



# Official Gazette

## City of Spokane, Washington

Statement of City Business, including a Summary of the Proceedings of the City Council

Volume 108

**FEBRUARY 7, 2018**

Issue 6 Part I of IV



### MAYOR AND CITY COUNCIL

MAYOR DAVID A. CONDON

COUNCIL PRESIDENT BEN STUCKART

COUNCIL MEMBERS:

BREEAN BEGGS (DISTRICT 2)

KATE BURKE (DISTRICT 1)

MIKE FAGAN (DISTRICT 1)

LORI KINNEAR (DISTRICT 2)

CANDACE MUMM (DISTRICT 3)

KAREN STRATTON (DISTRICT 3)

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# Minutes

**MINUTES OF SPOKANE CITY COUNCIL****Monday, January 29, 2018****BRIEFING SESSION**

The Briefing Session of the Spokane City Council held on the above date was called to order at 3:30 p.m. in the Council Briefing Center in the Lower Level of the Municipal Building, 808 West Spokane Falls Boulevard, Spokane, Washington.

**Roll Call**

On roll call, Council President Stuckart and Council Members Beggs, Burke, Fagan, Kinnear, Mumm, and Stratton were present.

Finance and Administration Division Director Tim Dunivant, City Council's Policy Advisor Brian McClatchey, and City Clerk Terri Pfister were also present on the dais.

**Advance Agenda Review**

The City Council received an overview from staff on the February 5, 2018, Advance Agenda items.

**Action to Approve February 5, 2018, Advance Agenda**

Following staff reports and Council inquiry and discussion regarding the February 5, 2018, Advance Agenda items, the City Council took the following action (pursuant to Council Rule 2.1.2):

**Motion** by Council Member Fagan, seconded by Council Member Kinnear, **to approve** the Advance Agenda for Monday, February 5, 2018; **carried unanimously**.

**ADMINISTRATIVE SESSION****Current Agenda Review**

The City Council reviewed the January 29, 2018, Current Agenda for any changes.

Additions to Current Agenda: (1) City Council Letter in Support of HB 1209 and (2) Resolution 2018-0012 Appointing Alternates on the STA Board

**Motion** by Council Member Beggs, seconded by Council Member Fagan, **to suspend** the Council Rules; **carried unanimously**.

**Motion** by Council Member Fagan, seconded by Council Member Kinnear, **to add** Item No. 6—City Council Letter in Support of HB 1209—to the Current Consent Agenda; **carried unanimously**.

**Upon Unanimous Voice Vote**, the City Council **approved** a request to add Resolution 2018-0012—appointing Council members to serve as alternates on the Spokane Transit Authority Board of Directors—to today's Current Legislative Agenda.

Contract Renewal with Helfrich Brothers Boiler Works, Inc.

**Motion** by Council Member Fagan, seconded by Council Member Stratton, **to defer** for two weeks (to February 12, 2018) Consent Agenda Item No. 3 (Contract Renewal with Helfrich Brothers Boiler Works, Inc. for scheduled and unscheduled outages and related boilermaker services for the Waste to Energy Facility); **carried unanimously**.

Hearing on Vacation of the West 3' of Conklin Street South of 8<sup>th</sup> Avenue and Related First Reading Ordinance C35579

Council President Stuckart requested a motion to table indefinitely Hearing Item H1.a and H1.b (hearing on vacation of the West 3' of Conklin Street South of 8<sup>th</sup> Avenue and related First Reading Ordinance C35579). The following action was taken:

**Motion** by Council Member Fagan, seconded by Council Member Kinnear, **to table indefinitely** Hearing Item H1.a and H1.b; **carried unanimously**.

## CONSENT AGENDA

**Upon motion by Council Member Fagan, seconded by Council Member Beggs, the City Council unanimously approved Staff Recommendations for the following:**

Value Blanket Purchase of Sodium Hydroxide 50% Membrane (Caustic Soda) for the Waste to Energy Facility from February 1, 2018 through January 31, 2021—\$40,250 per year (excl. tax). (OPR 2018-0038 / RFB 4418-17)

Value Blanket Renewal for purchase of Grizzly Feed Belt from Applied Industrial Technologies (Spokane, WA) for the Waste to Energy Facility—\$50,375.50 (excl. tax). (Second of four one-year renewal options). (OPR 2015-0908 / RFB 4168-15)

Report of the Mayor of pending claims and payments of previously approved obligations, including those of Parks and Library, through January 19, 2018, total \$9,470,753.85, with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$8,276,508.77. (CPR 2018-0002) (Check Nos. 545040-545205; ACH Payment Nos. 46224-46484).

