



# Spokane Plan Commission Agenda

Wednesday, September 13, 2023

2:00 PM

Hybrid - Council Briefing Center / Webex  
808 W Spokane Falls Blvd, Spokane, WA 99201

## Virtual Meeting Link - 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 – 2:20

1. Approve [8/23/2023](#) meeting minutes
2. City Council Report
3. Community Assembly Liaison Report
4. President Report
5. Transportation Sub-Committee Report
6. Secretary Report
7. Approval of current agenda

All  
CM Zack Zappone  
Mary Winkes  
Greg Francis  
Clifford Winger  
Spencer Gardner

### Workshops:

2:20 – 3:05

1. [2024-2029 Citywide CIP Consistency Review](#)

Kevin Freibott

3:05 – 3:45

2. [Building Opportunity for Housing \(Code chapters 17A.020, 17A.040, 17C.110, 17C.120, 17C.122, 17C.200, 17C.230, 17C.300, 17D.060, 17G.020, 17G.025, 17G.060, 17G.061, and 17G.080\)](#)

Tim Thompson & KayCee Downey

3:45 – 4:00

3. Transition to Chambers

### Hearing:

4:00 – 5:00

1. [Paper Cuts Code Cleanup](#)

Tyler Kimbrell

**Adjournment:** The next PC meeting will be held on Wednesday, September 27, 2023

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

**Username:** COS Guest

**Password:** K8vCr44y

**AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION:** The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Council Briefing Center in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and also is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Risk Management at 509.625.6221, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or [mlovmaster@spokanecity.org](mailto:mlovmaster@spokanecity.org). Persons who are deaf or hard of hearing may contact Risk Management through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

# Plan Commission Meeting Information

Wednesday, July 26, 2023

Plan Commission will be held in a hybrid in-person / virtual format. Members of the public are welcome to attend in person at City Hall or online using the following information.

<b>Meeting Password:</b> PlanCommission	<b>Join Webex Meeting Online:</b> <a href="#">JOIN MEETING</a>  <b>Tap to join from a mobile device (attendees only)</b>  <a href="#">+1-408-418-9388,,24908460369##</a> United States Toll  <b>Join by phone</b>  +1-408-418-9388 United States Toll
<b>Meeting Number</b> (access code): <b>2490 846 0369</b>	<b>Global call-in numbers:</b>  <a href="https://spokanecity.webex.com/spokanecity/globalcallin.php?MTID=m514c2d4fc1d4af7864559443420dee7b">https://spokanecity.webex.com/spokanecity/globalcallin.php?MTID=m514c2d4fc1d4af7864559443420dee7b</a>  <b>Join from a video system or application:</b>  Dial <a href="tel:1462059622@spokanecity.webex.com">1462059622@spokanecity.webex.com</a>  You can also dial 173.243.2.68 and enter your meeting number.

## How to participate in virtual public testimony:

**Sign up to give testimony by clicking on the button below. This will take you to an online google form where you can select the hearing item on which you wish to give testimony.**

[SIGN UP](#)

The form will be **open until 1:00 p.m.** on July 26, 2023. Hearings begin at 4:00 p.m. When it is your turn to testify, Plan Commission President will call your name and you can begin your testimony. You will have 3 minutes to speak.

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:

[plancommission@spokanecity.org](mailto:plancommission@spokanecity.org)

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

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# Plan Commission & Committees

## Upcoming Agenda Items

September 27, Plan Commission (90 minutes available) Hybrid		
Housing Work Group		
1:00 – 1:30	GFC introduction	Katherine Miller
Workshop		
Time	Item	Presenter
2:00 – 2:20	Meeting Briefing	Plan Commission
2:20 – 3:15	[HOLD] GFCs	Katherine Miller, PE
3:15 – 3:45	Building Opportunity for Housing (Code chapters 17A.020, 17A.040, 17C.110, 17C.120, 17C.122, 17C.200, 17C.230, 17C.300, 17D.060, 17G.020, 17G.025, 17G.060, 17G.061, and 17G.080)	Tim Thompson & KayCee Downey
3:45 – 4:00	Transition to Chambers	
Hearing Items		

October 3 – PCTS (Hybrid)		
Time	Item	Presenter
9:00 am – 9:30 am	Meeting Briefing	PCTS

October 11 – noon – WA APA conference starts in Spokane

October 11, Plan Commission (90 minutes available) Hybrid – CONFERENCE may affect this meeting date		
Housing Work Group		
1:00 – 1:30	Canceled	
Workshop		
Time	Item	Presenter
2:00 – 2:20	Meeting Briefing	Plan Commission
2:20 – 2:30	Tentative upcoming agenda items	Plan Commission
2:20 – 3:15	GFCs	Katherine Miller
3:45 – 4:00	Transition to Chambers	
Hearing Items		
	2024-2029 Citywide CIP	Kevin Freibott
	Building Opportunity for Housing, Phase 2 Code Amendments	Tim Thompson & KayCee Downey

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	(Code chapters 17A.020, 17A.040, 17C.110, 17C.120, 17C.122, 17C.200, 17C.230, 17C.300, 17D.060, 17G.020, 17G.025, 17G.060, 17G.061, and 17G.080)	
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<b>October 25, Plan Commission (90 minutes available) Hybrid</b>		
<b>Housing Work Group</b>		
1:00 – 1:30	GFC Incentives	Teri Stripes
<b>Workshop</b>		
<b>Time</b>	<b>Item</b>	<b>Presenter</b>
2:00 – 2:20	Meeting Briefing	Plan Commission
3:45 – 4:00	Transition to Chambers	
<b>Hearing Items</b>		
5:00 – 6:00	GFCs	Katherine Miller
	2024-2029 Citywide Capital Facilities Plan (CIP)	?? Orig date
	South Logan TOD Plan & FEIS	Maren Murphy

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# Spokane Plan Commission - Draft Minutes

**August 23, 2023**

Webex Teleconference

Meeting Minutes: Meeting called to order at 2:00 PM by Greg Francis

## Attendance:

- Board Members Present: Greg Francis (President), Ryan Patterson (Vice President), Carole Shook, Clifford Winger, Christopher Britt, Kris Neely, Tim Williams, Todd Beyreuther
- Board Members Not Present: Michael Baker, Jesse Bank
- Non-Voting Members Present/Not Present: Mary Winkes (Community Assembly Liaison), Council Member Zack Zappone
- Non-Voting Member not present:
- *Quorum Present: yes*
- Staff Members Present: Spencer Gardner, Tirrell Black, Jackie Churchill, Amanda Beck, Ryan Benzie, KayCee Downey, Tim Thompson, James Richman, Kevin Freibott, Maren Murphy, Della Mutungi, Brandon Whitmarsh, Teri Stripes

**Public Comment:** Citizens are invited to address the Plan Commission on any topic not on the agenda. 3 Minutes each.

**Minutes:** Minutes from 7/26/2023 approved unanimously

**Current Agenda:** The current agenda was approved unanimously.

## Briefing Session:

1. **City Council Liaison Report - Zack Zappone**
  - None
2. **Community Assembly Liaison Report - Mary Winkes**
  - Mary reported Community Assembly met but there is nothing relevant to report to Plan Commission
3. **Commission President Report - Greg Francis**
  - None
4. **Transportation Subcommittee Report - Clifford Winger**
  - None
5. **Secretary Report - Spencer Gardner**
  - Spencer reported that at the first meeting in September, the Housing Work Group of the Plan Commission will review a development feasibility analysis and at the following meeting will review new GFC update information.

Council Member Zappone and Tim Williams arrived at the end of the briefing session.

## Workshop(s):

1. **BOCA Update**
  - Presentation provided by Amanda Beck and KayCee Downey
  - Questions asked and answered
  - Discussion ensued

## **2. Building Opportunity for Housing**

- Presentation provided by Tim Thompson and KayCee Downey
- Questions asked and answered
- Discussion ensued

## **3. Center & Corridor Update Study Introduction**

- Presentation provided by Colin Quinn-Hurst and Tirrell Black
- Questions asked and answered
- Discussion Ensued

### **Hearings**

**None**

**Meeting Adjourned at 4:01 PM**

Next Plan Commission Meeting scheduled for Wednesday, September 13, 2023

September 6, 2023

President Francis and Plan Commissioners  
City of Spokane

**Re: September 14 Workshop on the Capital Improvement Program for 2024-2029**

Dear President Francis and Plan Commissioners,

As we approach the end of the year and as the City administration is preparing the proposed operational budget for next year, it becomes necessary to consider the next iteration of the City's six-year Capital Improvement Program (CIP). To that end, we will be discussing the 2024-2029 CIP with you at your next workshop on September 13.

