1000 businesses make their home in *La Villita*, as it is called locally, most along 26<sup>th</sup> Street. Most merchants are Mexican immigrants or their children, although a significant minority of Korean merchants is also present. The most common businesses are Mexican restaurants and dance clubs, taquerias, hellados, laundromats, supermarkets, banks actively soliciting the “unbanked,” bakeries, clothing stores, shoe stores, travel agencies, thrift stores and furniture stores. At least four bridal shops are located along the street, and other shops cater to Mexican fiesta ware. The shopping street may be one of the few places left in Chicago to find fresh killed poultry. Street vendors complement the stores, offering crafts, trinkets, bargain items, ice cream and flowers. Side streets intersecting with 26<sup>th</sup> Street include auto repair shops, auto body outfits and a variety of services that do not require street frontage.

One of the features of *La Villita* is the heavy presence of specialized services catering to the immigrant community. Upper floors of shops (and some shop fronts) accommodate lawyers, immigration experts, insurance agents, check cashing services, accounting and income tax services, medical clinics, veterinarians, social

service organizations and employment agencies. Accessing services in Spanish is an important draw for many shoppers.

Like all such districts Little Village is undergoing changes, some the result of success, others a normal process of succession. Restaurants continue to open, and shops are seldom vacant for long. Many of the small family operated retail businesses are giving way to fast food outlets or dollar stores. The longstanding plans for redeveloping a 40-acre vacant former industrial site at the western end of 26<sup>th</sup> Street have floundered for a variety of reasons, including disputes over the kinds of uses that would reinforce the existing commercial uses. Many residents would like to attract a Wal-Mart store to the neighborhood, while many merchants see such a move as the demise of value oriented commerce on the street.

## Transit-oriented Shopping Areas

Transit-oriented shopping areas date from the extension of railroads out of major cities. Philadelphia's Main Line towns, many of the suburbs of Westchester County, and the communities along Chicago's North Shore all owe their origins to passenger railroad service begun in the 19<sup>th</sup> Century. Many of these suburban town centers have remained important to their communities and some have seen a retail revival in recent years.

Lake Forest Village, north of Chicago, is an important model of a shopping district adjacent to a suburban railway station. Opened in 1916, Market Square was designed to house a mixture of shops, offices for local services and apartments across the road from the Union Pacific station. Modeled on Forest Hills Village in Queens New York, it has a green square at its center, surrounded by handsome commercial buildings. Side streets and courtyards beyond the square provide less expensive (and less visible) spaces for other shops that cannot afford premium rents. The complex has had its ups and downs over the years, although until 2006 was anchored by a Marshall Field's junior department store. Perhaps a sign of the times, it has been replaced by a spa. Market Square now has a wide mix of national outlets (Talbots, William Sonoma, J. Crew, Einstein Bros Bagels) and unique local shops, including several exclusive women's boutiques, shoe stores, gourmet foods, a wine shop and a fine independent bookstore. Most of the national chain shops are a scaled down version of their shopping center prototypes.

The shops of Market Square (Walk Score® rating = 85) appear well supported by its community, which is one of the wealthiest in the US. Perhaps a third of the shoppers arrive there en route to or from the rail station, a smaller fraction arrive on foot, mainly students from the nearby Lake Forest College, and the balance drive to the shopping area, parking on the street or in a small parking area behind the complex. Lake Forest is blessed with having stations on two METRA lines, and over the years the Milwaukee District line on the west side of the town has grown in volume at the expense of the historic station. Along with it, shops and services have been built adjacent to the West Lake Forest station. Nonetheless Market Square remains a fine example of a longstanding walkable shopping area that towns would do well to emulate.

Over the last several decades, the construction of mass transit lines has created the opportunity for new transit-oriented developments. In some metropolitan areas, including the Bay Area and Boston, residents near transit stations have resisted new development that might change the character of their neighborhoods, down-zoning sites surrounding stations, and forcing stations to be located far from any concentration of population (as at the Alewife Massachusetts Bay Transportation Authority (MBTA) station in Cambridge). An exception to this trend has been the development of the Washington Metropolitan Area Transit Authority (WMATA) system in Washington D.C., which has been accompanied by a concerted effort to stimulate station area development. WMATA has aggressively purchased excess land

*Photos by Gary Hack*



*Market Square from Lake Forest Station*



*Market Square, Lake Forest, Illinois*



around stations (harvesting the gains in land value after the station opens to cover portion of the capital costs of the line) and worked with local cities and counties to plan and promote transit oriented development. Projects within walking distance of the transit station lock in patronage for the system, while allowing residents to live and work in the area without the necessity of driving.

There are at least a dozen excellent examples of station-area developments in the Washington area. Each responds to local circumstances and opportunities. The Friendship Heights station at the District boundary has helped create one of the most exclusive shopping districts in the region; the Alexandria Station (Walk Score® rating = 98) has brought tourism to its charming historic district; the Bethesda Station (Walk Score® rating = 97) has stimulated the growth of a major office district and made possible the creation of a large entertainment, retail and restaurant district beside it, and the recently opened inner-city New York Station (Walk Score® rating = 78) has stimulated the development of a new office and residential sector of the city dubbed NOMA (North of Massachusetts Avenue). Perhaps the two most interesting transit oriented developments from a walkability perspective are adjacent to the Clarendon and Columbia Heights stations.

Clarendon (Walk Score® rating = 94) and Columbia Heights (Walk Score® rating = 94) could hardly be more different. Clarendon caters to an upscale, generally young population that works in the suburbs or commutes to downtown Washington using the Metro. Many have young children, are in the process of acquiring furnishings for their homes, and shop in the neighborhood after work or on the weekends. During the day and evening hours the substantial number of people who work in the area or go there for dining and entertainment joins residents on the streets. Since most residents have an automobile, they retain the option of driving to regional malls and other shopping areas a few minutes away for clothing and other purchases. Columbia Heights, on the other hand, has a more captive population of residents, who shop for a broader array of goods at Target and other stores. They have fewer nearby entertainment and dining choices and depend upon the area for their medical and other service needs. Each center is successful in its own terms and demonstrates the virtue of local shopping areas near public transportation, which can multiply the trade area beyond the walk-in population.

Columbia Heights and Clarendon each had a long retailing tradition, albeit one that had been in decline for many decades. However, creating a transit-oriented neighborhood shopping area *de novo* is a vastly more difficult task. Such opportunities exist in cities with aggressive programs of extending light-rail lines to the suburbs.

An excellent example of a new suburban transit-oriented development is Orenco Station in Hillsboro Oregon (Walk Score® rating = 62). Its mixed-use center is two blocks from a new light rail station, and is beginning to attract shoppers from the growing community. A comparative study of Orenco Station and three areas of the city that are demographically comparable (one in the urban grid, and two suburban residential areas one near and the other distant from light rail transit) revealed that

Orenco Station residents walked more and used transit for more commuting trips. In a typical week, 50% of Orenco residents walked to a local store five or more times, compared with only 5% of residents in the Beaverton area, with similar demographics. The number walking regularly to shops in Orenco increased substantially from 2002 to 2007. In 2007, being “close to shops,” topped local residents lists of things most liked about the Orenco community.<sup>51</sup>

New suburban walkable centers need to build habits of use and loyalty in a competitive retail environment, where the majority of shoppers are already in their cars. Until there is a critical mass of residents within walking distance, shops struggle to stay afloat. When shops are not directly adjacent to the transit station, they need to persuade commuters to divert from their most direct path to patronize the stores. Developers and merchants need to have patience in nurturing new transit-oriented developments until the area becomes established.

