

CITY OF PULLMAN

Public Works and Planning Departments

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MEMORANDUM

TO:

Pullman Planning Commission

FROM:

Pete Dickinson, Planning Director

FOR:

Meeting of July 28, 2010

SUBJECT:

College Hill Core Design Standards

DATE:

July 21, 2010

Implementation Strategy No. 2A from the College Hill Core Neighborhood Plan reads as follows:

Adopt and implement architectural design standards for new construction in the College Hill Core to improve compatibility between existing and new structures and to enhance the appearance of the built environment.

In March of this year, the Planning Commission discussed procedures for developing architectural design standards for the College Hill Core neighborhood. The Commission decided at that time to begin the process by conducting an introductory meeting to discuss the basic factors involved with interested citizens. During this session, the Commission is expected to address questions such as: Why are design standards needed? What problems are we trying to solve? What characteristics of the neighborhood are we trying to preserve or enhance? How does this project fit in with the overall vision for the College Hill Core neighborhood and the larger community?

This memorandum is written to provide background material for this upcoming meeting. It supplies information on the potential purposes of design standards, the characteristics of these types of provisions, the history of said standards in Pullman, and the process for creating the regulations for College Hill.

Potential Purposes

There are several potential purposes for establishing design standards, some of which

are mentioned in Implementation Strategy No. 2A above. These purposes may include:

- improve the appearance of an area
- enhance land use compatibility
- preserve a community's heritage
- improve function (e.g., making pedestrian walkways more usable)
- increase safety and security (cited in the College Hill Core Plan as an objective under Implementation Strategy No. 1E)
- create an identity (e.g., Leavenworth's Bavarian theme)

Basics of Design Review Standards

Zoning rules were instituted in the United States beginning in the early 1900s to attempt to address several public health and sanitation issues facing urban areas at that time. Back then, polluting factories operated in the midst of residential areas. Buildings were constructed with little or no separation between them, resulting in poor air circulation and lack of sunlight, and also significantly constraining access for fire fighting personnel and equipment. The concepts embedded in early zoning ordinances—which have continued in large part to the present day-were to separate different types of land uses (e.g., keep industries apart from dwellings) and to provide basic limitations on structures (e.g., building setbacks, height restrictions, and lot coverage constraints). Following the post-World War II building boom that created an extensive amount of standardized real estate products (such as track homes), some communities began to think about augmenting their existing zoning regulations with design provisions. In the 1970s, jurisdictions formulated rudimentary appearance codes that dealt with materials and colors of building façades, and also crafted sign codes to control the size, height, and number of signs. Several communities initiated design guidelines for historic sites and districts (principally through the use of "The Secretary of the Interior's Standards for the Treatment of Historic Properties") as a way to preserve the character of applicable properties. developers placed restrictive covenants on subdivisions to limit building sizes, materials, and colors, among other things. With these activities, the concept of design standards had taken hold.

Design review is the local government practice of examining public and private projects for the quality of their appearance and the layout of their components. Design standards typically focus on the following five subjects:

 Overall Site Layout: The configuration of project elements significantly influences the look and feel of a development. The matters that are reviewed under this category are vehicular access, parking areas, pedestrian walkways, building location, placement of open space, relationship to adjacent properties, and association with the adjoining street(s). Usually, these items are examined with an interest in reducing impacts, improving function, and enhancing compatibility with the property's surroundings.

- 2) <u>Building Design</u>: The orientation and form of the structures on a site can be appropriately addressed through design standards. Common areas of emphasis are the mass (i.e., height, width, and depth) of the structure, roof characteristics, location and treatment of the building entrance, the placement and design of windows, the form of the walls, the materials used for exterior surfaces, and the relationship of the structure to other buildings in the surrounding area.
- 3) <u>Landscaping</u>: The use of plant materials can contribute substantially to the character of a development. Design standards related to this subject focus on landscaping that shapes and defines the various features of a project, provides functional open space for users of the development, promotes safety and security, and effectively buffers parking areas and property boundaries.
- 4) <u>Signs</u>: Design review under this category usually concentrates on signs for commercial properties, but it also deals with displays at residential sites. The benefit of utilizing design standards for signs is that appropriate locations and sizes for the displays can be programmed up-front rather than addressed as more of an afterthought at the end of the process.
- 5) Public Spaces: Whether the improvements are being constructed by a public entity or a real estate developer in association with a private project, changes made to public spaces are of importance to community residents. Public spaces include sidewalks, pathways, planting strips, streets, alleys, plazas and transit facilities. Design standards for this category can address issues related to appearance, visibility, access, usability, maintenance, lighting, and security.

