

URBAN EXPERIENCE COMMITTEE MEETING
AGENDA FOR MONDAY January 11, 2021
1:15 p.m. — Streaming Live Online & Airing on City Cable 5

12/14/20

The Spokane City Council's Urban Experience meeting will be held at **1:15 p.m. on January 11th, 2021** – Streaming Live Online & Airing on City Cable 5. Council members and presenters will be attending virtually and the meeting will be streamed live at <https://my.spokanecity.org/citycable5/live> and will also air on City Cable 5.

The meeting will be conducted in a standing committee format. Because a quorum of the City Council may be present, the standing committee meeting will be conducted as a committee of the whole council.

The physical meeting will not be open to the public and no public testimony will be taken. Discussion will be limited to appropriate officials, presenters, and staff. The public is encouraged to tune in live at the address above.

AGENDA

- I. **Call to Order**
- II. **Approval of Minutes**
December 14th, 2020
- III. **Reports/Updates- Briefing Papers Only, No Discussion**
- IV. **Consent Agenda- Briefing Papers Only, No Discussion**
- V. **Strategic Plan Session- Urban Experience**
- VI. **Discussion Items**
 1. **Staff Requests**
 - a. [Purchase of Hydrant Truck Body](#)- Micaela Martinez (10 min)
 - b. [Code Updates Various Chapters of SMC](#)- Melissa Wittstruck (10 min)
 - c. [Receivership and the Building Official Process](#)- Jason Ruffing (10 min)
 - d. [School District Replacement Levy](#)- Brian McClatchey (15 min)
 - e. Parks Holiday Recap- Garrett Jones (10 min)
 - f. [Citizen Transportation Advisory Board Recommendations for TBD Project Funding in 2021 and 2022](#)- Shauna Harshman (10 min)
 2. **Council Requests**
- VII. **State Legislative Update** (as needed)
- VIII. **Adjournment**
Next Urban Experience Committee meeting will be on Monday, February 8, 2021.

Briefing Paper

Urban Experience Committee

Division & Department:	Finance, Fleet Services
Subject:	Purchase of Hydrant Truck Body
Date:	January 11th, 2021
Author (email & phone):	Micaela Martinez mmartinez@spokanecity.org 625-7823
City Council Sponsor:	Breean Beggs
Executive Sponsor:	Tonya Wallace
Committee(s) Impacted:	Urban Experience Committee
Type of Agenda item:	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	Strategic Plan
Strategic Initiative:	Innovative Infrastructure: Maintaining our fleet of support equipment
Deadline:	
Outcome: (deliverables, delivery duties, milestones to meet)	
<u>Background/History:</u>	
The Water Department would like to purchase a Hydrant Truck. The Body will be purchased from Freightliner Northwest, Spokane, WA, using Bid 4401-17. Total purchase price is \$149,766.64, including tax.	
<u>Executive Summary:</u>	
<u>Impact</u>	
<ul style="list-style-type: none"> The Hydrant Truck will replace a unit that has reached the end of its economic life. 	
<u>Action</u>	
<ul style="list-style-type: none"> We recommend approval for the purchase of a Hydrant Truck Body for the Water Department. 	
<u>Funding</u>	
<ul style="list-style-type: none"> Funding for this is included in the Water Department budget. 	
<u>Budget Impact:</u>	
Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If new, specify funding source:	
Other budget impacts: (revenue generating, match requirements, etc.)	
<u>Operations Impact:</u>	
Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Specify changes required:	
Known challenges/barriers:	

City Council Urban Experience Briefing Paper
Spokane Municipal Code Maintenance Project - Phase I
January 11, 2021

Division & Department:	Planning Services
Subject:	Code Maintenance - various chapters of Spokane Municipal Code
Date:	January 11, 2021
Contact (email & phone):	625-6087 mwittstruck@spokanecity.org
City Council Sponsor:	Councilmember Mumm
Executive Sponsor:	Tirrell Black
Committee(s) Impacted:	Urban Experience
Type of Agenda item:	<input type="checkbox"/> Hearing <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget , Comp Plan, Policy, Charter, Strategic Plan)	Shaping Spokane Comprehensive Plan 2017 Chapter 3 Land Use policy 7.2 calls out a continuing review process; Strategic Plan.
Strategic Initiative:	Continuous Improvement and Innovation, Sustainable City, Customer Service.
Deadline:	Project Phase I complete March 2021
Outcome: (deliverables, delivery duties, milestones to meet)	Amend Phase I of Spokane Municipal Code (SMC) for Maintenance in legislative action. Internal review completed November 2020.

Background

The 2020 Unified Development Code (UDC) Maintenance Project is a list of proposals for changes to some Titles in the Spokane Municipal Code (SMC). These are most often proposed by city staff over time. The Maintenance project purpose is to respond to needed corrections, changing conditions, and the potential for improvements for all users.

- First overall maintenance effort undertaken and adopted since 2015.
- Various SMC Titles are included, but primarily Title 17.
- Periodic maintenance of the SMC is intended to aid the public in preparing applications for development and reviews by staff relying on code citations and the enforcement of same.
- This proposal is Phase I of a multi-phase effort for overall maintenance of the SMC. This is not proposing new code but is a general housekeeping for documented issues.
- Phase I consists of minor corrections.
- Phase I proposed amendments are categorically exempt from State Environmental Policy Act (SEPA) as stated in Washington Administrative Code (WAC) Procedural Actions 197-11-800(19)(a)(b).

Categorization of proposed Maintenance Amendments

Minor: These include corrections to cross references to repealed or renumbered sections in Titles; an example is the recent repeal of sections of chapter 11.19 that remain in Title 17 SMC. In some cases, redundant phrasing, or inaccurate word choice without changing meaning or substance are also categorized as minor.

Later phases anticipated in 2021 are the next two categories, CLARIFICATION and SUBSTANTIVE.

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.

Executive Summary

This update is for Phase I of the Unified Development Code Cleanup. This code maintenance project was reviewed at the September 23 and November 11, 2020 Plan Commission workshops. A Plan Commission hearing is scheduled for January 13, 2021. The online project page can be viewed here: <https://my.spokanecity.org/projects/2020-2021-unified-development-code-maintenance/>

Budget Impact:

Approved in current year budget? Yes No N/A

Annual/Reoccurring expenditure? Yes No N/A

If new, specify funding source:

Other budget impacts: (revenue generating, match requirements, etc.)

Operations Impact:

Consistent with current operations/policy? Yes No N/A

Requires change in current operations/policy? Yes No N/A

Specify changes required: Legislative repeal action.

Known challenges/barriers: None.

Attachments:

- Code Maintenance Table of Contents and Review Guide
- Draft Ordinance

ORDINANCE NO. _____

AN ORDINANCE relating to Design Review Board, Residential Zones Primary Uses, Downtown Zones Limited Use Standards, Off-site impacts Noise, SEPA Categorical Exemptions Applicability Appendix B, Construction Standards General Provisions Notice of Hearing, Building Code Awnings, Design Review Board Procedures, Design Review Board Criteria, Administration and procedures, Planned Unit Developments, Subdivision Design Standards, and Street Development Standards, amending Spokane Municipal Code (SMC) sections 04.13.015, 17C.110.100, 17C.124.110, 17C.220.060, 17E.050.080 Appendix B, 17F.010.050, 17F.040.140, 17G.040.040(B), 17G.060.020(A)(3), 17G.060.070(B)(5)(c), 17G.070.220(A), and 17G.080.070(C)(5).

WHEREAS, the maintenance of the Unified Development Code (UDC) and in general the Spokane Municipal Code (SMC) has been a periodic, recurring project of Planning Services as well as other City departments over the course of the last two decades to maintain consistency and clarity as local policy documents needs or local, State and Federal regulations change; and

WHEREAS, Planning Services has identified Phase I of multiple sections of SMC chapters require minor corrections, elimination of redundancy, or other non-substantive action; and

WHEREAS, Shaping Spokane, the 2017 adopted City of Spokane Comprehensive Plan Chapter 3 Land Use policy 7.2 calls out a continuing review process; and

WHEREAS, the continuing need for periodic maintenance of the SMC is intended to aid the public in preparing applications for development by relying on code citations and the enforcement of same necessitates active review and corrections; and

WHEREAS, the processing of applications and enforcement activity is anticipated to be more efficient by eliminating the time spent on resubmittal after explanation of the current or correct language of SMC Titles, including Title 17, affecting the applicant, improving customer service; and

WHEREAS, amendments to Title 17 SMC do require Plan Commission review or recommendation whether the amendment affects a land use action or not; and

WHEREAS, this repeal action is categorically exempt from the State Environmental Policy Act (SEPA) RCW 43.21 as stated in Washington Administrative Code (WAC) Procedural Actions 197-11-800(19)(a)(b); and

WHEREAS, a Notice of Intent to amend and adopt SMC multiple chapter sections including 04.13.015, 17C.110.100, 17C.124.110, 17C.220.060, 17E.050.080 Appendix B, 17F.010.050, 17F.040.140, 17G.040.040(B), 17G.060.020(A)(3), 17G.060.070(B)(5)(c), 17G.070.220(A), 17G.080.070(C)(5), as part of periodic maintenance of the SMC was published in the City Gazette November 25 and December 2 2020, updated on the city online project page <https://my.spokanecity.org/projects/2020-2021-unified-development-smc-phase-i-code-clean-up-draft-plan-commission-hearing-january-13-2021> City Council Urban Experience January 11, 2021

[code-maintenance/](#), and Plan Commission hearing notices in the Spokesman-Review December 30 2020 and January 6, 2021; and

WHEREAS, the City Council adopts the recitals set forth herein as its findings and conclusions in support of its amendments to the Spokane Municipal Code as cited; --

Now, Therefore, The City of Spokane does ordain:

Section 1. That SMC section 04.13.015 (E) is amended:

04.13.015(E) Administrative Agencies and Procedures; Design Review Board Purpose.

The design review board is hereby established to:

- A. improve communication and participation among developers, neighbors, and the City early in the design and siting of new development subject to design review under the Spokane Municipal Code;
- B. ensure that projects subject to design review under the Spokane Municipal Code are consistent with adopted design guidelines and help implement the City's comprehensive plan;
- C. advocate for the aesthetic quality of Spokane's public realm;
- D. encourage design and site planning that responds to context, enhances pedestrian characteristics, considers sustainable design practices, and helps make Spokane a desirable place to live, work, and visit;
- E. provide flexibility in the application of ~~((development))~~ design standards as allowed through ~~((development))~~ design standard departures; and
- F. ensure that public facilities and projects within the City's right-of-way:
 - 1. wisely allocate the City's resources,
 - 2. serve as models of design quality.

Section 2. That SMC section 17C.110.100 (B) and (C) is amended:

17C.110.100 (B) and (C) Residential Zones; Residential Zones Primary Uses; Limited Uses (L) and Conditional Uses (CU)

A. Permitted Uses (P). Uses permitted in the residential zones are listed in [Table 17C.110-1](#) with a "P." These uses are allowed if they comply with the development standards and other standards of this chapter.

B. Limited Uses (L). Uses permitted that are subject to limitations are listed in [Table 17C.110-1](#) with an "L." These uses are allowed if they comply with the limitations as listed in the footnotes following the table and the development standards and other standards of this chapter. In addition, a use or development listed in [SMC 17C.320.080](#), ~~((Design Criteria))~~ Decision Criteria, is also subject to the standards of this chapter. The paragraphs listed below contain the limitations and correspond with the bracketed [] footnote numbers from [Table 17C.110-1](#).