As you may recall, the CIP is an annual document that outlines all the expected and funded capital improvement projects for the next six years. This year's proposed CIP includes capital projects for nineteen functional departments in the City, including streets, water, wastewater, stormwater, information technology, neighborhoods, facilities, police, fire and others.

Capital projects are typically those that result in some kind of physical infrastructure or facility, but also include certain intangibles like software or professional services. This is distinct from operational budgets, which typically pay for labor and direct services.

To help understand the distinction, let us consider the average firefighter. The firefighter's labor, benefits, training, etc. are paid from operational budgets. The equipment on his or her back, the truck he or she drives, and the firehouse in which he or she sleeps when on duty are capital budget items. The CIP only concerns capital expenditures.

Naturally, the CIP is quite large (600 pages this year) and subject to a whole host of regulations, policies, guidelines, and other limitations, leading to a high level of complexity and detail. However, here are a few things to keep in mind that may help to lessen your time and effort in considering it. These include:

- The vast majority of projects have been on the CIP before and are simply being carried forward into this new CIP. You have seen those before and approved their inclusion.
- You already considered and approved the Streets projects earlier this year. They remain unchanged since then and do not require approval again.
- The focus of the Plan Commission's responsibility is to consider any projects that expand or directly affect the growth of the city, as described in the Comprehensive Plan. To help you review those aspects, our presentation at the workshop will directly highlight those projects that are related to capacity and community growth.

Plan Commission, P. 2  
Capital Improvement Program 2024-2029

If you would like to review the CIP in advance of our workshop on the 13<sup>th</sup>, please use the following link:

<https://static.spokanecity.org/documents/city/2024-2029-draft-citywide-capital-improvement-program.pdf>

If you would like to look specifically for the projects we will discuss with you at the workshop, please refer to this table:

Row Labels	2024	2025	2026	2027	2028	2029
<b>Parks Capital</b>	-	<b>7,100,000</b>	<b>6,900,000</b>	<b>8,850,000</b>	<b>3,350,000</b>	<b>9,350,000</b>
Major Park Renovations (Neighborhood Park Improvement Program)	-	500,000	4,000,000	-	500,000	4,000,000
New Neighborhood Parks (Neighborhood Park Improvement Program)	-	5,300,000	-	6,000,000	-	2,500,000
Strategic Park Land Acquisition (Neighborhood Park Improvement Program)	-	-	300,000	250,000	250,000	250,000
Systemwide Park Amenity Upgrades (Neighborhood Park Improvement Program)	-	1,300,000	2,600,000	2,600,000	2,600,000	2,600,000
<b>Sewer</b>	<b>1,175,000</b>	<b>3,250,000</b>	<b>6,000,000</b>	<b>1,000,000</b>	<b>4,600,000</b>	<b>19,000,000</b>
Assembly - I01 Upgrade	-	-	-	-	400,000	4,000,000
Aubrey L White Sewer Upsize (Bowl and Pitcher to RPWRF)	-	-	-	-	500,000	5,000,000
Lift Station Elimination from Five Mile Plateau	-	-	-	-	2,000,000	2,000,000
Lincoln (Summit to Maxwell) Stormwater	75,000	750,000	-	-	-	-
Marion Hay Intertie-Everett Ave	-	500,000	5,000,000	-	-	-
Maxwell (Comm Cntr to Maple) Stormwater	100,000	1,000,000	-	-	-	-
Northwest Terrace Lift Station Replacement	-	-	-	-	700,000	7,000,000
Private Sewer Repair and Rehab	500,000	500,000	500,000	500,000	500,000	500,000
Septic Elimination Program	500,000	500,000	500,000	500,000	500,000	500,000
<b>Water Division</b>	-	<b>600,000</b>	<b>6,600,000</b>	<b>6,000,000</b>	<b>2,200,000</b>	<b>22,000,000</b>
Eagle Ridge (Qualchan to Eagle Ridge 1)	-	-	-	-	400,000	4,000,000
Eagle Ridge Reservoir	-	-	-	-	1,500,000	15,000,000
Indian Trail Transmission Main (to Meadow Glen Park)	-	-	-	-	300,000	3,000,000
Qualchan Booster	-	-	600,000	6,000,000	-	-
Thorpe Road Booster Station	-	600,000	6,000,000	-	-	-

I look forward to discussing this year's CIP with you on the 13<sup>th</sup>. If you have any questions in advance of that, please feel free to contact me directly. Thanks and see you then!

Sincerely,



Kevin Freibott, Senior Planner

[kfreibott@spokanecity.org](mailto:kfreibott@spokanecity.org)

509-625-6184





**PLANNING SERVICES**  
808 W. SPOKANE FALLS BLVD.  
SPOKANE, WASHINGTON  
509.625.6300  
[my.spokanecity.org](http://my.spokanecity.org)

**Building Opportunity for Housing**  
**Phase 2 Residential Development Code Regulations**  
September 6, 2023

President Francis and Plan Commissioners  
City of Spokane

**RE: September 13, 2023 Plan Commission Workshop**

Thank you again for your feedback thus far on the residential development code regulations. A public draft of the text amendments is now available (attached), with a public comment period currently ongoing and ending October 4 at 5:00PM. While public comments are accepted up until the City Council hearing, the public comment period will allow staff to consider received comments before presenting Plan Commission with a final draft to review.

At the August 23 workshop, we discussed general concepts and proposed dimensional standards. The anticipated scheduled for the remaining workshops can be found below. Plan Commission is encouraged to prioritize reviewing the text amendments scheduled for each workshop prior to the meeting.

- |                   |   |
|-------------------|---|
| September 13..... | Workshop to present and discuss proposed objective design standards   |
| September 27..... | Workshop to present and discuss received public comments, topics requested to be brought back, and any staff revisions to the draft text amendments |
| October 11.....   | Public hearing for the Building Opportunity for Housing development code text amendments  |
| October 13.....   | If additional deliberation is required, this date is reserved to allow for a continuation of the public hearing                                     |

While the remaining workshops are expected to provide time for minor discussion, staff anticipates the need to dedicate a majority of the time to presenting the details of the proposed text amendments to ensure understanding and clarity. **Members of the Plan Commission are urged to directly contact the Building Opportunity for Housing Phase 2 project team with any comments or questions that were not able to be discussed at the workshops.** This will allow staff to address any concerns or considerations between workshop dates.

You can reach the project team at [DevelopmentCode@spokanecity.org](mailto:DevelopmentCode@spokanecity.org) or by directly emailing both Tim Thompson ([tthompson@spokancity.com](mailto:tthompson@spokancity.com)) and KayCee Downey ([kdowney@spokanecity.org](mailto:kdowney@spokanecity.org)).



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Below is a summary of some of the topics to be presented on and discussed at the September 13, 2023 Plan Commission Workshop.

#### CLARIFYING DESIGN REVIEW PROCESS

The Design Standards Administration section was updated for clarity and to reflect current practice. Language was included to clarify the difference between a Presumption and a Consideration. The processes for how to overcome a Requirement versus how to overcome a Presumption were also clarified.

**Requirements** must be satisfied by any plan prior to building permit approval. In order to not meet a Requirement, a design departure must be obtained through Design Review. Most design departures for small-scale residential development will be reviewed through an administrative process by Design Review staff, though a request may be made to go before the Design Review Board. A departure may be approved if the requirement is unsuitable for a given project and if the alternative design is found to be better than the non-discretionary standards.

**Presumptions** must be satisfied by any plan prior to building permit approval. In order to not meet a Presumption, an applicant may seek a waiver which is reviewed by the Planning Director. A waiver may be approved if the presumption is unsuitable for a given project and if the alternative design is found to be equal to or better than the non-discretionary standards.

**Considerations** are features and concepts that an applicant is encouraged to consider when preparing a plan but are not a standard requirement when reviewing a project. Considerations are only reviewed as part of the design departure process.

