

Spokane Plan Commission

June 10, 2015

Council Briefing Center

Hearings will be held in the City Council Chambers

AGENDA

TIMES GIVEN ARE AN ESTIMATE AND ARE SUBJECT TO CHANGE

2:00 P.M.	Public Comment Period:
City Council	Citizens are invited to address the Plan Commission
Briefing Center	on any topic not on the agenda.....3/m each

Commission Briefing Session:

2:00 - 2:15	1) Approve May 27, 2015 Meeting Minutes
	2) Council/Assembly Liaison Reports
	3) President Report – Dennis Dellwo
	4) Transportation Subcommittee Report – John Dietzman
	5) Secretary Report – Louis Meuler

Reports:

2:15 - 2:35	1) APA National Conference Highlight Presentation – Asher Ernst
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Workshops:

2:35 - 3:15	1) Cell Tower Ordinance Update– Tami Palmquist & James Richman
3:15 - 3:45	2) Neighborhood Notification Ordinance – Grant Wencil

Hearings - City Council Chambers:

4:00 - 5:00	1) Centers and Corridors Code and Design Guidelines – Tirrell Black
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Adjournment:

Next Plan Commission meeting will be June 24, 2015.

The password for City of Spokane Guest Wireless access has been changed:

Username: COS Guest

Password:

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 Council Chambers and the Council Briefing Center in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., are both wheelchair accessible. The Council Briefing Center is equipped with an audio loop system for persons with hearing loss. The Council Chambers currently has an infrared system and headsets may be checked out by contacting the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Chris Cavanaugh at (509) 625-6383, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or ccavanaugh@spokanecity.org. Persons who are deaf or hard of hearing may contact Ms. Cavanaugh at (509) 625-6383 through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

River Oaks Communications Corporation

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Telephone: (303) 721-0653
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City of Spokane Agenda for Plan Commission Presentation June 10, 2015

- I. Introductions**
 - A. River Oaks Communications Corporation**
 - B. Telecom Law Firm, P.C.**
- II. Overview of Federal Law**
 - A. Telecommunications Act of 1996**
 - B. Middle Class Tax Relief and Job Creation Act of 2012**
 - C. FCC Wireless Order -- October, 2014**
 - D. Federal Register Publication -- January, 2015**
 - E. New Rules -- Effective April, 2015**
- III. Explosive Broadband Growth -- Coverage and Capacity Issues for Residents and Providers**
- IV. Stakeholder Meetings -- Industry, Residents, City Departments and City Council/Plan Commission**
- V. Development of Fact Sheet for Spokane Regarding Cell Towers and Antennas**
 - A. Fact Sheet Posted on City's Website**
- VI. Spokane Municipal Code -- Chapter 17C.355 Wireless Communication Facilities**
- VII. Update on Modifying the Wireless Code**
 - A. Discuss Best Practices from Other Jurisdictions**
 - B. Proposed Model Ordinance Submitted by the Cliff Cannon Neighborhood Council**

VIII. Distributed Antenna Systems (DAS) and Small Cell Sites

IX. Use of City Property -- Parks, Fire Stations, Police Stations, Poles, Etc.

X. Application Deposit and Fees

XI. Next Steps

XII. Conclusion

NEIGHBORHOOD NOTICE WHITE PAPER

Plan Commission Workshop
June 10, 2015

Background

At two citizen summit meetings in 2014 moderated by Council President Ben Stuckart, possible improvements to communication and other issues between city government and city neighborhoods were discussed. Citizens voted on the top issues needing improvement. Land use notification was the number one issue and a stakeholder group began exploring modifications.

December 2014: The stakeholder group with help from Gonzaga University Law Clinic drafted specific proposed changes to Spokane's existing land use notification related to neighborhoods and sent the draft to Council President Ben Stuckart and others for review.

April 2015: Council President Ben Stuckart provided a Neighborhood Notification Summary Paper and a draft of proposed ordinance changes to the Planning Department for review. A meeting between Council President Ben Stuckart, stakeholder members, and City staff discussed clarifications and modifications to the proposed ordinance changes.

May 2015: Two meetings were held between city staff members (Planning and Development Services, Legal, Community and Neighborhood Services) and stakeholder members to further clarify issues and propose acceptable, workable, and legal changes. The result has been a draft of potential modifications to Title 17 of the Spokane Municipal Code (included, pages 4-17).

Proposal Goal

To improve the Spokane Neighborhood Council's notification procedures, project awareness, and ability to comment on land use applications and permits which are processed by the City of Spokane.

Regulatory Framework

The Revised Code of Washington (RCW) establishes much of the framework that jurisdictions must follow regarding land use "project permits", "permit applications", project review and approval, public notice and public comments, time frames, and appeals. The statute requires all jurisdictions in the state to provide for a predictable and expedient process for processing applications. Administrative procedures related to application processing are required to contain certain specific steps that are required to be completed within 120 days.

Within that framework, local jurisdictions have the ability to establish more refined and functional requirements and processes, which the City adopted into the Spokane Municipal Code in 1996. Some "project permits" and "project applications" with minimal public impact are approved by city officials, typically building officials, and do not require review from other officials, or require a public notice, public hearing, or public comments. Other project types have increased public impact and therefore have strict requirements for public notice, project review, public hearing, etc. with the approval process. These project types are listed within the Spokane Municipal Code, Title 17G. Administration and Procedures.