## CASE STUDY: Clarendon, Virginia

Walk Score® rating = 94

Photos by Gary Hack



Clarendon Metro Station



New Development Adjacent to Clarendon Metro

Clarendon is possibly the most successful transit-oriented development area in the country. It has its origins in the decision by Arlington County to put the Metro line destined to Ballston underground through the center of this historic village and to promote the area as a mixed-use 24/7 living/working/shopping/entertainment area. Over 1.1 million sq ft of office space, 2,300 housing units and nearly 600,000 sq ft of retail space have been constructed in the area in recent years. Its streets are filled with urbanites young and old who live or work nearby. Its easy access to downtown Washington and other areas via the Metro makes it a destination for visitors meeting friends in restaurants and entertainment venues.

Clarendon was one of Northern Virginia's most important retail centers through the 1960s, boasting several department stores and a range of downtown retail uses. These stores gradually faded as regional malls were built, and the area became an ethnic Vietnamese area. The large sites in the area (Sears store, auto dealership and other historic uses) provided readily assembled parcels for mixed-use developments.

Two events changed character of Clarendon: the arrival of the Metro station in the 1980s and the location of a Whole Foods store on a former car dealership three blocks from the station. The past two decades have seen an explosion of mixed-use projects with ground floor retail spaces (and second floor, in some projects), with 4-10 story housing and office spaces above. Shopping opportunities now include large national chains (Crate and Barrel, the Container Store, Barnes and Noble, Williams Sonoma, Pottery Barn, an Apple Store) and a variety of local and home-grown establishments. There are very few vacancies on the commercial frontages. On side streets, in less expensive space, barber shops, hair salons, and a variety of local services remain in older and renovated spaces. Clarendon has become known for its

dozens of restaurants and entertainment places, which are filled with office workers at noon and attract people from the region after working hours throughout the week and weekend.

*Photos by Gary Hack*



*Whole Foods Supermarket at Clarendon*



*Clarendon Commons Mixed-Use Development*

The majority of local shoppers live in new high-rise housing near the station, although a significant stock of older housing within walking distance of the shopping is being upgraded for new owners. While many shoppers are walk-in customers, two large parking garages have been constructed (with shops lining the street levels) to accommodate those who drive to Clarendon. The range of shops requires a much larger base of support than living nearby.

Approximately 7,600 people live within one-half mile of the Clarendon Metro Station, and over 10,000 work within this radius. Transit enjoys a 44% modal split among these residents and employees. Transit ridership has grown by 119% since the station opened.

The Clarendon Metro Station occupies the space created by four major arterial streets – Clarendon and Wilson Boulevards (both designed Great Streets by APA), Washington Boulevard and Highland Street. While each can be congested during peak hours, it does not deter pedestrians from shopping along the sidewalks and in the courtyards and plazas created in the Market Common complex. Streets have been landscaped, crossings improved for pedestrians, and the central park adjacent to the Metro station is in the process of being upgraded.

The lessons from Clarendon include the importance of transit access in stimulating mixed-use development, the critical mass needed to attract flagship stores, and the synergy gained by mixing nighttime with daytime uses.

## CASE STUDY: Columbia Heights, Washington, DC

Walk Score® rating = 94

Photos by Gary Hack



*Metro Station with D.C. USA Development*



*Tivoli Theater, Supermarket, New Housing*

Columbia Heights is located along the 14<sup>th</sup> Street Corridor, an area badly scarred by the riots of 1968. Many shops and houses remained vacant for years, and there have been countless efforts to revive the historic shopping district. Beginning in the 1990s, the population of the area became more diverse, with Hispanics moving in, and the wave of gentrification moving northward into Columbia Heights. In 2010, the area was arguably D.C.'s most ethnically diverse neighborhood with a 44% African American, 28% Hispanic, 23% white, and 3% Asian population.

The transition of the area to a shopping magnet began in 1996, a major initiative of the D.C. government anticipating the opening of the Columbia Heights Metro station, which opened in 1999. The Tivoli Theater, once a high spot of the neighborhood culture, was restored, and its street facing shops were re-tenanted. A Giant food store located on an adjacent site and several new housing projects were developed for market rate and assisted tenants. The key to the area's revival was the construction of D.C. USA, a 546,000 sq ft retail complex across from the Metro Station, which opened in 2008. Anchored by Target, Best Buy, Bed Bath & Beyond, and Washington Sports Club, it also includes 390,000 sq ft of underground parking – demanded by the major retailers as a condition of locating there – which has never been fully used. In recent years the Dance Institute of Washington opened a new facility next door on 14<sup>th</sup> Street, and the area remains a home for several embassies and the Mexican Cultural Institute.

Columbia Heights attracts shoppers across a broad spectrum of households and income levels. Approximately 29,000 people live within one-half mile of the Metro

station, the largest number for any station on system, 17% travel by transit to their destinations. The area's sidewalks (with newly installed streetscape) are crowded through much of the day and on weekends. While there is turnover among the smaller merchants, the vacancy rate is much lower than in the past. A number of new bars and restaurants have opened on side streets, and some of the nearby housing is being converted for small businesses. New types of shops, addressing the preferences of each group in the neighborhood – the “hip” younger set, working professionals, Hispanic families, middle class households, elderly, students) – continue to open, and the upper floors of buildings are occupied by a broad range of health and professional services.



## CASE STUDY: Orenco Station, Hillsboro, Oregon

Walk Score® rating = 62

*Photo by Costa Pacific Realty*

*Photo by Steve Szigethy*



*Town Center, Orenco Station*



*Town Center, Orenco Station*

Orenco Station draws its name from the Oregon Nursery Company which had created the rudiments of a company town on the site prior to going bust in the Great Depression. When Portland's TriMet Westside light-rail line was extended out to Hillsboro, the 209-acre site became the logical location for a "town center" in the 2040 metropolitan plan. Located close by is an employment center with 15,000 workers, the "silicon forest," and the Orenco MAX station is the nexus of a web of bus routes funneling commuters to the transit line.

The core of the site is a 49-acre walkable mixed-use center, with housing over shops along Cornell Street, the area's new main street. The first stage of the center opened in 1997, and it continues to develop. Retail uses build on the well-known Hillsboro Sunday farmers market, which has been a local destination for many years. A home grown supermarket, New Seasons, continues the fresh food tradition. Other early shops include two restaurants, cleaners, a kitchen supply store, women's clothier, coffee shops, gift shops, video shop, print shop, bank, and pet market. The Orenco hotel adds a spa and restaurants to the town center. Many of the merchants live in the town, several in live-work townhomes designed for this purpose. Nearby, also within walking distance, is Crossroads at Orenco Station, a more conventional community shopping center anchored by a large grocery store, discount store, and drug store.

A comparative study of Orenco Station and other areas revealed that Orenco Station residents walked more and used transit for more commuting trips. In a typical week, half of Orenco residents walked to a local store five or more times, compared with only 5% of residents in comparable areas.



Nonetheless, shops in the town center have continued to struggle to build their sales volumes. As more housing units are added nearby and the area becomes better known as a destination, sales will grow. One of the difficulties is that the shopping area is two blocks from the station itself, although most pedestrians and buses pass the town center en route to the station. It demonstrates the importance of having shops visible from the transit station.

## Larger Suburban Town Centers

Two privately developed new towns were begun in the Washington metropolitan area in the 1960's: Columbia Maryland and Reston Virginia. Neither is served by transit to Washington or Baltimore, forcing their designs to be largely auto-oriented. Both created systems of neighborhood retail centers distributed throughout the community, some of them quite innovative. Columbia's neighborhood centers cluster schools, religious facilities, and other institutions around retail uses, allowing residents to avoid multiple trips. For their town centers, each developed a mix of office, retail and residential uses, but their designs are poles apart. Columbia, developed by the Rouse Company that was best known for its regional malls, developed a multi-level mall at its center, surrounded by parking. While it was possible to walk from the mall to nearby offices, the library and the waterfront, few people actually did – they behaved as if they were going to a suburban mall. Reston viewed its town center as an organic development built on the principles of older downtown areas, with a grid of streets and development sites. Today, forty years later, Columbia is contemplating the demolition of its original mall, while Reston is celebrating the success of its town center, which continues to add businesses and residents.