#### OBJECTIVE DESIGN STANDARDS

Following the engagement received during Phase 1, where community members stated that the physical form of the building was a more significant concern than the number of units, objective design standards are proposed to ensure the shift to regulating housing capacity over unit count does not negatively impact existing or future neighborhoods. The objective design standards are also intended to meet HB 1110, which requires objective regulations that are applied to single-unit detached housing and middle housing equally. The design standards include regulations on entry and garage size and locations, articulation, transparency, and landscaping, among others.

The below images reflect a portion of the design standards being proposed.

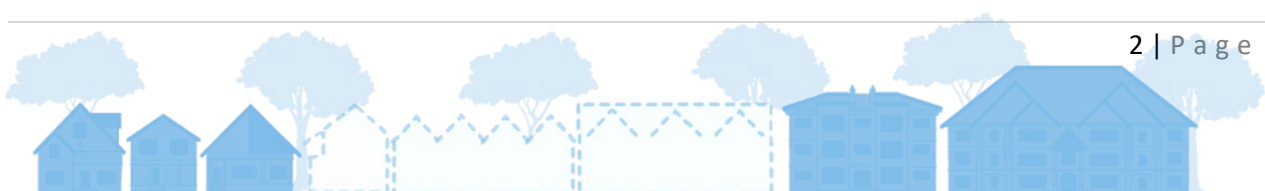


FIGURE 17C.110.320-A: Window Coverage

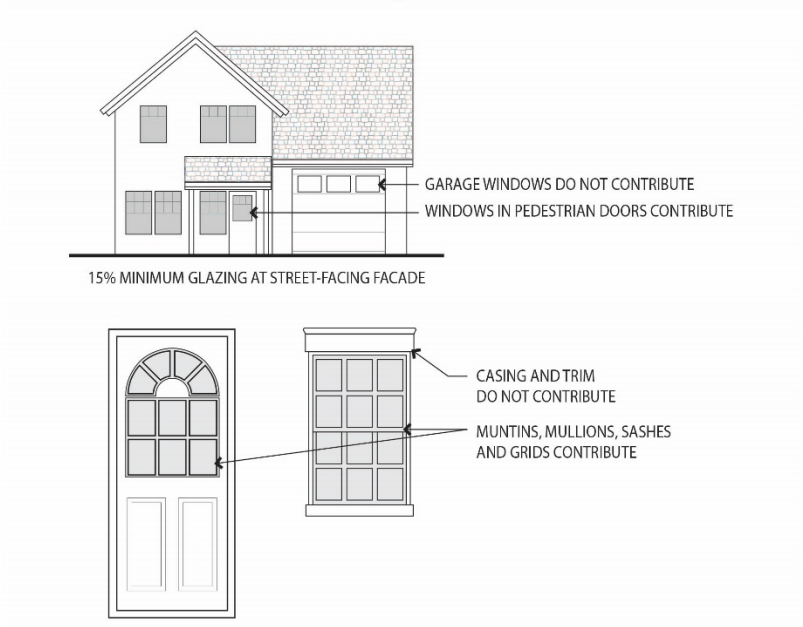


FIGURE 17C.110.315-A: Building Entrances

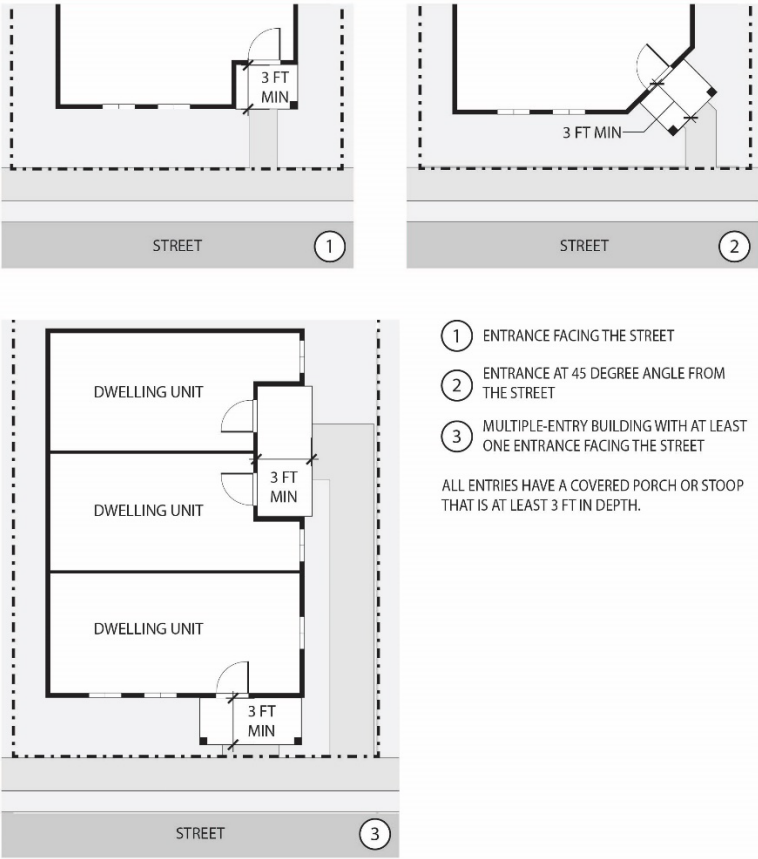


FIGURE 17C.110.325-A: Building Articulation for Long Facades

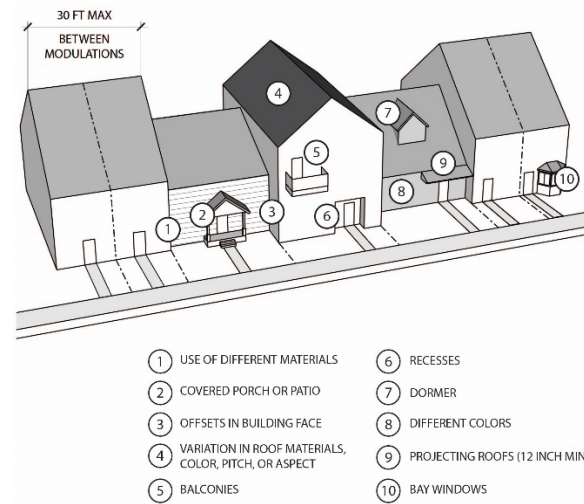


FIGURE 17C.110.325-B: Building Articulation for Narrow Facades

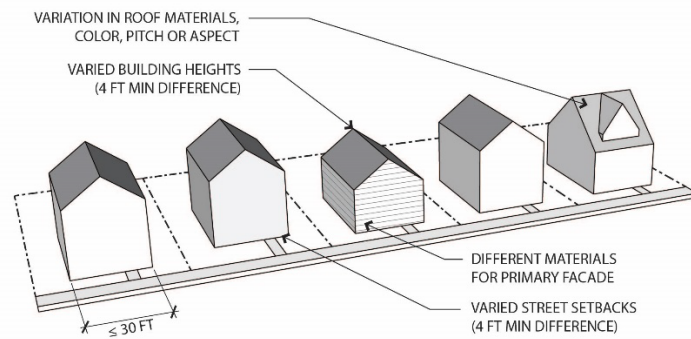
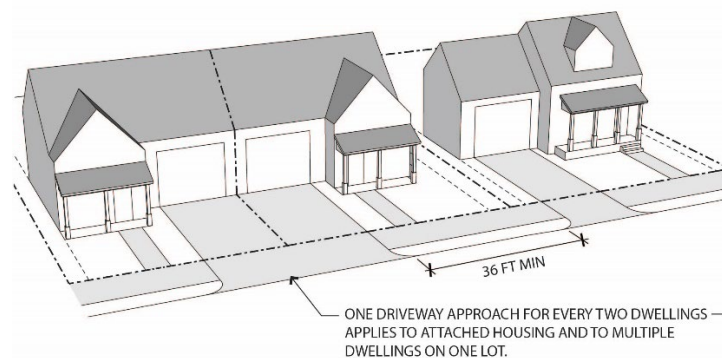