Present Process Requirements for “x” Permit Type

The provisions of RCW 36.70.B require the follow minimum steps to be accomplished within 120 days of the application processing time:

- Complete Application Certification
- Notice of Application
- Public Comment Period
- SEPA Threshold Determination (if applicable)
- Notice of Public Hearing
- Consolidated Public Hearing
- Open Record Public Hearing
- Closed Record Public Hearing
- Notice of Decision
- Appeal

The **Complete Application Certification** is a determination by the local official that the application subject is ‘complete’, and as a result of this determination the application is ‘vested’ against review by newly adopted regulations that are promulgated after the date of vesting. This procedure should follow closely the ‘Vesting Rights Doctrine’ of the State of Washington. This process is required to take no more than 28 days.

The **Notice of Application** is a procedure that requires public notice to be provided that informs the public that an application has been filed with the local jurisdiction including reference information (project name, file number, etc.), contact information and a project description. The preparation of the Notice of Application is required to be completed within 14 days of the determination of a Complete Application.

As part of the Notice of Application, a **Public Comment Period** is required to be completed and notice of the ability to comment on an application is provided on the Notice of Application. This time is discretionary to the jurisdiction except that it may not be less than 14 days and may not be more than 30 days.

At the end of the public comment period, a **SEPA (State Environmental Policy Act) Threshold Determination** will be made on the project, if applicable. A SEPA determination is a decision on the likely impacts of the project to either the natural or manmade environment. Please note that SEPA can occur earlier in the application process such as with Notice of Application when the Optional DNS Process is used. The Threshold determination is required to be made no less than 15 days before the Public Hearing.

The **Notice of Public Hearing** is required to occur after the Public Comment Period and if applicable, after the SEPA Threshold Determination has been made. Again, the notice is required to contain project information, contact information and the date, time and place of the hearing. Notice of Public Hearing is required to be made no less than 15 days before the hearing.

The Public Hearing is an opportunity for all people to present to the decision maker their position on an application. There are rules for conduct of a Public Hearing such as recording the testimony, submission of evidence and the protocol for a person testifying.

In the past, an application with multiple components may go through multiple hearings related to a project. Each time the application risked being disallowed because one component would not be approved. The statute provides for **Consolidated Public Hearing** and allows applications to be combined into one public hearing and receive one decision of approval or denial for the overall project. The City of Spokane is a Hearing Examiner based system, which means that the Hearing Examiner renders all discretionary decisions. This includes rezones, variances, preliminary plats, shoreline permits and some special permits.

The number of Public Hearings is limited under the statute to one **Open Record Hearing** and one Closed Record Hearing. The Open Record Hearing is a hearing conducted by an officer that creates the record through testimony and submission of evidence on the project permit. An Open Record Hearing may also be held on an appeal if no open record predecision hearing was held, such as the case of short plat or the issuance of a building permit.

The **Notice of Decision** is required to provide notice of the decision rendered on an application including any statement about the SEPA threshold determination and procedures for administrative appeal, if any. The Notice of Decision may be a copy of the report or the decision on the permit. The notice is required to be provided to the applicant and anyone who requested notice of the decision or submitted substantive comments on the application.

An **Appeal** of a decision may be allowed and notice of the appeal procedure is required to appear on the Notice of Decision. Depending on the type of appeal, either an open record or closed record appeal hearing is conducted. The purpose of the appeal hearing is to allow for an applicant or an affected party to present evidence and testimony to a single hearing body or officer in conjunction with a project permit to consider changing the final permit decision.

The **Closed Record Hearing** relates to the appeal of a decision, following an open record hearing on a project. In this case, the record for the appeal hearing is closed and no new information may be submitted. The party that reviews the appeal may only consider the information that was presented at the open record hearing on the application.

Major Proposed Changes

- Early in the process, the applicable city department will forward complete project permit applications to the neighborhood council in which the project is located for review and comments.
- The department will provide a written response to neighborhood comments received, and also forward comments to the project applicant.
- Applications for demolition permits will be forwarded to the neighborhood council in which the project is located for review and comments.
- The city website/project address will be added to the sign requirements for public notice signs.

Neighborhood Notice

Proposed draft modifications within the Spokane Municipal Code 6/1/15

Underlined text is new proposed text, crossed out text is to be removed, and notes in boxes help explain changes, but are not included with proposed code modifications.

Section 17G.060.090 Determination of a Complete Application

Within twenty-eight days of receiving a project permit application, the department shall determine if the application is complete (RCW 36.70B.070). Upon receipt of a project permit application the department shall:

A. Counter Complete.

Conduct a preliminary, immediate review to determine if the application contains the documents and information required by SMC 17G.060.070. If the administrative official determines the application does not contain the required documents and information, the application including fees shall be returned to the applicant.

B. Component Screening.

If the application appears to contain required documents, the department shall accept the application and within seven days, conduct a detailed review and determine if any additional information is necessary to process the application. If the ~~((administrative official))~~ department determines the application is missing required components, or is inadequate in other ways, the application including any fees shall be returned to the applicant.