Reston Town Center (Walk Score® rating = 83) is a walkable environment that serves as a mecca for surrounding suburban areas, drawing as many people on weekends as during the week. People actually drive to the area in order to enjoy an urban environment with brick sidewalks, shops, parks, squares, and entertainment places. Its office space commands premium rents, housing sells or rents briskly, and the town center now boasts of more than 50 retail outlets, 30 restaurants, a multiplex cinema, and a Hyatt Regency hotel. The Pavilion at the center of downtown hosts special events, concerts and ice-skating in the winter. Through the summer months there are festivals that draw thousands to the area, and a procession of meetings and conferences at the hotel brings visitors to Reston each day.

Retail uses at Reston Town Center are dominated by restaurants and bars, entertainment venues, upscale clothing, gourmet foods, and boutiques of various kinds, including the best-known national chains, serving the needs of employees and visitors. The growing resident population in and around the center is not well served by the offerings in the town center. But hedging their bets, the developers also created the Spectrum Center next door to the town center with a full-scale supermarket and other large-format shops. If you live in or near the town center, it is possible to walk to the Spectrum Center, but few people actually do; many more stop by on their way home from work or make a weekend excursion for their weekly needs. Health care facilities, the regional library and a large building-supply outlet are also located a short distance from the town center.

The dream of Reston Town Center has always been to connect to the mass transit system and become part of the system of Washington-Baltimore's linked metropolitan sub centers. Currently a bus transit station at the edge of the town center provides service to the District and other nearby locations. With the extension of the

*Photo by Gary Hack*



*Reston Town Center*



*Reston Town Center*

Silver Line of the Metro system, Reston Town Center is scheduled to become fully accessible by rail transit in a few years.

Reston has taken 45 years to build and currently has close to 60,000 residents. In few places is there land available in single ownership to build a full-scale new town. The more usual situation is developing parcels of 500 acres or less, in an environment where there are competing claims on the shopping dollars of residents. The ambition to create community shopping area needs to be scaled down to what can be supported by the population on the site and its immediate environs.

Kentlands (Walk Score® rating = 86) in Gaithersburg Maryland is an ambitious attempt to build a diverse shopping place for an innovative walkable community and bears a careful look. It is successful in encouraging residents of Kentlands and the adjacent higher-density suburban areas to walk to local services, entertainment, and some shopping outlets. It struggles to attain a critical mass, however, and, ultimately, its success may, like Reston's, hinge on construction of a light-rail link to the regional metro system. Rent levels, particularly in Main Street shops, have been lower than hoped and there is more turnover than desired. But studies of housing prices in Kentlands have shown a significant premium on residential values that can be attributed, in part, to the walkable environment. The shopping area is planned so that over time, it has the opportunity to add new shopping opportunities, becoming denser, and adapting and changing with the needs of the population of community.

## CASE STUDY: Kentlands Downtown, Gaithersburg, Virginia

Walk Score® rating = 86

Photos by Gary Hack



Market Square, Downtown Kentlands



Main Street, Downtown Kentlands

Kentlands is one of the earliest examples of a New Urbanist Community in the U.S. Planned in 1988, it includes housing at a variety of densities from small-lot detached houses to townhouses to garden apartments, institutions, recreation facilities, and a large commercial area. Creating a successful commercial area was essential to the finances of the project, since it was expected to carry a large fraction of the site acquisition costs. However, after the development of the residential area began, the project became a casualty of the 1990 recession and the developer of the commercial area withdrew. The entire project was taken over by the lenders.

Revived in 1991 under new ownership, Kentlands has become a successful walkable residential development, with 1800 homes. An adjacent site, Lakelands, has been planned and developed in a similar manner, adding 1410 more homes. A study of housing prices in Kentlands found that buyers were willing to pay a 15% premium for their houses to live in the community, evidence of the value of walkable new urbanism.<sup>52</sup> Over the years, cultural institutions have been added to the community as well as schools, churches and a community recreation center. Adjacent to Kentlands, development includes a large pharmaceutical facility with several thousand employees, an R&D park, and a variety of more conventional subdivisions.

Developing the shopping area, however, proved problematic for many years.<sup>53</sup> After several false starts, it was ultimately developed as three linked areas:

- Kentlands Square, a large-format store area, developed with national chains including K Mart, Lowe's, Giant Supermarket, Panera Bread, Chipotle

Mexican Grill, and banks (complete with drive up windows). The area was planned with a grid of streets and blocks, so that residents of Kentlands can walk to the stores, and allowing it to change and become denser over time.

- Market Square, a largely one-story street-oriented shopping area with a mixture of national chains and local outlets, that include boutique clothing, bakeries, household furnishings, wines, gourmet foods and candies, pet supplies, and art supplies. The area also includes a professional office building, health care facilities, a cinema, several restaurants and a square where farmers markets are held during the summer months.
- Main Street, a three-story street-oriented mixed-use development, lined with shops on one side and portions of the other side, depending upon the preferences of the owners of properties.

Photos by Gary Hack



Kentlands Square, Downtown Kentlands



Offices in Market Square, Downtown Kentlands

*This is a unique attempt to create an "organic" shopping street, where individual property owners decide upon the ground floor uses. The majority of uses are professional services including dentists, hair and nail salons, judo and yoga studios, music academies, realtors, and the like. Retail stores include beer and wine, coffee shops, restaurants, jewelry and crafts, gallery and framing, and children's clothing. In some instances, owners of shops live in the upper stories above them; in other cases, the upper floors are condominiums, rental housing units, or small office spaces.*

Together the three areas provide a wide array of goods and services for residents of Kentlands, Lakelands, and adjacent communities. A few residents walk to Kentlands Square, but the majority of the patronage comes by car. Merchants would like greater visibility for their center, which turns inward, away from the nearby arterial streets. Market Square appears to attract a mix of walkers and drivers, including employees of the office space on the square. On-street parking makes it an attractive place to reach by car. The cinema is a magnet attracting people to dine in the area's restaurants, and sidewalks are busy with shoppers on weekends, less so during the week. A larger fraction of Main Street's patronage arrives by foot, and merchants in the area speak of loyal customers who visit their establishments regularly. Because of the diverse ownership of the area, the tenants are skewed to those who can deliver

dependable results drawing on the local market. As a result, the street has multiple dentists, hairdressers, and nail salons and has become a local service street rather than a traditional shopping area.

Seeking to develop the commercial area, businesses have joined together to form the Kentlands Downtown Partnership. They are advocating for the a light-rail connector from the downtown area to the major mass transit stop in downtown Gaithersburg, improved crossings on Great Seneca Highway (Route 119) to encourage pharmaceutical workers to walk to the downtown and increased festivals and other cultural events to attract more patrons to the area.



## Summary: What We Know About Walkable Shopping Areas

What does this collection of research, opinions and case examples tell us about the performance of walkable urban areas? There are at least nine conclusions that can be drawn:

1. *There is great enthusiasm for walkable shopping areas among retail experts, developers, and many residents of urban and suburban areas.* Demographics, increased gas prices, public policies that encourage higher densities, and changing life style preferences all point in the direction of greater support for walkable retail areas.
2. *Walkable retail areas have the potential to attract many people beyond the immediate walking radius.* An important finding is that walkable retail areas often attract more patronage and more retail stores than their immediate trade area would suggest. They realize a “place dividend” by developing a unique local identity.
3. *Businesses appear to do better in walkable commercial areas than in areas attracting mainly drive-to patronage.* Evidence suggests that rents in walkable shopping areas can be 27-54% higher than in non-walkable areas. Many of the most successful recent shopping developments have been located and designed to attract a substantial walk-in population.
4. *To be successful, walkable retail areas need to cater to diverse needs and reach a critical mass.* Successful retail areas need to encourage multi-purpose trips, which means offering not only unique local shops but also more generic larger-format outlets and services. One successful strategy is to couple specialized street-oriented retail with areas capable of accommodating large grocery, pharmacy, discount, and category killer stores.
5. *Supermarkets that have created attractive brands are important anchors for walkable neighborhood shopping areas.* Many successful local shopping areas were built around the arrival of a highly attractive supermarket. In underserved communities, developing supermarkets has been the most successful strategy to create walkable shopping areas.
6. *Mass transit is an important component of the best walkable retail areas.* The surest way to assemble a critical mass of shoppers is to locate a shopping area at a mass transit station. Coupling transit with high-density housing and workplaces can lock in patronage for a shopping area.
7. *While there is a great deal of turnover in neighborhood shops, over time the accumulated loyalty and equity in businesses help breed success.* Retail establishments generally have high turnover rates, and maintaining a stable core of shops and services is critical for developing loyalty towards an area. Turnover can also be an asset, allowing new shops to reflect changing demographics and creating new reasons for shopping in an area.