FIGURE 17C.110.335-B: Paired Driveways and Minimum Spacing

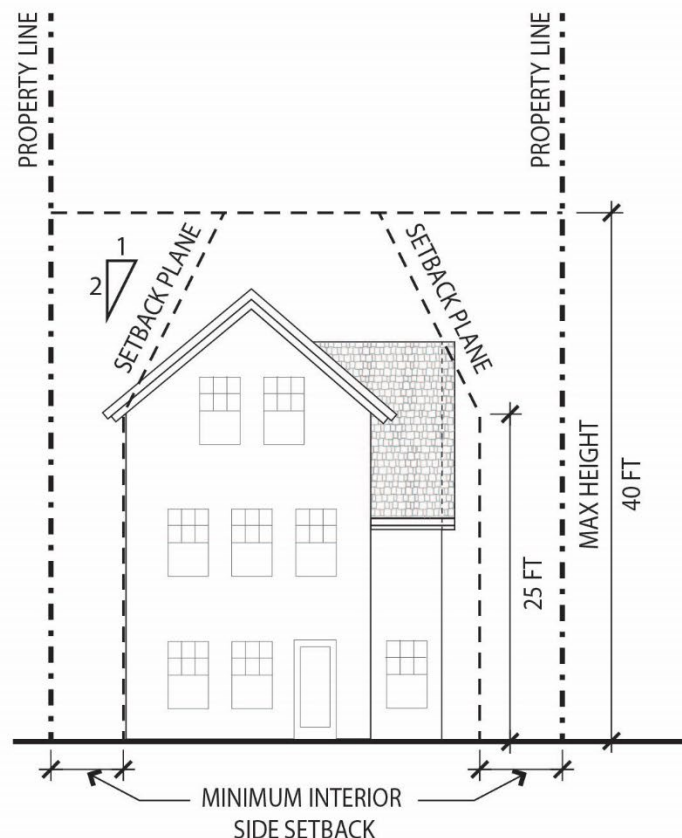


## ROOF SETBACK

In order to support smaller scale residential development within Residential 1 (R1) and Residential 2 (R2) zones, a roof setback is proposed to establish a 2:1 setback plane. For every two additional feet of height, there must be an additional foot of separation between the building and the side property line. This standard applies to structures within the R1 and R2 zones, while development in the Residential Multifamily (RMF) and Residential High Density (RHD) zones must still comply with the existing transition standards when within 150-feet from R1 or R2 zoned property.

For consistency, the previous 45-degree angle for accessory dwelling units has been removed and all structures within R1 and R2 must comply with the new roof setback. The 45-degree angle was found to create confusion, while the proposed roof setback creates the same end result with easier to identify setback to height ratios.

FIGURE 17C.110.235-A: Angled Setback Plane



ROOF SETBACK FROM SIDE LOT LINE ON LOTS IN R1 and R2 ZONES	
LOT WIDTHS 40 FT. OR LESS	
Height	Setback
25 ft.	3 ft.
27 ft.	4 ft.
29 ft.	5 ft.
31 ft.	6 ft.
33 ft.	7 ft.
35 ft.	8 ft.
40 ft.	10.5 ft.
LOT WIDTHS MORE THAN 40 FT.	
Height	Setback
25 ft.	5 ft.
27 ft.	6 ft.
29 ft.	7 ft.
31 ft.	8 ft.
33 ft.	9 ft.
35 ft.	10 ft.
40 ft.	12.5 ft.

#### PARKING REQUIREMENTS

The current draft reflects parking requirements as regulated by HB 1110 (Middle Housing) to ensure consistency with the passed legislation. However, the interim parking ordinance passed by City Council earlier this year goes further with reducing where residential uses must provide off-street parking. Planning staff is able to provide both options for Plan Commission to review at their public hearing anticipated October 11 but is interested in discussing the topic to determine which parking regulations are preferred.

Thank you again for all of your work on behalf of the City of Spokane and helping shape Phase 2 of the Building Opportunity for Housing project.

Sincerely,  
Tim Thompson, AICP, Principal Planner  
KayCee Downey, AICP, Planner II

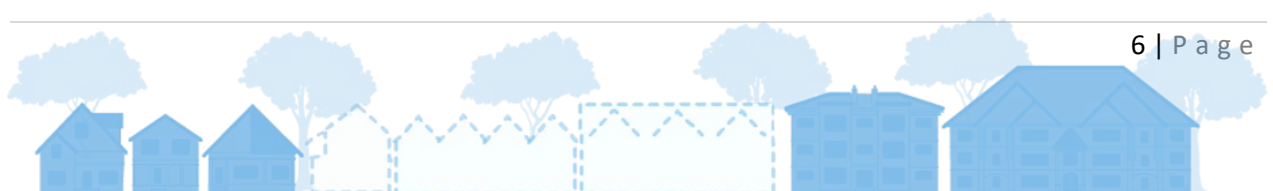
#### How to Get Involved

Sign up for updates and news:

[developmentcode@spokanecity.org](mailto:developmentcode@spokanecity.org)

Visit the web for more information:

[shapingspokanehousing.com](http://shapingspokanehousing.com)



**BRIEFING PAPER**  
**City of Spokane**  
**Plan Commission Public Hearing**  
**Department of Planning of Economic Development**  
**September 13, 2023**

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**Subject**

The department of Planning and Economic Development has begun an initiative named “Paper Cuts”. The purpose is to identify sections of code with ambiguities, omissions, or inconsistencies that can be fixed with simple adjustments. Paper Cuts are expected to occur on a regular basis. The adjustments will provide clarity based on current practice.

**Background**

There are six code sections with Paper Cuts updates identified for this round. Following is a list of the code sections and a brief description of the nature of the change:

- 17C.110.225: Clarify that certain language only applies to detached accessory buildings
- 17C.120.580: Remove reference to renovated buildings since a renovation is unlikely to result in new space that can meet requirements
- 17C.230.145: Clarify that location requirements for parking areas apply to all parking whether required or in excess of required spaces
- 17C.240.250: Clarify that legal non-conforming sign rights lapse after 6 months of inactivity
- 17C.250.020: Reword for clarity and add Essential Public Facilities to the list of exempt structures
- 17G.080.040: Correct spelling error (rang -> range)

**Impact**

These code updates are expected to have little impact because they rely on existing practice within the department or implement pre-existing requirements under state law.

**Action**

Recommend Approval.





# STAFF REPORT

PLANNING AND ECONOMIC DEVELOPMENT SERVICES DEPARTMENT

<b>To:</b>	City Plan Commission	
<b>Subject:</b>	Paper Cuts Code Amendments	
<b>Staff Contact:</b>	Tyler Kimbrell Planner II <a href="mailto:tkimbrell@spokanecity.org">tkimbrell@spokanecity.org</a>	Spencer Gardner Planning Director <a href="mailto:sgardner@spokanecity.org">sgardner@spokanecity.org</a>
<b>Report Date:</b>	August 30, 2023	
<b>Hearing Date:</b>	September 13, 2023	
<b>Recommendation:</b>	Approval	

## I. SUMMARY

Paper Cuts Code amendments for SMC 17C.110.225 Accessory Structures; SMC 17C.120.580 Plazas and Other Open Spaces; SMC 17C.230.145 Development Standards for Residential Uses; SMC 17C.240.250 Off-premises Signs; SMC 17C.25.020 Dimensional Standards; and, SMC 17G.080.040 Short Subdivisions. See **Exhibit A** for the proposed text amendments.

## II. BACKGROUND

Paper Cuts Code Amendments are revisions to the Unified Development Code (UDC) identified by staff that clarify or make minor changes. These changes are intended to be minor in nature to improve the enforcement of development regulations that improve the quality of life for Spokane residents and improve processing of applications for the development community. Corrections and clarification of code will permit the Development Services Center to communicate development regulations more clearly to applicants.

## III. PROCESS

### DEVELOPMENT CODE AMENDMENT PROCEDURE

Article III Section 21, Amendments and Repeals, of the City of Spokane Charter provides for the ability of amendments of the Charter and Spokane Municipal Code through ordinances. Title 17 is known as the Unified Development Code (UDC) and is incorporated into the Spokane Municipal Code to implement the City's Comprehensive Plan, and by reference, the requirements of the Washington State Growth Management Act (GMA). Section [17G.025.010](#) establishes the procedure and decision criteria that the City uses to review and amend the UDC. The City may approve amendments to the UDC if it is found that a proposed amendment is consistent with the provisions of the Comprehensive Plan, and bears a substantial relation to public health, safety, welfare, and protection of the environment.

