



Spokane Plan Commission Agenda

Wednesday, September 23, 2020

2:00 PM

Virtual Teleconference

808 W Spokane Falls Blvd, Spokane, WA 99201

Virtual Meeting - See Below For Information

TIMES GIVEN ARE AN ESTIMATE AND ARE SUBJECT TO CHANGE

Public Comment Period:

3 minutes each

Citizens are invited to address the Plan Commission on any topic not on the agenda.

Commission Briefing Session:

2:00 – 2:30

1. Approve [9/9/2020](#) meeting minutes
2. City Council Report
3. Community Assembly Liaison Report
4. President Report
5. Transportation Sub-Committee Report
6. Secretary Report

All
CM Candace Mumm
Mary Winkes
Todd Beyreuther
John Dietzman
Louis Meuler

Workshops:

2:30 – 2:50

1. Housing Action Plan Update

Maren Murphy

2:50 – 3:05

2. [Code Cleanup Title 17](#)

Melissa Wittstruck

Hearings:

4:00 - 4:30

1. [Street Standards Update](#) -
a. link to [Proposed Design Standards](#)

Inga Note

4:30 - 6:30

2. Public Comment: Z20-042COMP, Z20-045COMP
Deliberations on Z19-499COMP, Z19-501COMP, Z19-502COMP,
Z19-503COMP, Z19-504COMP, Z19-505COMP, Z20-042COMP,
Z20-045COMP, Z20-019COMP, Z20-042COMP, Z20-045COMP

Kevin Freibott

Board Business:

The next PC meeting will be held on Wednesday, October 14, 2020

In order to comply with public health measures and Governor Inslee's *Stay Home, Stay Safe* order, the Plan Commission meeting will be held on-line.

Members of the general public are encouraged to join the on-line meeting using the following information:

To participate via video follow the link on your computer:

JOIN WEBEX MEETING

<https://spokanecity.webex.com/spokanecity/j.php?MTID=mc702a4c4476faebb321d4b1a3873291b>

Meeting number (access code): 146 107 3489

Meeting password: PlanCommission

TAP TO JOIN FROM A MOBILE DEVICE (ATTENDEES ONLY)

+1-408-418-9388,,1461073489##

+tel:%2B1-408-418-9388,,*01*1461073489%23%23*01* United States Toll

JOIN BY PHONE

+1-408-418-9388 United States Toll

Global call-in numbers

<https://spokanecity.webex.com/spokanecity/globalcallin.php?MTID=m2a1925c6e274e3d0aa88d2aa6bc1b762>

JOIN FROM A VIDEO SYSTEM OR APPLICATION

Dial <sip:1461073489@spokanecity.webex.com>

You can also dial 173.243.2.68 and enter your meeting number.

Join using Microsoft Lync or Microsoft Skype for Business Dial <sip:1461073489.spokanecity@lync.webex.com>

To participate in virtual public comment:

Sign up to give testimony at <https://forms.gle/muswwbnfX7XygAvG6>

You must sign up in order to be called on to testify. The form will be **open until 1:00 p.m.** on September 23rd, 2020. At 4:00 p.m., you will join the meeting using the information above. When it is your turn to testify, Plan Commission President will call your name and you can begin your testimony. If you called-in to the meeting, the Plan Commission President will call your name and direct you to hit *3 on your phone to ask to be unmuted. The system will alert you when you have been unmuted and you can begin giving your testimony. When you are done, you will need to hit *3 again.

Please note that public comments will be taken during the meeting, but the public is encouraged to continue to submit their comments or questions in writing to:

Louis Meuler at
plancommission@spokanecity.org

The audio proceedings of the Plan Commission meeting will be recorded, with digital copies made available upon request.

Spokane Plan Commission - Draft Minutes

September 9, 2020

Webex Teleconference

Meeting Minutes: Meeting called to order at 2:00 PM by Todd Beyreuther

Attendance:

- Board Members Present: Michael Baker, Todd Beyreuther(President), John Dietzman, Greg Francis(Vice President), Candace Mumm (City Council Liaison), Diana Painter, Thomas Sanderson, Carole Shook, Sylvia St. Clair, Jo Anne Wright, Clifford Winger, Mary Winkes (Community Assembly Liaison)
- Board Members Not Present:
- *Quorum Present: yes*
- Staff Members Present: Louis Meuler, Jackie Churchill, Kevin Freibott, Tirrell Black, Colin Quinn-Hurst, Inga Note, Paul Ingiosi, Maren Murphy

Public Comment:

None in Briefing Session.

Briefing Session:

Minutes from the August 12, 2020 meeting approved unanimously.

1. City Council Liaison Report - Candace Mumm

- CM Mumm reported that the City Council is working on the budget. The City Council is interested in filling all of the positions in the Planning Department. The City has about \$400,000 to put towards affordable housing and the Council is looking into how to use the money. CM Mumm is exploring a new ordinance that will limit feeding of wildlife as there have been issues with this around the City.

2. Community Assembly Liaison Report - Mary Winkes

- Ms. Winkes reported that she gave the Plan Commission report to the Community Assembly letting them know about the Comprehensive Plan Amendment Hearings. Ms. Winkes will be acting as the Community Assembly Liaison to the Housing Action Plan Committee. She has also been working on a proposal regarding Neighborhood input on street maintenance.

3. Commission President Report - Todd Beyreuther

- President Beyreuther would like to facilitate a discussion about Preservation and how it relates to housing and equity. He hopes to examine these topic in greater depth with Historic Preservation, the Design Review Board, and the Plan Commission.

4. Transportation Subcommittee Report - John Dietzman

- Mr. Dietzman reported that the Plan Commission Transportation Subcommittee will meet on October 6. They will have an update on SRTC Division Street Study. He is also working on the proposal to have Neighborhood input on street maintenance.

5. Secretary Report - Louis Meuler

- Mr. Meuler spoke about the need to continue working on community engagement in the age of virtual meetings. The City needs to make sure that the technology doesn't leave portions of the population behind and that the public is able to engage with the City.

Workshop(s):

1. 6 Year City Wide Capital Program - Consistency Review Workshop

- Presentation provided by Paul Ingiosi
- Questions asked and answered
- Discussion ensued

2. Housing Plan Update

- Presentation provided by Maren Murphy
- Questions asked and answered
- Discussion ensued

Comprehensive Plan Amendment Hearing:

- Presentation provided by Kevin Freibott
- Questions asked and answered
- Discussion ensued
- Z19-499COMP:
 - Public Testimony:
 - Liam Taylor spoke representing the applicant.
 - Joe Spozanzie spoke in opposition of the proposed amendment changes. He wants the area to remain residential.
 - Kathy Fulley spoke in opposition of the proposed amendment changes. She is concerned about the increased traffic that will result from apartment buildings.
- Z19-501COMP:
 - Public Testimony:
 - Dwight Hume spoke representing the applicant.
 - Chris Bornhoft spoke in favor of the proposed amendment change. He stated that the proposed changes will attract more business to the area.
- Z19-502COMP:
 - Public Testimony:
 - Dwight Hume spoke representing the applicant.
 - Carol Tomsic spoke in opposition of the proposed amendment change. She said that the area is residential and should remain this way and stated that the city needs more affordable housing not more office space.
- Z19-503COMP:
 - Public Testimony:
 - Dwight Hume spoke representing the applicant.
 - Randy McCullum from the East Central neighborhood voiced concerns over the increase of traffic stemming from future apartment complexes that will be built on the site.
- Z19-504COMP:
 - Public Testimony
 - Dwight Hume spoke representing the applicant.
- Z19-505COMP:

- Public Testimony:
 - Dwight Hume spoke representing the applicant.
 - Milton Rowland spoke in opposition of the proposed amendment change.
 - Judy Madden spoke in opposition of the proposed amendment change. She is concerned about traffic, parking, and lack of maintenance of the property.
 - Seth Knutson, owner of property, spoke in favor of the proposed amendment change. He said that assisted living beds in very needed in Spokane. Addressed concerns about parking, property value, and the maintenance needs of the property.
 - Eileen Martin spoke in opposition of the proposed amendment change. She wants the property to be turned back to single residency.
 - Tom May, spoke in opposition of the proposed amendment change. Stated that the neighborhood already has a high number of group homes.
 - Laura Mincks, on the executive board of the neighborhood council, spoke in favor of the proposed amendment change. She thinks that assisted living is needed and thinks that Seth Knutson will follow through on promises.
- Z20-019COMP:
 - Public Testimony:
 - Randy McGlenn II voiced concerns that putting in bike lanes by reducing traffic lanes along Boone Avenue.
 - Linda Carroll spoke in favor of the proposed amendment change. She supports converting lanes on Boone to bicycle lanes.
 - Carol Tomsic spoke in favor of the proposed amendment change.

Motion to close testimony on the Comprehensive Plan amendments already covered and to continue Z20-042COMP and Z20-045COMP to 09/23. Motion approved unanimously.

- Z20-042COMP: Continued to Plan Commission meeting on Sept. 23
 - Public Testimony- Public record will remain open until 09/23
- Z20-045COMP: Continued to Plan Commission meeting on Sept. 23
 - Public Testimony- Public record will remain open until 09/23

Meeting Adjourned at 6:41 PM

Next Plan Commission Meeting scheduled for Wednesday, September 23, 2020

BRIEFING PAPER
City of Spokane Plan Commission Workshop
2020 Unified Development Code (UDC) Maintenance
September 23, 2020

Subject

This workshop is for Phase I of the Unified Development Code (UDC) Maintenance Project. The Unified Development Code consists of Title 17 of the Spokane Municipal Code (SMC), although other Titles in the SMC may also be considered. UDC maintenance will be undertaken in multiple phases beginning fall 2020 with Phase I consisting of minor changes/corrections to the UDC.

Background

UDC maintenance work has been undertaken on a fairly regular basis for well over a decade, at least since the first implementing regulations for the Comprehensive Plan were adopted in the early 2000's. This is the fifth such effort, the last being completed in 2015, although necessary amendments to the Code have continued in order to respond to emergent conditions in a dynamic development environment.

UDC maintenance projects are distinguished from ongoing code amendments by collecting staff and citizen input for needed improvement or corrections over time, cumulative review across departments, and active attention to achieving internal consistency in regulations and with the Comprehensive Plan. UDC maintenance programs have followed a consistent categorization of needed amendments to regulations and standards in three categories, as follows:

- **Minor:** These include changes such as corrections to cross references from Title 11, typically repealed sections of chapter 11.19 found in Title 17 SMC. In some cases, redundant phrasing or inaccurate word choice without changing meaning or substance are also categorized as minor.
- **Clarification:** These include changes such as fixing conflicting provisions within the code, or fixing code provisions that were either oversights or mistakes when the code was adopted.
- **Substantive:** These include changes such as adjusting permitted uses, adjusting a development standard, or improving the practical application of the code

Phase I: Approximately 13 Minor Category Changes

- Phase I - anticipated to come forward to Plan Commission in late October – early November for hearing.

- In addition, some typographical corrections will be addressed through the City Clerk's office (misspellings, minor grammatical changes not substantive in nature, nor effecting a change in meaning.
- SEPA review, internal notice of intent to adopt, and required notice to State Department of Commerce for changes to the Spokane Municipal Code are recently initiated.
- Future phases of the UDC Maintenance Project will be progressively more complex in nature, responding to local needs and implementing State legislative changes to the Revised Code of Washington (RCW) relevant to planning and developer service activities.

ORDINANCE NO. C _____

An ordinance relating to street development standards for the Unified Development Code; amending chapter 17C.200 of division C of title 17 of the Spokane Municipal Code; amending chapter 12.02.0202.

WHEREAS, the City of Spokane is updating Chapter 3 of the Design Standards, and as such must ensure consistency with Chapter 17C.200 and Title 12; -- Now, Therefore,

WHEREAS, Copy from 17A.010

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That section 17C.200.050 of the Spokane Municipal Code is amended to read as follows:

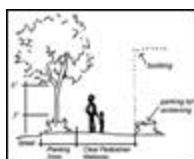
17C.200.050 Street Tree Requirements

A. Purpose.

To provide consistent street frontage character within the street right-of-way. The street tree standards also maintain and add to Spokane's tree canopy and enhance the overall appearance of commercial and neighborhood development. Trees are an integral aspect of the Spokane landscape and add to the livability of Spokane. They provide aesthetic and economic value to property owners and the community at large.

B. Street Tree Implementation.

1. Street trees are required along all city streets in downtown, commercial, center and corridor, industrial, residential and FBC zones.
2. Street trees shall be planted between the curb and the walking path of the sidewalk.



3. Street trees, tree grates and other landscaping shall be maintained and irrigated by the adjacent property owner. If the adjacent property owner fails to maintain the adjacent street trees and other landscaping, the City may perform the required tree and other landscaping work at the abutting property owner's expense as referenced in SMC 12.02.0210(B)(2).
4. If a street has a uniform planting of street trees or a distinctive species within the right-of-way, then new street trees should be of a similar form, character and planting pattern.
5. For a full list of approved trees in the city of Spokane, see the urban forestry program's approved street tree list. Species selection should be guided by individual site conditions including hydrology, soil, solar orientation, and physical constraints

C. Planting Zones.

1. Provide continuous planting strips or individual planting areas per Table 17C.200.050-1, Tree Planting Dimensional Standards.

TABLE 17C.200.050-1		
Tree Planting Dimensional Standards [1]		
ZONE	CONTINUOUS PLANTING STRIP (minimum width as measured from back of curb)	INDIVIDUAL PLANTING AREA (width as measured from back of curb)
Downtown	Individual Planting Areas (tree vaults) required [1]	4 ft. minimum 6 ft. maximum [2]
CC	5 ft.	4 ft. minimum 6 ft. maximum [2]
FBC	Individual Planting Areas (tree vaults) required [1]	5 ft [2]
Commercial	5 ft.	4 ft. minimum 6 ft. maximum [2]
Industrial	6 ft.	Continuous Planting Strip required [3]
RA, RSF, RTF	6 ft.	Continuous Planting Strip required [3]
RMF, RHD	6 ft.	Continuous Planting Strip required [3]
School/Church Loading Zone	Not Applicable	4 ft. minimum 6 ft. maximum [2, 4]
Notes: [1] Individual Planting Areas (tree vaults) are the standard for the Downtown and FBC Zones. Proposals for Continuous Planting Strips may be evaluated on a case by case basis. [2] Un-compacted soils are necessary for street trees. Individual planting areas (or tree vaults) must be of a size to accommodate a minimum of 100 cubic feet of un-compacted soils per tree at a maximum depth of three feet. Refer to the Engineering Design Standards for examples of potential options in individual planting areas. [3] Continuous Planting Strips are the standard for Industrial and Residential Zones. However, individual planting areas meeting the CC standard may be proposed and evaluated on a case by case basis in Industrial, RMF and		

RHD Zones.

[4] In all zones, within a school/church loading zone, street tree location may vary from the standard as long as street trees are located within the right-of-way.

[5] In all zones, when a continuous planting strip will double as a stormwater swale, the minimum width shall be 6.5 feet.

2. Continuous Planting Strips.

- a. Continuous planting strips may be planted with living ground cover or low plantings that are maintained at a height less than three (3) feet from ground level.
- b. When auto traffic is immediately adjacent to the curb, new street trees must be planted at least three (3) feet from the edge of the automobile travel way.



3. Individual Planting Areas.

- a. When an individual planting area is not symmetrical, the longer dimension shall run along the curb.
- b. Tree grates or plantings are acceptable. However, when there is on-street parking, a tree grate or a paved walk eighteen (18) inches wide behind the curb are encouraged to help avoid conflicts with car doors and foot traffic. The minimum clear pedestrian walking path as required for the zone shall be maintained.

Tree Grates



Street Trees with plantings up to 3 ft.