C. Review by Interested Agencies.

If the application, after the detailed review, is found to contain the required components and supporting documents, the application shall be forwarded to ~~((a#))~~ ((i)) interested City departments, ((and)) ((ii)) agencies of local, state, or federal governments that may have jurisdiction over some aspect of the application, and ((iii)) the individual(s) designated pursuant to SMC 4.27.010(D) to receive written notice on behalf of the neighborhood council in which the project is located, at the address for such departments, agencies, and neighborhood council designee(s) on file with the department, for review to ensure compliance with state laws, ordinances and concurrency requirements. Interested departments, agencies, and the neighborhood council shall be given fourteen days

SMC 4.27.010 (D)
Each neighborhood council designates at least two individuals to receive written documentation and other information from the City's department of neighborhood services and code enforcement and to be responsible for disseminating this information to their respective neighborhood councils.

Note: the applicable department will process the application.

Note: Complete project permit applications to be forwarded by the applicable city department to the neighborhood council in which the project is located for review and comments.

to provide comments on a permit application. All written comments will be forwarded to the applicant at the end of the fourteen day comment period.

1. If review agencies require additional information to continue processing the application, the applicant shall be notified in writing.
2. Required information must be provided within sixty days from the notification by the department. The applicant may submit a written request for additional time to the director; any time extensions shall be in writing. If the information is not received within the sixty days (or as otherwise agreed to), the application and a portion of the fees shall be returned to the applicant, pursuant to [chapter 8.02 SMC](#).
3. Within fourteen days of the submission of the additional information identified by the review agency, the department shall notify the applicant whether the studies are adequate or what additional information is necessary.
4. If the neighborhood council submits written comments on an application, the department shall provide a written response to the chairperson no later than the date on which the application is certified complete pursuant to paragraph D herein below.

Timeline requirements:

7 days (to determine if application complete to process)

14 days (comment period)

within 7 days after comment period ends (application to be certified complete if no additional information needed)

Note: The purpose of this preliminary step in the application process is primarily to determine whether the application includes adequate information for further processing. RCW 36.70B.070

D. Application Certified Complete.

Within seven days of the expiration of the interested agency comment period, if no additional information was required, or the information required under subsection (C) of this section is acceptable, the administrative official shall certify the application complete. Applications requiring review by the hearing examiner are forwarded to the hearing examiner upon being certified as complete.

E. Vesting.

Applications shall be considered vested at the time the application is certified complete, the vesting date shall be the date of application submission. If the application is not complete when filed or information is not timely provided as set forth in subsection (B) or (C) of this section, the application shall not be considered complete for purposes of vesting or other statutory compliance dates.

Note: Under State law, fundamental land use planning choices made in adopted comprehensive plans and development regulations must serve as the foundation for project review. RCW 36.70B.030(1).

(2) During project review, a local government or any subsequent reviewing body shall determine whether the items listed in this subsection are defined in the development regulations applicable to the proposed project or, in the absence of applicable regulations the adopted comprehensive plan. At a minimum, such applicable regulations or plans shall be determinative of the:

(a) Type of land use permitted at the site, including uses that may be allowed under certain circumstances, such as planned unit developments and conditional and special uses, if the criteria for their approval have been satisfied;

(b) Density of residential development in urban growth areas; and

(c) Availability and adequacy of public facilities identified in the comprehensive plan, if the plan or development regulations provide for funding of these facilities as required by chapter 36.70A RCW.

(3) During project review, the local government or any subsequent reviewing body shall not reexamine alternatives to or hear appeals on the items identified in subsection (2) of this section, except for issues of code interpretation. As part of its project review process, a local government shall provide a procedure for obtaining a code interpretation as provided in RCW 36.70B.110.

(4) Pursuant to RCW 43.21C.240, a local government may determine that the requirements for environmental analysis and mitigation measures in development regulations and other applicable laws provide adequate mitigation for some or all of the project's specific adverse environmental impacts to which the requirements apply.

RCW36.70B.030.

Section 17G.060.120 Public Notice – Types of Notice

A. Individual notice is given in writing by regular U.S. mail or by personal service.

1. Notice is given to:

- a. All owners and taxpayers of record, as shown by the most recent Spokane County assessor's record, and occupants of addresses of property located within a four-hundred-foot radius of any portion of the boundary of the subject property, including any property that is contiguous and under the same or common ownership and control (RCW 36.70B.040(2)). The department may expand the mailing to include areas adjacent to the access easements and areas on the opposite side of rights-of-way, rivers and other physical features;
- b. Any person who has made a written request to receive such notice, including any registered neighborhood organization as defined in chapter 17A.020 SMC representing the surrounding area;
- c. Any agency with jurisdiction identified by the director.
- d. The individual(s) designated pursuant to SMC 4.27.010(D) to receive written notice on behalf of the neighborhood council in which the project is located, at the address for such neighborhood council designee(s) that is on file with the City's department of neighborhood services and code enforcement.

2. Individual and newspaper notices must contain the following information:

- a. Type I, II, and III project permit applications:
 - i. Location of the property sufficient to clearly locate the site.
 - ii. Description of the proposed action and required permits.
 - iii. Name, address, and office telephone number of the City official from whom additional information may be obtained.
 - iv. Applicant name and telephone number.
 - v. Statement that any person may submit written comments and appear at the public hearing, if applicable.
 - vi. A statement that comments will be received on environmental issues, any environmental documents related to the proposed action, the SEPA status, and the appeal deadline for SEPA.
 - vii. A statement that written comments and oral testimony at a hearing will be made a part of the record, if applicable.
 - viii. A statement, in bold type, that only the applicant, persons submitting written comments, and persons testifying at a hearing may appeal the decision.
 - ix. Date and time by which any written comments must be received on the notice of application; and
 - x. Date of the application and date of the notice of complete application.
- b. In addition, for Type III project permit application:
 - i. Notice of community meeting: Date, time, and place of the meeting.
 - ii. Notice of public hearing: Date, time, and place of a public hearing.

