

# FINAL DRAFT 11-18-2022

## ORDINANCE NO. C - \_\_\_\_\_

An ordinance relating to the adoption of the Cannon Streetcar Suburb Local Historic District Overlay Zone and Design Standards and Guidelines; adopting new SMC sections 17D.100.290.

WHEREAS, the City and Spokane County find that the establishment of a landmarks commission with specific duties to recognize, protect, enhance and preserve those buildings, districts, objects, sites and structures which serve as visible reminders of the historical, archaeological, architectural, educational and cultural heritage of the City and County is a public necessity; and

WHEREAS, the City of Spokane Comprehensive Plan requires that the city utilize zoning provisions, building regulations, and design standards that are appropriate for historic districts, sites, and structures; and

WHEREAS, the Cliff-Cannon Neighborhood Council contacted the Spokane Historic Preservation Office requesting that a local historic district be formed in the neighborhood; and

WHEREAS, the Historic Preservation Office applied for and received a grant from the Department of Archaeology and Historic Preservation to create the documents required to form the Cannon Streetcar Suburb Historic District including the nomination document detailing the history and characteristics of the district, resource forms including specific information and photographs of every property within the district, and design standards and guidelines specific to the district; and

WHEREAS, the Spokane City/ County Historic Preservation Office conducted outreach efforts including a regularly updated website with all documents and information about the district, multiple presentations, three workshops, a survey, and direct feedback from property owners; and

WHEREAS, a committee of engaged property owners within the boundaries of the district came together to strategize their own outreach efforts, determined when the ballots should be sent to property owners, planned door-knocking campaigns, stayed in close contact with the Historic Preservation Office about the status of returned ballots, and led to the ultimate success of the property owner vote; and

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WHEREAS, after conducting extensive historic research and engaging the community for input and feedback, a Cannon Streetcar Suburb Local Historic District Nomination form, Cannon Streetcar Suburb Local Historic District Inventory Resource Forms, and Cannon Streetcar Suburb Local Historic District Design Standards and Guidelines have been developed for adoption of the district to the Spokane Register of Historic Places and for the formation of the Cannon Streetcar Suburb Local Historic District Overlay Zone; and

WHEREAS, formation of a historic district provides numerous property owners with the financial benefit associated with historic preservation tax incentives when they invest substantially in their property as well as access to a Façade Improvement Grant available through the Historic Preservation Office without the requirement of having to individually list their home or building; and

WHEREAS, 56.1% of the owners of developable parcels within the district boundaries have voted in favor of forming the Cannon Streetcar Suburb Local Historic District Overlay Zone (324 “YES” votes out of 577 possible votes which exceeds the 50% +1 required by SMC17D.100.100B); and

The City of Spokane does ordain:

Section 1. That there is adopted a new section 17D.100.290 to Chapter 17D.100 SMC to read as follows:

## **17D.100.290 Cannon Streetcar Suburb Local Historic District Overlay Zone**

### **A. Purpose.**

This special overlay zone establishes a local historic district in Cliff-Cannon under section 17D.100.020. This overlay zone sets forth standards and guidelines that will maintain the historic character of the district through a landmark’s commission design review process.

### **B. Designation of Districts.**

Along with individual properties, contiguous groups of properties can be designated as local historic districts on the Spokane Register of Historic Places.

1. The process for designation of local historic districts is detailed in Chapter 17D.100.
2. Local historic districts are displayed as an overlay zone on the official zoning map and its title and purpose are adopted as an ordinance under

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Title 17C. See the Cannon Streetcar Suburb Local Historic District Overlay Zone Map 17D.100.290-M1.

C. Certificate of Appropriateness Review.

The certificate of appropriateness review process for the Cannon Streetcar Suburb Local Historic District helps ensure any alterations to a building do not adversely affect that building's historic character and appearance, or that of the historic district. The process is conducted by the Spokane Historic Landmarks Commission as detailed in "Cannon Streetcar Suburb Local Historic District Design Standards and Guidelines."

1. The District Design Standards and Guidelines assist property owners through the design review process by providing the following:
  - a. District-wide design standards and guidelines,
  - b. Specific design standards and guidelines for single-family contributing structures,
  - c. Specific design standards and guidelines for multi-family contributing structures,
  - d. Specific design standards and guidelines for non-contributing structures,
  - e. Design standards and guidelines for new construction, and
  - f. Demolition review criteria for properties within the district.
2. The Cannon Streetcar Suburb Local Historic District Design Standards and Guidelines require property owners to apply for and receive a Certificate of Appropriateness for proposed exterior changes to properties within the district as outlined in the Cannon Streetcar Suburb Local Historic District Design Standards and Guidelines and under sections 17D.100.200-220.

D. The Cannon Streetcar Suburb Local Historic District Design Standards and Guidelines are intended to provide guidance for decision making by both the property owner when undertaking work within the Cannon Streetcar Suburb Local Historic District and the historic preservation officer and commission when issuing certificates of appropriateness in the district. The Cannon Streetcar Suburb Local Historic District Design Standards and Guidelines are not development regulations but are instead used to assist the historic preservation officer and commission to make decisions in accordance with the Secretary of Interior's Standards Rehabilitation. Final decisions of the HPO or the commission are based on the Secretary of Interior Standards for Rehabilitation (Department of Interior regulations, 36 CFR 67). The following Standards for Rehabilitation are the criteria used to determine if a rehabilitation project qualifies for a certificate of appropriateness. The intent of the Standards is to assist the long-term preservation of a property's significance through the preservation of historic materials and features. The following Standards are to be applied to specific

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rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential

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form and integrity of the historic property and its environment would be unimpaired.

- B. The Cannon Streetcar Suburb Local Historic District Design Standards and Guidelines, which are incorporated by reference and included as Appendix A are adopted.

PASSED BY THE CITY COUNCIL ON \_\_\_\_\_, 2023.

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

Attest:

Approved as to form:

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

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

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