- c. Where tree grates are used, they shall be ADA accessible and have a similar size and material as tree grates found in adjacent developments. Where tree grates are used, tree guards are encouraged for tree protection.

Tree Grate with Tree Guard



- d. Un-compacted soils are necessary for street trees. A minimum of one hundred (100) cubic feet per tree at a maximum depth of three feet is required. See Engineering Design Standards for examples of potential options in individual planting areas and for retrofitting sidewalks.



D. Size Requirements for New Street Trees.

1. Street trees shall meet the most recent ANSI standards for a two-inch caliper tree at the time of planting
2. Larger shade trees with spreading canopies or branches are desirable where possible. Species of street trees within the public rights-of-way shall be approved by the City urban forester and reviewed by the director of engineering services.
3. If overhead power lines are present, street trees shall be limited to a mature height of twenty-five (25) feet to avoid conflict with utility lines and maintenance crews.

E. Spacing Requirements for Street Tree Spacing.

The objective, when planting and maintaining street trees, is to create and maintain in a healthy condition a continuous tree canopy over the sidewalk.

1. Continuous planting strips.

Average spacing shall be twenty-five (25) feet for small and columnar trees and thirty (30) feet for canopy trees. The planning director may allow increased spacing for exceptionally large trees or upon the recommendation of the urban forester.

2. Individual planting areas.

Average spacing for all tree sizes and types shall be twenty-five (25) feet. Trees planted adjacent to parallel parking stalls with meters may be spaced twenty (20) feet apart.

3. Street tree plantings shall consider the location of existing utilities, lighting, driveways, business entrances and existing and proposed signs. See the Engineering Design Standards for required dimensions.

F. Clear View Zone.

Landscaped areas between the curb and sidewalk, as well as landscaped areas within the clear view triangle as defined in SMC 17A.020.030 shall be maintained or plant material chosen to maintain a vertical clear view zone between three and eight feet from ground level.



Section 2. That section 12.01.010 of the Spokane Municipal Code is amended to read as follows:

12.01.010 Sidewalk Maintenance – Owner’s Responsibility

- A. Every owner and occupant of premises shall keep the sidewalk area including tree grates adjacent to any portion of the real property (including corners) in good and safe condition and repair at all times.
- B. Where the director of engineering services determines there has been a failure to comply with this section, the director may send written notice to the premises

advising of the violation. If the violation is not corrected, the director may proceed to remove or repair the condition, at the owner's and/or occupant's sole expense and liability.

Section 3. That section 12.02.0202 of the Spokane Municipal Code is amended to read as follows:

12.02.0202 Overhanging Vegetation to be Removed

Owners of property within the City must prune (~~remove or destroy~~) all trees, plants, shrubs, or vegetation, or parts thereof, which overhang any sidewalk (8 feet of required clearance) or street (14 feet of required clearance) or which are growing thereon in such a manner as to obstruct or impair the free and full use of the sidewalk or street by the public. If pruning cannot remedy the obstruction, removal will be required. Such condition is declared a nuisance and subject to the process and provisions under [SMC 12.02.0210](#).

PASSED BY THE CITY COUNCIL on September 25, 2020.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

ORDINANCE NO. C _____

An ordinance amending sections 17H.010.030, 17H.010.050, 17H.010.060, 17H.010.070, 17H.010.120, 17H.010.140, 17H.010.160, 17H.010.180, 17H.010.190, 17H.010.200, 17H.010.210, 17H.010.220, 17H.010.230, 17H.010.240, 17H.010.250 and 17H.010.260 of the Spokane Municipal Code.

WHEREAS, the City of Spokane is updating Chapter 3 of the Design Standards, and as such must ensure consistency with Chapter 17H.010; -- Now, Therefore,

WHEREAS, to be added later

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That section 17H.010.030 of the Spokane Municipal Code is amended to read as follows:

17H.010.030 Street Layout Design

- A. Street design is governed by the comprehensive plan and city design standards.
- B. Streets shall be designed in light of topography and existing and planned street patterns. It is encouraged that low impact development principles be considered, evaluated and utilized where practical as described in the Eastern Washington Low Impact Development Guidance Manual.
- C. Adequate access shall be provided to all parcels of land. The street system shall facilitate all forms of transportation including pedestrians, bicycles, vehicles and emergency services.
- D. When property is divided into large parcels, streets shall be laid out so as to allow the addition of future streets in a consistent pattern in the event of redivision.
- E. Street names should be logical, consistent and understandable to satisfy the needs of emergency and delivery vehicles. Street names must be approved by the City and comply with the requirements of chapter 17D.050A SMC, Roadway Naming.
- F. The layout of new streets shall provide for the continuation of existing streets in adjoining subdivisions. If a public street or right-of-way terminates at a plat boundary, provisions shall be made for the extension

of the public street to the adjacent property or to another public street in a manner consistent with public mobility and utility infrastructure needs.

- G. Street layout shall provide for future extension of streets into areas which are presently not subdivided.
- H. Traffic generators within the project should be considered and the street system designed appropriately. Individual projects may require a traffic study subject to chapter 17D.080 SMC, (~~Voluntary Impact Fees, chapter 17D.040 SMC~~) Transportation Impact Fees, chapter SMC 17D.075, Concurrency Certification, or chapter 17E.050 SMC, SEPA.
- I. The minimum centerline distance between intersections shall be one hundred fifty feet.
- J. Bordering arterial routes should be considered and design continuity provided.
- K. When any parcels in a subdivision adjoin an existing or proposed arterial street, the hearing examiner may require access by way of frontage streets and may restrict access to the arterial.
- L. Subdivisions comprised of more than thirty lots shall include two access points acceptable to the city fire department and the director of engineering services.
- M. A grid pattern featuring more street intersections and shorter block lengths should be implemented wherever possible.
- N. Block lengths should not exceed six hundred sixty feet.
- O. A block width should allow for two tiers of lots between parallel streets and double frontage lots should be avoided.
- P. Permanent dead-end or cul-de-sac streets may be allowed when the property is isolated by topography or the configuration of existing platted lots and streets. Dead-ends and cul-de-sacs will be reviewed in every case for connectivity.

Section 2. That section 17H.010.050 of the Spokane Municipal Code is amended to read as follows:

17H.010.050 Right-of-Way

- A. Public right-of-way widths shall be in accordance with the city's comprehensive plan, the city's engineering design standards or as

directed by the director of engineering services. Minimum right-of-way widths are as shown in Tables 17H.010-1 and 17H.010-2(~~(, Right-of-way and Street Widths)~~). The right-of-way width varies based on the required street elements including number of lanes, on-street parking, bike lanes, medians, turn lanes, roadside swales, pedestrian buffer strips and street trees.

- B. Where infill development occurs on partially constructed blocks, the proposed right-of-way width shall at least match the existing right-of-way width for the rest of the block and adjoining blocks.
- C. Private streets shall be located on a tract; street easements are not permitted. The width of the tract for private streets shall meet the minimum right-of-way widths designated in Tables 17H.010-1 and 17H.010-2.
- D. Public rights-of-way or private tracts shall contain all street elements including paving, curbing, gutters and pedestrian buffer strips or swales in accordance with the city's design standards.
- E. Sidewalks may be located on easements on private property.
- F. Narrower right-of-way widths may be allowed at the discretion of the director of engineering services. Variance requests will be evaluated based on topography, traffic circulation, emergency vehicle access, zoning, existing development and on-street parking requirements.

Table 17H.010-1 Right-of-way and Street Widths			
-	Minimum Right-of-way Width ¹		Minimum Street Width
-	Sidewalks in ROW	Sidewalks on Easements	Curb to Curb
ARTERIAL			
Principal	6 lane 110 ft. 4 lane 90 ft.	NA	Varies ²
Minor	4 lane 102 ft. 2 lane 75 ft.	NA	Varies ²
Collector	65 ft.	NA	40 ft.
LOCAL ACCESS			
Commercial	65 ft.	55 ft.	40 ft.
Residential Standard	60 ft.	50 ft.	36 ft.

Residential Low Density ³	56 ft.	46 ft.	32 ft.
Residential Restricted Parking ^{3,4}	51 ft.	41 ft.	27 ft.
Hillside Development ^{4,5}	40 ft.	35 ft.	27 ft.
Cul-de-sac (radius)	56 ft.	51 ft.	50 ft.
Alley ⁶	20 ft.	20 ft.	12 ft.

Notes:

¹Additional right-of-way may be required if roadside swales are used to control storm drainage.

²Curb-to-curb width varies depending on street features including number of lanes, on-street parking, bike lane, median and turn lanes.

³Narrow streets are appropriate only in low density (four to ten units per acre) residential neighborhoods. Adequate emergency vehicle access and staging areas must be provided as discussed in [SMC 17H.010.140](#).

⁴Parking is allowed on one side of the street only. Refer to [SMC 17H.010.120](#) for on-street parking requirements.

⁵Refer to [SMC 17H.010.110](#) for more information.

⁶Alleys do not require sidewalk or curb. The widths shown apply to right-of-way and pavement width.

Table 17H.010-1 Arterial Right-of-way Widths			
	Right-of-way Width		Street Width
	Minimum ¹	Typical	Curb to Curb
ARTERIAL (all types)			
2 lanes ²	60 ft	60 ft – 80 ft	Varies ³
3 lanes ²	65 ft	65 ft – 80 ft	Varies ³
4 lanes ²	75 ft	75 ft – 100 ft	Varies ³
5 lanes ²	90 ft	80 ft – 100 ft	Varies ³
6 lanes ²	100 ft	90 ft - 110 ft	Varies ³
7 lanes ²	100 ft	90 ft – 125 ft	Varies ³

Notes:

¹Additional right-of-way may be required if roadside swales are used to control storm drainage, for bike lanes if designated on the plan, or for wider sidewalks depending on the zoning.

²Lanes can be through lanes, turn pockets, or continuous TWLTL.

³Curb-to-curb width varies depending on street features including number of lanes, on-street parking, bike lane, median and turn lanes. See Design Standards for more detail.

Table 17H.010-2
Local Access Right-of-way and Street Widths

	Minimum Right-of-way Width ¹		Minimum Street Width
	Sidewalks in ROW	Sidewalks on Easements	Curb to Curb
LOCAL ACCESS			
Commercial/Industrial	60 ft.	50 ft.	36 ft.
Residential High Density ²	60 ft.	50 ft.	36 ft.
Residential Standard ³	56 ft.	46 ft.	32 ft.
Residential One-side Parking ⁴	51 ft.	41 ft.	27 ft.
Hillside Development ^{4,5}	40 ft.	35 ft.	27 ft.
Cul-de-sac (radius)	56 ft.	51 ft.	50 ft.
Alley ⁶	20 ft.	20 ft.	12 ft.

Notes:

¹Additional right-of-way may be required if roadside swales are used to control storm drainage.

²Appropriate in areas where parking on both sides of the street is expected on a regular basis, such as apartment complexes. Refer to [SMC 17H.010.070](#) for more information.

³Appropriate in areas where homes have street-facing garages and driveways for parking. On-street parking is used by visitors and extra vehicles. Refer to [SMC 17H.010.070](#) for more information.

⁴Parking is allowed on one side of the street only. Refer to [SMC 17H.010.120](#) for on-street parking requirements.

⁵Refer to [SMC 17H.010.110](#) for more information.

⁶Alleys do not require sidewalk or curb. The widths shown apply to right-of-way and pavement width.

Section 3. That section 17H.010.060 of the Spokane Municipal Code is amended to read as follows:

17H.010.060 Street Width - General

- A. Minimum curb-to-curb street widths are shown in Tables 17H.010-1 and 17H.010-2. Street width varies based on the required street elements including number of lanes, on-street parking, bike lane, median, and turn lanes.
- B. Generally, street design shall allow for a twenty feet clear width for emergency vehicle access. New streets with less than a twenty feet clear width shall provide emergency vehicle staging areas as described in SMC 17H.010.140.
- C. ~~((Spacing between collector arterials shall be no more than one-half mile.))~~
The clear width may be reduced to fourteen feet on each side of a median for distances of fifty linear feet or less. This may be used for purposes of traffic calming, crosswalks or neighborhood entry medians.
- D. Where infill development occurs on partially constructed blocks, the proposed street width may match the existing street width for the rest of that block.

Section 4. That section 17H.010.070 of the Spokane Municipal Code is amended to read as follows:

17H.010.070 Street Width – ~~((Low Density)) Residential ((Zones))~~ Uses

- A. The street width may be reduced to twenty-seven feet on local access streets in low density (four to ten units per acre) residential zones if parking is omitted on one side of the street. Refer to SMC 17H.010.120 for on-street parking requirements.
- B. The local access residential street((s)) standard shall be ((in low density residential areas may be narrowed to))thirty-two feet with parking on both sides. This is intended for use in areas with street-facing garages and driveways, where on-street parking is primarily used by visitors and extra vehicles. ((if the following conditions are met))

- ~~1. Each block is connected on both ends and does not exceed six hundred sixty feet in length.~~
- ~~2. The narrower street does not extend more than one thousand three hundred twenty feet without intersecting a street with twenty feet clear width.~~
- ~~3. Adequate emergency vehicle access and staging areas are provided. Refer to SMC 17H.010.140 for emergency access and staging requirements.~~
- ~~4. The profile grade for the street does not exceed eight percent.))~~

C. The residential high-density standard shall be thirty-six feet with parking on both sides. This is intended for use in areas where parking on both sides of the street is expected on a regular basis, such as near apartment complexes.

~~((E))~~ D. Additional parking restrictions may be required near intersections on ~~((narrowed))~~ thirty-two foot streets. The turning movements of service and emergency vehicles must be evaluated to ensure that on-street parking does not interfere with access.

~~((D. Streets that are designed to connect to an adjacent site or that will serve lots on an adjacent site may not be narrowed.))~~

Section 5. That section 17H.010.120 of the Spokane Municipal Code is amended to read as follows:

17H.010.120 On-Street Parking

- A. Streets located in the central business district and in centers and corridors ~~((require))~~ should provide on-street parking.
- B. Principal, minor and collector arterials outside of the central business district, centers and corridors will be reviewed on a case-by-case basis to determine on-street parking needs.
- C. On-street parking lanes ~~((shall))~~ should be eight feet wide. In low density residential areas meeting the criteria in SMC 17H.010.070, parking lanes may be narrowed to seven feet to allow for a narrower street section.
- D. ~~((Generally, all))~~ In locations with densities greater than ten units per acre new local access streets shall provide on-street parking on both sides of the street. Parking may be omitted from one side of a residential street in the following situations:
 1. Hillside developments as described in SMC 17H.010.110 where lots are developed on only one side of the street.
 2. Neighborhoods where garage access is provided from alleys and driveway access to the street is restricted.

3. The side of a street adjacent to side yards, rear yards, or common areas such as stormwater facilities. Parking may not be omitted adjacent to parks or other recreational facilities.
 4. Locations with low density (four to ten units per acre).
- E. Where parking has been omitted, “No Parking” signs shall be installed at the developer’s expense.
- F. Street width may vary within a subdivision to provide one or two-sided parking appropriate to the adjacent properties.

Section 6. That section 17H.010.140 of the Spokane Municipal Code is amended to read as follows:

17H.010.140 Emergency Vehicle Access and Staging Areas

- A. Where the street design does not allow for a twenty-foot clear width, emergency vehicle staging areas shall be designated.
- B. Staging areas shall be at least fifty feet long and twenty feet wide. Staging areas shall not be obstructed in any manner, including the parking of vehicles, or snow storage. The minimum width shall be maintained at all times.
- C. Staging areas shall be spaced so that the maximum distance from a staging area to the property line of any lot is one hundred fifty feet.
- D. Staging areas require a significant visual cue acceptable to the department of engineering services and the city fire department; signing alone is not adequate.
- E. Paired driveways and street intersections that meet the minimum dimensions may be designated as staging areas. When used, paired driveways require a deed restriction on the affected lots.
- F. Mid-block bump-outs may be allowed in areas where garage access is provided off of alleys on approval of the director of engineering. Other physical alternatives will be considered on a case by case basis and allowed at the discretion of the director of engineering services and the city fire department.
- G. Staging areas shall not create a street maintenance or parking enforcement problem and must be approved by the director of engineering

services, director of streets and the city fire department.