Design standards can be incorporated directly into a jurisdiction's code, or they can be a stand-alone document referenced in a code book. The provisions commonly begin with an introductory section that outlines the purposes of and the process for design review. The remainder of the document provides the detailed standards or guidelines. Usually, there are plenty of graphics (photos and drawings) to illustrate the text.

Most design standards apply to multi-family dwellings and commercial development. Many cities have developed regulations to address the quality of projects in their downtown districts. Some cities, especially those in California and Arizona, have crafted design provisions for single family homes to prevent the construction of oversized houses that are out of character with the rest of the neighborhood or to preserve a desired theme. A limited number of jurisdictions employ design review for industrial development. A recent trend in design review is the application of standards that are specific to a

particular neighborhood.

Design standards can be administered by city staff, a design review board (which includes architects and other design professionals), or a combination thereof. Regulations managed by city staff tend to be more quantitative and measureable. An advantage of this method is that review occurs by the same core group of staff members, which aids in consistent application of the provisions. The disadvantages are reduced transparency (there are no public meetings associated with the operation, unless an appeal is filed) and reduced credibility (most generalist planners do not have specific expertise in design matters so they are not well equipped to address certain technical issues or suggest reasonable alternatives).

A design review board conducts its business at public meetings, thereby increasing citizen involvement in the process. Use of such a committee for administering the standards expands the variety of input, and adds credibility to the procedure given the credentials of the board members. In addition, the collective expertise of the board allows for increased flexibility and design departures relative to particular projects (all within the confines of a city's regulations, of course). The downsides of utilizing a committee is the increased potential for inconsistency in the application of the standards, and the longer timelines associated with the review process. Regardless of how the provisions are administered, it behooves each jurisdiction to establish consistent procedures for conducting the review process so developers can manage their construction schedule accordingly.

The city of Gig Harbor uses a combination of staff and a committee for its design review process. If an applicant submits a proposed project that meets the specific design regulations identified in the city's code, the staff approves the proposal through a streamlined system. If, on the other hand, an applicant seeks certain deviations to the standards, then the matter is transferred to the design review board for action.

The legal aspects of design review are an important consideration for any jurisdiction embarking on such a program. The first Washington State Court of Appeals case that involved design provisions (*Anderson v. Issaquah*) was decided in 1993. In this instance, Mr. Anderson proposed to construct a 6,800-square-foot commercial building in an area zoned for business use. During the application process, the city's design review board (the Issaquah Development Commission) denied the proposal on the grounds that it did not comply with the jurisdiction's criteria. In its decision, the court affirmed the legitimacy of design review by stating that "aesthetic standards are an appropriate component of land use governance." However, the court objected to the lack of specificity and clarity in the city of Issaquah's provisions. The court stated the following:

Looking first at the face of the building design sections of IMC (Issaquah Municipal Code) 16.16.060, we note that an ordinary citizen reading these sections would learn only that a given building project should bear a good relationship with the Issaquah Valley and surrounding mountains; its windows, doors, eaves and parapets should be of "appropriate proportions", its colors should be "harmonious" and seldom "bright" or "brilliant"; its mechanical equipment should be screened from public view; its exterior lighting should be "harmonious" with the building design and "monotony should be avoided." The project should also be "interesting". IMC 16.16.060(D)(1)-(6). If the building is not "compatible" with adjacent buildings, it should be "made compatible" by the use of screens and site breaks "or other suitable methods and materials." "Harmony in texture, lines, and masses [is] encouraged." The landscaping should provide an "attractive . . . transition" to adjoining properties. IMC 16.16.060(B)(1)-(3).

As is stated in the brief of amicus curiae, we conclude that these code sections "do not give effective or meaningful guidance" to applicants, to design professionals, or to the public officials of Issaquah who are responsible for enforcing the code...Whenever a community adopts such standards they can and must be drafted to give clear guidance to all parties concerned. Applicants must have an understandable statement of what is expected from new construction. Design professionals need to know in advance what standards will be acceptable in a given community. It is unreasonable to expect applicants to pay for repetitive revisions of plans in an effort to comply with the unarticulated, unpublished "statements" a given community may wish to make on or off its "signature street". It is equally unreasonable, and a deprivation of due process, to expect or allow a design review board such as the Issaquah Development Commission to create standards on an ad hoc basis, during the design review process.