B. Sign.

Posted notice is given by installation of a sign on the site of the proposal adjacent to the most heavily traveled public street and located so as to be readable by the public. The director may require more than one sign if the site fronts on more than one arterial or contains more than three hundred feet of frontage on any street.

1. The posted notice sign must meet the following specifications:
 - a. It measures a minimum of four feet by four feet, but sign size may be increased in order to contain all of the required information.
 - b. It is constructed of material of sufficient weight and strength to withstand normal weather conditions.
 - c. It is white with red lettering.
2. Posted notices must contain the following information:
 - a. The first line of text on the sign in four-inch letters reads: "NOTICE OF COMMUNITY MEETING" or the applicable notice type.
 - b. The second line of text on the sign in three-inch letters reads: "PROPOSED CONDITIONAL USE PERMIT, File #Z----- -CUP" or some other appropriate description of the proposed action.

- c. The third line of text on the sign in three-inch letters reads:
"COMMUNITY MEETING ON/PUBLIC HEARING ON/COMMENTS
DUE BY (date, time, and location)."
- d. The subsequent line(s) of text, in three-inch letters, read as follows
depending on the proposal:

C.

TABLE 17G.060-2 CONTENT OF PUBLIC NOTICE (Click here to view PDF)			
Content of Public Notice	Type I Application	Type II Application	Type III Application
Proposed Use	X	X	X
Proposed Zone			X [2]
Proposed Standard			X [3]
Project Name		X	X
Acreage		X [1]	X [1]
# of Lots		X [1]	X [1]
Notes: [1] Preliminary Plat, BSP, PUD, Short Plat [2] Rezone [3] For applications which modify a development standard			

- a. The applicant (or agent) name and phone number, the SEPA status, and the deadline for appeal of the SEPA determination.
- b. The last line of text on the sign in three-inch letters reads: "FOR INFORMATION: (City contact telephone number)."
- c. The following figures illustrate posted notice signs:

Example "A"
<p style="text-align: center;"> NOTICE OF PUBLIC HEARING PROPOSED ZONE CHANGE, FILE #Z2003-01-ZC PUBLIC HEARING ON : 1/1/2004 AT 9:00 A.M. LOCATED: COUNCIL BRIEFING RM., CITY HALL Proposed Zone: C1 Proposed Use: Warehouse Applicant/Agent: John Doe, Phone (509) 999-0001 SEPA: DNS, appeal deadline 12/24/03 FOR INFORMATION: (509) 625-6300 https://my.spokanecity.org/projects/example/ </p>

Example "B"
<p> NOTICE OF SEPA/APPLICATION BUILDING PERMIT, FILE #B0300001 PUBLIC COMMENT DUE : 1/1/2004 AT 9:00 A.M. LOCATED: COUNCIL BRIEFING RM., CITY HALL Proposed Use: Commercial Applicant/Agent: John Doe, Phone (509) 999-0001 SEPA: DNS, appeal deadline 12/24/03 FOR INFORMATION: (509) 625-6300 https://my.spokanecity.org/projects/example/ </p>

D. Posting.

Posting of the notice as a letter, identical in form and content to individual written notice, shall be posted at "official public notice posting locations," including:

1. The main City public library and the branch library within or nearest to the area subject to the pending action;
2. The space in City Hall officially designated for posting notices; and
3. Any other public building or space that the city council formally designates as an official public notice posting location, including electronic locations.

E. Newspaper notice is published in a legal newspaper of general circulation. The contents of the newspaper notice are as prescribed in subsection (A)(2) of this section. Newspaper notices are published on the same day of two consecutive weeks, the first no later than the number of days specified for the particular application type specified in this chapter.

F. Other Notification.

The hearing examiner, with respect to permit applications for non-site specific issues, such as essential public facilities, may require or provide for such alternative or additional notice as deemed necessary and appropriate to serve the public interest. A notification plan may be required of the applicant by the hearing examiner indicating the form and time of notice appropriate to the scope and complexity of the proposed project.

TABLE 17G.060-3
TYPE OF PUBLIC NOTICE REQUIRED / PROJECT PERMIT REVIEW PROCESS
[\(Click here to view PDF\)](#)

Project Permit Type	Notice of Community Meeting	Notice of Application	Notice of Public Hearing	Review Official	City Council Review	Expiration of Permit [1]
Building and Code Enforcement – Type I Application						
Building Permit	No	Legal / Individual	No	Building Official	No	180 days
Grading Permit	No	Legal / Individual	No	Building Official	No	180 days
Demolition Permit	No	Legal / Individual [5]	No [2]	Building Official	No	180 days
Building Permit with SEPA	Posted / Individual	Posted / Individual	No	Department Director	No	180 days
Grading Permit with SEPA	Posted / Individual	Posted / Individual	No	Department Director	No	180 days
Demolition Permit with SEPA	Posted / Individual	Posted / Individual	No	Department Director	No	180 days
Planning Services – Type I Application						
Floodplain with SEPA	Posted / Individual	Posted / Individual	No	Planning Director	No	180 days
Planning Services – Type II Application						
Binding Site Plan	No	Posted / Individual	No	Planning Director	No	5 years
Certificate of Compliance	No	Posted / Individual	No	Planning Director	No	None
Conditional Use Permit	No [3]	Posted / Individual	No	Planning Director	No	3 years
Plans-in-lieu	No	Posted / Individual	No	Planning Director	No	3 years
Shoreline SDP	No	Posted / Individual	No	Planning Director	No	Must Comply with WAC 173-27-90
Short Plat	No	Posted / Individual	No	Planning Director	No	5 years
Planning Services – Type III Application (Hearing Required)						
Certificate of	Posted /	Posted /	Posted /	Hearing	No	None