- H. ~~((Placement of f))~~ Fire hydrants ~~((shall consider the location of))~~ should be located within the staging areas. Fire hydrants may also be located within the median.

Section 7. That section 17H.010.160 of the Spokane Municipal Code is amended to read as follows:

17H.010.160 Traffic Calming

- A. Allowable traffic calming features include traffic circles, chicanes, curb extensions, medians, entry-way treatments, landscaping, turn or access restrictions and other traffic calming features set forth in ~~((the Traffic Calming Policy for Residential Streets))~~ Chapter 3 of the Design Standards.
- B. ~~((Installation of traffic calming features on existing streets requires a public meeting and a petition representing at least fifty percent plus one of the households in the petition area. This process is outlined in the Traffic Calming Policy for Residential Streets.))~~ The City's Neighborhood Traffic Calming program provides opportunities for installing traffic calming devices on existing streets.
- C. Installation of traffic calming features ~~((on new streets))~~ through development actions will be evaluated on a case by case basis and approved by the ~~((director of engineering services and the director of streets))~~ City Engineer.
- D. All proposed traffic calming features will be evaluated based on posted speed, traffic volumes, pedestrian generators within the project area, roadway geometry, residential density and collision history as applicable.
- E. Traffic calming features shall not create a street maintenance, safety or parking enforcement problem.

Section 8. That section 17H.010.180 of the Spokane Municipal Code is amended to read as follows:

17H.010.180 Sidewalks

- A. Sidewalks shall be located on both sides of the street for all public and private streets.
- B. Sidewalk shall be constructed around the bulb of cul-de-sacs so that every lot is served by a sidewalk.

- C. In steep, hillside areas, where development occurs only on one side of the street, sidewalk may be omitted from one side in accordance with SMC 17H.010.110. However, it must be demonstrated that the segment to be omitted is not a critical link in the sidewalk system.
- D. All sidewalks shall be designed and constructed in accordance with the City's design standards, standard plans and specifications.
- E. (~~All sidewalks shall provide connectivity to the regional pedestrian network as shown on Map TR 1 of the City's Comprehensive Plan when the project is adjacent to a portion of that network.~~) Shared-use pathways may be substituted for sidewalks.

Section 9. That section 17H.010.190 of the Spokane Municipal Code is amended to read as follows:

17H.010.190 Pedestrian Buffer Strips

- A. Pedestrian buffer strips are required on both sides of all streets between the sidewalk and the curb. The width and type of pedestrian buffer strip for each street shall comply with the requirements of ~~((the comprehensive plan and))~~ the city's design standards.
- B. Planted strips are required on residential local access streets. A ~~((minimum three-foot-wide))~~ concrete pedestrian buffer strip may be allowed in place of the planted strip for certain land uses such as churches and schools that require passenger loading and unloading, or at bus stops. These will be evaluated on a case-by-case basis and allowed at the discretion of the director of engineering services.
- C. In situations where a separation between the sidewalk and the street is constrained by topography, narrow right-of-way or existing development, a variance from this standard may be granted by the director of engineering services.
- D. In cases where sidewalk has been omitted on one side of the street, the pedestrian buffer strip may also be omitted on that side.
- E. Pedestrian buffer strips may be omitted around the bulb of cul-de-sacs.

Section 10. That section 17H.010.200 of the Spokane Municipal Code is amended to read as follows:

17H.010.200 Curb Ramps

- A. At all intersections where new curbs, sidewalks or both are to be constructed, curb ramps are to be placed and constructed as shown on the standard plans. Where a ramp is built on one corner of an intersection, a ramp shall also be provided at a corresponding location on the opposite corner of the intersection.
- B. Not less than two curb ramps per lineal block shall be constructed on or near the crosswalks at intersections or other convenient locations approved by the director of engineering services. Two curb ramps are required on each corner unless utilities, topography, right-of-way or other existing conditions make two ramps infeasible.
- C. Installation of curb ramps shall also be required on existing sidewalks whenever curbing is replaced.
- D. Proposed curb ramps at locations other than intersections must be approved by the director of streets prior to construction.

Section 11. That section 17H.010.210 of the Spokane Municipal Code is amended to read as follows:

17H.010.210 Crosswalks

- A. Generally, marked crosswalks are installed in centers and corridors (CC, DTC, DTG, DTS, DTU zones), adjacent to schools, parks, hospitals, churches, trail crossings and other significant pedestrian-generating facilities, at signalized intersections and at locations identified in the Pedestrian Master Plan.
- B. On arterial streets at locations identified in section A, marked crosswalks shall be installed at every intersection, on all legs accessible to pedestrians, when the street is reconstructed, resurfaced or when such crosswalks can be funded from grant or programmatic sources. Mid-block marked crosswalks may be installed on arterial streets where significant pedestrian traffic generators exist or where pedestrian conditions warrant. Exceptions to this section are allowed when engineering studies determine that a crosswalk proposed for marking does not meet nationally-recognized safety standards.
- C. Installation of marked crosswalks at locations other than those identified in subsection A requires an engineering study and the approval of the director of streets. Neighborhood councils shall be consulted and their input taken prior to installation or removal of a crosswalk.
- D. An advanced stop line shall be located in advance of each crosswalk at an arterial intersection and any mid-block crosswalk in locations defined in Section A, per the Manual on Uniform Traffic Control Devices (MUTCD).
- E. Americans with Disabilities Act (ADA) compliant curb ramps shall be installed at all newly marked crosswalks. The preferred curb ramp design shall be directional (perpendicular or parallel), as defined by American Association of State Highway and Transportation Officials (AASHTO) guidelines, where right-of-way and topography allow. Guidance per Federal Highway Administration Best Practices Design Guide shall inform curb ramp design.
- F. In the event a bus stop is planned, relocated or modified as part of the establishment of a new crosswalk or improvement thereto, the new bus stop shall meet ADA accessibility standards adopted by reference in 49 CFR 37. Any new bus stop shall not straddle or compromise a crosswalk.
- G. In centers and corridors (CC, DTC, DTG, DTS, DTU zones) on new, resurfaced, rehabilitated or reconstructed arterial intersections with three or more lanes and no traffic signal, marked crosswalks with a mid-point pedestrian refuge shall be constructed, unless in conflict with an adopted

sub-area or neighborhood plan or contrary to the findings of an engineering study. Travel lane widths may be narrowed and/or the number of travel lanes may be reduced and/or additional, existing right-of-way may be utilized to accommodate pedestrian refuges. Pedestrian refuges shall be vegetated or treed or otherwise contain elements to establish a sense of place. Landscaping shall be designed and maintained to provide appropriate visibility between pedestrians and approaching motorists from both directions.

- H. Raised crosswalks may be installed in lieu of pedestrian refuges. Detectable warnings shall be included at the curb line on all raised crosswalks.
- I. The design of marked crosswalks on arterial streets shall meet guidance in the Federal Highway Administration Best Practices Design Guide, NACTO or other nationally recognized guidelines.
- J. Crosswalk markings and signs shall be maintained.
- K. Marked crosswalks shall only be removed on the recommendation of the ((Planning Director)) City Engineer, after consultation with the neighborhood council and with City Council approval, which shall be authorized by resolution.
- L. The City administration should adopt policies and guidelines to implement the provisions of this section. Such policies and guidelines shall not conflict with the provisions of this section.

Section 12. That section 17H.010.220 of the Spokane Municipal Code is amended to read as follows:

17H.010.220 Driveways

- A. No driveway shall be located so as to create a hazard to pedestrians or motorists, or invite or compel illegal or unsafe traffic movements. The edge of the driveway at the curb shall not extend past the end of radius of the curb of an adjoining street, nor into a crosswalk.
- B. Every driveway must provide access to an off-street parking area located on private property. Every vehicle entering the driveway must be able to park, stand, or load entirely off the street right-of-way, sidewalk or pathway.
- C. Garage and carport entrances must be set back at least twenty feet from the back of sidewalk.
- D. No parking is allowed in an alley. Garages and carports may be built to the rear property line unless parking in front of the entrance is proposed, then

the structure must be a minimum of eighteen feet from the edge of the alley tract, easement or right-of-way.

- E. Unless otherwise approved by the director of engineering services, the entire nominal driveway width shall be confined within lines perpendicular to the curb line and passing through the property corners. Shared driveways will be evaluated on a case by case basis.
- F. No driveway shall be constructed in such a manner as to be a hazard to any existing drainage inlet, street lighting standard, utility pole, traffic regulating device, fire hydrant, or other public facility. The cost of relocating any such public facility, when necessary to do so, shall be borne by the applicant. Relocation of any public facility shall be performed in coordination with the agency holding authority for the structure.
- G. The total nominal width of all driveways on a street for any one ownership shall not exceed forty percent of the frontage.
- H. Circular drives may be approved by the City Engineer for traffic safety purposes on residential lots with at least fifty feet of frontage on a Principal or Minor Arterial. Circular drives must be consistent with current zoning regulations, although the City Engineer may approve exceptions to these requirements. If a public alley provides paved access, a circular drive is not allowed.
- I. Any driveway which has become abandoned, unused, or unnecessary for any reason, shall be closed and the owner shall replace any such driveway with curb and sidewalk matching adjacent improvements or constructed in accordance with the standard plans and specifications.
- J. Wherever, in a single ownership, the total width of existing driveways on a street is over forty percent of the frontage of the ownership on that street, or any driveways are wider than twenty feet, such existing driveways shall be made to conform to the provisions of this section upon the alteration or repair of any one or more of the driveways. The director of engineering services or the director of streets may require such changes in any or all the driveways of that ownership as he/she may deem necessary for the better movement of traffic or to provide better protection to pedestrians.
- K. An approach permit issued by the department of engineering services is required for the construction or modification of any driveway onto a public right-of-way. Plans and an operation analysis may be required as part of the review.
- L. In new developments, an approach permit is not required when driveway locations are shown on the approved street plans and the driveway drops

are constructed in conjunction with the streets. However, if a driveway is to be relocated or modified, a new approach permit must be obtained prior to construction.

Section 13. That section 17H.010.230 of the Spokane Municipal Code is amended to read as follows:

17H.010.230 Street Lighting

A. ~~((For arterial streets,))~~ Lighting plans shall be provided to the ~~((department of engineering services))~~ Streets Department for review and acceptance prior to construction. See the City of Spokane Design Standards section on street lighting.

B. At a minimum a street light shall be provided at every arterial intersection.

~~((B))~~ C. ~~((Where street lighting is implemented on local access streets, a plan must be submitted and accepted by the director of engineering services. The lighting proposal will be reviewed for lighting type, spacing, and location.))~~ Street lights on new local access streets shall be operated and maintained by a homeowners' association if one is established.

Section 14. That section 17H.010.240 of the Spokane Municipal Code is amended to read as follows:

17H.010.240 Vertical Clearances

A. The clearance above any street surface shall be a minimum of sixteen and one-half feet to overhead obstacles. This height shall be maintained across the full width of the street, extending to two feet behind the face of curb.

B. Vertical clearances for street signs above sidewalks and other pedestrian areas shall be as shown in the standard plans.

C. Vertical clearance requirements for skywalks and private/commercial signs shall be as provided in SMC 12.02.0462 and ~~((chapter 11.17 SMC))~~ SMC 17C.240.

Section 15. That section 17H.010.250 of the Spokane Municipal Code is amended to read as follows:

17H.010.250 Horizontal Clearances

A. The clear horizontal ~~((sight distance))~~ view triangle at intersections shall be as provided in ~~((SMC 11.19.599))~~ SMC 17A.020.030.

B. For situations not addressed by SMC 17A.020.030, horizontal sight distance shall be as described in AASHTO “A Policy on Geometric Design of Highways and Streets”, Chapter 9, section on Sight Distance.

~~((B))~~C. The minimum clear zone distances are as provided in the City’s Design Standards ~~((clear zone policy (#0370-05-04)))~~. The values presented in the table are minimum allowable clear zone distances. Design engineers should evaluate and provide larger clear zone distances wherever practical.

Section 16. That section 17H.010.260 of the Spokane Municipal Code is amended to read as follows:

17H.010.260 Bicycle Network

- A. Bicycle facilities shall be employed where designated in the City’s comprehensive plan ~~((and in the Spokane Regional Pedestrian/Bikeway Plan))~~. Bicycle facilities include shared-use pathways, bicycle lanes including striped and protected lanes, ~~((paved shoulders, shared-use lanes, and residential bikeways))~~ shared lanes, neighborhood greenways and bike-friendly routes. See SMC 17A.020.020.
- B. All new bicycle facilities shall be designed in accordance with ~~((Section))~~ Chapters ((1020)) 1515 and 1520 of the WSDOT Design Manual and the City’s design standards.
- C. ~~((Where required by the Spokane Regional Pedestrian/ Bikeway Plan, signing shall be provided by the project sponsor for designated bicycle routes.))~~ Bicycle lanes may include raised lanes, curb-separated or buffers.
- D. The usable width for bicycle facilities is normally from face of curb to lane stripe, but adjustments may need to be made for drainage structures, parking, or other obstructions to maintain this space.

PASSED BY THE CITY COUNCIL on September 25, 2020.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

ORDINANCE NO. _____

An ordinance amending sections 17A.020.010, 17A.020.020, 17A.020.030, 17A.020.130, 17A.020.160, 17A.020.190 and 17A.020.200 of the Spokane Municipal Code.

WHEREAS, the City of Spokane is updating Chapter 3 of the Design Standards; and

WHEREAS, on 8/31/2020 the responsible official issued a determination of non-significance (DNS) under SEPA (Chapter 43.21C RCW) relating to the proposed changes and notice of said DNS was published in the Spokesman Review on [REDACTED] and [REDACTED]; and

WHEREAS, the Plan Commission held workshops on the Design Standards update and code changes on 7/22/2020 and 8/12/2020, and a public hearing on 9/23/2020; and

WHEREAS, based on written and verbal testimony that is part of the record and is summarized in the City Plan Commission Recommendation, Findings and Conclusions adopted on [REDACTED], the Plan Commission recommended that the City Council adopt the proposed Street Standards and code update; and

WHEREAS, consistency should be maintained between the Spokane Municipal Code and the Design Standards; and

WHEREAS, to be added later

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That section 17A.020.010 of the Spokane Municipal Code is amended to read as follows:

Section 17A.020.010 “A” Definitions

A. Abandoned Sign Structure.
See SMC 17C.240.015.

B. Aboveground Storage Tank or AST.
Any one or connected combination of tanks that is used to contain an accumulation of liquid critical materials and the aggregate volume of which (including the volume of piping connected thereto) is more than sixty gallons and the entire exterior surface area of the tank is above the ground and is able to be fully visually inspected. Tanks located in vaults or buildings that are to be visually inspected are considered to be aboveground tanks.

C. Accepted.
A project for which the required plans have been found to be technically adequate.

D. Accessory Dwelling Unit (ADU).

An accessory dwelling unit is a separate additional living unit, including separate kitchen, sleeping, and bathroom facilities, attached or detached from the primary residential unit, on a single-family lot. ADUs are known variously as:

1. "Mother-in-law apartments,"
2. "Accessory apartments," or
3. "Second units."

E. Accessory Structure.

A structure of secondary importance or function on a site. In general, the primary use of the site is not carried on in an accessory structure.