C. Conditional Uses (CU). Uses that are allowed if approved through the conditional use review process are listed in [Table 17C.110-1](#) with a "CU." These uses are allowed provided they comply with the conditional use approval criteria for that use, the development standards and other standards of this chapter. Uses listed with a "CU" that also have a footnote number in the table are subject to the standards cited in the footnote. In addition,

a use or development listed in [SMC 17C.320.080](#), (~~Design Criteria~~) Decision Criteria, is also subject to the standards of this chapter. The conditional use review process and approval criteria are stated in [chapter 17C.320 SMC](#), Conditional Uses.

D. Uses Not Permitted (N). Uses listed in [Table 17C.110-1](#) with an "N" are not permitted. Existing uses in categories listed as not permitted are subject to the standards of [chapter 17C.210 SMC](#), Nonconforming Situations.

Section 3. That SMC section 17C.124.110 (A)(7)(a) is amended:

[Chapter 17C.124](#) Downtown Zones

[Section 17C.124.110](#) Limited Use Standards

The paragraphs listed below contain the limitations and correspond with the bracketed [] footnote numbers from [Table 17C.124-1](#).

1. Group Living.

This regulation applies to all parts of [Table 17C.124-1](#) that have a [1].

a. General Standards.

All group living uses except for alternative or post-incarceration facilities are allowed by right.

b. Alternative or Post Incarceration Facilities.

Group living uses which consist of alternative or post incarceration facilities are conditional uses.

2. Adult Business.

This regulation applies to all parts of [Table 17C.124-1](#) that have a [2]. Adult businesses are subject to the additional standards of [chapter 17C.305 SMC](#).

3. Commercial Parking.

This regulation applies to all parts of [Table 17C.124-1](#) that have a [3]. See [SMC 17C.230.310](#) for the parking structure design guidelines. See [SMC 17C.124.340](#), Parking and Loading, for ground level parking structure use standards.

a. New standalone surface commercial parking lots are not allowed as the primary use within the area shown on [Map 17C.124-M1](#), Surface Parking Limited Area. Within the area shown on [Map 17C.124-M1](#), standalone commercial parking as a primary use must be located entirely within a parking structure.

4. Drive-through Facility.

This regulation applies to all parts of [Table 17C.124-1](#) that have a [4]. Drive-through facilities are subject to the additional standards of [SMC 17C.124.290](#).

5. Quick Vehicle Servicing.

This regulation applies to all parts of [Table 17C.124-1](#) that have a [5]. Quick vehicle servicing uses are permitted only on sites that have frontage on a Type III or IV complete street. Quick vehicle servicing uses must be fully contained within a

structure. Quick vehicle servicing uses are subject to the additional standards of [SMC 17C.124.290](#).

6. Retail Sales and Services Uses Motorized Vehicle Limitation. This regulation applies to all parts of [Table 17C.124-1](#) that have a [6]. Sale, rental, or leasing of motor vehicles, including passenger vehicles, light and medium trucks is not allowed. Sale, rental, and leasing of motorcycles and other recreational vehicles not able to be licensed for normal on street use is allowed. For sale or leasing of motorcycles and other recreational vehicles see [SMC 17C.124.270](#), Outdoor Activities

7. Industrial Limitation.

This regulation applies to all parts of [Table 17C.124-1](#) that have a [7]. These types of uses are limited to assure that they will not dominate the downtown area and to limit their potential impacts on residential and commercial uses. In addition, if the planning director determines that the proposed use will not be able to comply with the off-site impact standards of [chapter 17C.220 SMC](#), the planning director may require documentation that the development will be modified to conform with the standards.

- a. Limited industrial uses are allowed. (~~Only limited industrial uses are allowed.~~) Industrial uses more intensive than the limited industrial definition are not allowed.
- b. Industrial buildings and industrial sites are subject to the same design standards as commercial buildings and commercial sites.

8. Mini-storage, Storage, Warehousing, Industrial and Parking Structure Limitation. This regulation applies to all parts of [Table 17C.124-1](#) that have an [8]. See [SMC 17C.124.340](#).

9. Mini-storage Facilities Limitation.

This regulation applies to all parts of [Table 17C.124-1](#) that have an [9]. Mini-storage facilities are subject to the additional standards of [chapter 17C.350 SMC](#), Mini-storage Facilities.

10. Outdoor Activity Limitation.

This regulation applies to all parts of [Table 17C.124-1](#) that have a [10]. Outdoor display, storage, or use of industrial equipment or other industrial items such as tools, equipment, vehicles, products, materials, or other objects that are part of or used for the business operation is prohibited.

11. Community Services.

This regulation applies to all parts of [Table 17C.124-1](#) that have a [11]. Most community service uses are allowed by right.

12. Wireless Communication Facilities.

See chapter 17C.355A SMC.

13. Existing Light Industrial and Self-service Storage Uses.

This regulation applies to all parts of [Table 17C.124-1](#) that have an [13]. Light

industrial and self-service storage uses in operation on the effective date of this ordinance, are considered to be a conforming use.

14. Mobile Food Vending.

This standard applies to all parts of [Table 17C.124-1](#) that have a [14]. All mobile food vendors shall have a valid mobile food vending license issued pursuant to [SMC 10.51.010](#).

Section 4. That SMC 17C.220.060 is amended:

The City noise standards are stated in ((~~SMC 10.08.020~~)) [SMC 10.08D](#), Public Disturbance Noise. In addition, the department of ecology has standards that apply to environments within which maximum permissible noise levels are established.

Section 5. That SMC section 17E.050.080 Appendix B is amended:

[Chapter 17E.050](#) SEPA

Article III. Categorical Exemptions and Threshold Determinations

[Section 17E.050.080](#) Categorical Exemptions – Applicability

A. If a proposal fits within any of the provisions in [SMC 17E.050.230](#) (Part Nine) and [17E.050.070](#), the proposal shall be categorically exempt from the threshold determination requirements (WAC 197-11-720), except when the proposal is a segment of a proposal that includes:

1. a series of actions, physically or functionally related to each other, some of which are categorically exempt and some of which are not; or

2. a series of exempt actions that are physically or functionally related to each other, and that together may have a probable significant adverse environmental impact in the judgment of an agency with jurisdiction. If so, that agency shall be the lead agency unless the agencies with jurisdiction agree that another agency should be the lead agency. Agencies may petition the department of ecology to resolve disputes (WAC 197-11-946).

For such proposals, the agency or applicant may proceed with the exempt aspects of the proposals, prior to conducting environmental review, provided the requirements of WAC 197-11-070 are met. See [Appendix B](#) for an informational matrix of exempt and nonexempt activities.

B. The lead agency is not required to document that a proposal is categorically exempt. The lead agency may note on an application that a proposal is categorically exempt or place such a determination in the agency's files.

APPENDIX "B"

SMC 17E.050.080
SMC 17E.050.230
(ORD C33583)

SEPA EXEMPTION LEVELS MATRIX (INFORMATIONAL ONLY)

The following matrix serves for informational purposes only and should not be interpreted as law. Departments may administratively update this matrix for their own information. See Washington Administrative Code (WAC) chapter 197-11, and the provisions set forth in this ordinance for specific SEPA exemption rules and regulations.

ACTIVITY	EXEMPT	NON-EXEMPT
Rezone		X
((Special Permit Use Permit)) <u>Conditional Use Permit</u> When Project Meets Flexible Thresholds	X	
Variances (Not including change in use or density)	X	
Short Plats or Short Subdivisions	X ¹	
Short Plat Within Land Previously Platted		X
License for Discharge to Water		X
Activities Critical Areas		X ²
Annexation Into A City	X	
License for Discharge to Air		X
< 20 Dwelling Units	X	
Agricultural Buildings <20,000 Square Foot	X	
Office, School, Commercial, Recreational, Service, Storage Buildings < 12,000 Square Feet And Up to 40 Parking Spaces	X	
Parking Lots < 40 Parking Spaces	X	
Landfills And Excavations < 500 Cubic Yards	X	

ACTIVITY	EXEMPT	NON-EXEMPT
Transit Stops	X	
Signs And Signals	X	
Minor Road Repair Including Pedestrian and Bike Facilities	X	
Additions To Building Below the Flexible Thresholds	X	
Building Demolition Below Flexible Thresholds	X	
Demolition of Buildings of Historic Significance		X
Underground Tanks < 10,000 gallons	X	
Vacation of Streets And Roads	X	
Hydrological Measuring Devises	X	
Survey and Boundary Markers	X	
Repair, Remodeling, Maintenance or Existing Structures	X ¹	
Minor Repair or Replacement of Structures	X ¹	
Dredging		X
Reconstruction/Maintenance Shoreline Protection Measures		X
Replacement of Utilities/ Utility Lines	X ³	
Repair/Rebuilding Dams, Dikes or Reservoirs		X
Water Rights and Structures For <50 c/f/s of Surface Water for Irrigation	X	
Water Rights and Structures For 1 c/f/s or 2,250 g/p/m or Ground Water	X	
Sale, Transfer, Exchange or Lease of Land	X	

ACTIVITY	EXEMPT	NON-EXEMPT
Closure of Schools (Plan)	X	
Open Burning	X	
Variances Under the Clean Air Act	X	
Issuance, Renewal, Revision of Air Operating Permit	X	
Water Quality Certifications	X	
Activities of Fire and Law Enforcement Exempt Construction	X	
Proposal Or Adoption of Rules, Regulations, Resolutions Ordinance or Plan Relating To Procedures and Contains No Standards	X	
Adoption of State Building Codes	X	
Adoption of Noise Ordinances	X	
Installation, Construction, Relocation Of Utilities Except The Following: 1. Communication Towers or Relay Stations 2. Stormwater, Water and Sewer with lines > 8 inches 3. Electrical Facilities and Lines > 55,000 Volts	X ¹	
Grants Of Franchise By Agencies To Utilities	X	
Class I, II, III Forest Practice Permits/Regulations	X	
Recreational Sites Development <12 Campsites	X	
Watershed Restoration Projects Pursuant To a Restoration Plan	X	
Microcell Attached To Structure– No Residence or School On-site	X	

ACTIVITY	EXEMPT	NON-EXEMPT
Personal Wireless Service Antennas Attached To Structure– No Residence or School On-site And in a Commercial, Industrial, Forest or Agricultural Zone.	X	
Personal Wireless Service Tower <60 Feet In a Commercial, Industrial, Forest or Agricultural Zone.	X	

¹Applies to land not covered by water.

²Under section 197-11-305 WAC, each County/City may adopt provisions to exclude exemptions listed in 197-11-800 for those sites listed in Critical Areas.

³Some utility replacements are non exempt. See WAC for specifics (i.e. replacement of transmission line for natural gas is not exempt).

Section 6. That SMC section 17F.010.050(A)(1) is amended:

Section 17F.010.050 Notice of Hearing

A. Existing Building and Conservation Code.

1. ((Pursuant to ~~chapter 11.11 SMC, notice of hearing,~~) Notice of hearing by the building official is given by ((~~the department of neighborhood services and code enforcement~~) the Developer Services Center in the complaint which is:
 - a. served personally or by certified mail with return receipt, or if the whereabouts of a person to be served cannot be ascertained, by publication once a week for two consecutive weeks in a legal newspaper, upon all persons having a record interest in the subject property; and
 - b. posted on the subject property; and
 - c. filed in the manner of a lis pendens in the office of the Spokane County auditor.
2. Personal service, service by certified mail and filing in the auditor’s office are between ten and thirty days before the hearing. Posting and first publication are between fifteen and thirty days before the hearing.
3. Notice of the public hearing of the hearing examiner on an appeal from the order of the building official is given by the office of the hearing examiner by personally serving on, or mailing to, the appellant and all persons having a record interest who have not disclaimed all interest, notice at least ten days prior to the hearing.

B. Effect of Notice.

The notice provisions of this chapter are not jurisdictional or exclusive. The failure of any person to receive notice under this section does not affect the validity of any hearing under this chapter. This section is subject to any specific notice provisions of state and federal law. This section does not prevent any City agency from adopting further provisions for notice by rule or preclude other methods of notice.