Compliance	Individual	Individual	Individual	Examiner		
Conditional Use Permit	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	No	3 years
Floodplain Variance	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	No	3 years
Long Plat	Posted / Individual	Posted / Individual	Newspaper / Posted / Individual	Hearing Examiner	No	5 years
Plans-in-lieu	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	No	3 years

Note: Applications for demolition permits to be forwarded to the neighborhood council in which the building or structure is located for review and comments. This will include only the demolition of an entire building or structure. Conversely, applications for the demolition to a portion of a building or structure will not be forwarded.

PUD	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	Yes	5 years [4]
Rezone	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	Yes	3 years
Shoreline CUP	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	No	Must Comply with WAC 173-27-90
Shoreline Variance	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	No	Must Comply with WAC 173-27-90
Skywalk	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	Yes	2 years
Variance	Posted / Individual	Posted / Individual	Posted / Individual	Hearing Examiner	No	3 years

Notes:

[1] Approval expires after the specified time if no permit to develop the project is issued by the City of Spokane or building permit expires without completion of the improvements.

[2] Public Hearing is required if the structure is on the National Historic Register.

[3] Conditional Use Permits required under [SMC 17C.110.110](#), Limited Use Standards for Religious Institutions and Schools, will complete posted/individual notification requirements for a Community Meeting.

[4] If a PUD is approved together with a preliminary plat, the expiration date for the PUD shall be the same as the expiration date of the preliminary plat.

[5] Applications for demolition permits for the demolition of an entire building or structure shall, in addition to any applicable requirements under chapter 43.21C RCW, be subject to a ten day review and comment period. This review and comment period shall run concurrently with any other applicable notice and comment period. Following receipt of such applications, copies shall be forwarded to the individual(s) designated pursuant to SMC 4.27.010(D) to receive written notice on behalf of the neighborhood council in which the building or structure is located, at the address for such neighborhood council designee(s) that is on file with the department. Any comments submitted

to the department by the neighborhood council during this review and comment period shall be provided to the applicant prior to issuing the demolition permit.

Administration and Procedures

Chapter 17G.060 Land Use Application Procedures

Section 17G.060.120 Public Notice – Types of Notice

- A. Individual notice is given in writing by regular U.S. mail or by personal service.
1. Notice is given to:
 - a. All owners and taxpayers of record, as shown by the most recent Spokane County assessor's record, and occupants of addresses of property located within a four-hundred-foot radius of any portion of the boundary of the subject property, including any property that is contiguous and under the same or common ownership and control (RCW 36.70B.040(2)). The department may expand the mailing to include areas adjacent to the access easements and areas on the opposite side of rights-of-way, rivers and other physical features;
 - b. Any person who has made a written request to receive such notice, including any registered neighborhood organization as defined in chapter 17A.020 SMC representing the surrounding area;
 - c. Any agency with jurisdiction identified by the director.
 2. Individual and newspaper notices must contain the following information:
 - a. Type I, II, and III project permit applications:
 - i. Location of the property sufficient to clearly locate the site.
 - ii. Description of the proposed action and required permits.
 - iii. Name, address, and office telephone number of the City official from whom additional information may be obtained.
 - iv. Applicant name and telephone number.
 - v. Statement that any person may submit written comments and appear at the public hearing, if applicable.
 - vi. A statement that comments will be received on environmental issues, any environmental documents related to the proposed action, the SEPA status, and the appeal deadline for SEPA.
 - vii. A statement that written comments and oral testimony at a hearing will be made a part of the record, if applicable.
 - viii. A statement, in bold type, that only the applicant, persons submitting written comments, and persons testifying at a hearing may appeal the decision.
 - ix. Date and time by which any written comments must be received on the notice of application; and
 - x. Date of the application and date of the notice of complete application.
 - b. In addition, for Type III project permit application:
 - i. Notice of community meeting: Date, time, and place of the meeting.

- ii. Notice of public hearing: Date, time, and place of a public hearing.

B. Sign.

Posted notice is given by installation of a sign on the site of the proposal adjacent to the most heavily traveled public street and located so as to be readable by the public. The director may require more than one sign if the site fronts on more than one arterial or contains more than three hundred feet of frontage on any street.