1. Accessory structures may be attached or detached from the primary structure.
2. Examples of accessory structures include:
 - a. Garages,
 - b. Decks,
 - c. Fences,
 - d. Trellises,
 - e. Flagpoles,
 - f. Stairways,
 - g. Heat pumps,
 - h. Awnings, and
 - i. Other structures.
3. See also [SMC 17A.020.160](#) ("Primary Structure").

F. Accessory Use.

A use or activity which is a subordinate part of a primary use and which is clearly incidental to a primary use on a site.

G. Activity.

See Regulated Activity.

H. Administrative Decision.

A permit decision by an officer authorized by the local government. The decision may be for approval, denial, or approval with conditions and is subject to the applicable development standards of the land use codes or development codes.

I. Adult Bookstore or Adult Video Store.

1. A commercial establishment which, as one of its principal business activities, offers for sale or rental for any form of consideration any one or more of the following: books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, digital video discs, slides, or other visual representations which are characterized by their emphasis upon the display of "specified anatomical areas," as defined in [SMC 17A.020.190](#), or "specified sexual activities," as defined in [SMC 17A.020.190](#). A "principal business activity"

exists where the commercial establishment meets any one or more of the following criteria:

- a. At least thirty percent of the establishment's displayed merchandise consists of said items; or
 - b. At least thirty percent of the retail value (defined as the price charged to customers) of the establishment's displayed merchandise consists of said items; or
 - c. At least thirty percent of the establishment's revenues derive from the sale or rental, for any form of consideration, of said items; or
 - d. The establishment maintains at least thirty percent of its floor space for the display, sale, and/or rental of said items (aisles and walkways used to access said items, as well as cashier stations where said items are rented or sold, shall be included in "floor space maintained for the display, sale, and/or rental of said items"); or
 - e. The establishment maintains at least five hundred square feet of its floor space for the display, sale, and/or rental of said items (aisles and walkways used to access said items, as well as cashier stations where said items are rented or sold, shall be included in "floor space maintained for the display, sale, and/or rental of said items"); or
 - f. The establishment regularly offers for sale or rental at least two thousand of said items; or
 - g. The establishment regularly features said items and regularly advertises itself or holds itself out, in any medium, by using "adult," "XXX," "sex," "erotic," or substantially similar language, as an establishment that caters to adult sexual interests.
2. For purposes of this definition, the term "floor space" means the space inside an establishment that is visible or accessible to patrons, excluding restrooms.

J. Adult Business.

An "adult bookstore or adult video store," an "adult entertainment establishment," or a "sex paraphernalia store."

K. Adult Entertainment Establishment.

1. An "adult entertainment establishment" is an enclosed building, or any portion thereof, used for presenting performances, activities, or material relating to "specified sexual activities" as defined in [SMC 17A.020.190](#) or "specified anatomical areas" as defined in [SMC 17A.020.190](#) for observation by patrons therein.
2. A motion picture theater is considered an adult entertainment establishment if the preponderance of the films presented is distinguished or characterized by an emphasis on the depicting or describing of "specified sexual activities" or "specified anatomical areas."

3. A hotel or motel providing overnight accommodations is not considered an adult entertainment establishment merely because it provides adult closed circuit television programming in its rooms for its registered overnight guests.

L. Adult Family Home.

A residential use as defined and licensed by the state of Washington in a dwelling unit.

M. Agency or Agencies.

The adopting jurisdiction(s), depending on the context.

N. Agricultural Activities.

1. Pursuant to WAC 173-26-020(3)(a), agricultural uses and practices including, but not limited to:
 - a. Producing, breeding, or increasing agricultural products;
 - b. Rotating and changing agricultural crops;
 - c. Allowing land used for agricultural activities to lie fallow in which it is plowed and tilled but left unseeded;
 - d. Allowing land used for agricultural activities to lie dormant as a result of adverse agricultural market conditions;
 - e. Allowing land used for agricultural activities to lie dormant because the land is enrolled in a local, state, or federal conservation program, or the land is subject to a conservation easement;
 - f. Conducting agricultural operations; maintaining, repairing, and replacing agricultural equipment;
 - g. Maintaining, repairing, and replacing agricultural facilities, provided that the replacement facility is not closer to the shoreline than the original facility; and
 - h. Maintaining agricultural lands under production or cultivation.
2. The City of Spokane shoreline master program defines agriculture activities as:
 - a. Low-intensity agricultural use is defined as passive grazing and plant cultivation; or
 - b. High-intensity agricultural use includes such activities as feedlots, feed mills, packing plants, agricultural processing plants or warehouse for the purpose of processing, packing, and storage of agricultural products.

O. Agricultural Land.

Areas on which agricultural activities are conducted as of the date of adoption of the updated shoreline master program pursuant to the State shoreline guidelines as evidenced by aerial photography or other documentation. After the effective date of the SMP, land converted to agricultural use is subject to compliance with the requirements herein.

P. AKART.

An acronym for “all known, available, and reasonable methods to control toxicants” as used in the sense of the state Water Pollution Control Act and RCW 90.48.520 thereof. AKART shall represent the most current methodology that can be reasonably required for preventing, controlling, or abating the pollutants associated with a discharge. The concept of AKART applies to both point and nonpoint sources of pollution.

Q. Alkali Wetlands.

Alkali wetlands means wetlands characterized by the occurrence of shallow saline water. In eastern Washington, these wetlands contain surface water with specific conductance that exceeds three thousand micromhos/cm. They have unique plants and animals that are not found anywhere else in eastern Washington such as the alkali bee. Conditions within these wetlands cannot be easily reproduced through compensatory mitigation.

R. All Weather Surface.

A road surface which emergency vehicles and typical passenger vehicles can pass in all types of weather. If unpaved, the top course should be six inches minimum of compacted crushed rock meeting standards for a roadway surface.

~~((R.))~~ S. Alley.

See “Public Way” ([SMC 17A.020.160](#)).

~~((S))~~. T. Alteration.

A physical change to a structure or site.

1. Alteration does not include normal maintenance and repair or total demolition.
2. Alteration does include the following:
 - a. Changes to the facade of a building.
 - b. Changes to the interior of a building.
 - c. Increases or decreases in floor area of a building; or
 - d. Changes to other structures on the site, or the development of new structures.

~~((T))~~. U. Alteration of Plat, Short Plat, or Binding Site Plan.

The alteration of a previously recorded plat, short plat, binding site plan, or any portion thereof, that results in a change to conditions of approval or the deletion of existing lots or the change of plat or lot restrictions or dedications that are shown on the recorded plat. An alteration does not include a boundary line adjustment subject to [SMC 17G.080.030](#).

~~((U))~~. V. Alternative or Post-incarceration Facility.

A group living use where the residents are on probation or parole.

((V)). [Deleted]

W. [Deleted]

X. [Deleted]

Y. [Deleted]

Z. API 653.

The American Petroleum Institute's standards for tank inspection, repair, alteration, and reconstruction.

AA. Appeal.

A request for review of the interpretation of any provision of [Title 17 SMC](#).

AB. Appeal – Standing For.

As provided under RCW 36.70C.060, persons who have standing are limited to the following:

1. The applicant and the owner of property to which the land use decision is directed; and
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 (RCW 36.70C.060).

AC. Applicant.

An application for a permit, certificate, or approval under the land use codes must be made by or on behalf of all owners of the land and improvements. "Owners" are all persons having a real property interest. Owners include:

1. Holder of fee title or a life estate;
2. Holder of purchaser's interest in a sale contract in good standing;
3. Holder of seller's interest in a sale contract in breach or in default;
4. Grantor of deed of trust;
5. Presumptively, a legal owner and a taxpayer of record;
6. Fiduciary representative of an owner;
7. Person having a right of possession or control; or
8. Any one of a number of co-owners, including joint, in common, by entireties, and spouses as to community property.

AD. Application – Complete.

An application that is both counter-complete and determined to be substantially complete as set forth in [SMC 17G.060.090](#).

AE. Aquaculture.

The farming or culture of food fish, shellfish, or other aquatic plants or animals in freshwater or saltwater areas, and may require development such as fish hatcheries, rearing pens and structures, and shellfish rafts, as well as use of natural spawning and rearing areas. Aquaculture does not include the harvest of free-swimming fish or the harvest of shellfish not artificially planted or maintained, including the harvest of wild stock geoducks on DNR-managed lands.

AF. Aquatic Life.

Shall mean all living organisms, whether flora or fauna, in or on water.

AG. Aquifer or Spokane Aquifer.

A subterranean body of flowing water, also known as the Spokane-Rathdrum Aquifer, that runs from Pend Oreille Lake to the Little Spokane River.

AH. Aquifer Sensitive Area (ASA).

That area or overlay zone from which runoff directly recharges the aquifer, including the surface over the aquifer itself and the hillside areas immediately adjacent to the aquifer. The area is shown in the map adopted as part of [SMC 17E.050.260](#).

AI. Aquifer Water Quality Indicators.

Common chemicals used for aquifer water quality screening. These are:

1. Calcium,
2. Magnesium,
3. Sodium,
4. Total hardness,
5. Chloride,
6. Nitrate-nitrogen, and
7. Phosphorus.

AJ. Archaeological Areas and Historical Sites.

Sites containing material evidence of past human life, such as structures and tools and/or cultural sites with past significant historical events. These sites are a nonrenewable resource and provided a critical educational link with the past.

AK. Architectural feature.

Ornamental or decorative feature attached to or protruding from an exterior wall or roof, including cornices, eaves, belt courses, sills, lintels, bay windows, chimneys, and decorative ornaments.

AL. Architectural Roof Structure.

Minor tower or turret extending from the cornice or main roof line of a building, typically highlighting a primary corner or building entry. For purposes of the FBC, such features may not be occupied.

1. Area of Shallow Flooding.

A designated AO or AH Zone on the Flood Insurance Rate Map (FIRM).

2. The base flood depths range from one to three feet.
3. A clearly defined channel does not exist.
4. The path of flooding is unpredictable and indeterminate.
5. Velocity flow may be evident.
6. AO is characterized as sheet flow and AH indicates ponding.

AM. Area of Shallow Flooding.

A designated AO or AH Zone on the Flood Insurance Rate Map (FIRM).

1. The base flood depths range from one to three feet.
2. A clearly defined channel does not exist.
3. The path of flooding is unpredictable and indeterminate.
4. Velocity flow may be evident.
5. AO is characterized as sheet flow and AH indicates ponding.

AN. Area of Special Flood Hazard.

The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.

AO. Arterial

See:

1. "Principal Arterials" – SMC 17A.020.160,
2. "Minor Arterials" – SMC 17A.020.130,
3. "Collector Arterial" – SMC 17A.020.030_ ((,or))
- ((4. "Parkway" – SMC 17A.020.160.))

AP. Articulation.

The emphasis of architectural elements, such as windows, balconies, and entries that create a complementary pattern or rhythm, dividing the buildings into smaller identifiable pieces.

AQ. Assisted Living Facility.

A multi-family residential use licensed by the state of Washington as a boarding home pursuant to chapter 18.20 RCW, for people who have either a need for assistance with activities of daily living (which are defined as eating, toileting, ambulation, transfer [e.g., moving from bed to chair or chair to bath], and bathing) or some form of cognitive impairment but who do not need the skilled critical care provided by nursing homes.

1. An "assisted living facility" contains multiple assisted living units.

2. An assisted living unit is a dwelling unit permitted only in an assisted living facility.

AR. Attached Housing.

Two or more dwelling units that are single-family residences on individual lots attached by a common wall at a shared property line. These include:

1. Townhouses,
2. Row houses, and
3. Other similar structures

AS. Attached Structure.

Any structure that is attached by a common wall to a dwelling unit.

1. The common wall must be shared for at least fifty percent of the length of the side of the principal dwelling.
2. A breezeway is not considered a common wall.
3. Structures including garages, carports, and house additions attached to the principal dwelling unit with a breezeway are still detached structures for purposes of this chapter and its administration.

AT. Available Capacity.

Capacity for a concurrency facility that currently exists for use without requiring facility construction, expansion, or modification (RCW 76.70A.020).

AU. Average Grade Level.

Means the average of the natural or existing topography of the portion of the lot, parcel, or tract of real property on that part of the lot to be occupied by the building or structure as measured by averaging the elevations at the center of all exterior walls of the proposed structure.

AV. Awning

A roof-like cover, often made of fabric or metal, designed and intended for protection from the weather or as a decorative embellishment, and which projects from a wall or roof of a structure over a window, walk, or door.

Section 2. That section 17A.020.020 of the Spokane Municipal Code is amended to read as follows:

[Section 17A.020.020](#) "B" Definitions

A. Backed Sign.

[See SMC 17C.240.015.](#)

B. Balloon Sign.

[See SMC 17C.240.015.](#)

C. Bank Carving.

The incorporation of masses of alluvium or other weak bank materials into a stream channel because of undermining, usually in high flow stages.

D. Bank Erosion.

The incorporation of masses of alluvium or other weak bank materials into a stream channel.

E. Bankfull Width.

1. For streams, the measurement of the lateral extent of the water surface elevation perpendicular to the channel at bankfull depth. In cases where multiple channels exist, bankfull width is the sum of the individual channel widths along the cross-section.
2. For lakes, ponds, and impoundments, line of mean high water.
3. For periodically inundated areas of associated wetlands, line of periodic inundation, which will be found by examining the edge of inundation to ascertain where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland.

F. Banner.

[See SMC 17C.240.015.](#)

G. Bas-relief

Sculptural form in which shapes or figures are carved in a flat surface and project only slightly from the background.

H. Base Flood.

1. The flood having a one percent chance of being equaled or exceeded in any given year, also referred to as the "one hundred year flood."
2. Designation on maps always includes the letters A or V.

I. Basement.

The portion of a building having its floor sub-grade (below ground level) on all sides.

J. Bedrock.

Means a general term for rock, typically hard, consolidated geologic material that underlies soil or other unconsolidated, superficial material or is exposed at the surface.

K. Bee.

Any stage of development of the common domestic honeybee, *Apis mellifera* species.

L. Beekeeper.

A person owning, possession, or controlling one or more colonies of bees.

M. Best Available Science.

Current scientific information used in the process to designate, protect, or restore critical areas, which is derived from a valid scientific process.

N. Best Management Practices.

The utilization of methods, techniques, or products that have been demonstrated to be the most effective and reliable in minimizing environmental impacts.

O. ~~((Bikeways/Pathways))~~ Bicycle Facilities

Facilities designated for use by ~~((commuters and recreational users on foot or bicycle))~~ bicyclists and sometimes by other non-motorized users. The following types of bikeway facilities are identified and further defined in the ~~((Spokane Regional Pedestrian/Bikeway Plan published by the Spokane Regional Transportation Council))~~ Comprehensive Plan:

1. ~~((Residential bikeway))~~ Bike-Friendly Route.
2. Shared~~((-use))~~ lane.
3. ~~((Paved shoulder))~~ Neighborhood Greenway.
4. Bicycle lane, both striped and physically protected.
5. Shared-use pathway.

P. Binding Site Plan – Final.

A drawing to a scale which:

1. identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters provided in [SMC 17G.080.060](#);
2. contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land; and
3. contains provisions making any development be in conformity with the site plan.
4. A binding site plan can only be used on property zoned commercial or industrial.

Q. Binding Site Plan – Preliminary.

A neat and approximate drawing of a proposed binding site plan showing the general layout of streets, alleys, lots, blocks, and other elements required by this chapter. The preliminary binding site plan shall be the basis for the approval or disapproval of the general layout of a binding site plan.

R. Block.

A group of lots, tracts, or parcels within well-defined and fixed boundaries. Blocks shall be recognized as closed polygons, bordered by street right-of-way lines, addition lines, or a combination of the two, unless an alley is desired, in which case a block is comprised of two closed polygons bordered by street and alley right-of-way lines.