Section 7. That SMC section 17F.040.140(A) is amended:

Section 17F.040.140 Awnings

In addition to the requirements of IBC Section 3105, these provisions apply:

~~A. ((A fixed awning not more than ten feet in length may be erected over a doorway to the building.))~~

A. An awning which defines an entrance to a nonresidential use and which provides shelter between a passenger loading point and the entrance may be installed in accordance with the standards of this section so long as any portion of the awning that does not project at least forty-two inches over the pedestrian way is confined along the facade to a width not to exceed the width of the doorway plus six feet on both sides.

B. Projection.

Awnings may extend over public property (whether the building is conforming or nonconforming) but no portion shall extend nearer than two feet to the face of the nearest curb line measured horizontally.

C. An awning which projects more than eighteen inches into the public right-of-way must provide a minimum forty-two-inch coverage over any sidewalk adjacent to the property.

D. Clearance.

All portions of any awning shall be at least eight but not more than twelve feet above any public walkway.

EXCEPTION: Any valance attached to an awning shall not project above the roof of the awning at the point of attachment and shall not extend more than twelve inches below the roof of the awning at the point of attachment, but in no case shall any portion of a valance be less than seven feet in height above a public way.

E. Signs.

If an awning also carries advertising copy, the copy is regulated as a sign, but the awning is not thereby exempted from the provisions of this chapter as provided in Section 3107.

Section 8. That SMC section 17G.040.040(B) is amended:

Design Review Criteria.

The board shall base its review, report, and/or recommendation on the following criteria:

A. The requirements, guidelines, and applicable provisions of [Title 17 SMC](#) that apply to the property in question including all additional zoning regulations which may apply to the use or to its area by provision for overlay district, or made

applicable by any conditional use or variance approval.

- B. ~~((A summary of the design guidelines adopted by the City is found in the))~~ The Design Review Application Handbook, outlining the design review process, with application forms and submission checklists, is on file in the planning department.

Section 9. That SMC section 17G.060.020(A)(3) is amended:

Section 17G.060.020 Administration

A. Responsibility for the administration, application and interpretation of these procedures pursuant to this ordinance is as is set forth below:

1. The director of building services or his designee is responsible for [chapter 17E.050 SMC](#), Division F; [chapter 17G.010 SMC](#), Division I; and the development codes.
2. The director of engineering services or his designee is responsible for [chapter 17D.020 SMC](#), [chapter 17D.070 SMC](#), [chapter 17E.010 SMC](#), [chapter 17E.050 SMC](#), [chapter 17G.080 SMC](#), Division H and the development codes.
3. The director of planning services or his designee is responsible for SMC ~~((Division B, Division C,))~~ Title 17B and Title 17C and ~~(([chapter 11.15 SMC](#), [chapter 11.17 SMC](#), [chapter 11.19 SMC](#),))~~ [chapter 17D.010 SMC](#), [chapter 17D.060 SMC](#), [chapter 17D.080 SMC](#), [chapter 17D.090 SMC](#), [chapter 17E.020 SMC](#), [chapter 17E.030 SMC](#), [chapter 17E.040 SMC](#), [chapter 17E.050 SMC](#), [chapter 17E.060 SMC](#), [chapter 17E.070 SMC](#), [chapter 17G.020 SMC](#), [chapter 17G.030 SMC](#), [chapter 17G.040 SMC](#), [chapter 17G.060 SMC](#), [chapter 17G.070 SMC](#) and [chapter 17G.080 SMC](#)

B. The procedures for requesting interpretations of the land use codes and development codes shall be made by the department and may be contained under the specific codes.

Section 10. That SMC section 17G.060.070(B)(5)(c) is amended:

Section 17G.060.070 Application Requirements

- A. Application requirements for Type I, II, and III project permit applications shall contain the following:
1. Predevelopment meeting summary as provided in [SMC 17G.060.050\(B\)](#), if required in [Table 17G.060-3](#).
 2. Application documents provided by the department specifically including:
 - a. General application;
 - b. Supplemental application;

- c. Environmental checklist, if required under [chapter 17E.050 SMC](#);
- d. Filing fees as required under [chapter 8.02 SMC](#);
- e. A site plan drawn to scale showing:
 - i. property dimensions;
 - ii. location and dimensions of all existing and proposed physical improvements;
 - iii. location and type of landscaping;
 - iv. walkways and pedestrian areas;
 - v. off-street parking areas and access drives;
 - vi. refuse facilities; and
 - vii. significant natural features, such as slopes, trees, rock outcrops including critical areas.
- f. Required number of documents, plans, or maps (as set forth in the application checklist);
- g. Written narrative identifying consistency with the applicable policies, regulations, and criteria for approval of the permit requested;
- h. Other plans, such as building elevations, landscaping plans, or sign plans, which are determined by the permitting department to be necessary to support the application; and
- i. Additional application information may be requested by the permitting department and may include, but is not limited to, the following:
 - i. geotechnical studies,
 - ii. hydrologic studies,
 - iii. critical area studies,
 - iv. noise studies,
 - v. air quality studies,

- vi. visual analysis, and
- vii. transportation impact studies.

3. A certificate of appropriateness if required by chapter 17D.100 SMC.

B. The following Type II and III applications shall meet the requirements in this subsection in addition to the provisions of subsection (A) of this section:

1. Shoreline – Substantial Development Permit, Conditional Use Permit and Variance.

- a. Name, address, and phone number of the applicant. The applicant should be the owner of the property or the primary proponent of the project and not the representative of the owner or primary proponent.
- b. Name, address, and phone number of the applicant's representative if other than the applicant.
- c. Name, address, and phone number of the property owner, if other than the applicant.
- d. Location of the property. This shall, at a minimum, include the property address and identification of the section, township and range to the nearest quarter, quarter section or latitude and longitude to the nearest minute.
- e. Identification of the name of the shoreline (water body) with which the site of the proposal is associated.
- f. General description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project.
- g. General description of the property as it now exists, including its physical characteristics and improvements and structures.
- h. General description of the vicinity of the proposed project, including identification of the adjacent uses, structures and improvements, intensity of development and physical characteristics.
- i. A site development plan consisting of maps and elevation drawings, drawn to an appropriate scale to depict clearly all required information, photographs and text which shall include:

- i. the boundary of the parcels(s) of land upon which the development is proposed;
- ii. the ordinary high-water mark of all water bodies located adjacent to or within the boundary of the project. This may be an approximate location, provided that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high-water mark, the mark shall be located precisely and the biological and hydrological basis for the location as indicated on the plans shall be included in the development plan. Where the ordinary high-water mark is neither adjacent to or within the boundary of the project, the plan shall indicate the distance and direction to the nearest ordinary high-water mark of a shoreline;
- iii. existing and proposed land contours. The contours shall be at intervals sufficient to accurately determine the existing character of the property and the extent of proposed change to the land that is necessary for the development. Areas within the boundary that will not be altered by the development may be indicated as such and contours approximated for that area;
- iv. a delineation of all wetland areas that will be altered or used as a part of the development;
- v. the dimensions and locations of all existing and proposed structures and improvements, including but not limited to: buildings, paved or graveled areas, roads, utilities, material stockpiles or surcharge, and stormwater management facilities;
- vi. an inventory of the existing vegetation on the proposed project site, including the location, type, size, and condition, pursuant to [SMC 17E.060.240](#), Shoreline Vegetation Inventory;
- vii. a landscape plan prepared and stamped by a licensed landscape architect, registered in the state of Washington;
- viii. where applicable, plans for development of areas on or off the site as mitigation for impacts associated with the proposed project shall be included;
- ix. quality, source and composition of any fill material that is placed on the site, whether temporary or permanent;

- x. quantity, composition and destination of any excavated or dredged material;
- xi. vicinity map showing the relationship of the property and proposed development or use to roads, utilities, existing developments, and uses on adjacent properties;
- xii. where applicable, a depiction of the impacts to views from existing residential uses;
- xiii. on all variance applications, the plans shall clearly indicate where development could occur without the approval of a variance, the physical features and circumstances of the property that provide a basis for the request, and the location of adjacent structures and uses.

2. Certificate of Compliance.

- a. Site plan is to be prepared by a licensed surveyor; and
- b. Copies of building permits or other data necessary to demonstrate the building was erected in good faith and all reasonable efforts comply with the code.

3. Plans-in-lieu of Compliance.

- a. Alternative development plan designed in conformance with the applicable development regulations; and
- b. A written narrative of how the proposed development plan is superior, or more innovative, or provides greater public benefit.

4. Preliminary Plat, Short Plat, and Binding Site Plan.

As provided in [chapter 17G.080 SMC](#).

5. PUD.

- a. Profiles of any structures more than one story, shown in relation to finished grade.
- b. Location, dimension, and boundary of proposed open space.
- c. Site plan demonstrating compliance with ~~((chapter 11.19 SMC))~~ chapter 17C.110 and chapter 17G.070 including signs, off-street parking, structure height, building coverage, yards, density, screening, buffering, and lighting.

6. Skywalk.

- a. A legal description of airspace to be occupied.
- b. Architectural and engineering plans.
- c. Artist's rendering of the proposed skywalk; and
- d. Written narrative of the access for the public from the street, other buildings, and other skywalks.

7. Floodplain – Floodplain Development Permit and Variance.

As provided in [chapter 17E.030 SMC](#).

Section 11. That SMC section 17G.070.220 is amended:

[Section 17G.070.220](#) Vesting

A. Applicability.

A planned unit development shall be reviewed under this chapter, the zoning, development and other land use control ordinances contained in (~~((Title 14 SMC and))~~ [Title 17 SMC](#) of the Spokane Municipal Code, and any uncodified ordinances modifying the same, in effect on the date a concept plan application has been deemed fully complete by the City. For the purposes of this section, a vested concept plan application shall mean that the applicant is entitled to implement the planned unit development or any portion of it described in the application under the zoning, development and land use ordinances applied by the City in its review of the planned unit development application.

B. Subsequent Regulations.

An applicant may have the option of subjecting its development to any subsequently enacted land use ordinances. However, should an applicant choose to subject its development to a subsequently enacted land use ordinance, this shall have the effect of subjecting the development to all land use ordinances enacted after the application is vested. In order for the director to grant such a request, the applicant must demonstrate how later enacted ordinance(s) will benefit both the project and the City while maintaining consistency with the comprehensive plan and will not be significantly detrimental to the health, safety, or general welfare of the City. The director shall review and either approve the request or determine if a new application must be submitted.

Section 12. That SMC section 17G.080.070(C)(5) is amended:

[Section 17G.080.070](#) Subdivision Design Standards

A. Street Design and Improvements.

1. Street design is governed by the comprehensive plan, city design standards, [chapter 17H.010 SMC](#) and [chapter 17E.030 SMC](#). Streets within and along a subdivision are to be designed in light of topography and existing and planned street patterns.
2. Except in unusual cases a plat must dedicate a full width street.
3. Entry gates are prohibited on public streets.
4. The following statement shall appear in the dedication of the final plat, final short plat or final binding site plan:
 - a. "All street identification and traffic control signs required by this project will be the responsibility of the developer."

B. Easements.

1. Where alleys are not provided, easements for public utilities shall be provided adjacent to any right-of-way. Such easements shall be the minimum necessary to provide public utilities. Insofar as possible, the easements shall be continuous and aligned from block to block within the subdivision and with adjoining subdivisions.
2. Easements for sewers, drainage, water main, electric lines or other public use utilities shall be dedicated whenever necessary. The size and location of the easement dedication shall be reviewed and approved by the appropriate utility provider.
3. Adequate provisions for public access to publicly owned parks, conservation areas or open space land shall be provided when a subdivision, short plat or binding site plan is adjacent to such lands.
4. The following statements are required to appear in the dedication of the final plat, final short plat and final binding site plan:
 - a. "Slope easements for cut and fill, as deemed necessary by the Engineering Services – Developer Services Department in accordance with the City's Design Standards, are hereby granted to the City of Spokane for the construction and maintenance of public streets adjoining this plat."
 - b. "A ___ foot easement for utilities, including cable television, is hereby granted along all street frontages to the City and its permittees."