8. *Ethnic shopping areas and urban life-style areas have the built-in patronage to make local shopping a success.* Some of the most successful walkable shopping areas in the US are ethnic areas that have become the social as well as retail centers of their communities. Close behind are shopping areas catering to new urban lifestyles that tap the purchasing power of young households and families with an upward trajectory of income growth.
9. *The presence of nearby walkable shopping areas can yield dividends for home prices in surrounding areas.* A compelling conclusion of research is that walkable shopping areas increase nearby housing values. They are a reflection of the desires of a broad cross-section of urban residents to live in a more walkable environment.

## Learning More about Retail Performance

The very diversity of local shopping areas makes them difficult to study and creates difficulties in generalizing about the results. While a few standing public and proprietary data sources on retail sales can be mined, they it is not easy to correlate this with data on the size and number of shops in local shopping districts. In many cases an accounting of occupied commercial space is not available, and there is no historical record on the history and turnover of establishments. It is also hazardous to infer from sales data the trade area served by local shopping areas, since we know little about household consumption patterns in urban areas. As a result, field studies that focus on a local shopping area over time are required to get at the actual performance of businesses in walkable commercial areas. Surveys of merchants and establishments will be required to collect the fine grained data necessary to really understand retail dynamics, and an analysis of the demographics of the areas served is essential to dimension the demand for retail outlets.

It would be very useful to know:

- The types of businesses (by merchandise or service categories, and by types of ownership) that do well in local walkable shopping areas, and others that only survive under special circumstances.
- The average business revenues per sq ft of space of shops of various types and how these vary between local one-outlet shops and national chains.
- The level of patronage required to support these shops, and the densities within a 10-minute walking range that are required to deliver this patronage, accounting for income differences.
- Successful strategies for promotion and development of local shopping districts.
- The modal split of patrons of successful local shopping areas.
- Actual parking requirements for local shopping areas that depend upon a mix of patrons who walk, cycle and drive.

- The level of rent required to support new development as part of mixed-use projects on local shopping streets.

These issues cut across disciplinary lines, and will require the collaboration of real estate economists, business development professionals and planning professionals. The urgency of further research is clear, however: creating viable local commercial areas is one of the keys to making cities truly walkable.

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#### **ABOUT THE PROGRAM**

*Active Living Research*, a national program of the Robert Wood Johnson Foundation, stimulates and supports research to identify environmental factors and policies that influence physical activity for children and families to inform effective childhood obesity prevention strategies, particularly in low-income and racial/ethnic communities at highest risk. Active Living Research wants solid research to be part of the public debate about active living.

#### **Active Living Research**

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## City of Spokane: *Design Standards and Guidelines for Centers and Corridors*— 2014 review and revisions with 2015 updates

Current 2002 standards language w/page reference	Proposed 2015 standards language w/page reference (based on initial stakeholder input)	Rationale for proposed changes Policy intent reference
<b>Building Design</b>		
<b>Cover page date</b>	<b>Cover page date will be revised as applicable</b>	
<p><b><u>Guidelines Application</u></b> (Front Matter—p 2)</p> <p>These Initial Design Standards and Guidelines for Centers and Corridors are applied within the CC1, CC2, and the optional CC3 zoning categories found on the Official City of Spokane Zoning Map. All projects must address the pertinent standards and guidelines. A determination of consistency with the standards and guidelines will be made by the Planning Director following an administrative design review process.</p> <p>Some of the guidelines contained in this document use the word “shall” while others use the word “should”.</p> <p>Regardless of which term is used, each guideline must be addressed by an applicant. The City will expect to see how the design of a project has responded to every one of the guidelines.</p> <p>The “shall” statements, with such wording, are absolutely mandatory and offer relatively little flexibility unless choices are provided within the statement itself. All projects must include these elements as described.</p> <p>However, guidelines that use the word “should” are meant to be applied, but with some flexibility. They indicate that the City is open to design features that are equal to, or better than, that stated - so long as the intent is satisfied. The applicant assumes the burden of proof to demonstrate how a proposed</p>	<p><b><u>Guidelines Application</u></b></p> <p>These Design Standards and Guidelines for Centers and Corridors are applied within the CC1, CC2, and the optional CC3 zoning categories found on the Official City of Spokane Zoning Map. All projects must address the pertinent standards and guidelines. A determination of consistency with the standards and guidelines shall be made by the Planning Director following an administrative design review process.</p> <p>Some of the guidelines contained in this document use the word “shall” while others use the word “should”.</p> <p>Regardless of which term is used, each guideline must be addressed by an applicant. The City will expect to see how the design of a project has responded to every one of the guidelines.</p> <p>The “shall” statements, with such wording, are absolutely mandatory and offer relatively little flexibility unless choices are provided within the statement itself. All projects must include these elements as described.</p> <p>However, guidelines that use the word “should” are meant to be applied, but with some flexibility. They</p>	<p><b>Purpose</b>  <i>The purpose of refining the design standards for CC1 and CC2 is to better implement the Comp Plan’s policy intent for pedestrian-oriented, mixed-use development, while understanding the need to buffer the impact of more intense development on adjacent single-family residents and the surrounding neighborhood.</i></p> <p><b>Policy Discussion:</b> Centers and Corridor design standards are critical to the development of mixed-use areas, which require more careful consideration of pedestrian environment and treatment of buildings. “Shall” statements are absolutely mandatory. Some of the “should” statements have been changed to “shall” throughout the document to ensure consistency of center &amp; corridor development standards and to support the intent for a pedestrian-oriented environment.</p> <p>Changes to this section clarify that “shall statements” are absolutely mandatory unless choices are. (See further discussion of the Design Review Board below).</p> <p>There are other codes and ordinances beyond those in the Design Standards that apply to Center and Corridors. If there is inconsistency</p>