S. Block Frontage.

All of the property fronting on one side of a street that is between intersecting or intercepting streets, or that is between a street and a water feature, or end of a dead end street. An intercepting street determines only the boundary of the block frontage on the side of the street which it intercepts.

T. Board.

The board of county commissioners of Spokane County.

U. Boating Facilities.

Boating facilities include uses for boat or launch ramps. Boating facility use generally requires shoreline modification with impacts to the shoreline both waterward and landward of the ordinary high-water marks.

V. Boundary Line Adjustment.

A division made for the purpose of adjusting boundary lines which does not create any additional lot, tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site.

W. Breakaway Wall.

A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

X. Breezeway.

A breezeway is a roofed passageway joining two separate structures.

Y. Building.

1. A "building" is a structure, or part, used or intended for supporting or sheltering any use or occupancy.
2. The term includes "factory-built structure" and "mobile home."
3. "Building" does not include a recreational vehicle.
4. "Building" means a structure that has a roof and is enclosed on at least fifty percent of the area of its sides for purposes of administration of zoning provisions.

Z. Building Base

The plinth or platform upon which a building wall appears to rest, helping establish pedestrian-scaled elements and aesthetically tying the building to the ground.

AA. Building Coverage.

Building coverage is the total amount of ground area covered by a structure or structures.

1. For purposes of calculating building coverage, covered porches, covered decks, pergolas, trellis, or other feature covering a deck, patio or porch are considered structures and included in the building coverage calculations.
2. Building coverage also includes uncovered horizontal structures such as decks, stairways, and entry bridges that are more than forty-two inches above grade.
3. The calculation of building coverage includes the measurements of structures from the exterior wall including protrusions such as bay windows, but does not include the eave overhang.

AB. Building Envelope.

The area of a lot that delineates where a building may be placed.

AC. Building Frontage.

The length of any side of a building which fronts on a public street, measured in a straight line parallel with the abutting street

AD. Build-to Line.

An alignment establishing a certain distance from the property line (street right-of-way line) along which the building is required to be built.

AE. Bulkhead.

A solid or open pile wall erected generally parallel to and near the ordinary high-water mark for the purpose of protecting adjacent uplands from water or erosion. Bulkheads are considered a “hard” shoreline stabilization measure.

Section 3. That section 17A.020.030 of the Spokane Municipal Code is amended to read as follows:

Section 17A.020.030 “C” Definitions

A. Candidate Species.

A species of fish or wildlife, which is being reviewed, for possible classification as threatened or endangered.

B. Carport.

A carport is a garage not entirely enclosed on all sides by sight-obscuring walls and/or doors.

C. Cellular Telecommunications Facility.

They consist of the equipment and structures involved in receiving telecommunication or radio signals from mobile radio communications sources and transmitting those signals to a central switching computer that connects the mobile unit with the land-based telephone lines.

D. Central Business District.

The general phrase “central business district” refers to the area designated on the comprehensive plan as the “downtown” and includes all of the area encompassed by all of the downtown zoning categories combined.

E. Certificate of Appropriateness.

Written authorization issued by the commission or its designee permitting an alteration or significant change to the controlled features of a landmark or landmark site after its nomination has been approved by the commission.

F. Certificate of Capacity.

A document issued by the planning services department indicating the quantity of capacity for each concurrency facility that has been reserved for a specific development project on a specific property. The document may have conditions and an expiration date associated with it.

G. Certified Erosion and Sediment Control Lead (CESCL).

An individual who is knowledgeable in the principles and practices of erosion and sediment control. The CESCL shall have the skills to assess the:

1. site conditions and construction activities that could impact the quality of stormwater, and
2. effectiveness of erosion and sediment control measures used to control the quality of stormwater discharges.

The CESCL shall have current certification through an approved erosion and sediment control training program that meets the minimum training standards established by the Washington State department of ecology.

H. Change of Use.

For purposes of modification of a preliminary plat, “change of use” shall mean a change in the proposed use of lots (e.g., residential to commercial).

I. Channel Migration Zone (CMZ).

A corridor of variable width that includes the current river plus adjacent area through which the channel has migrated or is likely to migrate within a given timeframe, usually one hundred years.

J. Channelization.

The straightening, relocation, deepening, or lining of stream channels, including construction of continuous revetments or levees for the purpose of preventing gradual, natural meander progression.

K. City.

The City of Spokane, Washington.

L. Clear Street Width.

The width of a street from curb to curb minus the width of on-street parking lanes.

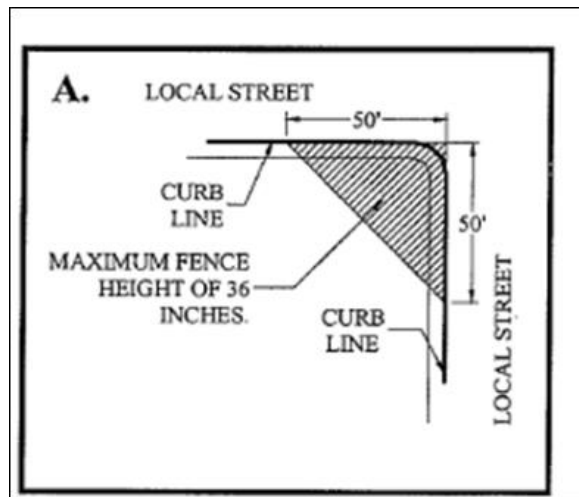
M. Clear Pedestrian Zone

Area reserved for pedestrian traffic; typically included herein as a portion of overall sidewalk width to be kept clear of obstructions to foot traffic.

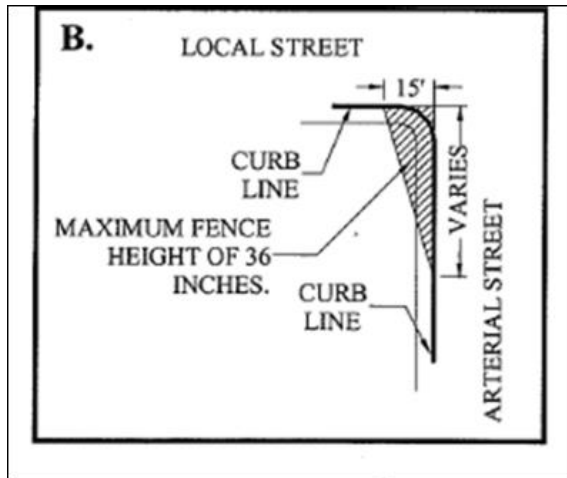
N. Clear View Triangle

A clear view maintained within a triangular space at the corner of a lot so that it does not obstruct the view of travelers upon the streets.

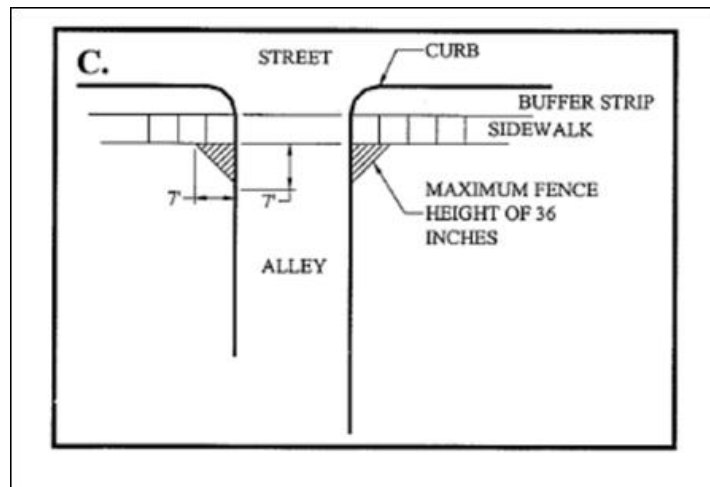
1. Intersection of two local streets: A right isosceles triangle having sides of fifty feet measured along the curb line of each intersecting residential street((; or)).



2. Intersection of local and arterial: A right triangle having a fifteen-foot side measured along the curb line of the residential street and a seventy-five foot side along the curb line of the intersecting arterial street, except that when the arterial street has a speed limit of thirty-five miles per hour, the triangle has a side along such arterial of one hundred twenty-two feet, or when the arterial speed limit is 40 mph or greater the dimensions of the triangle shall be determined by Street Department staff using AASHTO's A Policy on Geometric Design as a reference.((; or))



3. Alleys: A right isosceles triangle having sides of seven feet measured along the right-of-way line of an alley and:
 - a. the inside line of the sidewalk; or
 - b. if there is no sidewalk, a line seven feet inside the curb line.



O. Clear Zone.

((An unobstructed, relatively flat area provided beyond the edge of the traveled way for the recovery of errant vehicles.)) The roadside area free of obstacles, starting at the edge of the traveled way.

P. Clearing.

The removal of vegetation or plant cover by manual, chemical, or mechanical means. Clearing includes, but is not limited to, actions such as cutting, felling, thinning, flooding, killing, poisoning, girdling, uprooting, or burning.

Q. Cliffs.

1. A type of habitat in the Washington department of fish and wildlife (WDFW) priority habitat and species system that is considered a priority due to its limited availability, unique species usage, and significance as breeding habitat. Cliffs are greater than twenty-five feet high and below five thousand feet elevation.
2. A "cliff" is a steep slope of earth materials, or near vertical rock exposure. Cliffs are categorized as erosion landforms due to the processes of erosion and weathering that produce them. Structural cliffs may form as the result of fault displacement or the resistance of a cap rock to uniform downcutting. Erosional cliffs form along shorelines or valley walls where the most extensive erosion takes place at the base of the slope.

R. Closed Record Appeal Hearing.

A hearing, conducted by a single hearing body or officer authorized to conduct such hearings, that relies on the existing record created during a quasi-judicial hearing on the application. No new testimony or submission of new evidence and information is allowed.

S. Collector Arterial

~~((A relatively low speed street serving an individual neighborhood.))~~ Collector arterials (consisting of Major and Minor Collectors) collect and distribute traffic from local streets to principal and minor arterials. They serve both land access and traffic circulation.

~~((1. Collector arterials are typically two-lane roads with on-street parking.))~~

~~((2. Their function is to collect and distribute traffic from local access streets to principal and minor arterials.))~~

T. Co-location

Is the locating of wireless communications equipment from more than one provider on one structure at one site.

U. Colony

A hive and its equipment and appurtenances, including one queen, bees, comb, honey, pollen, and brood.

V. Commercial Driveway

Any driveway access to a public street other than one serving a single-family or duplex residence on a single lot.

W. Commercial Vehicle.

Any vehicle the principal use of which is the transportation of commodities, merchandise, produce, freight, animals, or passengers for hire.

X. Commission – Historic Landmarks.

The City/County historic landmarks commission.

Y. Community Banner.

See [SMC 17C.240.015](#).

Z. Community Meeting.

An informal meeting, workshop, or other public meeting to obtain comments from the public or other agencies on a proposed project permit prior to the submission of an application.

1. A community meeting is between an applicant and owners, residents of property in the immediate vicinity of the site of a proposed project, the public, and any registered neighborhood organization or community council responsible for the geographic area containing the site of the proposal, conducted prior to the submission of an application to the City of Spokane.
2. A community meeting does not constitute an open record hearing.
3. The proceedings at a community meeting may be recorded and a report or recommendation shall be included in the permit application file.

AA. Compensatory Mitigation.

Replacing project-induced wetland losses or impacts, and includes, but is not limited to, the following:

1. Restoration.
The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former or degraded wetland. For the purpose of tracking net gains in wetland acres, restoration is divided into re-establishment and rehabilitation.
2. Re-establishment.
The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former wetland. Re-establishment results in a gain in wetland acres (and functions). Activities could include removing fill material, plugging ditches, or breaking drain tiles.
3. Rehabilitation.
The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural or historic functions of a degraded wetland. Rehabilitation results in a gain in wetland function but does not result in a gain in wetland acres. Activities could involve breaching a dike to reconnect wetlands to a floodplain or return tidal influence to a wetland.
4. Creation (Establishment).
The manipulations of the physical, chemical, or biological characteristics present to develop a wetland on an upland or deepwater site where a wetland did not previously exist. Establishment results in a gain in wetland acres. Activities typically involve excavation of upland soils to elevations that will produce a wetland hydroperiod, create hydric soils, and support the growth of hydrophytic plant species.
5. Enhancement.
The manipulation of the physical, chemical, or biological characteristics of a wetland site to heighten, intensify, or improve specific function(s) or to change the growth stage or composition of the vegetation present.

Enhancement is undertaken for specified purposes such as water quality improvement, flood water retention, or wildlife habitat. Enhancement results in a change in some wetland functions and can lead to a decline in other wetland functions, but does not result in a gain in wetland acres. Activities typically consist of planting vegetation, controlling non-native or invasive species, modifying site elevations or the proportion of open water to influence hydroperiods, or some combination of these activities.

6. Protection/Maintenance (Preservation).

Removing a threat to, or preventing the decline of, wetland conditions by an action in or near a wetland. This includes the purchase of land or easements, repairing water control structures or fences or structural protection such as repairing a barrier island. This term also includes activities commonly associated with the term preservation. Preservation does not result in a gain of wetland acres, may result in a gain in functions, and will be used only in exceptional circumstances.

AB. Comprehensive Plan.

The City of Spokane comprehensive plan, a document adopted pursuant to chapter 36.70A RCW providing land use designations, goals and policies regarding land use, housing, capital facilities, housing, transportation, and utilities.

AC. Conceptual Landscape Plan.

A scale drawing showing the same information as a general site plan plus the location, type, size, and width of landscape areas as required by the provisions of chapter 17C.200 SMC.

1. The type of landscaping, L1, L2, or L3, is required to be labeled.
2. It is not a requirement to designate the scientific name of plant materials on the conceptual landscape plan.

AD. Concurrency Certificate.

A certificate or letter from a department or agency that is responsible for a determination of the adequacy of facilities to serve a proposed development, pursuant to chapter 17D.010 SMC, Concurrency Certification.

AE. Concurrency Facilities.

Facilities for which concurrency is required in accordance with the provisions of this chapter. They are:

1. transportation,
2. public water,
3. fire protection,
4. police protection,
5. parks and recreation,
6. libraries,
7. solid waste disposal and recycling,
8. schools, and

9. public wastewater (sewer and stormwater).

AF. Concurrency Test.

The comparison of an applicant's impact on concurrency facilities to the available capacity for public water, public wastewater (sewer and stormwater), solid waste disposal and recycling, and planned capacity for transportation, fire protection, police protection, schools, parks and recreation, and libraries as required in SMC 17D.010.020.

AG. Conditional Use Permit.

A "conditional use permit" and a "special permit" are the same type of permit application for purposes of administration of this title.

AH. Condominium.

Real property, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in unit owners, and unless a declaration and a survey map and plans have been recorded pursuant to chapter 64.34 RCW.

AI. Confidential Shelter.

Shelters for victims of domestic violence, as defined and regulated in chapter 70.123 RCW and WAC 248-554. Such facilities are characterized by a need for confidentiality.

AJ. Congregate Residence.

A dwelling unit in which rooms or lodging, with or without meals, are provided for nine or more non-transient persons not constituting a single household, excluding single-family residences for which special or reasonable accommodation has been granted.

AK. Conservancy Environments.

Those areas designated as the most environmentally sensitive and requiring the most protection in the current shoreline master program or as hereafter amended.

AL. Container.

Any vessel of sixty gallons or less in capacity used for transporting or storing critical materials.

AM. Context Areas

Established by the Regulating Plan, Context Area designations describe and direct differing functions and features for areas within FBC limits, implementing community goals for the built environment.