- c. "Utility easements shown hereon the described plat are hereby dedicated to the City and its permittees for the construction, reconstruction, maintenance and operation of utilities and cable television, together with the right to inspect said utilities and to trim and/or remove brush and trees which may interfere with the construction, maintenance and operation of same."

C. Design of Lots and Blocks.

1. The length, width and shape of blocks shall be designed with due regard to providing adequate building sites for the use contemplated; consideration of the needs for convenient access, circulation, control, safety of the street traffic, provision for utilities and recognition of limitations and opportunities of topography.
2. 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 may be comprised of two closed polygons separated by the adjoining alley.
3. Blocks shall ordinarily be sufficient to allow for two tiers of lots of depths sufficient to meet the underlying zone. Double-frontage lots should be avoided.
4. All plat lots shall begin with lot one block one and shall be numbered consecutively by lots and blocks, provided that for plats sequenced by phasing, and which adjoin a previously recorded phase of the approved preliminary plat, lots may continue with lot one and the next consecutively sequenced block number. Lots from one plat shall not cross plat boundaries into another plat.
5. Lot widths, lot areas and frontage upon a public street (or private street within a PUD or binding site plan) shall conform to the underlying zone. For PUDs the hearing examiner may adjust the standards of the underlying zone subject to the provisions of ((~~SMC 11.19.366~~)) SMC 17G.070 and for binding site plans the director may adjust the standards of the underlying zone subject to provision of SMC 17G.060.170(D)(4). Corner lots shall be designed to ensure setbacks are met from both streets. Lots shall be as nearly rectangular as possible with side lot lines approximately at right angles or radial to street lines.
6. Lots shall not be divided by the boundary of any zoning designation or public right-of-way.

7. Where a lot is plotted into one acre or more in size, the director may require an arrangement of the lot such as to permit a subsequent redivision in conformity with plans adopted by the City.

D. Stormwater Improvements.

Stormwater facilities design and improvements shall be in accordance with [chapter 17D.060 SMC](#) and other applicable design standards. The following statements shall appear in the dedication of the final plat, final short plat or final binding site plan:

1. “Development of the subject property, including grading and filling, are required to follow an erosion/sediment control plan that has been submitted to and accepted by Engineering Services – Developer Services prior to the issuance of any building and/or grading permits.”
2. “All stormwater and surface drainage generated on-site must be disposed on-site in accordance with [chapter 17D.060 SMC](#), Stormwater Facilities, and City Design Standards, and as per the Project Engineer’s recommendations, based on the drainage plan accepted for the final plat.”
3. “No building permit shall be issued for any lot in this subdivision/PUD until evidence satisfactory to the Director of Engineering Services has been provided showing that the recommendations of [chapter 17D.060 SMC](#), Stormwater Facilities, and the Project Engineer’s recommendations, based on the drainage plan accepted for the final subdivision/PUD, have been complied with.”

E. Sewer Improvements.

Sewer design and improvements shall be in accordance with [chapter 13.03 SMC](#) and the city’s design standards. The following statements shall appear in the dedication of the final plat, final short plat or final binding site plan:

1. “Prior to the issuance of any building permits, the lots shall be connected to a functioning public or private sanitary sewer system complying with the requirements of the Engineering Services Department.”

F. Water and Utility Improvements.

Water and city utility design and improvements shall be in accordance with [chapter 13.04 SMC](#) and the city’s design standards. The following statements shall appear in the dedication of the final plat, final short plat or final binding site plan.

1. "Only City water and sanitary sewer systems shall serve the plat; the use of individual on-site sanitary waste disposal systems and private wells is prohibited."
2. "All required improvements serving the plat, including streets, sanitary sewer, stormwater and water, shall be designed and constructed at the developer's expense. The improvements must be constructed to City Standards by the developer prior to the occupancy of any structures within the development."
3. "Prior to the issuance of any building permits, the lots shall be connected to a functioning public or private water system complying with the requirements of the Engineering Services Department and having adequate pressure for domestic and fire uses, as determined by the Water and Hydroelectric Services Department.
4. "Prior to the issuance of any building permits, the lots shall be served by fire hydrants and shall have appropriate access to streets as determined by the requirements of the City Fire Department and the Engineering Services Department.
5. "Water mains and fire hydrants must be installed at the developer's expense, in locations approved by the City Fire Department and in accordance with applicable State and Federal provisions.
6. "All private improvements constructed within the boundaries of a PUD are required to be maintained by a homeowner's association or comparable entity established for this PUD." (applies to PUDs).

PASSED by the City Council on _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

Unified Development Code (SMC) Maintenance Project 2020
PHASE I - Review Guide
December 29, 2020

Introduction

The attached document represents a list of proposed amendments to the Spokane Municipal Code collected by City staff since 2015 and now proposed for amendments. SMC Maintenance will be phased; this is Phase I. To help understand the types of changes that are recommended, proposed maintenance amendments have historically been categorized under three types.

The three types are:

Minor: These include changes such as corrections to cross references to a repealed section of SMC. For example, repealed sections of chapter 11.19 found in Title 17. Other types of changes include striking redundant phrasing, obsolete code due to state changes, or providing more accurate process description without changing meaning or substance.

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 of the UDC Title 17 Maintenance Project consists of **Minor** changes and is scheduled for Plan Commission Hearing January 13, 2021, after previous review in September and November 2020.

Table of Contents

Phase I Code Maintenance - sections of code proposed for minor amendments

1. SMC 04.13.015(E) Administrative Agencies and Procedures; Design Review Board
2. SMC 17C.110.100(B) & (C) Residential Zones; Residential Zones Primary Uses; Limited Uses (L) and Conditional Uses (CU)
3. SMC 17C.124.110 (A)(7)(a) Downtown Zones; Limited Use Standards; Industrial Limitation
4. SMC 17C.220.060 Land Use Standards; Off-site Impacts; Noise
5. SMC 17E.050.080 SEPA; Article III Categorical Exemptions & Threshold Determinations; Categorical Exemptions-Applicability; Appendix B C33583

6. SMC 17F.010.050(A)(1) Notice of Hearing
7. SMC 17F.040.140(A) Awnings
8. SMC 17G.040.040(B) Administration and Procedures; Design Review Board
Administration and Procedures; Design Review Criteria
9. SMC 17G.060.020(A)(3) Administration and Procedures; Land Use Application
Procedures; Director of Planning Services
10. SMC 17G.060.070(B)(5)(c) Administration and Procedures; Land Use Applications;
Application Requirements; PUD
11. SMC 17G.070.220(A) Planned Unit Developments; Vesting
12. SMC 17G.080.070(C)(5) Administration and Procedures; Subdivisions; Subdivision
Design Standards; Design of Lots & Blocks

04.13.015 (E) Administrative Agencies and Procedures; Design Review Board
Strikethrough “development and amend with “design” in both locations in this clause (E).
[Section 04.13.015](#) Design Review Board

Purpose.

The design review board is hereby established to:

- A. improve communication and participation among developers, neighbors, and the City early in the design and siting of new development subject to design review under the Spokane Municipal Code;
 - B. ensure that projects subject to design review under the Spokane Municipal Code are consistent with adopted design guidelines and help implement the City’s comprehensive plan;
 - C. advocate for the aesthetic quality of Spokane’s public realm;
 - D. encourage design and site planning that responds to context, enhances pedestrian characteristics, considers sustainable design practices, and helps make Spokane a desirable place to live, work, and visit;
 - E. provide flexibility in the application of ((development)) **design standards as allowed through ((development)) design** standard departures; and
 - F. ensure that public facilities and projects within the City’s right-of-way:
 1. wisely allocate the City’s resources,
 2. serve as models of design quality.
- Type of code amendment: **Minor**

17C.110.100 (B) and (C) Residential Zones; Residential Zones Primary Uses; Limited Uses (L) and Conditional Uses (CU)

Amend “Design Criteria” to “Decision Criteria”

Section 17C.110.100 Residential Zone Primary Uses

A. Permitted Uses (P). Uses permitted in the residential zones are listed in [Table 17C.110-1](#) with a "P." These uses are allowed if they comply with the development standards and other standards of this chapter.

B. Limited Uses (L). Uses permitted that are subject to limitations are listed in [Table 17C.110-1](#) with an "L." These uses are allowed if they comply with the limitations as listed in the footnotes following the table and the development standards and other standards of this chapter. In addition, a use or development listed in [SMC 17C.320.080](#), (~~Design Criteria~~) Decision Criteria, is also subject to the standards of this chapter. The paragraphs listed below contain the limitations and correspond with the bracketed [] footnote numbers from [Table 17C.110-1](#).

C. Conditional Uses (CU). Uses that are allowed if approved through the conditional use review process are listed in [Table 17C.110-1](#) with a "CU." These uses are allowed provided they comply with the conditional use approval criteria for that use, the development standards and other standards of this chapter. Uses listed with a "CU" that also have a footnote number in the table are subject to the standards cited in the footnote. In addition, a use or development listed in [SMC 17C.320.080](#), (~~Design Criteria~~) Decision Criteria, is also subject to the standards of this chapter. The conditional use review process and approval criteria are stated in [chapter 17C.320 SMC](#), Conditional Uses

Discussion: Consistency: Chapter 17C.320 Conditional Uses, Section 17C.320.080 is titled “Decision Criteria”

- Type of code amendment: **Minor**

17C.124.110 (A) (7) (a) Downtown Zones; Limited Use Standards; Industrial Limitation
Strike one of the redundant phrases “Limited industrial uses are allowed.” “Only limited industrial uses are allowed.”

7. Industrial Limitation.

This regulation applies to all parts of [Table 17C.124-1](#) that have a [7]. These types of uses are limited to assure that they will not dominate the downtown area and to limit their potential impacts on residential and commercial uses. In addition, if the planning director determines that the proposed use will not be able to comply with the off-site impact standards of [chapter 17C.220 SMC](#), the planning director may require documentation that the development will be modified to conform with the standards.

- a. Limited industrial uses are allowed. (~~Only limited industrial uses are allowed.~~) Industrial uses more intensive than the limited industrial definition are not allowed.
- Type of code amendment: **Minor**

17C.220.060 Land Use Standards; Off-site Impacts; Noise

Amend cross reference from SMC 10.08.020 Public Disturbance Noise (repealed) to SMC 10.08D.090, Public Disturbance Noise.

The City noise standards are stated in ((SMC 10.08.020)) SMC 10.08D, Public Disturbance Noise. In addition, the department of Ecology has standards that apply to environments within which maximum permissible noise levels are established.

- Type of code amendment: **Minor**

17E.050.080 SEPA; Article III Categorical Exemptions & Threshold Determinations; Categorical Exemptions-Applicability; Appendix B C33583

Replace the term “special use permit” with conditional use permit terminology in Appendix B.

APPENDIX "B"

SMC 17E.050.080
SMC 17E.050.230
(ORD C33583)

SEPA EXEMPTION LEVELS MATRIX (INFORMATIONAL ONLY)

The following matrix serves for informational purposes only and should be interpreted as law. Departments may administratively update this matrix for information. See Washington Administrative Code (WAC) chapter 197-11, sections 197-11-010 through 197-11-020 for specific SEPA exemption rules and regulations set forth in this ordinance for specific SEPA exemption rules and regulations.

ACTIVITY	EXEMPT	NON-EXEMPT
Rezone		X
Special Permit Use Permit When Project Meets Flexible Thresholds	X	

Discussion: Amend to conditional use code terminology/citation for consistency. This can be done administratively per the matrix heading paragraph.