Current 2002 standards language w/page reference	Proposed 2015 standards language w/page reference (based on initial stakeholder input)	Rationale for proposed changes Policy intent reference												
<p>design meets this test and determination will be made by the Director.</p> <p>Finally, it should be noted that there are other codes and ordinances that govern development in centers and corridors, such as the Building Code and Public Works Standards.</p>	<p>indicate that the City is open to design features that are equal to, or better than, that stated - so long as the intent is satisfied. The applicant assumes the burden of proof to demonstrate how a proposed design meets this test and determination will be made by the Director.</p> <p>For those Standards and Guidelines that have been designated "Requirement (R)," an applicant may seek relief through Chapter 17G.030 Design Departures.</p> <p>It should be noted that there are other codes and ordinances that govern development in centers and corridors, such as the Building Code and Public Works Standards. The most restrictive code shall apply.</p>	<p>between two codes, <u>the most restrictive code shall apply.</u></p>												
<p><b><u>Section 17C.230.120 Maximum Allowed Parking Spaces</u></b></p> <p><b>Table 17C.230-1</b></p> <table border="1"> <tr> <td data-bbox="100 906 205 1105">CC1, CC2, CC3 [2]</td><td data-bbox="205 906 394 1105">Nonresidential</td><td data-bbox="394 906 741 1105">Minimum ratio is 1 stall per 1,000 gross square feet of floor area. Maximum ratio is 4 stalls per 1,000 gross square feet of floor area.</td></tr> <tr> <td data-bbox="100 1105 205 1409"></td><td data-bbox="205 1105 394 1409">Residential</td><td data-bbox="394 1105 741 1409">Minimum ratio is 1 stall per 1,000 gross square feet of floor area or a minimum of 1 stall per dwelling unit plus 1 per bedroom after 3 bedrooms; whichever is less. Maximum ratio is the same as for nonresidential uses.</td></tr> </table>	CC1, CC2, CC3 [2]	Nonresidential	Minimum ratio is 1 stall per 1,000 gross square feet of floor area. Maximum ratio is 4 stalls per 1,000 gross square feet of floor area.		Residential	Minimum ratio is 1 stall per 1,000 gross square feet of floor area or a minimum of 1 stall per dwelling unit plus 1 per bedroom after 3 bedrooms; whichever is less. Maximum ratio is the same as for nonresidential uses.	<p><b><u>Section 17C.230.120 Maximum Allowed Parking Spaces</u></b></p> <p><b>Table 17C.230-1</b></p> <table border="1"> <tr> <td data-bbox="779 906 884 1105">CC1, CC2, CC3 [2]</td><td data-bbox="884 906 1073 1105">Nonresidential</td><td data-bbox="1073 906 1419 1105">Minimum ratio is 1 stall per 1,000 gross square feet of floor area. Maximum ratio is 4 stalls per 1,000 gross square feet of floor area.</td></tr> <tr> <td data-bbox="779 1105 884 1268"></td><td data-bbox="884 1105 1073 1268">Residential</td><td data-bbox="1073 1105 1419 1268">Minimum ratio is 1 stall per dwelling unit , plus 1 per bedroom after 3 bedrooms. Maximum ratio is the same as for nonresidential uses.</td></tr> </table>	CC1, CC2, CC3 [2]	Nonresidential	Minimum ratio is 1 stall per 1,000 gross square feet of floor area. Maximum ratio is 4 stalls per 1,000 gross square feet of floor area.		Residential	Minimum ratio is 1 stall per dwelling unit , plus 1 per bedroom after 3 bedrooms. Maximum ratio is the same as for nonresidential uses.	<p><b>Purpose</b>  <i>The purpose of refining the design standards for CC1, CC2, and CC3 parking ratios is to better implement the Comp Plan's policy intent for pedestrian-oriented, mixed-use development, while understanding the need to buffer the impact of more intense development on adjacent single-family residents and the surrounding neighborhood.</i></p> <p><b>Policy Discussion:</b> Centers and Corridor design standards are critical to the development of mixed-use areas, which require more careful consideration of pedestrian environment and treatment of buildings.</p>
CC1, CC2, CC3 [2]	Nonresidential	Minimum ratio is 1 stall per 1,000 gross square feet of floor area. Maximum ratio is 4 stalls per 1,000 gross square feet of floor area.												
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<p><b><u>Landscaping as Transition Mitigation for Centers and Corridors</u></b></p> <p>NA: new section&gt;&gt;</p>	<p><b><u>Landscaping as Transition Mitigation for Centers and Corridors</u></b></p> <p><b>GUIDELINES:</b></p> <ul style="list-style-type: none"> <li>• <b>Buffer Zones:</b> CC1, CC2, and CC4 zoned properties except where buildings are built with no setback from the property line shall include an eight-foot wide planting area of see-through buffer, including street trees between development and adjacent residential neighborhoods that are next to or directly behind as prescribed in SMC 17C.200.050. The owners of adjacent properties may agree to consolidate their perimeter plantings along shared boundaries.</li> <li>• <b>Additional Landscape Features:</b> Developers are encouraged to include elements throughout the site that improve the health of trees and plantings, berms, improved storm water management, or artistic features that improve the pedestrian environment.</li> </ul>	<p><b>Intent:</b> <i>To provide a transition between higher density development and lower density residential near Centers and Corridors through landscape design to buffer impacts from lighting and sound.</i></p> <p><b>Policy Discussion:</b> This adds a new section to include <u>an eight-foot wide planting area of see-through buffer, including street trees between development and adjacent residential neighborhoods that are next to or directly behind.</u> The purpose is to provide a transition between higher-density development and lower-density residential through better landscape design to buffer visual and noise impacts.</p>
<p><b><u>Buildings along the Street (p 4)</u></b></p> <p><b>GUIDELINES:</b></p> <ol style="list-style-type: none"> <li>1. New development should not have only parking between buildings and the street. In shopping centers, buildings shall be placed along the sidewalk so that at least 15% of the frontage of the site consists of building façades.</li> <li>2. Buildings placed along sidewalks shall have windows and doors facing the street (see “Façade Transparency”) and shall incorporate other architectural features (see “Ground Level Details” and “Treatment of Blank Walls”).</li> </ol>	<p><b><u>Buildings along the Street</u></b></p> <p><b>GUIDELINES:</b></p> <ol style="list-style-type: none"> <li>1. New development shall not have parking between buildings and the street. Buildings shall be placed along the sidewalk so that at least 30% of the frontage of the site consists of building façades.</li> <li>2. Buildings placed along sidewalks shall have windows and doors facing the street (see “Façade Transparency” and “Prominent Entrances”) and shall incorporate other architectural features (see “Ground Level Details” and “Treatment of Blank Walls”).</li> <li>3. When the site contains a corner, the building shall</li> </ol>	<p><b>Intent:</b> <i>To ensure that at least some part of the development of a site contributes to the liveliness of sidewalks.</i></p> <p><b>Policy Discussion:</b> Changes to this section <u>would not allow parking between buildings and the street. It would also require that 30% of the frontage of the site consist of building façades.</u> This will ensure a livelier pedestrian environment by placing parking in the rear and ensuring some building frontage along the street, making pedestrian access more direct and enhancing the liveliness of the street activity.</p>

Current 2002 standards language w/page reference	Proposed 2015 standards language w/page reference (based on initial stakeholder input)	Rationale for proposed changes Policy intent reference
	be placed to the corner.	This adds a new guideline: <u>When the site contains a corner, the building shall be placed to the corner.</u> The purpose of this new guideline is to discourage placing parking on the corner and ensuring a livelier, safer pedestrian environment.  Also add: <u>Applicants have the ability to request a Design Review Board review.</u>
<b><u>Building Along Intersection Corners</u></b>  NA: new section>>	<b><u>Building Along Intersection Corners Requirement (R)</u></b>  <b><u>Guidelines:</u></b> <ol style="list-style-type: none"> <li>1. Buildings shall hold the street corner although setbacks that accommodate plazas, seating areas, landscaping, clear view triangles (for traffic safety) and prominent entrances are acceptable.</li> <li>2. When there is more than one intersection corner on the site, the building shall be oriented to the corner with the highest category street. For example the intersection of a principal arterial and a principal arterial would be preferred over the intersection of a principal arterial and a minor arterial.</li> </ol> <i>Deviation from this guideline must meet the intent of this section and requires a recommendation of approval by the Design Review Board.</i>	Intent: <i>To utilize building placement and massing along intersection corners to create an environment that frames the public realm and creates an urban street edge and contributes to the liveliness of sidewalks.</i>  Policy Discussion: This addition covers building along the street; specifically covering <u>intersection corners</u> . The purpose is to ensure that corners are held and makes the distinction between principle and minor arterials.
<b><u>Sidewalk encroachments (p 5)</u></b>  <b>GUIDELINES:</b> Temporary sidewalk encroachments are allowed. Café seating, planters, ramps, stairs, and sandwich board signs which are located on the sidewalk shall be located	<b><u>Sidewalk encroachments</u></b>  <b>GUIDELINES:</b> Temporary sidewalk encroachments are allowed. Café seating, planters, ramps, stairs, and sandwich board signs which are located on the sidewalk shall be located	Intent: <i>To ensure that there is a minimum clear, unobstructed walking route along sidewalks.</i>  <b>Policy Discussion:</b> <u>Changes the clear pathway from a 4-6 foot minimum, which is</u>