### Role of the City Plan Commission

The proposed text amendments require a review process set forth in Section 17G.025.010(F) SMC. The Plan Commission is responsible for holding a public hearing and forwarding its findings, conclusions, and recommendations to the City Council. Utilizing the decision criteria in 17G.025 SMC, the Plan Commission may recommend approval, modification, or denial of the proposal.

The Plan Commission may incorporate the facts and findings of the staff report as the basis for its recommendation to the City Council or may modify the findings as necessary to support their final recommendation.



## Role of City Council

The City Council will also conduct a review process considering the proposed text amendment, public comments and testimony, the staff report, and the Plan Commission's recommendation. The final decision to approve, modify, or deny the proposed amendment rests with the City Council. Proposals adopted by ordinance after public hearings are official amendments to the Spokane Municipal Code.

## COMMUNITY ENGAGEMENT

Plan Commission workshop	July 26, 2023
SEPA Determination of Non-significance for Dimensional Standards issued	August 30, 2023
Plan Commission Public Hearing	Sept 13, 2023

## SEPA REVIEW

As outlined in Section 17G.025.010 SMC, notices of proposals to amend the UDC are distributed and interested parties should be made aware of such proposals during the Plan Commission review, including the SEPA checklist and determination. Similarly, a public notice published in the *Spokesman-Review* fourteen days prior to the Plan Commission public hearing is required.

This proposal was properly noticed pursuant to Section 17G.025.010(E). See **Exhibit B** for the SEPA Determination of Non-significance issued on August 30, 2023 for the amendments related to dimensional standards.

## COMMENTS RECEIVED

- No comments were received as of September 5, 2023. All comments received between September 6, 2023 and September 13, 2023 will be forwarded to the Plan Commission prior to their public hearing.

## IV. ANALYSIS

### PROPOSAL DESCRIPTION

Code amendments:

- SMC 17C.110.225 Accessory Structures
  - Amending SMC 17C.110.225(4)(a) clarifying that the covered detached accessory structures are not allowed in the required front building setbacks and are only allowed in the side setback with a signed waiver for the neighboring property owner.
- SMC 17C.120.580 Plazas and Other Open Spaces
  - Amending SMC 17C.120.580(B)(1) removing the requirement for renovated buildings over forty thousand square feet to have an open space or plaza near the main entrances.
- SMC 17C.230.145 Development Standards for Residential Uses
  - Amending SMC 17C.230.145(C)(1) & SMC 17C.230.145(C)(2) to clarify that no parking is allowed within the first twenty feet of the front lot line or within the side street lot line setbacks.
- SMC 17C.240.250 Off-premises Signs
  - Amending SMC 17C.240.250(B)(2) to align the public works exception with the SMC 17C.240.280 by clarifying that a legal non-conforming off-premise sign loses its legal status after 6 months of inactivity.
- SMC 17C.250.020 Dimensional Standards
  - Amending SMC 17C.250.020(A) to add Essential Public Facilities as defined in SMC 17C.190.530 to the exception list for the dimensional standards.
- SMC 17G.080.040 Short Subdivisions
  - Amending SMC 17G.080.040(B)(2)(e) to correct a spelling error.

## IMPLEMENTATION OF COMPREHENSIVE PLAN GOALS AND POLICIES

Section [17G.025.010](#) SMC establishes the review criteria for text amendments to the Unified Development Code. In order to approve a text amendment, City Council shall consider the findings and recommendations of the Plan Commission along with the approval criteria outlined in the Code. The applicable criteria are shown below in *bold and italic* with staff analysis following the complete list. Review of the Comprehensive Plan goals and policies indicates that the proposal meets the approval criteria for internal consistency set forth in SMC 17G.025.010(G).

### 17G.025.010(G) Approval criteria

#### 1. The proposed amendment is consistent with the applicable provisions of the comprehensive plan.

**Staff Analysis:** The proposed amendments do not alter the outcomes of the Unified Development Code (UDC) and therefore remains consistent with the various comprehensive plan goals of managing land use in an efficient manner. Furthermore, clarifying or correcting errors in the UDC helps further goals of transparency in government.

#### 2. The proposed amendment bears a substantial relation to public health, safety, welfare, and protection of the environment.

**Staff Analysis:** The purpose of development regulations in the UDC is to provide a vehicle to implement the City's comprehensive plan, and by reference, the requirements of the Washington State Growth Management Act (GMA). The UDC includes community goals that bears a substantial relation to public health, safety, welfare, and protection of the environment and the proposed amendments to clarify or correct errors to the code language help further implement those goals.

## V. DISCUSSION

The proposed text amendments clarify and correct errors within the UDC ensuring that the implementation and enforcement of the development regulations are more straightforward for City staff. The amendments also provide clarity for applicants as to what is expected for land use and building applications.

## VI. CONCLUSION

Based on the facts and findings presented herein, staff concludes that the requested text amendments to the Unified Development Code satisfy the applicable criteria for approval as set forth in SMC Section 17G.025.010. To comply with RCW 36.70A.370 the proposed text amendments have been evaluated to ensure proposed changes do not result in unconstitutional takings of private property.

## VII. STAFF RECOMMENDATION

Following the close of public testimony and deliberation regarding conclusions with respect to the review criteria and decision criteria detailed in SMC 17G.025.010, Plan Commission will need to make a recommendation to City Council for approval or denial of the requested code amendments to the Unified Development Code.

Staff **recommends approval** of the requested text amendments to SMC 17C.110.225 Accessory Structures; SMC 17C.120.580 Plazas and Other Open Spaces; SMC 17C.230.145 Development Standards for Residential Uses; SMC 17C.240.250 Off-premises Signs; SMC 17C.25.020 Dimensional Standards; and, SMC 17G.080.040 Short Subdivisions and recommends that the Plan Commission adopt the facts and findings of the staff report.

## VIII. LIST OF EXHIBITS

- A. Proposed text amendments
- B. SEPA Determination of Non-significance for Dimensional Standards

## EXHIBIT A

## Section 17C.110.225 Accessory Structures

### A. Purpose.

This section regulates structures that are incidental to primary buildings to prevent them from becoming the predominant element of the site. The standards provide for necessary access around structures, help maintain privacy to adjoining lots and maintain open front setbacks.

### B. General Standards.

1. Accessory structures are allowed on a lot only in conjunction with a primary building, and may not exist on a lot prior to the construction of the primary structure, except as allowed by subsection (B)(2) of this section.
2. An accessory structure that becomes the only structure on a lot as the result of a land division may remain on the lot if the owner has submitted a financial guarantee to the City for the cost of demolition and removal of the structure. The financial guarantee will be used by the City if the owner has not removed the accessory structure if, within one year of final plat approval or boundary line adjustment (BLA), a primary structure has not been built and received final inspection. The financial guarantee must be accepted by the City prior to approval of the final plat or boundary line adjustment.
3. An accessory structure shall not contain a kitchen or space for living, sleeping, eating, or cooking unless it is approved as an accessory dwelling unit under chapter 17C.300 SMC.

### C. Setbacks.

#### 1. Mechanical Structures.

Mechanical structures are items such as heat pumps, air conditioners, emergency generators, and water pumps.

##### a. Front Setback Standard.

Mechanical structures are not allowed in required front building setbacks.

##### b. Side and Rear Setback Standard.

Mechanical structures are allowed inside and rear building setbacks if the structure is no more than forty-eight inches high.

#### 2. Vertical Structures.

Vertical structures are items such as flagpoles, trellises and other garden structures, radio antennas, satellite receiving dishes and lampposts. Fences are addressed in SMC 17C.110.230. Sign standards are in chapter 17C.240 SMC, Signs.

##### a. Setback Standard.

Vertical structures are allowed in required side and rear building setbacks if they are no larger than four feet in width, depth or diameter and no taller than seven feet. If they are larger or taller, they are not allowed in required building setbacks. Trellises and other gate features are allowed in front yard if they are no larger than four feet in width, depth or diameter and no taller than seven feet and do not conflict with the clear view triangle provisions under SMC 17C.110.230, Fences.