1. The posted notice sign must meet the following specifications:
 - a. It measures a minimum of four feet by four feet, but sign size may be increased in order to contain all of the required information.
 - b. It is constructed of material of sufficient weight and strength to withstand normal weather conditions.
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2. Posted notices must contain the following information:
 - a. The first line of text on the sign in four-inch letters reads: "NOTICE OF COMMUNITY MEETING" or the applicable notice type.
 - b. The second line of text on the sign in three-inch letters reads: "PROPOSED CONDITIONAL USE PERMIT, File #Z----- -CUP" or some other appropriate description of the proposed action.
 - c. The third line of text on the sign in three-inch letters reads: "COMMUNITY MEETING ON/PUBLIC HEARING ON/COMMENTS DUE BY (date, time, and location)."
 - d. The subsequent line(s) of text, in three-inch letters, read as follows depending on the proposal:

TABLE 17G.060-2
CONTENT OF PUBLIC NOTICE
[\(Click here to view PDF\)](#)

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Proposed Zone			X [2]
Proposed Standard			X [3]
Project Name		X	X
Acreage		X [1]	X [1]
# of Lots		X [1]	X [1]
Notes: [1] Preliminary Plat, BSP, PUD, Short Plat [2] Rezone [3] For applications which modify a development standard			

- e. The applicant (or agent) name and phone number, the SEPA status, and the deadline for appeal of the SEPA determination.
- f. The last line of text on the sign in three-inch letters reads: "FOR

INFORMATION: (City contact telephone number and web page address where additional project information may be found)."

- g. The following figures illustrate posted notice signs:

Example "A"

NOTICE OF PUBLIC HEARING
PROPOSED ZONE CHANGE, FILE #Z2003-01-ZC
PUBLIC HEARING ON : 1/1/2004 AT 9:00 A.M.
LOCATED: COUNCIL BRIEFING RM., CITY HALL
Proposed Zone: C1
Proposed Use: Warehouse
Applicant/Agent: John Doe, Phone (509) 999-0001
SEPA: DNS, appeal deadline 12/24/03
FOR INFORMATION: (509) 625-6300
<https://my.spokanecity.org/projects/example/>

Example "B"

NOTICE OF SEPA/APPLICATION
BUILDING PERMIT, FILE #B0300001
PUBLIC COMMENT DUE : 1/1/2004 AT 9:00 A.M.
LOCATED: COUNCIL BRIEFING RM., CITY HALL
Proposed Use: Commercial
Applicant/Agent: John Doe, Phone (509) 999-0001
SEPA: DNS, appeal deadline 12/24/03
FOR INFORMATION: (509) 625-6300
<https://my.spokanecity.org/projects/example/>

C. Posting.

Posting of the notice as a letter, identical in form and content to individual written notice, shall be posted at "official public notice posting locations," including:

1. The main City public library and the branch library within or nearest to the area subject to the pending action;
2. The space in City Hall officially designated for posting notices; and
3. Any other public building or space that the city council formally designates as an official public notice posting location, including electronic locations.

D. Newspaper notice is published in a legal newspaper of general circulation. The contents of the newspaper notice are as prescribed in subsection (A)(2) of this section. Newspaper notices are published on the same day of two consecutive weeks, the first no later than the number of days specified for the particular application type specified in this chapter.

E. Other Notification.

The hearing examiner, with respect to permit applications for non-site specific issues, such as essential public facilities, may require or provide for such alternative or additional notice as deemed necessary and appropriate to serve the public interest. A notification plan may be required of the applicant by the hearing examiner indicating the form and time of notice appropriate to the scope and complexity of the proposed project. Bottom of Form

Section 17G.060.190 Notice of Decision

- A. Decisions on Type I, II, and III project permit applications are made by the hearing examiner or director within ten days of the date the record is closed. The time for decision may be extended if the applicant agrees in writing. Subject to chapter 36.70B RCW, the time for decision may also be extended to allow time for additional public comment if the hearing examiner or director determines that notice was not properly mailed or posted. In making the decision, the hearing examiner or director may approve, approve with conditions, or deny the permit application. The decision is made in writing.
- B. Within seven days of making the decision, the hearing examiner or director causes notice of decision to be provided as follows:
 1. Written notice of decision is provided by the decision-maker concurrent to the decision.
 2. Notice of a decision denying a permit application is given to the applicant. A full copy of the decision and any conditions of approval accompanies the notice of the decision to the applicant.
 3. Notice of all other decisions is given to the applicant, all parties of record, and all persons who have requested to be given notice.
 4. Notice of decision for Type I permit applications shall be the permit. For Type II and III permit applications the decision includes the following information:
 - a. Location of the property.
 - b. Description of the proposed action.
 - c. Name, address, and office telephone number of the City official from whom additional information may be obtained.
 - d. Applicant name and number.
 - e. The decision made, including the environmental threshold determination.
 - f. A list of persons who testified in person or in writing, or a summary of such a list.
 - g. A list of exhibits or a summary of such a list.
 - h. A statement of the decision criteria governing the application.
 - i. A statement of the comprehensive plan policies governing the application.
 - j. Findings of fact and conclusions relating the proposal to the decision criteria governing the application and which form the basis for the decision.
 - k. A statement that a full copy of the decision may be obtained from the designated official for the cost of reproduction.
 - l. The last date the decision may be appealed.
 - m. The place the appeal must be filed.
 - n. A statement of the fee to be charged for an appeal and the approximate cost to prepare any required transcripts.
 - o. A statement that the decision will be final unless appealed; and
 - p. The signature of the person making the decision.
- C. If the decision on a Type II or III project permit includes conditions of approval, a covenant must be recorded in the Spokane County auditor's office identifying the restrictions to use and development of the property exist. The covenant must be filed within the approval time limits of the permit or the approval becomes void. For rezones, the hearing examiner does not forward the rezone to the city council until the covenant has been filed.