Current 2002 standards language w/page reference	Proposed 2015 standards language w/page reference (based on initial stakeholder input)	Rationale for proposed changes Policy intent reference
in such a manner as to leave a pathway at least 4 feet wide that is free of obstructions.	in such a manner as to leave a pathway at least 4-6 feet wide that is free of obstructions.	consistent with other city standards.
<p><b><u>Screening and noise control of services (p 7)</u></b></p> <p><b>GUIDELINES:</b></p> <ol style="list-style-type: none"> <li>1. All service, loading and trash collection areas shall be screened by a combination of decorative walls of masonry, wood, vinyl, and planting.</li> <li>2. Loading and service areas should not face any residential district, unless no other location is possible.</li> </ol>	<p><b><u>Screening and noise control of services</u></b></p> <p><b>GUIDELINES:</b></p> <ol style="list-style-type: none"> <li>1. All service, loading and trash collection areas shall be screened by a combination of decorative walls of masonry, wood, vinyl, and planting.</li> <li>2. Loading and service areas should not face or be adjacent to any residential district, unless no other location is possible.</li> </ol>	<p><b>Intent:</b> <i>To reduce the impact of service, loading and trash storage areas.</i></p> <p><b>Policy Discussion:</b> This change clarifies that loading, trash or service areas <u>should not face or be adjacent to any residential district</u> to reduce the impact of these activities. These activities should happen directly behind a building and shall be appropriately screened.</p>
<p><b><u>Pedestrian connections in parking lots (p 10)</u></b></p> <p><b>GUIDELINES:</b></p> <ol style="list-style-type: none"> <li>1. Within parking lots containing more than 30 stalls, clearly defined pedestrian connections should be provided: <ul style="list-style-type: none"> <li>•Between a public right-of-way and building entrances</li> <li>•Between parking lots and building entrances</li> </ul> Pedestrian connections can be counted toward the amount of required landscaping.</li> <li>2. Pedestrian connections shall not be less than 5 feet wide.</li> <li>3. Pedestrian connections shall be clearly defined by at least two of the following: <ul style="list-style-type: none"> <li>•6 inch vertical curb.</li> <li>•Textured paving, including across vehicular lanes.</li> <li>•A continuous landscape area at a minimum of 3 feet wide on at least one side of the walkway.</li> </ul> </li> </ol>	<p><b><u>Pedestrian connections in parking lots</u></b></p> <p><b>GUIDELINES:</b></p> <ol style="list-style-type: none"> <li>1. Within parking lots containing more than 30 stalls, clearly defined pedestrian connections should be provided: <ul style="list-style-type: none"> <li>• Between a <u>all</u> public right-of-way and building entrances</li> <li>• Between parking lots and building entrances</li> </ul> Pedestrian connections can be counted toward the amount of required landscaping.</li> <li>2. Pedestrian connections shall not be less than 5 feet wide.</li> <li>3. Pedestrian connections shall be clearly defined by at least two of the following: <ul style="list-style-type: none"> <li>•6 inch vertical curb.</li> <li>•Textured paving, including across vehicular lanes.</li> <li>•A continuous landscape area at a minimum of 3 feet wide on at least one side of the walkway.</li> </ul> </li> </ol>	<p><b>Intent:</b> <i>To create a network of safe and attractive linkages for pedestrians.</i></p> <p><b>Policy Discussion:</b> Requires a clearly marked pedestrian way between right-a-ways and building entrances. This allows safer pedestrian entry and movement through parking lots.</p>

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	<p>4. When there is a transit stop adjacent to the site, a pedestrian connection between the transit stops and building entrances, especially the prominent entrances, should be provided.</p> <p>5. Pedestrian connections should maximize directness of travel between pedestrian origin and destination.</p>	
<p><b><u>Drive-through lanes (p 11)</u></b></p> <p><b>GUIDELINES:</b> Access and stacking lanes serving drive-through businesses shall not be located between the building and any adjacent street.</p>	<p><b><u>Drive-through lanes</u></b></p> <p><b>GUIDELINES:</b> Any lanes serving drive-through businesses shall not be located between the building and any adjacent street.</p>	<p><b>Intent:</b> <i>To ensure that the streetscape environment is lively and not overwhelmed by the presence of automobiles.</i></p> <p><b>Policy Discussion:</b> Clarifying that any lanes serving drive-thru businesses shall not be located between the building and the adjacent street. (According to discussions with Planning Staff and those who were involved in developing these standards, this was the original intent).</p>
<p><b><u>Transition between commercial and residential development (p 12)</u></b></p> <p><b>GUIDELINES:</b> Code provisions require lower heights for portions of buildings that are close to single family residential zones. In addition, any side of the building visible from the ground level of an adjacent single family residential zone shall be given architectural treatment using two or more of the following: a. architectural details mentioned under “Ground Level Details” b. pitched roof form c. windows d. balconies e. if building is on the Spokane Register of Historic Places, the Secretary of the Interior’s Standards for rehabilitation historic design guidelines shall apply.</p>	<p><b><u>Transition between commercial and residential development Requirement (R)</u></b></p> <p><b>GUIDELINES:</b> Code provisions require lower heights for portions of buildings that are close to single family residential zones. In addition, any side of the building visible from the ground level of an adjacent single family residential zone shall be given architectural treatment using three or more of the following: a. architectural details mentioned under “Ground Level Details” b. pitched roof form c. windows d. balconies e. if building is on the Spokane Register of Historic Places, the Secretary of the Interior’s Standards for rehabilitation historic design guidelines shall apply.</p>	<p><b>Intent:</b> <i>To ensure compatibility between the more intensive uses in centers and corridors and lower intensity uses of adjacent residential zones by incorporating design elements that soften transitions and protect light and privacy for adjacent residents.</i></p> <p><b>Policy Discussion:</b> To protect adjacent residential quality of life, taller buildings in CC1 need to have <u>three or more</u> design elements such as <u>windows, balconies, architectural details, pitched roof form</u> that keep adjoining commercial activity from negatively impacting nearby residential activity.</p> <p>The Planning Director may approve a deviation from including three or more of the design elements only when the design is reviewed and recommended by the Design Review</p>



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	Deviation from using three of these architectural treatments must meet the intent of this section and requires a recommendation of approval by the Design Review Board.	Board as still meeting the intent of this section. This allows some flexibility in design, while still meeting the goals of minimizing impact to adjoining properties.  Also add: <u>Applicants have the ability to request a Design Review Board review.</u>
<b><u>Treatment of blank walls (p 13)</u></b>  <b>GUIDELINES:</b> Walls or portions of walls where windows are not provided shall have architectural treatment wherever they face adjacent streets or adjacent residential areas (see guidelines for Façade Transparency). At least four of the following elements shall be incorporated into these walls a. masonry (but not flat concrete block) b. concrete or masonry plinth at the base of the wall c. belt courses of a different texture and color d. projecting cornice e. projecting metal canopy f. decorative tilework g. trellis containing planting h. medallions i. opaque or translucent glass j. artwork k. vertical articulation l. lighting fixtures m. an architectural element not listed above, as approved, that meets the intent.	<b><u>Treatment of blank walls</u></b>  <b>GUIDELINES:</b> Walls or portions of walls where windows are not provided shall have architectural treatment wherever they face adjacent streets or adjacent residential areas (see guidelines for Façade Transparency). At least four of the following elements shall be incorporated into these walls a. masonry (but not flat concrete block) b. concrete or masonry plinth at the base of the wall c. belt courses of a different texture and color d. outward projecting cornice e. projecting metal canopy f. decorative tilework g. trellis containing planting h. medallions i. opaque or translucent glass j. artwork k. vertical articulation l. lighting fixtures m. vertical landscape wall or “green wall” n.. display windows o. Signage as identified in “Pedestrian Oriented Signs” p. an architectural element not listed above, as approved, that meets the intent.	<b>Intent:</b> <i>To ensure that buildings do not display blank, unattractive walls to the adjacent street or residential areas.</i>  <b>Policy Discussion:</b> This change clarifies that a projecting cornice (an architectural treatment that adds character to a building) should be outward facing.
<b><u>Prominent entrances (p 14)</u></b>  <b>GUIDELINES:</b>	<b><u>Prominent entrances Requirement (R)</u></b>  <b>GUIDELINES:</b>	<b>Intent:</b> <i>To ensure that main building entrances are easily identifiable, clearly visible, and accessible from streets and sidewalks in order</i>