3. Uncovered Horizontal Structures.

Uncovered horizontal structures are items such as decks, stairways, entry bridges, wheelchair ramps, swimming pools, hot tubs, tennis courts, and boat docks that are not covered or enclosed.

a. Setback Standard.

i. Projection Allowed.

The following structures are allowed in required building setbacks, as follows:

- A. Structures that are no more than two and one-half feet above the ground are allowed in side and rear building setbacks. Handrails required by the IBC/IRC are not included in the maximum height.
- B. On lots that slope down from the street, vehicular or pedestrian entry bridges that are no more than two and one-half feet above the average sidewalk elevation are allowed in all building setbacks; and
- C. Stairways and wheelchair ramps that lead to one entrance on the street-facing facade of a building are allowed in street setbacks.

4. Covered Accessory Structures.

Covered accessory structures are items such as greenhouses, storage buildings (not used to cover motor vehicles), sheds, covered decks, covered porches, gazebos, and covered recreational structures.

a. Setback Standard.

i. Front Setback.

Covered accessory structures are not allowed in the required front building setbacks.

ii. Side Setback.

Covered detached accessory structures are not allowed in the required side building setback without a signed waiver from the neighboring property owner.

Covered attached accessory structures are not allowed in the required side building setback.

5. Detached Accessory Structures.

Detached accessory structures are garages, carports, and other structures utilized to cover motorized vehicles.

a. Setback Standard.

A detached accessory structure is not allowed in the front building setback. A detached accessory structure is not allowed in the required side building setback without a signed waiver from the neighboring property owner. A detached accessory structure that has an entrance, which faces a street, is required to be setback twenty feet from the property line or from the back of the sidewalk, as stated in Table 17C.110-3.

- b. Detached accessory structures may be built to the rear property line, unless parking in front of the structure is proposed, then the structure is required to be built a minimum of eighteen feet from the edge of the alley tract, easement, or right-of-way.

6. Attached Accessory Structures.

Accessory structures are garages, carports or other structures utilized to cover motorized vehicles that are connected by a common wall to the primary structure.

a. Setback Standard.

An attached accessory structure is not allowed in the front building setback. An attached accessory structure that has an entrance which faces a street is required to be setback twenty feet from the property line as stated in Table 17C.110-3.

- b. Attached accessory structures may be built to within five feet of the rear property line, unless parking in front of the structure is proposed, then the structure is required to be built a minimum of eighteen feet from the edge of the alley tract, easement or right-of-way.

D. Building Coverage.

1. Except as provided in subsection (2) of this subsection (D), the combined building coverage of all detached accessory structures and covered accessory structures may not exceed fifteen percent of the total area of

the site, and when combined with all other structures on-site shall not exceed the maximum building coverage of the base zone.

2. On lots smaller than five thousand five hundred square feet with an accessory dwelling unit, combined building coverage of all detached accessory structures and covered accessory structures may not exceed twenty percent of the total area of the site, and when combined with all other structures on-site shall not exceed the maximum building coverage of the base zone.

E. Building Height.

The building height of detached accessory structures and covered accessory structures is listed in Table 17C.110-3. Accessory structures, which contain an ADU over a garage, are subject to the height limitations in chapter 17C.300 SMC, Accessory Dwelling Units.

[keep table 17C.110.225-1]

[keep image]

[keep image]

## Section 17C.120.580 Plazas and Other Open Spaces

### A. Purpose.

To provide a pedestrian-friendly environment by creating a variety of usable and interesting open spaces within private development.

### B. Plazas and Other Open Spaces Implementation.

1. New ~~or renovated~~ buildings over forty thousand square feet shall have plazas, courtyards or other pedestrian spaces at or near their main entrances. (R)
2. Plazas and other open spaces shall be a minimum of one square foot of plaza per one hundred square feet of building area. This area may count toward the interior landscaping required. (P)
3. Plazas, courtyards and other pedestrian space shall include at least three of the following: (P)
  - a. Special interest landscape.
  - b. Pedestrian scale bollard or other accent lighting.
  - c. Special paving, such as colored/stained concrete, brick or other unit paver.
  - d. Artwork.
  - e. Seating, such as benches, tables, or low seating walls.
  - f. Water feature.

[keep images]



## Section 17C.230.145 Development Standards for Residential Uses

### A. Purpose

The size and placement of vehicle parking areas are regulated in order to enhance the appearance of neighborhoods.

[keep image]

### B. Structures These Regulations Apply To

The regulations of this section apply to residential uses in the RA, RSF, RTF, RMF, RHD, FBC CA4 zones. The regulations apply to required and excess parking areas. Parking for mobile home parks is regulated in chapter 17C.345 SMC, Manufactured Homes and Manufactured Home Parks.

### C. Parking Area Locations

1. ~~Required Parking.~~ Required parking spaces are not allowed within the first twenty feet from a front lot line or within side street lot line setback.

2. ~~Non-required Parking.~~

~~Non-required parking spaces for personal passenger vehicles may be located in the first twenty feet from a front lot line or the side lot line setback in a driveway. The vehicle cannot overhang or block the sidewalk.~~

32. Utility trailers, motorized recreation vehicles and non-motorized accessory recreational vehicles cannot be stored in the first twenty feet from the front lot line nor the side street line.

43. Driveway Width

[keep image]

a. In the RA and RSF zones, no more than forty percent of the land area between the front lot line and the front building line may be paved or used for vehicle areas. In addition, on corner lots, no more than twenty percent of the land area between the side street lot line and the side street building line may be paved or used for vehicle areas. As an exception to the area limitations in this subparagraph, a lot is allowed at least a nine-foot wide vehicle area.

b. In the RTF, RMF, RHD, FBC CA4 zones, no more than twenty percent of the land area between the front lot line and the front building line may be paved or used for vehicle areas. In addition, on corner lots no more than twenty percent of the land area between the side street lot line and the side street building line may be

paved or used for vehicle areas. As an exception to the area limitations in this paragraph, a lot is allowed at least a nine-foot wide vehicle area.

c. Exception.

Driveway coverage in the residential zones may exceed the size limitations of (4)(a) and (4)(b) above when the subject property is located on a principal arterial and the increase in site coverage is due to inadequate maneuvering area for the safe exit of vehicles from the site. The exception to driveway coverage is reviewed by the engineering services department as a portion of the driveway access permit.

54. Parking in Garages.

Parking in garages is subject to the garage setback standards of the base zone, overlay zone or plan district.

D. Parking Space Sizes

A parking space must be at least nine feet by eighteen feet. The minimum driveway width on private property is nine feet.

E. Paving

1. Generally.

All driveways and parking areas must be covered in an all weather surface.

2. Exceptions.

a. Gravel surfaces may be approved by engineering services when the abutting street is not paved, and the applicant executes a covenant agreeing to pave the area if the street is paved in the future.

b. Utility trailers, motorized recreational vehicles and non-motorized accessory recreational vehicles may be stored on unpaved surfaces. A gravel surface is not required.

## Section 17C.240.250 Off-premises Signs

- A. No new off-premises signs may be constructed, on any site.
- B. Off-premises signs now in existence in any zone, meeting the requirements of 17C.240.280, are considered nonconforming uses and may remain, subject to the following restrictions:

- 1. A nonconforming off-premises sign may not be increased in size or elevation, relocated to another site or to a new location on the same site or expanded, enlarged, or extended in any way, including, but not limited to, the addition of advertising faces or the addition of rotating faces with movable panels designed to create additional advertising, except as provided for in the public works exception below.
- 2. Public Works Exception.

A legal, non-conforming off-premises sign ~~that is allowed to remain in conformance with this section~~ shall be allowed to be relocated if necessitated for the accomplishment of a governmental public works project. The relocation of an off-premises sign under this exception must occur within six (6) months of removal or its legal, non-conforming status shall be discontinued pursuant to SMC 17C.240.280. ~~This r~~Relocation of these off-premises signs for public works projects shall be subject to the limitations in subsections (a) through (f) below:

- a. No increase in square footage of off-premises sign copy shall be permitted. These signs shall be replaced at the same size they existed at immediately prior to relocation.
- b. No additional sign faces shall be added.
- c. No increase in height of the existing off-premises sign shall be permitted except where needed to provide for minimum height clearance (from the ground to the bottom of the off-premises signs) to comply with roadway safety.
- d. The off-premises sign shall be relocated along the same roadway it was removed from in the geographical vicinity and shall comply with the Scenic Vistas Act of 1971 (chapter 47.42 RCW and chapter 468-66 WAC) if located along a state highway. For purposes of this provision, the term "roadway" shall apply to both directions of a couplet.
- e. The off-premise sign shall not be relocated to a site with a Residential, Neighborhood Retail, or Center and Corridor zoning designation including CA zones, or located within an historic district, regardless of the zoning or district of the original sign location.