The appeals court in this case ruled in favor of the appellant, and it ordered the city to grant approval for Mr. Anderson's project. The lesson to be learned from this and other pertinent judicial decisions is that design standards must be clear and explicit, and they must be applied by means of a step-by-step process to ensure fair and consistent treatment of all concerned.

A Short History of Design Provisions in Pullman

In the mid-1970s, the Pullman's Planning Commission and City Council held a series of workshops to explore the possibility of establishing architectural design standards for the community. In 1975, the city produced a draft set of design review provisions "to insure a higher quality of development, and improve our built environment." The document provided general directives pertaining to building design, pedestrian and vehicular access,

parking, grading and landscaping, signs, utilities, construction in flood plain areas, and the relationship of development to the adjoining area. These proposed provisions were never adopted.

In the 1980s, Pullman was chosen by the National Trust for Historic Preservation as one of five cities in the state of Washington to participate in the "Main Street Program" for downtown revitalization. This program promotes the use of four strategies—organization, promotion, design, and economic restructuring—to improve conditions in the central business district. To assist with the design component, the program management team, in conjunction with the city, prepared a set of design guidelines for the downtown. These guidelines addressed such matters as storefront design, color schemes, exterior surface materials and texture, building ornamentation, signage, and awnings. The planning department still refers downtown merchants to these guidelines when pertinent questions arise.

Over the years, the city has supplemented its zoning code with standards that address design features. In 2002, the zoning code was amended to add "transition area standards" that increase setbacks, reduce building sizes, and restrict balconies for developments in high density residential districts that abut low density zones. In 2002, the city added provisions to limit to 50 percent the percentage of a front yard that can be covered with driveways or parking, and in 2003, regulations were adopted that deemphasize garages through design criteria. Also in 2003, the city instituted "infill development standards" to improve land use compatibility for residential buildings on lots of 10,000 square feet or less by requiring these buildings to correspond with surrounding structures in relation to setbacks, size, and roof pitch.

In accordance with a 2008 City Council goal, the city explored the procedures necessary to join the Certified Local Government (CLG) program for historic preservation. Jurisdictions that are granted CLG status by the State Historic Preservation Officer and the National Park Service are sanctioned to operate a local historic preservation program involving creation of an Historic Preservation Commission (HPC), development of a local register of historic places, and adoption of an ordinance that, in part, authorizes the HPC to conduct design review for most changes proposed to properties listed on the local register. In September of 2008, the City Council expressed support for engaging in this program, and it formed an ad hoc committee to assist staff in writing a draft ordinance. The Planning Commission endorsed this draft ordinance in December of 2008. The Council reviewed the proposed legislation the following month and requested several changes to the draft. The proposed ordinance is currently under review by the city's legal staff.

Process

The formulation of design standards typically originates with a community discussion that occurs during a long-range planning process. In Pullman's case, that community discussion took place as part of the development of the College Hill Core Neighborhood Plan. The basic need for the standards has already been established in that plan, so the next steps are to devise guiding principles and craft the specific standards. In the end, the regulations will be set up to preserve or enhance the desirable features of the College Hill Core neighborhood.

To refresh your memory, the basic process for developing the design standards, as approved by the Planning Commission at its March 24 meeting, is as follows:

- Planning Commission conducts a meeting (July 28) to discuss the objectives of the proposed design standards
- 2) Planning staff develops draft standards
- 3) Planning Commission conducts a workshop(s) to review the draft standards
- 4) City staff documents the environmental impacts of the project by engaging in the State Environmental Policy Act process
- 5) Planning Commission holds a public hearing on the matter
- City Council conducts a public meeting or hearing on the matter

At the upcoming meeting of July 28, the Commission is requested to entertain presentations on this topic by staff and various College Hill stakeholders. The Commission is also requested to accept comments from the general public at this session. In addition, the Commission will be asked to provide direction to staff—either at the July 28 meeting or at a later date—regarding the procedural and substantive aspects of the draft standards.