Type of code amendment: **Minor**

17F.010.050 (A) (1) Notice of Hearing

Strikethrough cross reference to SMC section 11.11 and department of neighborhood services and code enforcement (repealed). Amend department title to current Developer Services Center.

Section 17F.010.050 Notice of Hearing

A. Existing Building and Conservation Code.

1. ((Pursuant to chapter 11.11 SMC, notice of hearing,)) Notice of hearing by the building official is given by ((the department of neighborhood services and code enforcement)) the Developer Services Center in the complaint which is:
 - a. served personally or by certified mail with return receipt, or if the whereabouts of a person to be served cannot be ascertained, by publication once a week for two consecutive weeks in a legal newspaper, upon all persons having a record interest in the subject property; and
 - b. posted on the subject property; and
 - c. filed in the manner of a lis pendens in the office of the Spokane County auditor.

2. Personal service, service by certified mail and filing in the auditor's office are between ten and thirty days before the hearing. Posting and first publication are between fifteen and thirty days before the hearing.
3. Notice of the public hearing of the hearing examiner on an appeal from the order of the building official is given by the office of the hearing examiner by personally serving on, or mailing to, the appellant and all persons having a record interest who have not disclaimed all interest, notice at least ten days prior to the hearing.

B. Effect of Notice.

The notice provisions of this chapter are not jurisdictional or exclusive. The failure of any person to receive notice under this section does not affect the validity of any hearing under this chapter. This section is subject to any specific notice provisions of state and federal law. This section does not prevent any City agency from adopting further provisions for notice by rule or preclude other methods of notice.

- Type of code amendment: **Minor**

17F.040.140 (A) Awnings

Delete 17F.040.140(A). IBC removed fixed awnings over a doorway to the building.

[Chapter 17F.040 Building Code](#)

[Section 17F.040.140 Awnings](#)

In addition to the requirements of IBC Section 3105, these provisions apply:

- A. ~~((A fixed awning not more than ten feet in length may be erected over a doorway to the building.))~~

Discussion: This clause is obsolete due to updates in the IBC. The rest of this section remains intact and is supported by the reference to the IBC.

- Type of code amendment: **Minor**

17G.040.040 (B) Administration and Procedures; Design Review Board Administration and Procedures; Design Review Criteria

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

[Section 17G.040.040 Design Review Criteria](#)

Design Review Criteria.

The board shall base its review, report, and/or recommendation on the following criteria:

- A. The requirements, guidelines, and applicable provisions of [Title 17 SMC](#) that apply to the property in question including all additional zoning regulations which may apply to the use or to its area by provision for overlay district, or made applicable by any conditional use or variance approval.
- B. ~~((A summary of the design guidelines adopted by the City is found in the))~~ [The Design Review Application Handbook, outlining the design review process, with application forms and submission checklists, is](#) on file in the planning department.
- C. [Design guidelines adopted by the City are on file in the planning department.](#)

- Type of code amendment: **Minor**

17G.060.020 (A) (3) Administration and Procedures; Land Use Application Procedures; Director of Planning Services

Strikethrough Division B, Division C. Amend to Title 17B, Title 17C. Strikethrough cross-reference to chapter 11.15 SMC, chapter 11.17 SMC, chapter 11.19 SMC (repealed).

Section 17G.060.020 Administration

A. Responsibility for the administration, application and interpretation of these procedures pursuant to this ordinance is as is set forth below:

1. The director of building services or his designee is responsible for [chapter 17E.050 SMC](#), Division F; [chapter 17G.010 SMC](#), Division I; and the development codes.
2. The director of engineering services or his designee is responsible for [chapter 17D.020 SMC](#), [chapter 17D.070 SMC](#), [chapter 17E.010 SMC](#), [chapter 17E.050 SMC](#), [chapter 17G.080 SMC](#), Division H and the development codes.
3. The director of planning services or his designee is responsible for SMC (([Division B, Division C,](#)) [Title 17B and Title 17C](#) and ((~~[chapter 11.15 SMC, chapter 11.17 SMC, chapter 11.19 SMC,](#)~~) [chapter 17D.010 SMC](#), [chapter 17D.060 SMC](#), [chapter 17D.080 SMC](#), [chapter 17D.090 SMC](#), [chapter 17E.020 SMC](#), [chapter 17E.030 SMC](#), [chapter 17E.040 SMC](#), [chapter 17E.050 SMC](#), [chapter 17E.060 SMC](#), [chapter 17E.070 SMC](#), [chapter 17G.020 SMC](#), [chapter 17G.030 SMC](#), [chapter 17G.040 SMC](#), [chapter 17G.060 SMC](#), [chapter 17G.070 SMC](#) and [chapter 17G.080 SMC](#)

- Type of code amendment: **Minor**

17G.060.070(B)(5)(c) Administration and Procedures; Land Use Applications; Application Requirements; PUD

Strikethrough cross-reference to chapter 11.19 (repealed) Amend with cross-reference to chapter 17C.110 and 17G.070.

5. PUD.
 - a. Profiles of any structures more than one story, shown in relation to finished grade.
 - b. Location, dimension, and boundary of proposed open space.
 - c. Site plan demonstrating compliance with ((~~[chapter 11.19 SMC](#)~~) [chapter 17C.110 and chapter 17G.070](#) including signs, off-street parking, structure height, building coverage, yards, density, screening, buffering, and lighting.

- Type of code amendment: **Minor**

17G.070.220 (A) Administration and Procedures; Planned Unit Developments; Vesting

Strikethrough "Title 11 SMC and" (repealed)

[Chapter 17G.070](#) Planned Unit Developments

[Section 17G.070.220](#) Vesting

A. Applicability.

A planned unit development shall be reviewed under this chapter, the zoning,

development and other land use control ordinances contained in (~~Title 11 SMC and~~) [Title 17 SMC](#) of the Spokane Municipal Code, and any uncodified ordinances modifying the same, in effect on the date a concept plan application has been deemed fully complete by the City. For the purposes of this section, a vested concept plan application shall mean that the applicant is entitled to implement the planned unit development or any portion of it described in the application under the zoning, development and land use ordinances applied by the City in its review of the planned unit development application.

- Type of code amendment: **Minor**

17G.080.070 (C) (5) Administration and Procedures; Subdivisions; Subdivision Design Standards; Design of Lots & Blocks

Strikethrough SMC 11.19.366; amend with insertion of SMC 17G.070.

[Chapter 17G.080](#) Subdivisions

[Section 17G.080.070](#) Subdivision Design Standards

C. Design of Lots and Blocks.

1. The length, width and shape of blocks shall be designed with due regard to providing adequate building sites for the use contemplated; consideration of the needs for convenient access, circulation, control, safety of the street traffic, provision for utilities and recognition of limitations and opportunities of topography.
2. 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 may be comprised of two closed polygons separated by the adjoining alley.
3. Blocks shall ordinarily be sufficient to allow for two tiers of lots of depths sufficient to meet the underlying zone. Double-frontage lots should be avoided.
4. All plat lots shall begin with lot one block one and shall be numbered consecutively by lots and blocks, provided that for plats sequenced by phasing, and which adjoin a previously recorded phase of the approved preliminary plat, lots may continue with lot one and the next consecutively sequenced block number. Lots from one plat shall not cross plat boundaries into another plat.
5. Lot widths, lot areas and frontage upon a public street (or private street within a PUD or binding site plan) shall conform to the underlying zone. For PUDs the hearing examiner may adjust the standards of the underlying zone subject to the provisions of (~~SMC 11.19.366~~) ([SMC 17G.070](#)) and for binding site plans the director may adjust the standards of the underlying zone subject to provision of [SMC 17G.060.170\(D\)\(4\)](#). Corner lots shall be designed to ensure setbacks are met from both streets. Lots shall be as nearly rectangular as possible with side lot lines approximately at right angles or radial to street lines.
6. Lots shall not be divided by the boundary of any zoning designation or public right-of-way.

7. Where a lot is platted into one acre or more in size, the director may require an arrangement of the lot such as to permit a subsequent redivision in conformity with plans adopted by the City.
- Type of code amendment: **Minor**

Briefing Paper

Urban Experience Committee

Division & Department:	Neighborhood and Business Services, Code Enforcement
Subject:	Receivership and the Building Official Process
Date:	January 14, 2020
Author (email & phone):	Jason Ruffing, Enforcement Supervisor, jruffing@spokanecity.org , 509.625.6529
City Council Sponsor:	Councilmember Betsy Wilkerson
Executive Sponsor:	Kris Becker
Committee(s) Impacted:	Urban Experience, Safe and Healthy
Type of Agenda item:	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	Aligned with Strategic Plan focuses of Available Housing, increasing housing quality and diversity. Also aligned with expressed intent of Chapter 17F of the Spokane Municipal Code, SMC 17F.070.010 D states it is further the policy of the City to put vacant buildings to use, especially residences, by encouraging the rehabilitation of usable structures and to demolish those that are beyond repair so that new development can occur.
Strategic Initiative:	Urban Experience, Safe and Healthy
Deadline:	Timeline: 1/13/20-Urban Experience briefing, 2/12/20-introductory Plan Commission workshop briefing, 3/11/20-formal Plan Commission workshop, Spring-Fall 2020-project delayed due to other work priorities related to the City's COVID-19 response, 11/11/20-additional formal Plan Commission workshop due to delay, 12/9/20-Plan Commission hearing resulting in formal recommendation, 1/14/20- Urban Experience briefing, beginning City Council adoption process.
Outcome: (deliverables, delivery duties, milestones to meet)	Code text amendments for two sections in Chapter 17F of the Spokane Municipal Code to provide language that formalizes the receivership process as an option to be utilized as an alternative to demolitions of substandard, abandoned, unfit, and nuisance properties through the Building Official Process.
Background/History: <i>The Building Official process is an administrative hearing process aimed at resolving substandard, abandoned, unfit, or nuisance properties in the City of Spokane. The Building Official, acting in a quasi-judicial role, is authorized by State Law and the Spokane Municipal Code to issue orders and take actions to resolve substandard conditions. Historically, the process has provided extended timeframes for compliance due to the limited actions for resolution. If an owner fails to cure the violations, the Building Official's options are fairly limited. The most common city action that resolves a substandard building is demolition. This action, while effective and often necessary, is cost and labor intensive. Demolition removes a potentially salvageable dwelling, replacing it with a vacant lot encumbered with liens. The Building Official Process is an effective method of Code Enforcement and due process for resolving symptoms of substandard buildings and abandoned properties. However, this process could have a greater impact on these properties with the ability to direct properties towards a receivership process. With the assistance of the Legal Department, the Building Official and Code Enforcement staff could petition the courts for a receiver to be appointed upon failure to comply with the Building Official's orders within a specified time. Code text amendments would be necessary to formalize receivership as an option for the Building Official process. More specifically, changes are needed to reference receivership as an alternative to demolition in Spokane Municipal Code sections 17F.070.470 and 17F.070.490. The Legal Department has assisted Code</i>	

Enforcement staff with preparing drafts of the relevant code text amendments and staff plans to propose these amendments in 2020.

Executive Summary:

- Code text amendments being proposed for Spokane Municipal Code sections 17F.070.470 and 17F.070.490
- These changes are needed to reference receivership as an alternative to demolition
- Receivership is already in use and has proven to be a successful method of bringing about ownership changes to properties that are abandoned, or substandard to the extent that they create a public safety hazard.
- City Legal, the Civil Enforcement Unit, and Code Enforcement already are in the practice of collaborating on these types of properties and referring cases for the receivership process.
- These code amendments will bolster this collaboration and improve the Superior Court process.
- Recent receivership success stories such as the Grove Community structures in West Central are great examples of the intent of these amendments. This cooperation has been successful in avoiding demolition, thus decreasing the amount of public dollars that are spent on demolitions.
- Following outreach and public engagement efforts, including multiple workshops before the Plan Commission, staff presented the proposal at a hearing before the Plan Commission on December 9, 2020. The hearing resulted in a motion to recommend approval of the code text amendments as proposed and the motion was supported unanimously.