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<p>1. The principal entry to a store / building shall be marked by</p> <p>(a) ornamentation around the door, and</p> <p>(b) at least one of the following:</p> <ul style="list-style-type: none"> <li>• Recessed entrance (recessed at least 3 ft.)</li> <li>• Protruding entrance (protruding at least 3 ft.)</li> <li>• Canopy (extending at least 5 ft.)</li> <li>• Portico (extending at least 5 ft.)</li> <li>• Overhang (extending at least 5 ft.)</li> </ul>	<p>1. The principal entry to a store / building shall face the street and/or intersection corner and be marked by</p> <p>(a) special or unique architectural detailing around the door opening, and</p> <p>(b) at least one of the following:</p> <ul style="list-style-type: none"> <li>• Recessed entrance (recessed at least 3 ft.)</li> <li>• Protruding entrance (protruding at least 3 ft.)</li> <li>• Canopy (extending at least 5 ft.)</li> <li>• Portico (extending at least 5 ft.)</li> <li>• Overhang (extending at least 5 ft.)</li> </ul> <p>2. When possible, the entrance should be considered as a collection of elements:</p> <ul style="list-style-type: none"> <li>▪ Overhead: canopy, porches, building extensions</li> <li>▪ Transitional: stoops, courtyards, stairways, ramps, portals, pocket gardens, deck</li> <li>▪ Ground Surface: Seating walls, special paving, landscaping, trees, lighting</li> </ul> <p>Deviation from this guideline must meet the intent of this section and requires a recommendation of approval by the Design Review Board</p>	<p><i>to encourage pedestrian activity and enliven the street.</i></p> <p><b>Policy Discussion:</b> This change requires the principal entry to a store/building to <u>face the street or intersection corner</u> to support pedestrian safety and provide a sense of place.</p> <p>Also add: <u>Applicants have the ability to request a Design Review Board review.</u></p>
<p><b><u>Facade Transparency</u></b></p> <p><b>NA: new section&gt;&gt;</b></p>	<p><b><u>Facade Transparency</u></b></p> <p><b>GUIDELINES:</b></p> <p>1. In residential, commercial or mixed-use, a minimum of 15% of any ground floor façade* that is visible from and fronting on any abutting street shall be comprised of windows with clear, “vision” glass allowing views into the interior.</p> <p>2. A minimum of 30% of any ground floor commercial or mixed-use building façade* that is visible from, fronting on, and located within 60 feet of an arterial or pedestrian street shall be comprised of windows with clear, “vision” glass</p>	<p><b>Intent:</b> <i>To provide visual connection between activities inside and outside the building.</i></p> <p><b>Policy Discussion:</b> This guideline clarifies that the percentage minimums apply to residential, commercial, and mixed-use facades.</p>

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	<p>allowing views into the interior. Display windows may be used to meet half of this requirement.</p> <p>3. A minimum of 50% of any ground floor commercial or mixed-use building façade* that is visible from and located within 20 feet of an arterial or pedestrian street shall be comprised of windows with clear, “vision” glass allowing views into the interior. Display windows may be used to meet half of this requirement.</p> <p>*façade within 2 feet and 10 feet above the level of the adjacent sidewalk, walkway or ground level.</p>	
<p><b><u>Materials</u></b></p> <p><b>NA: new section&gt;&gt;</b></p>	<p><b><u>Materials</u></b></p> <p><b>GUIDELINES:</b></p> <ol style="list-style-type: none"> <li>1. Subject to the façade transparency requirements of these design standards and guidelines, street level exterior facades* that face public streets or sidewalks should be clad in durable materials compatible with an urban context, including materials such as stone, tile, metal, masonry, concrete, manufactured cement products, and/or glass.</li> <li>2. Exterior Insulating Finish Systems (EFIS) and lapped siding products and generally do not comply with the intent of the City’s design standards and guidelines and are not allowed on ground floor exterior walls that face public streets or sidewalks.</li> <li>3. On street frontages, exit corridors, garage openings, loading docks and all recesses the design profession should provide a finished appearance to the street with street level exterior finishes fully wrapping into the openings.</li> </ol> <p>*façade within 2 feet and 10 feet above the level of the adjacent sidewalk, walkway or ground level.</p>	<p><b>Intent:</b> <i>To incorporate quality materials and architectural elements in the building design to support pedestrian oriented development.</i></p> <p><b>Policy Discussion:</b> In addition to glass percentages within building facades, additional materials require consideration, especially on street levels for curb appeal.</p>

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<p><b><u>Massing (p 16)</u></b></p> <p><b>GUIDELINES:</b></p> <ol style="list-style-type: none"> <li>1. Buildings should have a distinct “base” at the ground level, using articulation and materials such as stone, masonry, or decorative concrete.</li> <li>2. The “top” of the building should be treated with a distinct outline with elements such as a projecting parapet, cornice, or projection.</li> </ol>	<p><b><u>Massing Requirement (R)</u></b></p> <p><b>GUIDELINES:</b></p> <ol style="list-style-type: none"> <li>1. Buildings shall have a distinct “base” at the ground level, using articulation and materials, as noted in the “Materials” section.</li> <li>2. The “top” of the building shall be treated with a distinct outline that adds variation through the varying heights, steps, or depths. See “Roof Form” for additional requirements.</li> <li>3. Very large buildings should be designed to suggest a series of smaller buildings to add articulation in keeping with the adjacent neighborhood character.</li> </ol> <p>Deviation from these guidelines must meet the intent of this section and be approved by the Design Review Board.</p>	<p><b>Intent:</b> <i>To reduce the apparent bulk of the buildings and provide buildings that frame and define the street and contributions to the quality of the public realm and pedestrian experience.</i></p> <p><b>Policy Discussion:</b> Buildings <u>shall</u> have a distinct base at the ground level and that the top of the building <u>shall be</u> treated with a distinct outline in order to be in scale and character with the surrounding neighborhood. Also, <u>large buildings should be designed to suggest a series of smaller buildings</u> to add character and articulation.</p> <p>Deviation from these guidelines can be allowed by the Planning Director, but must be reviewed and recommended by the Design Review Board as still meeting the intent of this section (reducing the apparent bulk of the buildings by providing a sense of base and top). This allows some design flexibility.</p> <p>Add a new section entitled “Materials” which guides the use of quality materials on the ground floor to enhance the pedestrian</p> <p>Also add: <u>Applicants have the ability to request a Design Review Board review.</u></p>
<p><b><u>Roof form (p 17)</u></b></p> <p><b>GUIDELINES:</b></p> <p>Buildings shall incorporate one of the following roof forms:</p> <ul style="list-style-type: none"> <li>• pitched roofs with a minimum slope of 4:12 and maximum slope of 12:12, especially to highlight major entrances.</li> </ul>	<p><b><u>Roof Form Requirement (R)</u></b></p> <p><b>GUIDELINES:</b></p> <p>Buildings shall incorporate one of the following roof forms:</p> <ul style="list-style-type: none"> <li>• pitched roofs with a minimum slope of 4:12 and maximum slope of 12:12, especially to highlight major entrances.</li> </ul>	<p><b>Intent:</b> <i>To ensure that roof lines present a distinct profile and appearance for the building and expresses the neighborhood character.</i></p> <p><b>Policy Discussion:</b> This change clarifies that a projecting cornice (an architectural treatment that adds character to a building) should be <u>outward facing</u>. The change also adds flat</p>