- f. The relocation of the off-premises sign shall be subject to all current City of Spokane rules, regulations, and procedures relating to the regulation and control of signs, excepting size, height, and off premise advertising limitations.
- 3. A nonconforming off-premises sign may not be structurally altered. Structural alterations mean alterations to, including replacement of, either the off-premises sign face, or the supporting structure. Normal maintenance and repair including painting, cleaning, or replacing damaged parts of the off-premises sign, shall not be considered a structural alteration.
- 4. Any nonconforming off-premises sign which deteriorates, is damaged or destroyed by fire, explosion, wind, act of nature, failure to maintain or other accidental means may be restored if the cost thereof does not exceed fifty percent of its replacement cost. Off-premises signs damaged in an amount in excess of fifty percent of replacement cost shall be removed.
- 5. All nonconforming off-premises signs shall be kept in good repair and maintained in a neat, clean, attractive and safe condition. Any work required to repair or maintain an off-premises sign shall be completed promptly so long as the off-premises sign is not structurally altered, and so long as the cost of such repair and/or maintenance does not exceed fifty percent of the cost of replacing the off-premise sign.

## Section 17C.250.020 Dimensional Standards

### A. Applicability.

The standards of this section apply to buildings and structures over seventy feet tall.

The dimensional standards ~~in SMC 17C.250.020~~ of this section do not apply to the following:

1. ~~m~~ Medical eCenters as defined in SMC 17C.190.450;
2. ~~and other~~ buildings within six hundred feet of ~~medical~~ Medical centers Centers (SMC 17C.190.450); and
3. Essential Public Facilities as defined in SMC 17C.190.530.

~~The following standards apply to buildings and structures over seventy feet tall.~~

### BA. Upper Story Setback.

All floors above seventy feet shall be setback from all street lot lines a minimum of twenty feet.

### CB. Maximum Floor Area per Floor.

All floors above seventy feet shall have a maximum floor area of twelve thousand square feet.

[keep image]

### DG. Maximum Tower Dimension.

All floors above seventy feet shall have a maximum floor dimension of one hundred fifty feet.

[keep image]

## Section 17G.080.040 Short Subdivisions

### A. Predevelopment Meeting

A predevelopment meeting is required if the proposal is located in the central business district, unless waived by the director, and is recommended for all other proposals prior to submittal of the application. The purpose of a predevelopment meeting is to acquaint the applicant with the applicable provisions of this chapter, minimum submission requirements and other plans or regulations, which may impact the proposal.

### B. Preliminary Short Plat Application and Map Requirements

1. Applications for approval of a preliminary short subdivision shall be filed with the director. All applications shall be submitted on forms provided for such purpose by the department. The director may waive specific submittal requirements determined to be unnecessary for review of the application. The application shall include the following:

- a. The general application.
- b. The supplemental application.
- c. The environmental checklist, if required under chapter 17E.050 SMC.
- d. Title report no older than thirty days from issuance from the title company.
- e. The filing fees as required under chapter 8.02 SMC.
- f. The required number of documents, plans or maps drawn to a minimum scale of one inch equals one hundred feet, on a sheet twenty-four by thirty-six inches, as set forth in the application checklist.
- g. A written narrative identifying consistency with the applicable policies, regulations and criteria for approval of the permit requested; and
- h. Additional application information which may be requested by the permitting department and may include, but is not limited to, the following: geotechnical studies, hydrologic studies, critical area studies, noise studies, air quality studies, visual analysis and transportation impact studies.
- i. One copy of the predevelopment conference notes (if applicable); and
- j. One copy of the notification district map.

2. Contents of Preliminary Short Plat Map

The preliminary short plat shall be prepared by a land surveyor and shall show the following:

- a. Plat name and the name of any subdivision to be replatted.
- b. The name, mailing address and phone number of the owner and the person with whom official contact should be made regarding the application.
- c. Surveyor's name, mailing address and phone number.
- d. Legal description.
- e. Section, township and range
- f. Vicinity map.
- g. North arrow, scale and date.
- h. Datum plane.
- i. Acreage.
- j. Number of lots and proposed density.
- k. Zoning designation.
- l. The boundary lines of the proposed subdivision.
- m. City limits and section lines.
- n. Park or open space (if proposed).
- o. Existing topography at two-foot maximum interval.
- p. The boundaries and approximate dimensions of all blocks and lots, together with the numbers proposed to be assigned each lot and block, and the dimensions, square footage and acreage of all proposed lots and tracts.
- q. Proposed names of streets.
- r. The location and widths of streets, alleys, rights-of-way, easements (both public and private), turn around and emergency access, parks and open spaces.
- s. Conditions of adjacent property, platted or unplatted, and if platted, giving the name of the subdivision. If the proposed short plat is the subdivision of a portion of an existing plat, the approximate lines of the existing plat are to be shown along with any and all recorded covenants and easement
- t. The names and address of the record owners and taxpayers of each parcel adjoining the subdivision.
- u. Indicate any street grades in excess of eight percent.

- v. The location and, where ascertainable, sizes of all permanent buildings, wells, wellhead protection areas, sewage disposal systems, water courses, bodies of water, flood zones, culverts, bridges, structures, overhead and underground utilities, railroad lines, and other features existing upon, over or under the land proposed to be subdivided, and identifying any which are to be retained or removed.
- w. Proposed one-foot strips for right-of-way conveyed to the City, in cases where a proposed public street or alley abuts unplatted land.
- x. If a body of water forms the boundary of the plat, the ordinary high water mark as defined in chapter 90.58 RCW.
- y. Critical areas as defined in chapters 17E.020, 17E.030, 17E.070 and 17G.030 SMC.
- z. Significant historic, cultural or archaeological resources; and
- aa. If the proposal is located in an irrigation district, the irrigation district name.

C. Review of Preliminary Short Plat

1. The application shall be reviewed in accordance with the procedures set forth in chapter 17G.060 SMC for a Type II application, except an application that meets the requirements for minor engineering review as provided in subsection (2) of this section shall be excluded from the public notice requirements contained in SMC 17G.060.110 through 17G.060.120 and public comment period under SMC 17G.060.130.

2. Minor Engineering Review.

A preliminary short plat application may qualify for a minor engineering review if it meets all of the following conditions:

- a. The application is categorically exempt from chapter 43.21C RCW (SEPA);
- b. There is direct water and sewer main lot frontage on an existing and improved public right-of-way;
- c. No extensions of public water, sewer, or other utility services will be needed;
- d. No public easements for water, sewer, or other utility service exists on the lot;
- e. The lot is not situated in a Special Drainage District as defined in SMC 17D.060.130; and
- f. Public utility mains do not exist on the lot.



D. Public Notice

All public notice of the application shall be given in accordance with the procedures set forth in chapter 17G.060 SMC for a Type II application, except a short plat that meets the requirements for minor engineering review as provided in subsection (C)(2) of this section shall not require a notice of application.

E. Preliminary Short Plat Approval Criteria

Prior to approval of a short plat application, the director shall find the application to be in the public use and interest, conform to applicable land use controls and the comprehensive plan of the City, and the approval criteria set forth in chapter 17G.060 SMC. The director has the authority to approve or disapprove a proposed preliminary short plat under the provisions of this chapter, subject to appeal as provided in chapters 17F.050 and 17G.060 SMC.