AN. Contributing Resource

Contributing resource is any building, object, structure, or site which adds to the historical integrity, architectural quality, or historical significance of the local or federal historic district within which the contributing resource is located.

AO. Conveyance.

In the context of chapter 17D.090 SMC or chapter 17D.060 SMC, this term means a mechanism for transporting water from one point to another, including pipes, ditches, and channels.

AP. Conveyance System.

In the context of chapter 17D.090 SMC or chapter 17D.060 SMC, this term means the drainage facilities and features, both natural and constructed, which collect, contain and provide for the flow of surface and stormwater from the highest points on the land down to receiving water. The natural elements of the conveyance system include swales and small drainage courses, streams, rivers, lakes, and wetlands. The constructed elements of the conveyance system include gutters, ditches, pipes, channels, and most flow control and water quality treatment facilities.

AQ. Copy.

[See SMC 17C.240.015.](#)

AR. Cottage Housing.

1. A grouping of individual structures where each structure contains one or two dwelling units.
2. The land underneath the structures may or may not be divided into separate lots.
3. A cottage housing development may contain detached accessory buildings for storing vehicles. It may also include a community building, garden shed, or other facility for use of the residents.
4. The types of units allowed in cottage housing development are detached cottages, attached unit homes and carriage units. For the purposes of [SMC 17C.110.350](#), the definitions of these types are:

- a. Cottage. A detached, single-family residential building.



b. Attached Unit Home. A structure containing two dwelling units designed to look like a single-family home.



c. Carriage Unit. A single-family dwelling unit located above a garage structure.



AR. Council.

The city council of the City of Spokane.

AS. County.

Usually capitalized, means the entity of local government or, usually not capitalized, means the geographic area of the county, not including the territory of incorporated cities and towns.

AT. Covenants, Conditions, and Restrictions (CC&Rs).

A document setting forth the covenants, conditions, and restrictions applicable to a development, recorded with the Spokane County auditor and, typically, enforced by a property owner's association or other legal entity.

AU. Creep.

Slow, downslope movement of the layer of loose rock and soil resting on bedrock due to gravity.

AV. Critical Amount.

The quantity component of the definition of critical material.

AW. Critical Aquifer Recharge Areas (CARA).

Critical aquifer recharge areas (CARA) include locally identified aquifer sensitive areas (ASA) and wellhead protection areas.

AX. Critical Areas.

Any areas of frequent flooding, geologic hazard, fish and wildlife habitat, aquifer sensitive areas, or wetlands as defined under chapter 17E.010 SMC, chapter

17E.020 SMC, chapter 17E.030 SMC, chapter 17E.040 SMC, and chapter 17E.070.SMC.

AY. Critical Facility.

A facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to:

1. schools;
2. nursing homes;
3. hospitals;
4. police;
5. fire;
6. emergency response installations; and
7. installations which produce, use, or store hazardous materials or hazardous waste.

AZ. Critical Material.

1. A compound or substance, or class thereof, designated by the division director of public works and utilities which, by intentional or accidental release into the aquifer or ASA, could result in the impairment of one or more of the beneficial uses of aquifer water and/or impair aquifer water quality indicator levels. Beneficial uses include, but are not limited to: domestic and industrial water supply,
 - a. domestic and industrial water supply,
 - b. agricultural irrigation,
 - c. stock water, and
 - d. fish propagation.

Used herein, the designation is distinguished from state or other designation.

2. A list of critical materials is contained in the Critical Materials Handbook, including any City modifications thereto.

BA. Critical Material Activity.

A land use or other activity designated by the manager of engineering services as involving or likely to involve critical materials. A list of critical materials activities is contained in the Critical Materials Handbook.

BB. Critical Materials Handbook.

The latest edition of a publication as approved and amended by the division director of public works and utilities from time to time to accomplish the purposes of this chapter.

1. The handbook is based on the original prepared by the Spokane water quality management program ("208") coordination office, with the assistance of its technical advisory committee. It is on file with the director of engineering services and available for public inspection and purchase.

2. The handbook, as approved and modified by the division director of public works and utilities, contains:
 - a. a critical materials list,
 - b. a critical materials activities list, and
 - c. other technical specifications and information.
3. The handbook is incorporated herein by reference. Its provisions are deemed regulations authorized hereunder and a mandatory part of this chapter.

BC. Critical Review.

The process of evaluating a land use permit request or other activity to determine whether critical materials or critical materials activities are involved and, if so, to determine what appropriate measures should be required for protection of the aquifer and/or implementation of the Spokane aquifer water quality management plan.

BD. Critical Review Action.

1. An action by a municipal official or body upon an application as follows:
 - a. Application for a building permit where plans and specifications are required, except for Group R and M occupancies (SMC 17G.010.140 and SMC 17G.010.150).
 - b. Application for a shoreline substantial development permit (SMC 17G.060.070(B)(1)).
 - c. Application for a certificate of occupancy (SMC 17G.010.170).
 - d. Application for a variance or a certificate of compliance (SMC 17G.060.070(A) or SMC 17G.060.070(B)(1)).
 - e. Application for rezoning (SMC 17G.060.070(A)).
 - f. Application for conditional permit (SMC 17G.060.070(A)).
 - g. Application for a business license (SMC 8.01.120).
 - h. Application for a permit under the Fire Code (SMC 17F.080.060).
 - i. Application for a permit or approval requiring environmental review in an environmentally sensitive area (SMC 17E.050.260).
 - j. Application for connection to the City sewer or water system.
 - k. Application for construction or continuing use of an onsite sewage disposal system (SMC 13.03.0149 and SMC 13.03.0304).
 - l. Application for sewer service with non-conforming or non-standard sewage (SMC 13.03.0145, SMC 13.03.0314, and SMC 13.03.0324).
 - m. Application involving a project identified in SMC 17E.010.120.
 - n. Issuance or renewal of franchise; franchisee use of cathodic protection also requires approval or a franchise affecting the City water supply or water system.
 - o. Application for an underground storage tank permit (SMC 17E.010.210); and
 - p. Application for permit to install or retrofit aboveground storage tank(s) (SMC 17E.010.060(A) and SMC 17E.010.400(D)).
2. Where a particular municipal action is requested involving a land use installation or other activity, and where said action is not specified as a

critical review action, the City official or body responsible for approval may, considering the objectives of this chapter, designate such as a critical review action and condition its approval upon compliance with the result thereof.

BE. Critical Review Applicant.

A person or entity seeking a critical review action.

BF. Critical Review Officer – Authority.

1. The building official or other official designated by the director of public works and utilities.
2. For matters relating to the fire code, the critical review officer is the fire official.
3. The critical review officer carries out and enforces the provisions of this chapter and may issue administrative and interpretive rulings.
4. The critical review officer imposes requirements based upon this chapter, regulations, and the critical materials handbook.
5. The officer may adopt or add to any requirement or grant specific exemptions, where deemed reasonably necessary, considering the purpose of this chapter

BG. Critical Review Statement.

A checklist, disclosure form, or part of an application for a critical review action, disclosing the result of critical review. Where not otherwise provided as part of the application process, the critical review officer may provide forms and a time and place to file the statement.

BH. Cumulative Impacts.

The combined, incremental effects of human activity on ecological or critical area functions and values. Cumulative impacts result when the effects of an action are added to or interact with other effects in a particular place and within a particular time. It is the combination of these effects, and any resulting environmental degradation, that should be the focus of cumulative impact analysis and changes to policies and permitting decisions.

BI. Curb Ramp.

A ramp constructed in the sidewalk to ~~((allow wheelchair access))~~ provide an accessible route from the sidewalk to the street.

BJ. Cutbank.

The concave bank of a moving body of water that is maintained as a steep or even overhanging cliff by the actions of water at its base.

Section 4. That section 17A.020.130 of the Spokane Municipal Code is amended to read as follows:

Section 17A.020.130 “M” Definitions

A. Main Assembly Area.

The principal room for persons gathering for religious services.

B. Maintenance.

Or “repair” means those usual activities required to prevent a decline, lapse, or cessation from a lawfully established condition or to restore the character, scope, size, and design of a serviceable area, structure, or land use to a state comparable to its previously authorized and undamaged condition. This does not include any activities that change the character, scope, or size of the original structure, facility, utility, or improved area beyond the original design.

C. Manufactured Home.

1. “Manufactured home” is a single-family dwelling unit constructed after June 15, 1976, built in accordance with department of housing and urban development Manufactured Home Construction and Safety Standards Act, which is a national, preemptive building code.
2. “Manufactured home accessory structure” is any attached or detached addition to a manufactured home, such as an awning, basement, carport, garage, porch, or storage structure, which is ordinarily appurtenant.

D. Manufactured Home Park.

Two or more manufactured homes or mobile homes used as dwelling units on a single parcel or lot.

E. Marquee Sign.

[See SMC 17C.240.015.](#)

F. Marsh.

A low, flat wetland area on which the vegetation consists mainly of herbaceous plants such as cattails, bulrushes, tules, sedges, skunk cabbage, or other hydrophytic plants. Shallow water usually stands on a marsh at least during part of the year.

G. Mean Annual Flow.

The average flow of a river or stream (measured in cubic feet per second) from measurements taken throughout the year. If available, flow data for the previous ten years should be used in determining mean annual flow.

H. Mining.

The extraction and removal of sand, gravel, minerals, or other naturally occurring material from the earth for economic use.

I. Minor Arterials

~~((A two- to four-lane facility which collects and distributes traffic from principal arterials to collector arterials and local access streets.))~~ A street providing service for trips of moderate length, connecting the principal arterial system to local

streets, generally prioritizing mobility over access, and providing intra-community circulation.

J. Mitigation – Mitigate.

An action which avoids a negative adverse impact and is reasonable and capable of being accomplished.

K. Mitigation – Mitigation Sequencing.

The use of any or all of the following actions listed in descending order of preference:

1. Avoiding the impact altogether by not taking a certain action or parts of an action.
2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts.
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
5. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; or
6. Monitoring the impact and the compensation project and taking appropriate corrective measures.

Mitigation may include a combination of the above measures.

L. Mobile Home.

A factory-built dwelling built prior to June 15, 1976, to standards other than the housing and urban development code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. Mobile homes have not been built since introduction of the housing and urban development Manufactured Home Construction and Safety Standards Act.

M. Mobile Home Park.

Any real property which is rented or held out for rent to others for the placement of two or more mobile homes, manufactured homes, or park models for the primary purpose of production of income, except where such real property is rented or held out for rent for seasonal recreational purpose only and is not intended for year-round occupancy.

N. Modification to a Preliminary Plat, Short Plat, or Binding Site Plan.

A change, prior to recording, of an approved preliminary plat, preliminary short plat, or binding site plan that includes, but is not limited to, the addition of new lots or tracts, or a change of the boundaries or dimensions of lots or tracts.

O. Modular Home.

A single-family dwelling unit (which may be in the form of a factory-built or

manufactured housing permit as well as a standard building permit) constructed in a factory in accordance with International Building Code and bearing the appropriate gold insignia indicating such compliance. The term includes “pre-fabricated,” “panelized,” and “factory-built” units.

P. Modulation.

A measured and proportioned inflection in a building’s face. Articulation, modulation, and their interval create a sense of scale important to residential buildings.

Q. Monitoring.

Periodic evaluation of a wetlands restoration, creation, or enhancement site or habitat management plan area to determine changes at the site, such as vegetation growth, hydrologic changes, soil development, and use of the site by birds and animals.

R. Monument.

A physical survey monument as shown in the City's standard plans.

S. Monument Sign.

[See SMC 17C.240.015.](#)

T. Multi-family Residential Building.

A common wall dwelling or apartment house that consists of three or more dwelling units.

U. Multiple Containment.

A means of spill or leak control involving a containment structure having one or more layers of material between the primary container and the environment.

1. Containment layers must be resistant to the material stored.
2. The volume within the containment system must be at least as large as the primary container.
3. Containment layers may be separated by an interstitial space.

V. Municipal Separate Storm Sewer System (MS4).

A conveyance, or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

1. owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of wastes, stormwater, or other wastes, including special districts under state law such as sewer district, flood control district, or drainage district, designated and approved management agency under section 208 of the Clean Water Act that discharges to water of the United States;
2. designed or used for collecting or conveying stormwater;

3. which is not a combined sewer; and
4. which is not part of a publicly owned treatment works (POTW) as defined at 40 CFR (Code of Federal Regulation) 122.2.

W. MUTCD.

The U.S. department of transportation Manual on Uniform Traffic Control Devices.

Section 5. That section 17A.020.160 of the Spokane Municipal Code is amended to read as follows:

Section 17A.020.160 “P” Definitions

A. Painted Wall Highlights.

See [SMC 17C.240.015](#).

B. Painted Wall Sign.

See [SMC 17C.240.015](#).

C. Parcel.

See “Lot” ([SMC 17A.020.120](#)).

D. Parkway.

~~((1. A street serving as a principal, minor, or collector arterial, typically with recreational or scenic opportunities.))~~

~~((2. Parkways will often have landscaped medians.))~~

A thoroughfare designated as a collector or arterial, with a median reflecting the park-like character implied in the name - SMC 17D.050A.040.U.

E. Party of Record.

Any person who has appeared at a hearing of the hearing examiner by presenting testimony or making written comment.

F. Paved Area.

1. An uncovered, hard-surfaced area or an area covered with a perforated hard surface (such as “Grasscrete”) that is able to withstand vehicular traffic or other heavy-impact uses.
2. Graveled areas are not paved areas.

G. Pedestrian Buffer Strips (PBS).

A hard-surfaced or planted area(s) between travel or parking lanes and sidewalks, also called planting strips. PBS improves safety by separating vehicles and pedestrians and provide space for drainage, street trees and snow storage.

H. Pedestrian Path

A continuous, unobstructed, reasonably direct route between an on-site parking lot and a Primary Building Entry designed and suitable for pedestrian use. Minimum requirements for Pedestrian Paths are listed in [Section 17C.123.040](#) of the FBC.

I. Pedestrian-Scaled Fixtures (lighting)

Pole-mounted light fixtures placed and designed to illuminate foot-traffic areas including exterior lots, pathways or sidewalks. For purposes of the HFBC, Pedestrian-Scaled Fixtures are defined by height as measured from ground to bottom of shade or bulb.

J. Pedestrian-Scaled Signs

[See SMC 17C.240.015.](#)

K. Pedestrian Street.

1. A street designated on the official zoning map as a pedestrian street where development standards are required to promote a pedestrian friendly street. Pedestrian streets offer a pleasant and safe walking environment. Design features include minimal interruptions of the sidewalk by driveways, publicly usable site furnishing such as benches, tables, and bike racks, and visually interesting buildings close to the sidewalk.

L. Performance Guarantee.

A “financial guarantee” providing for and securing to the City the actual construction and installation of the required improvements.

M. Performance/Warranty Retainer.

A “financial guarantee” both providing for and securing to the City the actual construction and installation of such improvements, and securing to the City the successful operation of the improvements for two years after the City’s final inspection and acceptance of the improvements.

N. Permanent Erosion and Sediment Control Measures.

A combination of plants, mulch, sod, matting, erosion control blankets, and permanent structures that will provide long-term soil stabilization.

O. Permanent Sign.\

[See SMC 17C.240.015.](#)

P. Permanent Stabilization.

See Permanent Erosion and Sediment Control Measures.

Q. Permeable Sediment.

Sediment permitting the flow of water.

R. Person.

Any natural person, whether acting individually or in a representative capacity, partnership, joint venture, corporation, or other legal entity.

S. Pier.

Any platform structure, fill, or anchored device in or floating upon water bodies to provide moorage for watercraft engaged in commerce, including, but not limited to, wharves, mono-buoys, quays, ferry terminals, and fish weighing station.