Current 2002 standards language w/page reference	Proposed 2015 standards language w/page reference (based on initial stakeholder input)	Rationale for proposed changes Policy intent reference
<ul style="list-style-type: none"> <li>projecting cornices to create a prominent edge when viewed against the sky.</li> </ul>	<ul style="list-style-type: none"> <li>outward projecting cornices to create a prominent edge when viewed against the sky.</li> <li>Flat roofs are to be used in reference to surrounding context, reinforce the architectural character of the street and be modulated to establish human scale interaction.  Parapets without vertical or horizontal modulation in any 30 foot span shall have an outward projecting cornice of 6 inches minimum.  Stepped parapets of varying heights (2 feet or 0.1x the wall height), cornice or other architectural projection articulated through varying heights and depths.</li> </ul> <p>Deviation from these guidelines must meet the intent of this section and be approved by the Design Review Board.</p>	<p>room provisions.</p> <p>Also add: <u>Applicants have the ability to request a Design Review Board review.</u></p>
<p><b><u>Historic context considerations (p 18)</u></b></p> <p><b>GUIDELINES:</b></p> <p>1. New development should incorporate historic architectural elements that reinforce the established character of a center or corridor. The following elements constitute potential existing features that could be reflected in new buildings:</p> <ul style="list-style-type: none"> <li>materials</li> <li>window proportions</li> <li>cornice or canopy lines</li> <li>roof treatment</li> <li>colors</li> </ul> <p>2. When rehabilitating existing historic buildings, property owners are encouraged to follow the Secretary of the Interior's Standards for Rehabilitation*.</p> <ul style="list-style-type: none"> <li>if original details and ornamentation are intact, they should be retained and preserved.</li> </ul>	<p><b><u>Historic context considerations</u></b></p> <p><b>GUIDELINES:</b></p> <p>1. New development should incorporate historic architectural elements that reinforce the established character of a center or corridor but still remain a product of their own time.</p> <p>The following elements constitute potential existing features that could be reflected in new buildings:</p> <ul style="list-style-type: none"> <li>materials</li> <li>window proportions</li> <li>cornice or canopy lines</li> <li>roof treatment</li> <li>colors</li> </ul> <p>2. When rehabilitating existing historic buildings, property owners are encouraged to follow the Secretary of the Interior's Standards for Rehabilitation*.</p> <ul style="list-style-type: none"> <li>if original details and ornamentation are intact, they</li> </ul>	<p><b>Intent:</b> <i>To ensure that infill and rehabilitation, when it is adjacent to existing buildings having historic architectural character, is compatible with the historic context within the neighborhood.</i></p> <p><b>Policy Discussion:</b> Our architecturally rich neighborhoods are unique. The historical quality can be preserved and enhanced by new construction that respects this heritage.</p>

Current 2002 standards language w/page reference	Proposed 2015 standards language w/page reference (based on initial stakeholder input)	Rationale for proposed changes Policy intent reference
<ul style="list-style-type: none"> <li>•if original details are presently covered, they should be exposed or repaired.</li> <li>•if original details are missing, missing parts should be replaced to match the original in appearance. Remaining pieces or old photos should be used as a guide.</li> </ul> <p>3. If a proposed building is not adjacent to other buildings having a desirable architectural character, it may be necessary to look at contextual elements found elsewhere within the area.</p> <p>* a copy is available at the 3rd floor of City Hall or on the Internet at <a href="http://www.nps.gov">www.nps.gov</a></p>	<p>should be retained and preserved.</p> <ul style="list-style-type: none"> <li>•if original details are presently covered, they should be exposed or repaired.</li> <li>•if original details are missing, missing parts should be replaced to match the original in appearance. Remaining pieces or old photos should be used as a guide.</li> </ul> <p>3. If a proposed building is not adjacent to other buildings having a desirable architectural character, it may be necessary to look at contextual elements found elsewhere within the area.</p> <p>* a copy is available at the 3rd floor of City Hall or on the Internet at <a href="http://www.nps.gov">www.nps.gov</a></p>	
<p><b><u>Screening of Rooftop Equipment</u></b></p> <p><b>GUIDELINES:</b></p> <ol style="list-style-type: none"> <li>1. Mechanical equipment shall be screened by extended parapet walls or other roof forms that are integrated with the architecture of the building.</li> <li>2. Painting equipment, erecting fences, and using mansard-type roofs are not acceptable methods of screening.</li> <li>3. Cell phone transmission equipment should be blended in with the design of the roofs, rather than being merely attached to the roof deck.</li> </ol>	<p><b><u>Screening of Rooftop Equipment</u></b></p> <p><b>GUIDELINES:</b></p> <ol style="list-style-type: none"> <li>1. Mechanical equipment shall be screened by extended parapet walls or other roof forms that are integrated with the architecture of the building.</li> <li>2. Painting equipment, erecting fences, and using mansard-type roofs are not acceptable methods of screening.</li> <li>3. Cell phone transmission equipment should utilize stealth design when located on rooftops.</li> </ol>	<p><b>Intent:</b> <i>To screen view of rooftop mechanical and communications equipment from the ground level of nearby streets and residential areas.</i></p> <p><b>Policy Discussion:</b> This change adds clarification and updated language in regard to cell phone equipment.</p>

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<b>Pedestrian Streets: Building Design</b>		
<u><b>Ground Level Details</b></u>  <b>GUIDELINES:</b> Façades of commercial, residential and mixed-use buildings that face Pedestrian Streets shall be designed to be pedestrian-friendly through the inclusion of at least three of the following elements: <ol style="list-style-type: none"> <li>kickplates for storefront windows</li> <li>projecting sills</li> <li>pedestrian scale signs</li> <li>canopies</li> <li>plinths</li> <li>containers for seasonal planting</li> <li>tilework</li> <li>medallions</li> <li>if building is on the Spokane Register of Historic Places, the Secretary of the Interior's Standards for Rehabilitation historic design guidelines shall apply.</li> </ol>	<u><b>Ground Level Details</b></u>  <b>GUIDELINES:</b> Façades of commercial, <u>residential</u> and mixed-use buildings that face Pedestrian Streets shall be designed to be pedestrian-friendly through the inclusion of at least three of the following elements: <ol style="list-style-type: none"> <li>kickplates for storefront windows</li> <li>projecting sills</li> <li>pedestrian scale signs</li> <li>canopies</li> <li>plinths</li> <li>containers for seasonal planting</li> <li>tilework</li> <li>medallions</li> <li>rolling doors or windows</li> <li>if building is on the Spokane Register of Historic Places, the Secretary of the Interior's Standards for Rehabilitation historic design guidelines shall apply.</li> </ol>	<b>Intent:</b> <i>To ensure that buildings along any Pedestrian Street display the greatest amount of visual interest and reinforce the character of the streetscape.</i>  <b>Policy Discussion:</b> In addition to the "Materials" section in the Building Design guidelines, building facades within the Pedestrian Streets guidelines require consideration and compliance, especially on street levels for curb appeal.

<u><b>Further considerations:</b></u>	<ul style="list-style-type: none"> <li>• Design Review Board may experience an increased workload.</li> <li>• Concurrently, Planning Staff may have an increased workload to assist DRB.</li> <li>• Currently, Design Review fee does not cover all of City's processing expenses.</li> <li>• Currently the fee for Board Review is \$1,275 and the Administrative Review is \$600.</li> <li>• Staff wants to ensure that these Design Guidelines have the flexibility needed for investment to continue and be encouraged in Centers &amp; Corridors.</li> </ul>
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