F. Final Short Plat Review Procedure

1. The subdivider shall submit to the director for review the following:
  - a. A final short plat, prepared by a registered land surveyor licensed in the state of Washington, consistent with the approved preliminary short plat.
  - b. A title report less than thirty days old confirming that the title of the lands as described and shown on said plat is in the name of the owners signing the certificate or instrument of dedication.
  - c. Covenants, conditions and restrictions, if applicable; and
  - d. Fees pursuant to chapter 8.02 SMC.
2. Within thirty days, unless the applicant has consented to a longer period of time, of receipt of a proposed final short plat, the director shall review the plat for conformance with all conditions of the preliminary short plat approval, the requirements of this chapter and that arrangements have been made to insure the construction of required improvements. If all such conditions are met, the director shall approve the final short plat and authorize the recording of the plat. If all conditions are not met, the director shall provide the applicant in writing a statement of the necessary changes to bring the final short plat into conformance with the conditions.
  - a. If the final short plat is required to be resubmitted, the subdivider is required to provide the following:
  - b. A cover letter addressing the corrections, additions or modifications required.
  - c. Title report no older than thirty days from issuance of a title company conforming that the title of the lands as described and

shown on said plat is in the name of the owners signing the certificate or instrument of dedication; and

- d. The required number of copies of the corrected final short plat map.
3. If the final short plat is approved, the surveyor causes the plat to be signed by the Spokane county treasurer and file of record with the Spokane county auditor. The surveyor is required to file the appropriate number of mylar and bond copies of the recorded short plat with the director.

G. Final Short Plat Map Requirements

The subdivider shall submit to the director a final short plat in the same form and with the same content as the preliminary short plat, as provided in subsections (B)(1) and (2) of this section, with the following exceptions or additional requirements:

1. A final short plat shall contain all the information required of the preliminary plat, except the following:
  - a. Show existing buildings.
  - b. Show existing utility lines and underground structures.
  - c. Show the topographical elevations; or
  - d. Contain the names and addresses of adjoining landowners.
2. The final short plat shall include the following:
  - a. Surveyor's certificate, stamp, date and signature, as follows:

The following land surveyor's certificate to be shown on each sheet of the plat: "I, \_\_\_\_\_ registered land surveyor, hereby certify the plat of \_\_\_\_\_, as shown hereon, is based upon actual field survey of the land described and that all angles, distances, and courses are correctly shown and that all non fronting lot corners are set as shown on the plat. Monuments and fronting lot corners shall be set upon completion of the utility and street improvements.

Signed \_\_\_\_\_ (Seal)"
  - b. A certification by the city treasurer, as applicable:
    - i. "I hereby certify that the land described by this plat, as of the date of this certification, is not subject to any local improvement assessments. Examined and approved, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

City of Spokane Treasurer”

- ii. “I hereby certify that the land described by this plat, as of the date of this certificate, is not subject to any delinquent local improvement assessment. Future installments, if any, shall remain due and payable and it shall be the responsibility of the owners to initiate the segregation of the LID assessment. Examined and approved, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
City of Spokane Treasurer”

- iii. “A preliminary local improvement assessment exists against this property. It shall be the responsibility of the owner’s to initiate the segregation of the LID assessment. After this assessment is finalized, it shall be due and payable. Examined and approved this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
City of Spokane Treasurer”

- c. The certification by the planning director, as follows:

“This plat has been reviewed on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ and is found to be in full compliance with all the conditions of approval stipulated in the Hearing Examiner’s/Planning Director’s approval of the preliminary plat # - -PP/SP.

\_\_\_\_\_  
City of Spokane Planning Director”

- d. The certification by the city engineer, as follows:

“Approved as to compliance with the survey data, the design of public works and provisions made for constructing the improvements and permanent control monuments this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
City of Spokane Engineer”

- e. The certification by the Spokane county treasurer, as follows:

“I hereby certify that the land described in this plat, as of the date of this certification, is not subject to any outstanding fees or assessments. Examined and approved \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Spokane County Treasurer”

- f. The certification by the Spokane county auditor on each page of the final short plat including the time, date, book and page number of the recording of the final mylar.
- g. Signature of every owner certifying that:
  - i. the plat is made with the free consent and in accordance with the desires of the owners of the land;
  - ii. the owners are the owners of the property and the only parties having interest in the land and is not encumbered by any delinquent taxes or assessments;
  - iii. the owners adopt the plan of lots, blocks and streets shown;
  - iv. owner dedicates to the City and the City's permittees the easements shown for utilities and cable television purposes;
  - v. owner dedicates to the City the streets, alleys and other public places, including slope and construction easements and waives all claims for damages against any governmental authority including, without limitation, the City which may be occasioned to the adjacent land by the establishment, construction, drainage and maintenance of any public way so dedicated; and
  - vi. owner conveys to the City as general City property the buffer strips adjoining unplatted property.
- h. The drawing shall:
  - i. be a legibly drawn, printed or reproduced permanent map;
  - ii. if more than one sheet is required, each sheet shall show sheet numbers for the total sheets;
  - iii. have margins that comply with the standards of the Spokane county auditor;
  - iv. show in dashed lines the existing plat being replatted, if applicable;
  - v. show monuments in accordance with SMC 17G.080.020(H)(1);
  - vi. include any other information required by the conditions of approval; and
  - vii. include any special statements of approval required from governmental agencies, including those pertaining to flood

hazard areas, shorelines, critical areas and connections to adjacent state highways.

H. Filing.

Once the final plat has been reviewed, approved and signed by the applicable departments, the applicant shall file the final short plat with the county auditor within ten days of approval. No permits shall be issued for a proposed lot until the required conformed copies of the short plat have been submitted to the planning services department.

I. Redivision.

No land within the boundaries of a short subdivision may be further divided in any manner which will create additional lots within a period of five years except by subdivision in accordance with SMC 17G.080.050

## EXHIBIT B



## NONPROJECT DETERMINATION OF NONSIGNIFICANCE

**FILE NO(s):** Dimensional Standards Amendment (non-project)

**PROPONENT:** City of Spokane

**DESCRIPTION OF PROPOSAL:** This proposal will amend the Spokane Municipal Code (SMC) Section 17C.250.020 to reorganize the section for improved clarity and to include an exemption for Essential Public Facilities as defined in SMC 17C.190.530.

**LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:** This proposal has a City-wide impact.

**LEAD AGENCY:** City of Spokane

### DETERMINATION:

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

- ☐ There is no comment period for this DNS.
- ☐ This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.
- ☒ This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date of issuance (below). **Comments regarding this DNS must be submitted no later than 4:00 p.m. on September 13, 2023 if they are intended to alter the DNS.**

\*\*\*\*\*

**Responsible Official:** Spencer Gardner

**Position/Title:** Director, Planning Services

**Address:** 808 W. Spokane Falls Blvd., Spokane, WA 99201

**Phone:** 509-625-6097

**Date Issued:** August 30, 2023

**Signature:** 

\*\*\*\*\*

### APPEAL OF THIS DETERMINATION

After a determination has become final, appeal may be made to:

**Responsible Official:** City of Spokane Hearing Examiner

**Address:** 808 W. Spokane Falls Blvd., Spokane, WA 99201

**Email:** [hearingexaminer@spokanecity.org](mailto:hearingexaminer@spokanecity.org)

**Phone:** 509-625-6010

**Deadline:** 21 days from the date of the signed DNS  
**12:00 p.m. on September 20, 2023**



The appeal must be on forms provided by the Responsible Official, and make specific factual objections. Appeals must be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.



# SEPA City Nonproject DNS Dimensional Standards Amendment

Final Audit Report

2023-08-16

Created:	2023-08-16
By:	Tyler Kimbrell (tkimbrell@spokanecity.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAZJOdZWxpMUsVPrXZ3o_hCQQJo1qSwKFz

## "SEPA City Nonproject DNS Dimensional Standards Amendment" History

-  Document created by Tyler Kimbrell (tkimbrell@spokanecity.org)  
2023-08-16 - 6:11:57 PM GMT
-  Document emailed to Spencer Gardner (sgardner@spokanecity.org) for signature  
2023-08-16 - 6:12:18 PM GMT
-  Email viewed by Spencer Gardner (sgardner@spokanecity.org)  
2023-08-16 - 6:21:48 PM GMT
-  Document e-signed by Spencer Gardner (sgardner@spokanecity.org)  
Signature Date: 2023-08-16 - 6:21:58 PM GMT - Time Source: server
-  Agreement completed.  
2023-08-16 - 6:21:58 PM GMT