- D. The decision for a shoreline substantial development permit, shoreline conditional use permit, or shoreline variance must contain a statement that construction pursuant to the permit shall not begin and is not authorized until twenty-one days from the “date of filing” by department of ecology as defined in RCW 90.58.140(6) and WAC 173-27-130, or until all review proceedings initiated within twenty-one days from the date of such filing have been terminated; except as provided in RCW 90.58.149(5)(a) and (b).
- E. Notice of decision for a shoreline substantial development permit, shoreline conditional use permit, or shoreline variance shall be submitted to the department of ecology along with a permit data sheet (Appendix A, WAC Chapter 173-27). For a shoreline conditional use permit or a shoreline variance, there is a thirty-day review by department of ecology. After this period, the department of ecology shall render and transmit to the City of Spokane and the applicant a final decision approving, approving with conditions, or disapproving the permit. The planning director shall provide notification within seven days of the department of ecology’s final decision to those interested persons having requested notification.

Section 17G.050.310 Right of Appeal

- A. ~~((The applicant of a))~~ A person with standing ~~((as defined in chapter 17A.020 SMC))~~ may appeal to the hearing examiner a decision of the director of planning services, engineering services, the building official, the responsible official under SEPA as provided in SMC 17G.060.210 and the landmarks commission related to applications for certificate of appropriateness and determination of eligibility under SMC 17D.040.230 by filing with the permit application department a written appeal within fourteen days of the date of the written decision.
- B. The applicant, a person with standing, or a City department may appeal to the city council any decision of the hearing examiner, except as provided in SMC 17G.060.210, by filing with the permit application department a written appeal within fourteen days of the date of the written decision of the hearing examiner.

Add new Section to Chapter 17G.050 as follows:

Section 17G.050.315 Standing

Standing to bring an appeal under this chapter is limited to the following persons:

- A. The applicant and the owner of property to which the decision is directed;
- B. Another person aggrieved or adversely affected by the decision, or who would be aggrieved or adversely affected by a reversal or modification of the decision. A person is aggrieved or adversely affected within the meaning of this section only when all of the following conditions are present:
 - (1) The decision has prejudiced or is likely to prejudice that person;
 - (2) That person's asserted interests are among those that the department was required to consider when it made the decision; and
 - (3) A judgment in favor of that person would substantially eliminate or

redress the prejudice to that person caused or likely to be caused by the decision.

- C. The neighborhood council in which the property to which the decision being appealed is directed, subject to the neighborhood council demonstrating that it adhered to established bylaws in making the decision to bring the appeal.
-

Note: "The time periods for local government actions for each type of complete project permit application or project type should not exceed one hundred twenty days, unless the local government makes written findings that a specified amount of additional time is needed to process specific complete project permit applications of project types." RCW 36.70B.080(1). In addition, preliminary plats of any proposed subdivision and dedication generally must be approved, disapproved, or returned to the applicant for modification or correction within ninety days from date of filing thereof unless the applicant consents to an extension of such time. RCW 58.17.140(1). Similar time limitations apply to other types of applications for development permits.

Administration and Procedures

Chapter 17G.050 Hearing Examiner

Article II. Procedures

Section 17G.050.140 Effect of Notice

- A. Failure of a person entitled to notice to receive notice does not affect the jurisdiction of the hearing examiner to hear the application at the time and place scheduled and to render a decision, if the notice was properly mailed and posted.
- B. A person is deemed to have received notice if that person appears at the hearing or submits a written statement regarding the hearing even if notice was not properly mailed or posted. Subject to chapter 36.70B RCW, the hearing examiner may continue the hearing date and extend the comment period to allow such persons additional time to respond.
- C. Subject to paragraph B of this section, if the hearing examiner determines that any notice required under chapter 17G.060 SMC has not been provided, the hearing examiner may reschedule the hearing or keep the record open on the matter to receive additional evidence.

Reference Materials

RCW 36.70B.140

Project permits that may be excluded from review.

(2) A local government by ordinance or resolution also may exclude the following project permits from the provisions of RCW [36.70B.060](#) and [36.70B.110](#) through [36.70B.130](#): **Lot line or boundary adjustments and building and other construction permits, or similar administrative approvals, categorically exempt from environmental review** under chapter [43.21C](#) RCW, or for which environmental review has been completed in connection with other project permits.

Definitions:

RCW 36.70B.020

(3) **"Open record hearing"** means a hearing, conducted by a single hearing body or officer authorized by the local government to conduct such hearings, that creates the local government's record through testimony and submission of evidence and information, under procedures prescribed by the local government by ordinance or resolution. An open record hearing may be held prior to a local government's decision on a project permit to be known as an "open record predecision hearing." An open record hearing may be held on an appeal, to be known as an "open record appeal hearing," if no open record predecision hearing has been held on the project permit.

(4) **"Project permit" or "project permit application"** means any land use or environmental permit or license required from a local government for a project action, including but not limited to building permits, subdivisions, binding site plans, planned unit developments, conditional uses, shoreline substantial development permits, site plan review, permits or approvals required by critical area ordinances, site-specific rezones authorized by a comprehensive plan or subarea plan, but excluding the adoption or amendment of a comprehensive plan, subarea plan, or development regulations except as otherwise specifically included in this subsection.

(5) **"Public meeting"** means an informal meeting, hearing, workshop, or other public gathering of people to obtain comments from the public or other agencies on a proposed project permit prior to the local government's decision. A public meeting may include, but is not limited to, a design review or architectural control board meeting, a special review district or community council meeting, or a scoping meeting on a draft environmental impact statement. A public meeting does not include an open record hearing. The proceedings at a public meeting may be recorded and a report or recommendation may be included in the local government's project permit application file.