Budget Impact:

Approved in current year budget? Yes No
Annual/Reoccurring expenditure? Yes No

If new, specify funding source:

Other budget impacts: (revenue generating, match requirements, etc.) Potentially less budget expenditure on demolitions.

Operations Impact:

Consistent with current operations/policy? Yes No
Requires change in current operations/policy? Yes No

Specify changes required:

Known challenges/barriers:

Title 17F Construction Standards

Chapter 17F.070 Existing Building and Conservation Code

Section 17F.070.470 Compliance with Order

- A. The order under this chapter specifies the action to be taken by the owner and establishes a time or timeframe for compliance.
- B. So long as a building is boarded up, or unfit, substandard, or abandoned and subject to the building official hearing process, the owner must pay an annual fee as provided in [SMC 8.02.067](#). This fee is lienable under [SMC 17F.070.500](#). Otherwise, the owner must cause the building to be occupied in compliance with all applicable code requirements. However, it is the intent of this chapter that boarding a dangerous building is a temporary solution to imminent danger and a building may not remain boarded up longer than two years unless an extension of time is part of a plan approved by the building official or hearing examiner detailing the future rehabilitation, sale, demolition, or other disposition of the building.
 1. A property remaining boarded up longer than two years may be subject to demolition by order of the building official.
 2. The building official shall order the owner of any premises upon which is located any structure, which in the building official's judgment is so dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary, or otherwise unfit for human habitation or occupancy, and that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure. (2006 International Property Maintenance Code section 110.1).
 3. When the building is of sufficient value to be repairable, the building official may recommend action by the City to obtain the property through eminent domain, pursuant to the provisions of the chapter 35.80A Revised Code of Washington.

4. As an alternative to demolition, when appropriate, the building official may issue an order to refer substandard, abandoned, unfit, or nuisance properties to Superior Court in pursuit of a receivership order.
- C. The owner of a substandard building must repair and rehabilitate it so as to bring it into compliance with the standards of this chapter, at a minimum, or into compliance with the new work and replacement requirements of the building and associated codes provided in [chapters 17F.030 through 17F.060 SMC](#) and [chapters 17F.080 through 17F.100 SMC](#) if applicable by their terms. When warranted by the nature and extent of the repairs and the type of occupancy, the order may require the building to be vacated and secured during rehabilitation.
- D. The owner of an unfit building must cause it to be vacated, secured against entry, demolished, and the land filled and cleared. When warranted by the location of the building and the nature of the defects the order may allow demolition to be delayed upon such conditions, such as clearing and securing, as will safeguard health and safety.
- E. Should the owner of an unfit building propose a written undertaking, acceptable to the building official or the hearing examiner, giving assurance and security that the building can be safely rehabilitated in a reasonable time, then the order can direct rehabilitation according to the undertaking, in lieu of demolition. Upon the owner's failure to accomplish his undertaking, the building official or hearing examiner may summarily order demolition or receivership, or when the building is of sufficient value to be repairable, the building official may recommend action by the City to obtain the property through eminent domain, pursuant to the provisions of chapter 35.80A Revised Code of Washington.
- F. An order respecting a building under this chapter may require the owner to take specified action in regard to the surrounding ground whereby nuisance, such as dry vegetation or other combustible accumulations, or toxic, septic, or unsafe substances, is abated.

Date Passed: Monday, March 15, 2010

Effective Date: Wednesday, April 21, 2010

ORD C34577 Section 3

Title 17F Construction Standards

Chapter 17F.070 Existing Building and Conservation Code

Section 17F.070.490 Enforcement

- A. Whenever an owner has failed to complete the action required by an order under this chapter:
1. the building official or the hearing examiner may extend the time for completion, imposing such conditions as may seem warranted, if the owner has made substantial progress; or
 2. the director causes the ordered action to be done, by competitive bid contract whenever feasible, or by negotiated contract, or by city forces when circumstances do not allow time for bidding.
- B. All work of rehabilitation and demolition done pursuant to an order made under this chapter is subject to all applicable laws respecting permits, contractor registration and certification of workers, except work done by city forces under emergency circumstances.
- C. Invitations to bid on a demolition contract shall provide that salvage be awarded to the contractor as a credit against the contract price. A bid based on an estimate of the value of salvage may not be changed to reflect actual salvage value. The director may invite and receive bids before the time for compliance by the owner has expired.
- D. As an alternative to demolition, when appropriate, the building official may issue an order to refer substandard, abandoned, unfit, or nuisance properties to Superior Court in pursuit of a receivership order.

Date Passed: Monday, February 28, 2005

Effective Date: Saturday, April 2, 2005

ORD C33594 Section 6

Receivership and the Building Official Process

The Building Official process is an administrative hearing process aimed at resolving substandard, abandoned, unfit, or nuisance properties in the City of Spokane. The Building Official, acting in a quasi-judicial role, is authorized by State Law and the Spokane Municipal Code to issue orders and take actions to resolve substandard conditions. Historically, the process has provided extended timeframes for compliance due to the limited actions for resolution. If an owner fails to cure the violations, the Building Official's options are fairly limited. The most common city action that resolves a substandard building is demolition. This action, while effective and often necessary, is cost and labor intensive. Demolition removes a potentially salvageable dwelling, replacing it with a vacant lot encumbered with liens.

Multiple departments within the City are impacted by abandoned and nuisance properties. Code Enforcement and the Spokane Police Department, in particular, spend extensive amounts of staff time attempting to resolve symptoms of these types of properties. These two departments collaborate on numerous approaches aimed at resolving complex issues that have broad impacts across multiple departments, including substandard buildings and abandoned properties. One particularly successful program has been the receivership program, implemented and managed by the Civil Enforcement Unit of the Spokane Police Department. With the assistance of the Legal Department, the Civil Enforcement Unit is able to petition the courts to appoint a receiver to facilitate the resolution of nuisance conditions when the ownership proves to be absentee or otherwise unable to manage the property in compliance with state and local law. The receiver is a third party agent of the property that is appointed by the court in successful cases. Many receivership cases have used Code Enforcement data and case information as evidence of abandonment and documentation of nuisance conditions. Numerous properties that have been in the Building Official process have ultimately gone through the receivership process as well, finally bringing about resolution to substandard and nuisance conditions, while avoiding demolition and costly liens. One missing piece in this partnership is explicit municipal code language that provides the Building Official with the option of directing a property towards receivership instead of ordering a demolition. As opposed to demolition, receivership addresses the root cause of the nuisance property, rather than just extending the cycle of symptom mitigation.

In conclusion, the Building Official Process is an effective method of Code Enforcement and due process for resolving symptoms of substandard buildings and abandoned properties. However, this process could have a greater impact on these properties with the ability to direct properties towards a receivership process. With the assistance of the Legal Department, the Building Official and Code Enforcement staff could petition the courts for a receiver to be appointed upon failure to comply with the Building Official's orders within a specified time. Code text amendments would be necessary to formalize receivership as an option for the Building Official process. More specifically, changes are needed to reference receivership as an alternative to demolition in Spokane Municipal Code sections 17F.070.470 and 17F.070.490. The Legal Department has assisted Code Enforcement staff with preparing drafts of the relevant code text amendments and staff plans to propose these amendments in 2020.

RESOLUTION NO. 2021- _____

A resolution expressing the City's support for Ballot Proposition No. 1 entitled "Replacement of Expiring Educational Programs and Operation Levy," submitted by Spokane School District 81 for the February 9, 2021 special election regarding propositions for school levy.

WHEREAS, Spokane Public Schools adopted Resolution No. 2020-22 (Nov. 18, 2020), a copy of which is attached to this resolution, providing for a ballot proposition to be placed on the February 9, 2020 special election ballot which will be asking the community for support on a levy; and

WHEREAS, the Spokane Public Schools levy is a renewal, not a new tax, and replaces the 2018 levy at a lower local tax rate; and

WHEREAS, the Spokane Public Schools levy will cover the years 2022, 2023, and 2024; and

WHEREAS, the Spokane Public Schools levy helps pay for elementary school counselors, librarians, textbooks, instructional materials, special education teachers, support staff, and extra-curricular activities; and

WHEREAS, the Spokane Public Schools levy will benefit all schools and all City Council districts throughout the City of Spokane; and

WHEREAS, Spokane's have historically strongly supported investment in our schools; and

WHEREAS, the City of Spokane remains committed to the proud tradition of providing quality education for our children.

NOW, THEREFORE, BE IT RESOLVED that the City of Spokane strongly supports the passage of Proposition No.1 titled "Replacement of Expiring Educational Programs and Operation Levy" which will appear on the February 9, 2021 ballot, and encourages voters to return their ballots by February 9, 2021.

ADOPTED BY THE CITY COUNCIL ON _____.

City Clerk

Approved as to form:

Assistant City Attorney

DRAFT

SPOKANE SCHOOL DISTRICT NO. 81
SPOKANE COUNTY, WASHINGTON
(SPOKANE PUBLIC SCHOOLS)

REPLACEMENT OF EXPIRING EDUCATIONAL PROGRAMS AND
OPERATION LEVY

RESOLUTION NO. 2020-22

A RESOLUTION of the Board of Directors of Spokane School District No. 81, Spokane County, Washington, providing for the submission to the voters of the District at a special election to be held on February 9, 2021, of a proposition authorizing an excess tax levy to be made annually for three years commencing in 2021 for collection in 2022 of \$65,700,000, in 2022 for collection in 2023 of \$73,800,000, and in 2023 for collection in 2024 of \$82,100,000, for the District's General Fund to pay educational programs and operation expenses; designating the District's Chief Finance and Business Services Officer and special counsel to receive notice of the ballot title from the Auditor of Spokane County, Washington; and providing for other matters properly related thereto.

ADOPTED: NOVEMBER 18, 2020

This document prepared by:

*FOSTER GARVEY P.C.
618 West Riverside Avenue, Suite 300
Spokane, Washington 99201
(509) 777-1602*

SPOKANE SCHOOL DISTRICT NO. 81
SPOKANE COUNTY, WASHINGTON
(SPOKANE PUBLIC SCHOOLS)

RESOLUTION NO. 2020-22

A RESOLUTION of the Board of Directors of Spokane School District No. 81, Spokane County, Washington, providing for the submission to the voters of the District at a special election to be held on February 9, 2021, of a proposition authorizing an excess tax levy to be made annually for three years commencing in 2021 for collection in 2022 of \$65,700,000, in 2022 for collection in 2023 of \$73,800,000, and in 2023 for collection in 2024 of \$82,100,000, for the District's General Fund to pay educational programs and operation expenses; designating the District's Chief Finance and Business Services Officer and special counsel to receive notice of the ballot title from the Auditor of Spokane County, Washington; and providing for other matters properly related thereto.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF SPOKANE SCHOOL DISTRICT NO. 81, SPOKANE COUNTY, WASHINGTON, as follows:

Section 1. Findings and Determinations. The Board of Directors (the "Board") of Spokane School District No. 81, Spokane County, Washington (the "District"), takes note of the following facts and makes the following findings and determinations:

(a) Calendar year 2021 is the last year of collection of the District's current three-year General Fund educational programs and operation tax levy, which was authorized pursuant to Resolution No. 2017-20, adopted by the Board on November 15, 2017, and approved by the voters at a special election held and conducted within the District on February 13, 2018.