T. Planned Capacity.

For all capital facilities, except transportation, capacity for a concurrency facility that does not exist, but for which the necessary facility construction, expansion, or modification project is contained in the current adopted City of Spokane comprehensive plan, capital improvement program and scheduled to be completed within six years. (RCW 36.70A.020).

U. Planned Capacity for Transportation Facilities.

Capacity for transportation facilities, including roads and transit, that does not exist, but where transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development.

1. These strategies may include:

- a. increased public transportation service,
- b. ride sharing programs,
- c. demand management, and
- d. other transportation systems management strategies.

2. For transportation facilities, "concurrent with the development" shall mean that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years (RCW 36.70A.070(6)(b)).

V. Planned Unit Development (PUD).

1. A planned unit development is a project permit for an overlay zone, approved by the hearing examiner, which does not fully comply with all of the development standards of the base zone in which it is located, but is approved based on superior or innovative design.
2. The City may permit a variety of types, design, and arrangement of structures and enable the coordination of project characteristics with features of a particular site in a manner consistent with the public health, safety, and welfare.

W. Plans.

Planning documents, which are developed by the various departments of the City, pertaining to the orderly development of public facilities.

X. Planting Zone

Area for street trees, ground cover or other plantings; typically included herein as a portion of overall sidewalk width reserved for locating permanent trees and tree grates.

Y. Plat – Final.

A map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets, alleys, or other divisions and dedications and containing all elements and requirements set forth in this chapter and chapter 58.17 RCW.

Z. Plat – Preliminary.

1. A neat and approximate drawing of a proposed subdivision showing the general layout of streets, alleys, lots, blocks, and other elements of a subdivision required by this chapter and chapter 58.17 RCW.
2. The preliminary plat shall be the basis for the approval or disapproval of the general layout of a subdivision.

AA. Plaza.

Areas generally open to the public on a controlled basis and used for passive recreational activities and relaxation.

Plazas are paved areas typically provided with amenities, such as seating, drinking, and ornamental fountains, art, trees, and landscaping, for use by pedestrians.

AB. Plinth

The base or platform upon which a building wall or column appears to rest, helping establish pedestrian-scaled elements and aesthetically tying the building to the ground.

AC. Pollutant.

Any substance which is prohibited or limited by applicable laws or regulations, which is released or discharged in conjunction with development. Any substance that causes or contributes to violation of air, land, or water quality standards, released or discharged.

AD. Pollution.

Contamination, or other alteration of the physical, chemical, or biological properties of air, land, water or wetlands, or such discharge of any liquid, gaseous, solid, radioactive, or other substance into air, land, water, or wetlands as will or is likely to cause a nuisance or render such air, land, water, or wetlands harmful, detrimental, or injurious to the public health, safety, or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wildlife, fish, native vegetation, or other aquatic life.

AE. Potential Geologically Hazardous Areas.

Areas designated on maps maintained in the City's planning services department. They are classified "potential" because they have not been confirmed by field investigation nor do they necessarily include the full extent of all geologically hazardous areas within the City. The maps are intended to alert property owners, purchasers, developers, etc., to the possible existence of significant geological hazards, which may warrant further geotechnical study.

AF. Practicable Alternative.

An alternative that is available and capable of being carried out after taking into consideration cost, existing technology, and logistics in light of overall project purposes and having less impact to critical areas. It may involve using an alternative site in the general region that is available to the applicant and may feasibly be used to accomplish the project.

AG. Predevelopment Meetings.

Meetings between City or agency staff and an applicant or their representatives prior to formal submission of a detailed application. They are intended to provide an overview of the regulatory requirements, application process, and procedural submission requirements.

AH. Principal Buildings

Where multiple buildings occupy a single lot, those buildings that are associated with the prevailing use of that site.

AI. Primary Building Entry

Access or entrance of first rank, importance or value, visually associated with the prevailing ground-floor use of a building.

AJ. Primary Building Walls.

Any exterior building wall that faces a street and contains a public entrance to the occupant's premises or tenant space. If an individual tenant space does not have a street facing wall, or does not have a street facing wall containing a public entrance, then the primary building wall for that individual tenant space is any wall containing a public entrance that faces a parking area on the site. (See Figure 1, [SMC 17C.240.130](#), Primary Building Walls)

AK. Primary Container.

The container that is in direct contact with the material of concern during the course of normal transport, use, or storage.

AL. Primary Drainage Basin.

The basin of the stream or tributary within which a project is proposed, not including basins of major tributaries. For the purpose of this regulation the primary drainage basin of:

1. Latah Creek is not a part of the primary drainage basin of the Spokane River,
2. Marshall Creek is not a part of the primary drainage basin of Latah Creek.

AM. Primary Structure.

1. A structure or combination of structures of chief importance or function on a site. In general, the primary use of the site is carried out in a primary structure.
2. The difference between a primary and accessory structure is determined by comparing the size, placement, similarity of design, use of common building materials, and the orientation of the structures on a site.

AN. Primary Use.

1. An activity or combination of activities of chief importance on the site. One of the main purposes for which the land or structures are intended, designed or ordinarily used.
2. A site may have more than one primary use.

AO. Principal Arterials

~~((A four to six lane street serving as a primary facility for access between the central business district, major employment districts, and major shopping centers.))~~ A street serving major activity centers, providing a high degree of mobility and serving the longest trip demands within the urban area.

AP. Priority Habitats.

Habitat areas determined by WDFW to have unique or significant value to many species and that meet one or more of the following criteria:

1. High wildlife density.
2. High species diversity.
3. Important wildlife breeding habitat.
4. Important wildlife seasonal ranges.
5. Important movement corridors.
6. Limited availability.
7. High vulnerability to habitat alteration.

AQ. Priority Species.

A wildlife species requiring protective measures for their perpetuation due to their population status, their sensitivity to habitat alteration, and/or their recreational importance.

AR. Private Street.

Roadway which is not controlled or maintained by a public authority, and which serve two or more properties.

AS. Project Permit or Project Permit Application.

Any land use or environmental permit or license required for a project action,

including, but not limited to, building permits, short plats, subdivisions, binding site plans, planned unit developments, conditional uses, shoreline substantial development permits, site plan review, permits, or approvals required by the critical area ordinance, and 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 identified under RCW 36.70B.140.

AT. Projecting Sign.

[See SMC 17C.240.015.](#)

AU. Protected Species.

A general classification of animals by WDFW that includes all those species not classified as listed, game, fur-bearing, or non-protected. This also includes all birds not classified as game or non-protected.

AV. Proximity.

That two or more properties are either adjacent or separated by a street or alley.

AW. Public Access.

The public's right to get to and use the City's public waters, the water/land interface and associated shoreline area. It includes physical access that is either lateral (areas paralleling the shore) or perpendicular (an easement or public corridor to the shore), and/or visual access facilitated by means such as scenic streets and overlooks, viewing towers, and other public sites or facilities.

AX. Public Facilities.

Any City-owned, operated, or contracted public facility or service in whole, or in part, whether existing or planned, including, but not limited to:

1. parks,
2. recreation facilities,
3. playgrounds,
4. streets,
5. transportation facilities,
6. open spaces,
7. fire facilities,
8. storm water drainage ponds, and
9. all such appurtenances and improvements.

AY. Public Property.

Any City-owned real property, air space, or other interest in real estate, including streets, alleys, or other public rights-of-way, owned by or controlled by this municipality or any other governmental unit.

AZ. Public Way.

1. A dedicated "public way" is a tract of land:
 - a. conveyed or reserved by deed,

- b. dedicated by plat, or
 - c. acquired by decree of court,
 - d. which has been accepted and dedicated by action of the city council to the public right-of-way and for secondary use as an easement for public utilities.
2. An “alley” is a public way, usually not exceeding sixteen feet in width, designed or intended to provide secondary access to abutting properties.

Section 6. That section 17A.020.190 of the Spokane Municipal Code is amended to read as follows:

Section 17A.020.190 "S" Definitions

- A. Salmonid.
Belonging to the family of Salmonidae, including the salmons, trouts, chars, and whitefishes.
- B. Sandwich Board Sign.
[See SMC 17C.240.015.](#)
- C. Scrub-shrub Wetland.
An area of vegetated wetland with at least thirty percent of its surface area covered by woody vegetation less than twenty feet in height at the uppermost strata.
- D. Secondary Building Walls.
Exterior building walls that are not classified as primary building walls.
- E. Secondary Containment.
A means of spill or leak containment involving a second barrier or tank constructed outside the primary container and capable of holding the contents of the primary container.
- F. Sediment.
Mineral or organic matter deposited as a result of erosion.
- G. Sedimentation.
The settling and accumulation of particles such as soil, sand, and gravel, suspended in water or in the air.
- H. SEPA Rules.
Chapter 197-11 WAC adopted by the department of ecology.
- I. Service Area.
A geographic area defined by the City, which encompasses public facilities that are part of a plan.

J. Serviceable.

Means presently useable.

K. Setback.

The minimum distance required between a specified object, such as a building and another point. Setbacks are usually measured from lot lines to a specified object. In addition, the following setbacks indicate where each setback is measured from:

1. "Front setback" means a setback that is measured from a front lot line.
2. "Rear setback" means a setback that is measured from a rear lot line.
3. "Side setback" means a setback that is measured from a side lot line.
4. "Street setback" means a setback that is measured from a street lot line.

L. Sex Paraphernalia Store.

A commercial establishment that regularly features sexual devices and regularly advertises or holds itself out, in any medium, as an establishment that caters to adult sexual interests. This definition shall not be construed to include:

1. Any pharmacy, drug store, medical clinic, any establishment primarily dedicated to providing medical or healthcare products or services; or
2. Any establishment located within an enclosed regional shopping mall.

M. Sexual Device.

Any three dimensional object designed for stimulation of the male or female human genitals, anus, buttocks, female breast, or for sadomasochistic use or abuse of oneself or others and shall include devices commonly known as dildos, vibrators, penis pumps, cock rings, anal beads, butt plugs, nipple clamps, and physical representations of the human genital organs. Nothing in this definition shall be construed to include devices primarily intended for protection against sexually transmitted diseases or for preventing pregnancy.

N. Shall.

Unless the context indicates otherwise, the term "shall" means:

1. In reference to the obligations imposed by this title upon owners or occupants of premises or their agents, a mandatory obligation to act, or when used with a negative term to refrain from acting, in compliance with this code at the risk of denial of approval or civil or criminal liability upon failure so to act, the term being synonymous with "must";
2. With respect to the functions of officers and agents of the City, a direction and authorization to act in the exercise of sound discretion; or
3. The future tense of the verb "to be."

O. Shallow Groundwater.

Naturally occurring water within an unconfined (water table) aquifer, partially confined aquifer or perched groundwater aquifer, and which is present at depth

of fifteen feet or less below the ground surface, at any time, under natural conditions.

P. Shared Use Pathway.

A non-motorized transportation pathway shared by pedestrians, scooters and bicyclists. May be located next to a street or in a separate right-of-way.

~~((P))~~Q. Shorelands.

Or “shoreline areas” or “shoreline jurisdiction” means all “shorelines of the state” and “shorelands” as defined in RCW 90.58.030. Those lands extending landward for two hundred feet in all directions as measured on a horizontal plane from the ordinary high-water mark; floodways and contiguous floodplain areas landward two hundred feet from such floodways; and all wetlands and river deltas associated with the streams, lakes, and tidal waters which are subject to the provisions of the entire shoreline master program; the same to be designated as to location by the department of ecology.

~~((Q))~~R. Shoreline and Ecosystems Enhancement Plan and Program.

See SMC 17E.020.090, Habitat Management Plans.

~~((R))~~S. Shoreline Buffer.

1. A designated area adjacent to the ordinary high-water mark and running landward to a width as specified by this regulation intended for the protection or enhancement of the ecological function of the shoreline area.
2. The buffer will consist primarily of natural vegetation or planted vegetation which maintains or enhances the ecological functions of the shoreline area.
3. The term “buffer area” has the same meaning as “buffer.”

~~((S))~~T. Shoreline Enhancement.

Any alteration of the shoreline that improves the ecological function of the shoreline area or any aesthetic improvement that does not degrade the shoreline ecological function of the shoreline.

~~((T))~~U. Shoreline Environment Designations.

The categories of shorelines established by local shoreline master programs in order to provide a uniform basis for applying policies and use regulations within distinctively different shoreline areas. The basic recommended system classifies shorelines into four distinct environments (natural, conservancy, rural, and urban). See WAC 173-16-040(4).

~~((U))~~V. Shoreline Habitat and Natural Systems Enhancement Projects.

1. Shoreline habitat and natural systems enhancement projects include those activities proposed and conducted specifically for the purpose of establishing, restoring, or enhancing habitat for proprietary species in shorelines.

2. Provided that the primary purpose of such actions is clearly restoration of the natural character and ecological functions of the shoreline, projects may include shoreline modification actions such as:
3. Modification of vegetation,
4. Removal of nonnative or invasive plants,
5. Shoreline stabilization, dredging, and filling.

((V))W. Shoreline Jurisdiction.
See "Shorelands."

((W))X. Shoreline Letter of Exemption.
Authorization from the City which establishes that an activity is exempt from shoreline substantial development permit requirements under [SMC 17E.060.300](#) and WAC 173-14-040, but subject to regulations of the Act and the entire shoreline master program.

((X))Y. Shoreline Master Program.

1. The comprehensive use plan for a described area, and the use regulations together with maps, diagrams, charts, or other descriptive material and text, a statement of desired goals, and standards developed in accordance with the policies enunciated in RCW 90.58.020.
2. For the City of Spokane, the shoreline master program includes the:
3. Shoreline Goals and Policies (Comprehensive Plan Chapter 14),
4. Shoreline Regulations (chapter 17E.060 SMC),
5. City of Spokane Shoreline Restoration Plan (stand-alone document), and
6. Shoreline Inventory and Analysis (Comprehensive Plan Volume III).

((Y))Z. Shoreline Mixed Use.
Combination of water-oriented and non-water oriented uses within the same structure or development area.

((Z))AA. Shoreline Modifications.
Those actions that modify the physical configuration or qualities of the shoreline area, usually through the construction of a physical element such as a dike, breakwater, pier, weir, dredged basin, fill, bulkhead, or other shoreline structure. They can include other actions, such as clearing, grading, or application of chemicals.

((AA))AB. Shoreline Protection.

1. Structural and nonstructural methods to control flooding or address erosion impacts to property and dwellings or other structures caused by natural processes, such as current, flood, wind, or wave action.
2. The terms "Shoreline protection measure" and this term have the same meaning.
3. Substantial enlargement of an existing shoreline protection improvement is regarded as new shoreline protection measure.

((AB))AC. Shoreline Recreational Development.

Recreational development includes commercial and public facilities designed and used to provide recreational opportunities to the public. Water-dependent, water-related and water-enjoyment recreational uses include river or stream swimming areas, boat launch ramps, fishing areas, boat or other watercraft rentals, and view platforms

((AG))AD. Shoreline Restoration.

1. The re-establishment or upgrading of impaired ecological shoreline processes or functions. This may be accomplished through measures including, but not limited to, re-vegetation, removal of intrusive shoreline structures and removal or treatment of toxic materials.
2. Restoration does not imply a requirement for returning the shoreline area to aboriginal or pre-European settlement conditions.

((AD))AE. Shoreline Stabilization.

Structural or non-structural modifications to the existing shoreline intended to reduce or prevent erosion of uplands or beaches. They are generally located parallel to the shoreline at or near the ordinary high-water mark. Other construction classified as shore defense works include groins, jetties, and breakwaters, which are intended to influence wave action, currents, and/or the natural transport of sediments along the shoreline.

((AE))AF. Shoreline Structure.

A permanent or temporary edifice or building, or any piece of work artificially built or composed of parts joined together in some definite manner, whether installed on, above, or below the surface of the ground or water, except for vessels.