RCW 36.70C.060**Standing.**

Standing to bring a land use petition under this chapter is limited to the following persons:

- (1) The applicant and the owner of property to which the land use decision is directed;
- (2) Another person aggrieved or adversely affected by the land use decision, or who would be aggrieved or adversely affected by a reversal or modification of the land use decision. A person is aggrieved or adversely affected within the meaning of this section only when all of the following conditions are present:
 - (a) The land use decision has prejudiced or is likely to prejudice that person;
 - (b) That person's asserted interests are among those that the local jurisdiction was required to consider when it made the land use decision;
 - (c) A judgment in favor of that person would substantially eliminate or redress the prejudice to that person caused or likely to be caused by the land use decision; and
 - (d) The petitioner has exhausted his or her administrative remedies to the extent required by law.

Reader's Note:

This is a draft version of revised "Initial Design Standards & Guidelines for Centers & Corridors" Attachment A of SMC 17C.122.060

Pictures have been removed from this draft version for ease of text editing. This working copy will be used to address proposed changes to this document.

Underline means new text. Strikethrough means existing text proposed to be deleted. The yellow highlights are for convenience of the reader.

When complete, these changes will be added to the original document including photos.

If you have questions, please contact Tirrell Black, 625-6185 or tblack@spokanecity.org

DESIGN STANDARDS AND GUIDELINES

For CENTERS AND CORRIDORS

Introduction:

GUIDELINES APPLICATION

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~~ **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 (R)”, 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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ALL CENTERS AND CORRIDORS

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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.

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.

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.

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 **46** feet wide that is free of obstructions.

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.

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, 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.

ANCILLARY SITE ELEMENTS

STANDARDS AND GUIDELINES FOR
ALL CENTERS AND CORRIDORS

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).

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.

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.

DRIVE-THROUGH LANES

INTENT:

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

GUIDELINES:

Any lanes serving drive-through businesses shall not be located between the building and any adjacent 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:

- 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.

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.

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.

PROMINENT ENTRANCES

Requirement (R)

INTENT:

To ensure that main building entrances are easily identifiable, 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 face the street and/or intersection corner and be marked by

(a) ornamentation special or unique architectural detailing around the door opening, 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 as 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

FAÇADE TRANSPARENCY

INTENT:

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

GUIDELINES:

1. In residential, commercial or mixed-use, a 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 feet and 10 feet above the level of the adjacent sidewalk, walkway or ground level.

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* 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 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.**
- 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.**

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

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 stone, masonry, or decorative concrete as noted in the Materials section.~~
2. The “top” of the building ~~should~~ shall be treated with a distinct ~~outline with elements such as a projecting parapet, outward projecting cornice, or projection.~~ outline that adds variation through varying heights, steps, or depths. See “Roof Form” for additional requirements.
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.

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 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.

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

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 time**.

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.

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..~~

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.

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.

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.

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.

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.

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

† j... if building is on the Spokane Register of Historic Places, the Secretary of the Interior's Standards for Rehabilitation historic design guidelines shall apply.

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.

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.

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 11.17 17C.240, Signs Code**, may be increased by 20%, so long as the sign is oriented to pedestrians.

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.

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 feet total.
2. The base of any ground sign shall be planted with shrubs and seasonal flowers.

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.

Amending Title 17C: Section 17C.122.060....and amending Attachment "A"....; Section 17C.230.120, Maximum Allowed Parking Spaces

Title 17C Land Use Standards

Chapter 17C.122 Center and Corridor Zones

Section 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 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

TABLE 17C.230-1 PARKING SPACES BY ZONE [1] (Refer to Table 17C.230-2 for Parking Spaces Standards by Use)		
ZONE	SPECIFIC USES	REQUIREMENT
RA, RSF, RTF, RMF, RHD	All Land Uses	Minimum and maximum standards are shown in Table 17C.230-2 .
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, plus 1 per bedroom after 3 bedrooms, 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 Downtown Parking Requirement Map 17C.230-M1 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 SMC 17C.123.040 , Hamilton Form Based Code for off-street parking requirements.
Overlay	All Land Uses	No off-street parking is required. See the No Off-Street Parking Required Overlay Zone Map 17C.230-M2 and No Off-Street Parking Required Overlay Zone Map 17C.230-M3 .
[1] Standards in a plan district or overlay zone may supersede the standards of this table.		
[2] See exceptions in SMC 17C.230.130 , CC and Downtown Zone Parking Exceptions.		

Amending....[Title 17G](#) Administration and Procedures

[Chapter 17G.040](#) Design Review Board Administration and Procedures

[Section 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.

Amending 17C.200, Landscaping and Screening

Title 17C Land Use Standards

Chapter 17C.200 Landscaping and Screening

Section 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
CC	L1	L1	L1	L1	L2	--	--	--	--	--	--	--	--
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	--	--	--	--
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Notes:

[1] In the 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.

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.

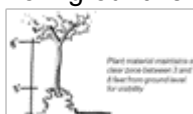
To reduce the visual impact of parking lots through landscaped areas, trellises, and/or other architectural features that complement the overall design and character of developments.



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.

end

**SPOKANE ENVIRONMENTAL ORDINANCE
NONPROJECT DETERMINATION OF NONSIGNIFICANCE**

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

PROPOSER: *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.
- ☒ 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

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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

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- (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

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- 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

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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

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- 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

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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

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Staff member(s) reviewing checklist:



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