(b) With the expiration of the District's current three-year General Fund educational programs and operation tax levy, it appears certain that the money in the District's General Fund for the school years 2021-2022, 2022-2023, 2023-2024 and 2024-2025 will be insufficient to permit the District to meet the educational needs of its students and pay expenses of educational programs and operation support not funded by the State of Washington (the "State"), all as more particularly set forth in Section 3 of this resolution, during such school years, and that it is necessary that a replacement excess tax levy of \$65,700,000 be made in 2021 for collection in 2022, \$73,800,000 be made in 2022 for collection in 2023, and \$82,100,000 be made in 2023 for collection in 2024 for the District's General Fund to provide the money required to meet those expenses.

(c) The District's proposed three-year General Fund educational programs and operation tax levy authorized in this resolution provides for approximately the same educational programs and operation purposes as the District's expiring three-year General Fund educational programs and operation tax levy.

(d) Pursuant to Article VII, Section 2(a) of the Washington Constitution and Revised Code of Washington ("RCW") 84.52.053, the District may submit to its voters at a special election,

for their approval or rejection, a proposition authorizing the District to levy annual excess property taxes for support of the District's educational programs and operation expenses.

(e) Prior to the time the ballot proposition authorized in this resolution is submitted to the voters, the District will have received approval of its educational programs and operation tax levy expenditure plan from the Office of the Superintendent of Public Instruction under RCW 28A.505.240 as required by RCW 84.52.053(4), a copy of which will be on file with the District after approval.

Section 2. Calling of Election. The Auditor of Spokane County, Washington, as *ex officio* Supervisor of Elections (the "Auditor"), is requested to call and conduct a special election in the manner provided by law to be held in the District on February 9, 2021, for the purpose of submitting to the District's voters, for their approval or rejection, the proposition authorizing a replacement General Fund educational programs and operation tax levy on all of the taxable property within the District (the assessed value of such representing 100% of true and fair value unless specifically provided otherwise by law) to be made annually for three years commencing in 2021 for collection in 2022 of \$65,700,000, the estimated dollar rate of tax levy required to produce such an amount being \$2.40 per \$1,000 of assessed value, in 2022 for collection in 2023 of \$73,800,000, the estimated dollar rate of tax levy required to produce such an amount being \$2.45 per \$1,000 of assessed value, and in 2023 for collection in 2024 of \$82,100,000, the estimated dollar rate of tax levy required to produce such an amount being \$2.50 per \$1,000 of assessed value, all in excess of the maximum tax levy specified by law for school districts without voter approval. The exact tax levy rate and amount to be collected may be adjusted based upon the actual assessed value of the taxable property within the District and the limitations imposed by law at the time of the tax levy.

Section 3. Use of Taxes. If the proposition authorized by this resolution is approved by the requisite number of voters, the District will be authorized to levy the excess property taxes up to the amounts provided in this resolution to meet the educational needs of its students and pay expenses of educational programs and operation support not funded by the State, including, but not limited to, class size, advanced courses, special education, nurses, counselors, technology support, safety staff, music, athletics, and extracurricular activities, during the school years 2021-2022, 2022-2023, 2023-2024 and 2024-2025, all as may be authorized by law and determined necessary by the Board. Pending the receipt of those taxes, the District may issue short-term obligations pursuant to chapter 39.50 RCW or contract indebtedness pursuant to RCW 28A.530.080. Upon receipt, the District may use those taxes to repay such short-term obligations or indebtedness, all as may be authorized by law and determined necessary and advisable by the Board.

[Remainder of page intentionally left blank]

Section 4. Form of Ballot Title. Pursuant to RCW 29A.36.071, the Spokane County Prosecuting Attorney is requested to prepare the concise description of the aforesaid proposition for the ballot title in substantially the following form:

PROPOSITION 1

SPOKANE SCHOOL DISTRICT NO. 81
(SPOKANE PUBLIC SCHOOLS)

REPLACEMENT OF EXPIRING EDUCATIONAL PROGRAMS AND
OPERATION LEVY

The Board of Directors of Spokane School District No. 81 adopted Resolution No. 2020-22, concerning a proposition to fund educational programs and operation expenses. This proposition would authorize the District to levy the following excess taxes, replacing an expiring levy, on all taxable property within the District, for educational programs and operation expenses not funded by the State (including class size, advanced courses, special education, nurses, counselors, technology support, safety staff, music, athletics, and extracurricular activities):

<u>Collection Year</u>	<u>Estimated Levy Rate/\$1,000</u>	<u>Assessed Value</u>	<u>Levy Amount</u>
2022	\$2.40		\$65,700,000
2023	\$2.45		\$73,800,000
2024	\$2.50		\$82,100,000

all as provided in Resolution No. 2020-22. Should this proposition be approved?

LEVY . . . YES

LEVY . . . NO

Section 5. Authorization to Deliver Resolution to Auditor and Perform Other Necessary Duties. The Secretary to the Board (the "Secretary") or the Secretary's designee is directed to: (a) present a certified copy of this resolution to the Auditor no later than December 11, 2020; and (b) perform such other duties as are necessary or required by law to submit to the District's voters at the aforesaid special election, for their approval or rejection, the proposition authorizing the District to levy excess property taxes for support of the District's educational programs and operation expenses.

Section 6. Notices Relating to Ballot Title. For purposes of receiving notice of the exact language of the ballot title required by RCW 29A.36.080, the Board hereby designates (a) the District's Chief Finance and Business Services Officer (Cindy Coleman), telephone: 509.354.7318; email: cindyco@spokaneschools.org; and (b) special counsel, Foster Garvey P.C. (Jim McNeill), telephone: 509.777.1602; email: jim.mcneill@foster.com as the individuals to whom the Auditor shall provide such notice. The Secretary is authorized to approve changes to the ballot title, if any, determined necessary by the Auditor or the Spokane County Prosecuting Attorney.

Section 7. General Authorization and Ratification. The Secretary, the District's Associate Superintendent, Capital Projects and Facility Services, the District's Chief Finance and Business Services Officer, the President of the Board, other appropriate officers of the District and special counsel, Foster Garvey P.C., are severally authorized and directed to take such actions and to execute such documents as in their judgment may be necessary or desirable to effectuate the provisions of this resolution. All actions taken prior to the effective date of this resolution in furtherance of and not inconsistent with the provisions of this resolution are ratified and confirmed in all respects.

Section 8. Severability. If any provision of this resolution is declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be separable from the remaining provisions of this resolution and shall in no way affect the validity of the other provisions of this resolution, or of the levy or collection of excess property taxes authorized herein.

Section 9. Effective Date. This resolution takes effect from and after its adoption.


ADOPTED by the Board of Directors of Spokane School District No. 81, Spokane County, Washington, at a regular open public meeting held this 18th day of November, 2020.

SPOKANE SCHOOL DISTRICT NO. 81
SPOKANE COUNTY, WASHINGTON



JERRALL J. HAYNES
President of the Board of Directors

ATTEST:



DR. ADAM M. SWINYARD
Secretary to the Board of Directors

CERTIFICATION

I, DR. ADAM M. SWINYARD, Secretary to the Board of Directors of Spokane School District No. 81, Spokane County, Washington (the "District"), hereby certify as follows:


1. The foregoing Resolution No. 2020-22 (the "Resolution") is a full, true and correct copy of the Resolution duly adopted at a regular meeting of the Board of Directors of the District (the "Board") held on November 18, 2020 (the "Meeting"), as that Resolution appears on the minute book of the District, and the Resolution is now in full force and effect;

2. Pursuant to various proclamations and orders issued by the Governor of the State of Washington, (a) the Meeting was not conducted in person and (b) options were provided for the public to attend the Meeting remotely, including by telephonic access and, as available, internet access, which options provided the ability for all persons attending the Meeting remotely to hear each other at the same time; and

3. The Meeting was duly convened and held in all respects in accordance with law, the public was notified of the access options for remote attendance, a quorum was present throughout the meeting through telephonic and/or internet means of remote access, and a sufficient number of members of the Board so present voted in the proper manner for the adoption of the Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of November, 2020.

SPOKANE SCHOOL DISTRICT NO. 81
SPOKANE COUNTY, WASHINGTON



DR. ADAM M. SWINYARD
Secretary to the Board of Directors

Briefing Paper

Urban Experience Committee

Division & Department:	City Council
Subject:	Citizen Transportation Advisory Board recommendations for TBD project funding in 2021 and 2022
Date:	December 29, 2020
Author (email & phone):	Shauna Harshman (sharshman@spokanecity.org) 828-0185
City Council Sponsor:	Council President Breean Beggs
Executive Sponsor:	N/A
Committee(s) Impacted:	PIES
Type of Agenda item:	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	The Transportation Benefit District (TBD) created by Ordinance C34648, codified in Chapter 8.16 of the Spokane Municipal Code.
Strategic Initiative:	Urban Experience
Deadline:	Will file for Council consideration following committee briefing
Outcome: (deliverables, delivery duties, milestones to meet)	Resolution to approve TBD project funding for 2021 and 2022
Background/History:	
<p>The Transportation Benefit District (TBD), created in 2010 established a \$20 annual vehicle fee to help pay for the preservation and maintenance of the City’s existing transportation improvements, facilities, and programs set forth in the Six-Year Pavement Maintenance Program of the City’s Comprehensive Street Program. Spokane’s TBD also allocates a small portion of revenue generated, a minimum of ten percent, to implement the pedestrian program of the City’s comprehensive Street Program, the Pedestrian Master Plan.</p> <p>The Citizen’s Transportation Advisory Board (CTAB) was created in 2010 by Ordinance C-34648 to review and make recommendations for projects under consideration for TBD funding. Each year the CTAB reviews and brings forward a two-year Residential Street Maintenance Plan to better maintain the city’s street system for all users.</p>	
Executive Summary:	
<ul style="list-style-type: none"> • <i>Post I-976 budget overview for 2021 to 2023</i> • <i>Paving of Unpaved Roadway Program</i> • <i>Sidewalk Infill Program</i> • <i>New Residential Sidewalk Maintenance Program</i> • <i>CTAB recommendation for TBD Board approval of the 2021 and 2022 Residential Street Maintenance Plan</i> 	
Budget Impact:	
Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Annual/Reoccurring expenditure? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impact:	
Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Specify changes required: Known challenges/barriers: None	

CTAB Recommendation for TBD Board Approval of the 2021 & 2022 Residential Street Maintenance Plan

Draft 12/23/20



2021 Residential Project List

Reviewed and Approved at 12/16/20 CTAB Meeting

Proposed NorthEast Project List - District 1					Funding	
Project Name	Work Type	Project Cost	Matrix	Source	2021	
Pittsburg - Wellesley to Francis	Chip	\$281,300	4.5	TBD	\$281,300	
* Wedgewood/Wiscomb/Weile	Grind	\$533,128	7.3	TBD	\$533,128	
Standard/Hill N Dale	Grind	\$517,420	6.9	TBD	\$517,420	
*Project has some prep work already performed					Total Cost =	\$1,331,848

Proposed South Project List - District 2					Funding	
Project Name	Work Type	Project Cost	Matrix	Source	2021	
Woodland from F to Rosamand Et Al	Chip	\$318,653	6.3	TBD	\$318,653	
Howard from 7th to 5th	Grind	\$160,583	11.4	TBD	\$160,583	
Manito Bl - 33rd to 29th	Grind	\$241,991	10.2	TBD	\$241,991	
* Manito - 22nd to Manito Pl	Grind	\$79,267	10.1	TBD	\$79,267	
31st - Bernard to Division	Grind	\$182,450	9.9	TBD	\$182,450	
6th Av - Wall to Washington	Grind	\$166,870	9.7	TBD	\$166,870	
26th Av - Bernard to Tekoa	Grind	\$267,776	9.4	TBD	\$267,776	
*Project has some prep work already performed					Total Cost =	\$1,417,590