((AF))AG. Shorelines Hearings Board (SHB).

The shorelines hearings board is a quasi-judicial body with powers of de novo review authorized by chapter 90.58 RCW to adjudicate or determine the following matters:

1. Appeals from any person aggrieved by the granting, denying, or rescinding of a permit issued or penalties incurred pursuant to chapter 90.58 RCW.
2. Appeals of department rules, regulations, or guidelines; and
3. Appeals from department decisions to approve, reject, or modify a proposed master program or program amendment of local governments which are not planning under RCW 36.70A.040.

((AG))AH. Short Plat – Final.

The final drawing of the short subdivision and dedication, prepared for filing for record with the Spokane county auditor and containing all elements and requirements set forth in this chapter and chapter 58.17 RCW.

~~((AH))~~AI. Short Plat – Preliminary.

1. A neat and approximate drawing of a proposed short subdivision showing the general layout of streets, alleys, lots, blocks, and other elements of a short subdivision required by this title and chapter 58.17 RCW.
2. The preliminary short plat shall be the basis for the approval or disapproval of the general layout of a short subdivision.

~~((AI))~~AJ. Short Subdivision.

A division or redivision of land into nine or fewer lots, tracts, parcels, or sites for the purpose of sale, lease, or transfer of ownership. (RCW 58.17.020(6)).

~~((AJ))~~AK. Sign.

[See SMC 17C.240.015.](#)

~~((AK))~~AL. Sign – Animated Sign.

[See SMC 17C.240.015.](#)

~~((AL))~~AM. Sign – Electronic Message Center Sign.

[See SMC 17C.240.015.](#)

~~((AM))~~AN. Sign Face.

[See SMC 17C.240.015.](#)

~~((AN))~~AO. Sign – Flashing Sign.

[See SMC 17C.240.015.](#)

~~((AO))~~AP. Sign Maintenance.

[See SMC 17C.240.015.](#)

~~((AP))~~AQ. Sign – Off-premises.

[See SMC 17C.240.015.](#)

~~((AQ))~~AR. Sign Repair.

[See SMC 17C.240.015.](#)

~~((AR))~~AS. Sign Structure.

[See SMC 17C.240.015.](#)

~~((AS))~~AT. Significant Vegetation Removal.

The removal or alteration of trees, shrubs, and/or ground cover by clearing, grading, cutting, burning, chemical means, or other activity that causes significant ecological impacts to functions provided by such vegetation.

1. The removal of invasive or noxious weeds does not constitute significant vegetation removal.
2. Tree pruning, not including tree topping, where it does not affect ecological functions, does not constitute significant vegetation removal.

~~((AT))~~AU. Single-family Residential Building.

A dwelling containing only one dwelling unit.

~~((AU))~~AV. Single-room Occupancy Housing (SRO).

A structure that provides living units that have separate sleeping areas and some combination of shared bath or toilet facilities.

1. The structure may or may not have separate or shared cooking facilities for the residents.
2. SRO includes structures commonly called residential hotels and rooming houses.

~~((AV))~~AW. Site.

Any parcel of land recognized by the Spokane County assessor's office for taxing purposes. A parcel may contain multiple lots.

~~((AW))~~AX. Site – Archaeological.

1. A place where a significant event or pattern of events occurred. It may be the:
 - a. Location of prehistoric or historic occupation or activities that may be marked by physical remains; or
 - b. Symbolic focus of a significant event or pattern of events that may not have been actively occupied.
2. A site may be the location of a ruined or now non-extant building or structure if the location itself possesses historic, cultural, or archaeological significance.

~~((AX))~~AY. Site, Parent.

The initial aggregated area containing a development, and from which individual lots may be divided, as used in the context of SMC 17C.110.360 Pocket Residential Development, and SMC 17G.080.065, Alternative Residential Subdivisions.

~~((AY))~~AZ. Slump.

The intermittent movement (slip) of a mass of earth or rock along a curved plane.

~~((AZ))~~BA. SMC.

The Spokane Municipal Code, as amended.

~~((BA))~~BB. Soil.

The naturally occurring layers of mineral and organic matter deposits overlaying bedrock. It is the outer most layer of the Earth.

~~((BB))~~BC. Sound Contours.

A geographic interpolation of aviation noise contours as established by the 2010 Fairchild AFB Joint Land Use Study and placed on the official zoning map. When

a property falls within more than one noise zone, the more restrictive noise zone requirements shall apply for the entire property.

~~((B))~~BD. Sound Transmission Class (STC).

A single-number rating for describing sound transmission loss of a wall, partition, window or door.

~~((B))~~BE. Special Drainage District (SDD).

An area associated with shallow groundwater, intermittent standing water, or steep slopes where infiltration of water and dispersion of water into the soils may be difficult or delayed, creating drainage or potential drainage problems. SDDs are designated in [SMC 17D.060.130](#).

~~((B))~~BF. Special Event Sign. See [SMC 17C.240.015](#).

~~((B))~~BG. Species of Concern.

Species native to Washington State listed as state endangered, state threatened, state sensitive, or state candidate, as well as species listed or proposed for listing by the U.S. Fish and Wildlife Service or the National Marine Fisheries Service.

~~((B))~~BH. Specified Anatomical Areas.

They are human:

1. Genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola, when such areas are less than completely and opaquely covered;
2. Male genitals in a discernibly turgid state, even if completely and opaquely covered.

~~((B))~~BI. Specified Sexual Activities.

Any of the following:

1. Human genitals in a state of sexual stimulation or arousal;
2. Acts of human masturbation, sexual intercourse, or sodomy; and
3. Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.

~~((B))~~BJ. Spokane Regional Stormwater Manual (SRSW).

A technical document establishing standards for stormwater design and management to protect water quality, natural drainage systems, and down-gradient properties as urban development occurs.

~~((B))~~BK. Spokane Register of Historic Places.

The register maintained by the historic preservation office, which includes historic landmarks and districts in the City and County.

~~((B))~~BL. Sports Field.

An open area or stadium in which scheduled sports events occur on a regular

basis. Sports events include both competitive and noncompetitive events such as track and field activities, soccer, baseball, or football games.

~~((BL))~~ BM. Stabilization.

The process of establishing an enduring soil cover of vegetation or mulch or other ground cover and may be in combination with installation of temporary or permanent structures.

~~((BM))~~ BN. Standard Plans.

Refers to the City of Spokane's standard plans.

~~((BN))~~ BO. Standard References

Standard engineering and design references identified in [SMC 17D.060.030](#).

~~((BO))~~ BP. State Candidate Species.

Fish and wildlife species that WDFW will review for possible listing as state endangered, threatened, or sensitive.

~~((BP))~~ BQ. State Endangered Species.

Any wildlife species native to the State of Washington that is seriously threatened with extinction throughout all or a significant portion of its range within the state.

~~((BQ))~~ BR. State Register.

The register maintained pursuant to chapter 195, Laws of 1977, 1st ex. sess., section 6 (chapter 27.34 RCW).

~~((BR))~~ BS. State Sensitive Species.

Any wildlife species native to the State of Washington that is vulnerable or declining and is likely to become endangered or threatened throughout a significant portion of its range within the state without cooperative management or removal of threats.

~~((BS))~~ BT. State Threatened Species.

Any wildlife species native to the State of Washington that is likely to become an endangered species within the foreseeable future throughout a significant portion of its range within the state without cooperative management or removal of threats.

~~((BT))~~ BU. Stealth Facilities.

Any cellular telecommunications facility that is designed to blend into the surrounding environment. Examples of stealth facilities include:

1. Architecturally screened roof-mounted antennas;
2. Building-mounted antennas painted to match the existing structure;
3. Antennas integrated into architectural elements; and
4. Antenna structures designed to look like light poles, trees, clock towers, bell steeples, or flag poles.

~~((BU))~~BV. Stewardship.

Acting as supervisor or manager of the City and County's historic properties.

~~((BV))~~BW. Stormwater.

1. Any runoff flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.
2. "Stormwater" further includes any locally accumulating ground or surface waters, even if not directly associated with natural precipitation events, where such waters contribute or have a potential to contribute to runoff onto the public right-of-way, public storm or sanitary sewers, or flooding or erosion on public or private property.

~~((BW))~~BX. Stormwater Management Program (SWMP).

A set of actions and activities designed to reduce the discharge of pollutants from the regulated MS4 to the maximum extent practicable and to protect water quality, and comprising the components listed in S5 or S6 of the Eastern Washington Phase II Municipal Permit (WAR04-6505) and any additional actions necessary to meet the requirements of applicable TMDLs.

~~((BX))~~BY. Story.

That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except:

1. The topmost story is that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above;
2. That portion of a building between the eaves and the ridge, when over twenty feet in height, is considered a story;
3. That portion of a building below the eaves which exceeds fourteen feet in height is considered a story, each fourteen feet of height (or major part of fourteen feet) being an additional story; and
4. A basement or unused under-floor space is a story if the finished floor level directly above is either more than:
 - a. Six feet above grade for more than half of the total perimeter, or
 - b. Twelve feet above grade at any point.

~~((BY))~~BZ. Stream.

A naturally occurring body of periodic or continuously flowing water where the:

1. Mean annual flow is greater than twenty cubic feet per second; and
2. Water is contained within a channel (WAC 173-22-030(8)).

~~((BZ))~~CA. Street.

See "Public Way" ([SMC 17A.020.160](#)).

~~((CA))~~CB. Street Classifications.

1. Arterial and local access streets are classified in section 4.5 of the comprehensive plan as follows:

- a. Principal arterial.
 - b. Minor arterial.
 - c. Collector arterial.
 - d. Local access street.
 - e. Parkway.
2. Definitions of all of the above classifications are included herein. Private streets are not classified but are defined under [SMC 17A.020.160, "P" Definitions](#).

~~((CB))~~ CC. Street Frontage.

The lot line abutting a street.

~~((CG))~~ CD. Strobe Light.

A lamp capable of producing an extremely short, brilliant burst of light.

~~((CD))~~ CE. Structural Alteration.

[See SMC 17C.240.015.](#)

~~((CE))~~ CF. Structure.

Any object constructed in or on the ground, including a gas or liquid storage tank that is principally above ground.

1. Structure includes:
 - a. Buildings,
 - b. Decks,
 - c. Fences,
 - d. Towers,
 - e. Flag poles,
 - f. Signs, and
 - g. Other similar objects.
2. Structure does not include paved areas or vegetative landscaping materials.

~~((CF))~~ CG. Structure – Historic.

A work made up of interdependent and interrelated parts in a definite pattern of organization. Generally constructed by man, it is often an engineering project.

~~((GG))~~ CH. Subdivision.

A division or redivision of land into ten or more lots, tracts, or parcels for the purpose of sale, lease, or transfer of ownership (RCW 58.17.020).

~~((CH))~~ CI. Subject Property.

The site where an activity requiring a permit or approval under this code will occur.

~~((CI))~~ CJ. Sublevel Construction Controls.

Design and construction requirements provided in [SMC 17F.100.090](#).

~~((GJ))~~ CK. Submerged Aquatic Beds.

Wildlife habitat area made up of those areas permanently under water, including the submerged beds of rivers and lakes and their aquatic plant life.

~~((CK))~~ CL. Substantial Damage – Floodplain.

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-existing condition would equal or exceed fifty percent of the assessed value of the structure before the damage occurred.

~~((CL))~~ CM. Substantial Development.

For the shoreline master program, shall mean any development of which the total cost or fair market value exceeds the dollar amount set forth in RCW 90.58 and WAC 173-26 for any improvement of property in the shorelines of the state.

~~((CM))~~ CN. Substantial Improvement – Floodplain.

1. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the assessed value of the structure either:
 - a. Before the improvement or repair is started, or
 - b. If the structure has been damaged and is being restored, before the damage occurred.
2. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.
3. The term does not, however, include either any:
 - a. Project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
 - b. Alteration of a structure listed on the National Register of Historic or State Inventory of Historic Places.

~~((CN))~~ CO. Suffix.

Describes the roadway type and is located after the root roadway name (i.e., street, avenue, court, lane, way, etc.). The appropriate suffix shall be used in accordance with [SMC 17D.050A.040\(U\)](#).

Section 7. That section 17A.020.200 of the Spokane Municipal Code is amended to read as follows:

Section 17A.020.200 "T" Definitions

A. Temporary Erosion and Sediment Control Measures.

Erosion and sediment control devices used to provide temporary stabilization of a site, usually during construction or ground disturbing activities, before permanent devices are installed.

B. Temporary Sign.

A sign placed on a structure or the ground for a specifically limited period of time as provided in [SMC 17C.240.240\(G\)](#).

C. Temporary Structure.

A structure approved for location on a lot by the department for a period not to exceed six months with the intent to remove such structure after the time period expires.

D. Tenant Space.

Portion of a structure occupied by a single commercial lease holder with its own public entrance from the exterior of the building or through a shared lobby, atrium, mall, or hallway and separated from other tenant spaces by walls.

E. Through Pedestrian Zone.

The portion of a sidewalk that is intended for pedestrian travel and is entirely free of permanent and temporary objects.

F. Tideland.

Land on the shore of marine water bodies between the line of ordinary high tide and the line of extreme low tide.

G. Total Maximum Daily Load (TMDL).

A calculation of the maximum amount of a pollutant that a water body can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and non point sources. The calculation shall include a margin of safety to ensure that the water body can be used for the purposes the state has designated. The calculation shall also account for seasonable variation in water quality. Water quality standards are set by states, territories, and tribes. They identify the uses for each water body, for example, drinking water supply, contact recreation (swimming), and aquatic life support (fishing), and the scientific criteria to support that use. The Clean Water Act, section 303, establishes the water quality standards and TMDL programs.

H. [Deleted].

I. [Deleted].

J. [Deleted].

K. Tracking.

The deposition of sediment onto paved surfaces from the wheels of vehicles.

L. Tract.

A piece of land created and designated as part of a land division that is not a lot, lot of record or a public right-of-way. Tracts are created and designated for a specific purpose. Land uses within a tract are restricted to those uses consistent with the stated purpose as described on the plat, in maintenance agreements, or through conditions, covenants and restrictions (CC&Rs).

M. Traveled Way.

The area of street which is intended to carry vehicular traffic, ~~((including))~~ excluding any shoulders.

N. Type I Application.

An application for a project permit that is subject to an administrative approval and is not categorically exempt from environmental review under chapter 43.21C RCW (SEPA) and the City of Spokane Environmental Ordinance [chapter 17E.050 SMC](#), and does not require a public hearing. Type I applications are identified in [Table 17G.060-1](#) in [chapter 17G.060 SMC](#). These applications may include, but are not limited to, building permits and grading permits.

O. Type II Application.

An application for a project permit that is subject to an administrative decision of a department director, that may or may not be categorically exempt from chapter 43.21C RCW (SEPA), and does not require a public hearing. The Type II applications are identified in [Table 17G.060-1](#) in chapter [17G.060 SMC](#). These applications may include, but are not limited to, short plats, binding site plans, shoreline substantial development permits, and some conditional use permits; provided, the planning director may require conditional use permits which are otherwise characterized as Type II applications under this title to be submitted and processed as Type III applications when the director issues written findings that the Type III process is in the public interest.

P. Type III Application.

An application for a project permit that is subject to a quasi-judicial decision of the hearing examiner that may or may not be categorically exempt from chapter 43.21C RCW (SEPA) and the City of Spokane Environmental Ordinance [chapter 17E.050 SMC](#) and requires a public hearing. Type III applications are identified in [Table 17G.060-1](#) in [chapter 17G.060 SMC](#). These applications may include, but are not limited to, rezones, conditional use permits, preliminary long plats, or shoreline conditional use permits.

PASSED by the City Council on _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date