Proposed NorthWest Project List = District 3					Funding	
Project Name	Work Type	Project Cost	Matrix	Source	2021	
Woodside from Indian Trail to Lindeke Et Al	Chip	\$631,693	4.8	TBD	\$631,693	
Sutherland - Rowan to Bismark	Grind	\$167,143	8.4	TBD	\$167,143	
Dell Dr - Woodside to Five Mile	Grind	\$301,432	8.3	TBD	\$301,432	
* Pacific Park/Pamela	Grind	\$507,398	6.9	TBD	\$507,398	
*Project has some prep work already performed					Total Cost =	\$1,607,666

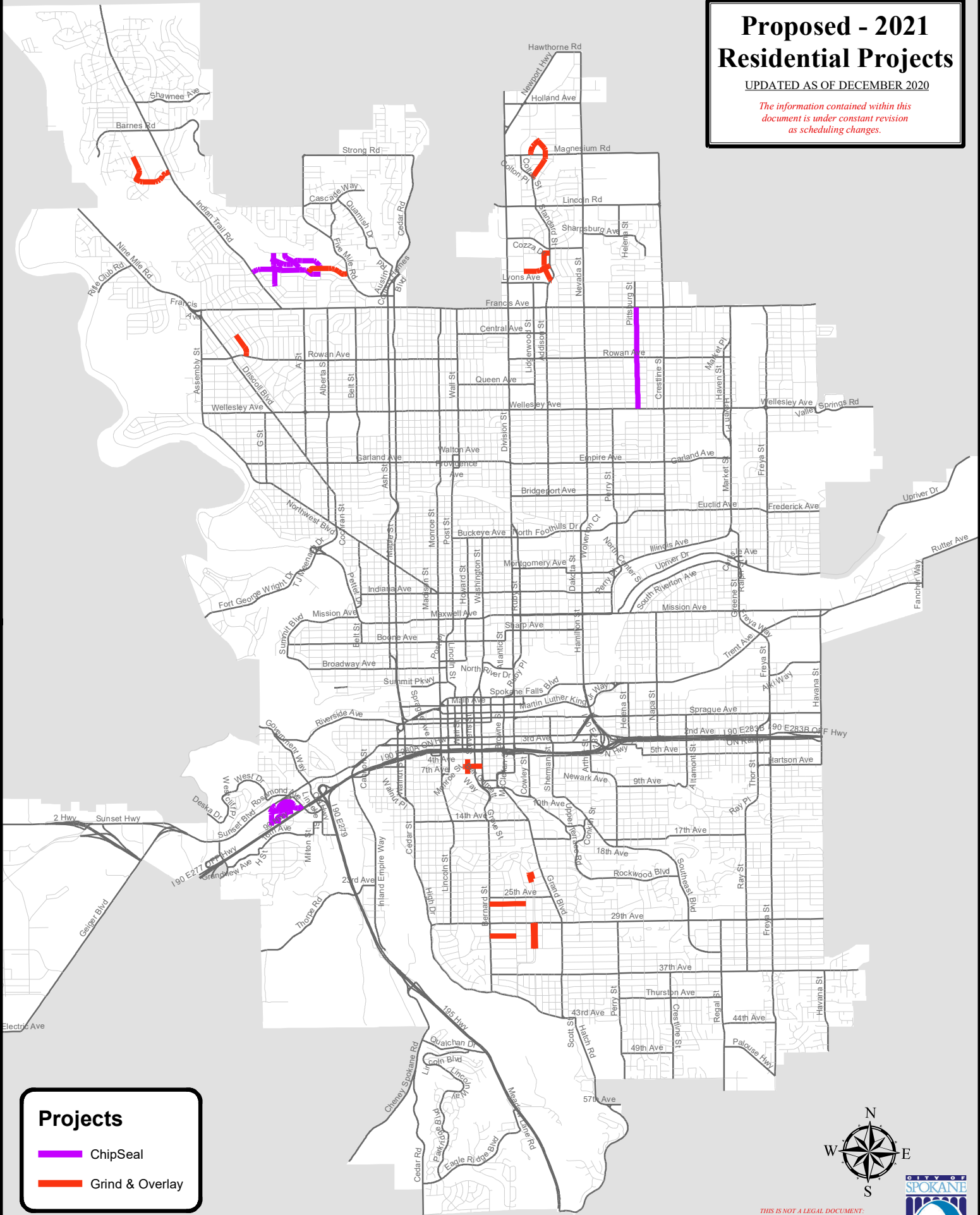
Work Type	Funding Source	2021
Total Residential Chip Seal & Grind Projects		\$4,357,104
Residential Crack Seal - Misc Areas	Crack	\$400,000
Micro Overlay Pilot Program	Micro Overlay	\$200,000
Infill Sidewalk Program	Sidewalk	\$490,000
Pave Unpaved Roadway Program	Unpaved	\$700,000
Cook Street Traffic Calming Project	Calming	\$800,000
Total Program Cost		\$6,947,104
TBD Funds	TBD	\$6,000,000
Street Maintenance	StMt	\$2,000,000
Rollover from last year		\$0
TOTAL Funds Available		\$8,000,000
Rollover to next year		\$1,052,896

TBD Total: \$5,047,104
StMt Total: \$1,900,000

Proposed - 2021 Residential Projects

UPDATED AS OF DECEMBER 2020

The information contained within this document is under constant revision as scheduling changes.



Projects

- █ ChipSeal
- █ Grind & Overlay



THIS IS NOT A LEGAL DOCUMENT. The information shown on this map is compiled from various sources and is subject to constant revision. Information shown on this map should not be used to determine the location of facilities in relationship to property lines, section lines, streets, etc.

2022 Residential Project List

Reviewed and Approved at 12/16/20 CTAB Meeting

Proposed NorthEast Project List - District 1					Funding	
Project Name	Work Type	Project Cost	Matrix	Source	2022	
Napa St from Empire to Rich Et Al	Chip	\$404,273	4.5	StMt	\$404,273	
Glass/Courtland/Morton Et Al	Grind	\$478,880	6.2	StMt	\$478,880	
Augusta - Ruby to Astor	Grind	\$371,733	8.7	StMt	\$371,733	
Sinto - Hamilton to Superior	Grind	\$145,778	8.6	StMt	\$145,778	
Sanson - Addison to Cincinnati	Grind	\$180,127	8.4	TBD	\$180,127	
Total Cost =					\$1,580,791	

Proposed South Project List - District 2					Funding	
Project Name	Work Type	Project Cost	Matrix	Source	2022	
42nd Et Al	Chip	\$619,582	5.4	TBD	\$619,582	
* Cedar St - 4th to Sprague	Grind	\$533,437	9.2	TBD	\$533,437	
Adams - 14th to 6th	Grind	\$461,487	10.6	TBD	\$461,487	
Total Cost =					\$1,614,506	

Proposed NorthWest Project List = District 3					Funding	
Project Name	Work Type	Project Cost	Matrix	Source	2022	
* Bismark Et Al	Grind	\$778,499	7.7	TBD	\$778,499	
Total Cost =					\$778,499	

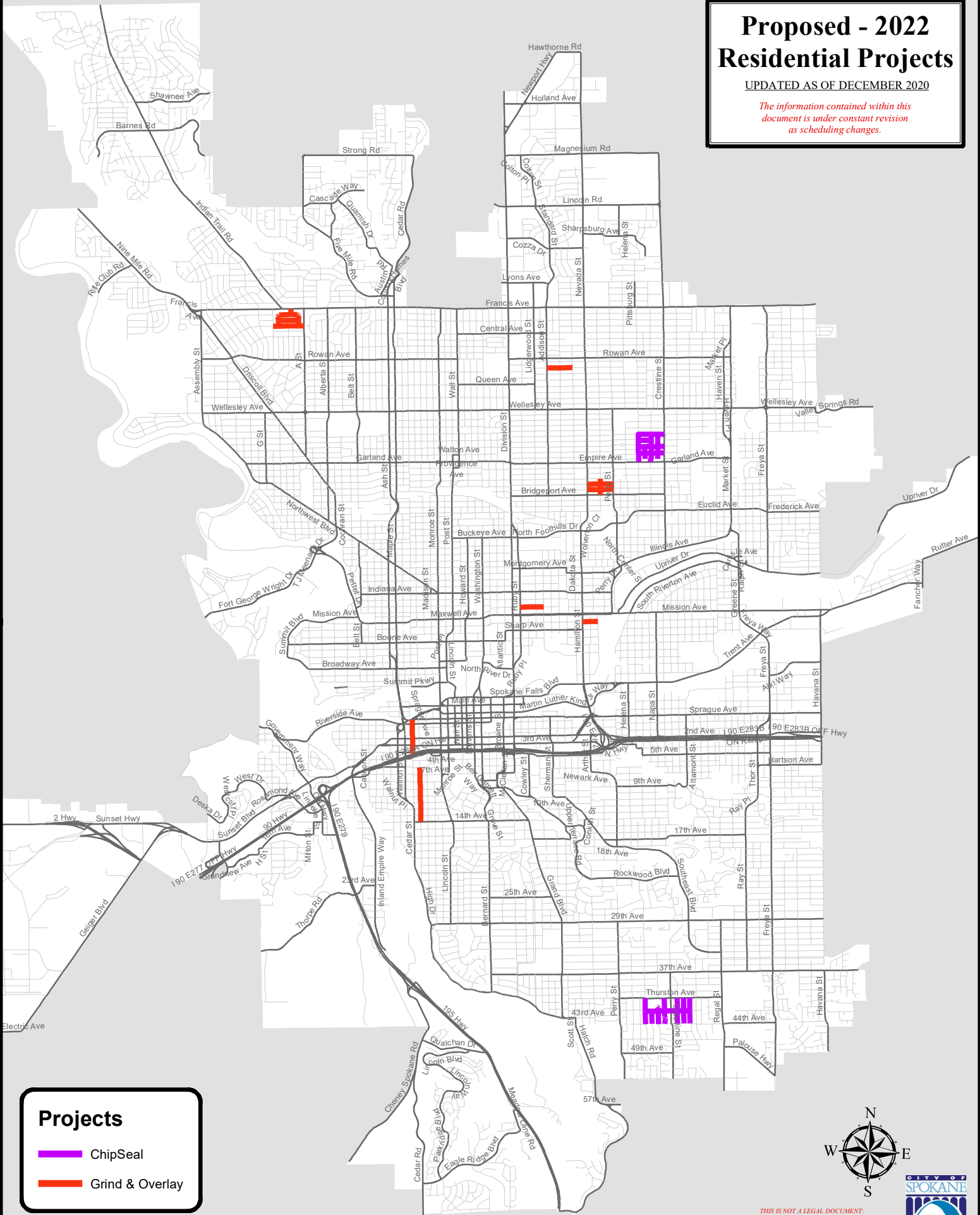
Work Type	Funding Source	2022
Total Residential Chip Seal & Grind Projects		<u>\$3,973,796</u>
Residential Crack Seal - Misc Areas	Crack	\$400,000
Micro Overlay Pilot Program	Micro Overlay	TBD
Infill Sidewalk Program	Sidewalk	\$550,000
Pave Unpaved Roadway Program	Unpaved	\$700,000
New Sidewalk Program	Sidewalk	\$600,000
Total Program Cost		<u>\$6,223,796</u>
TBD Funds	TBD	\$3,200,000
Street Maintenance	StMt	\$2,000,000
Rollover from last year		\$1,052,896
TOTAL Funds Available		<u>\$6,252,896</u>
Rollover to next year		\$29,100

TBD Total: \$4,123,132
StMt Total: \$2,100,664

Proposed - 2022 Residential Projects

UPDATED AS OF DECEMBER 2020

The information contained within this document is under constant revision as scheduling changes.



Projects

- ChipSeal
- Grind & Overlay



THIS IS NOT A LEGAL DOCUMENT. The information shown on this map is compiled from various sources and is subject to constant revision. Information shown on this map should not be used to determine the location of facilities in relationship to property lines, section lines, streets, etc.