City Council Meeting Minutes: January 11, 2018. (CPR 2018-0013)

City Council Letter in Support of HB 1209. (OPR 2018-0045)

### Council Recess/Executive Session

The City Council adjourned at 3:50 p.m. The City Council immediately reconvened into an Executive Session to discuss pending litigation for 10 minutes. City Attorney Mike Ormsby and Assistant City Attorney Nate Odle were present for the Executive Session. The City Council reconvened again at 6:00 p.m. for the Regular Legislative Session.

## LEGISLATIVE SESSION

### Pledge of Allegiance

The Pledge of Allegiance was led by Council President Stuckart.

### Roll Call

Council President Stuckart and Council Members Beggs, Burke, Fagan, Kinnear, Mumm, and Stratton were present.

City Council's Policy Advisor Brian McClatchey and City Clerk Terri Pfister were also present.

## COUNCIL COMMITTEE REPORTS

### Finance and Administration Committee Meeting

Council President Stuckart reported on the Finance and Administration Committee meeting held earlier today (January 29). Minutes of the Finance and Administration Committee meeting are filed with the City Clerk's Office and are available for review following approval by the Finance and Administration Committee.

There were no **Administrative Reports**.

## BOARDS AND COMMISSIONS APPOINTMENTS

### Appointments and Re-Appointments

**Motion** by Council Member Fagan, seconded by Council Member Mumm, **to approve** (and thereby confirm) the following appointments, including adoption of Resolution 2018-0012; **carried unanimously**:

#### Spokane Park Board

- Appointment of Jamie SiJohn for a term of February 6, 2018, to February 7, 2023.
- Appointment of Gerry Sperling to fill a vacated term from February 6, 2018 to February 5, 2019.
- Re-appointment of Greta Gilman to serve a term of February 6, 2018 to February 7, 2023.

Spokane Human Rights Commission

- Appointment of Ronald Toston to serve a second, three-year term from February 23, 2018-2021.

Spokane Regional Clean Air Agency

- Appointment of Council President Ben Stuckart as the City of Spokane representative on the Spokane Regional Clean Air Agency Board, effective immediately and expiring on December 31, 2021.

Resolution 2018-0012 – Appointment Alternates on the Spokane Transit Authority Board of Directors

Following a full reading of Resolution 2018-0012 by the City Clerk, the City Council, as part of the above action, adopted Resolution 2018-0012 approving the appointment of Council members to serve as alternates on the Spokane Transit Authority Board of Directors, as follows:

- Council President Ben Stuckart,
- Council Member Karen Stratton,
- Council Member Breean Beggs, and
- Council Member Kate Burke.

### OPEN FORUM

**Roberta Zupan** stated she is doing a follow up to what happened to her last spring with respect to a problem neighbor who was harassing. She stated thankfully the neighbor has moved but the toll and pain she went through she will never forget, nor does she even now feel safe in her home. She stated she also spoke in front of City Council last April on this matter.

**Rick Bocook** stated that a couple of weeks ago he was told a terrible story about a woman who was raped and beaten and the guy is in jail, and shared another similar story about another woman. He remarked on the HEN program and questioned why homeless women are being sent there and that women that are homeless should not be around that kind of predator - the ones that have the label likely to reoffend. He said there is no accountability yet these places get funding from the State government.

**Janet Maxwell** remarked on SPD dispatch. She stated she is with AA Auto Towing and noted it has been in business for over 50 years. She stated she is representing 28 companies of the 34 used by the Spokane Police Department for rotation towing. She stated the companies have devoted many years to the City of Spokane and paid every year for a contract with the City of Spokane to cover dispatching and other charges. On January 15, she indicated they were told the SPD had gone a different route and it was going to take effect immediately and the contract was going to Auto Return, a company based in San Francisco, California. Janet expressed concerns with the direction SPD is taking with its towing.

**Paul Hamilton** also remarked on SPD dispatch. He stated he is an All State insurance agent in Hillyard and has been for 27 years. He stated he has used tow trucks his whole life and used them thousands of times in the last 27 years. He stated he needed the City Council to get involved in this matter of outsourcing towing as the fees are going to start off at \$30 and then he referenced San Francisco where the fees went to \$260. He noted he is in one of the poorest districts in the State of Washington. When the Police Department doesn't want to spend 40 hours of somebody's time to do the contracts and they outsource it, they are hurting families and small businesses and the impact is going to be huge.

**Tony Sharkey** presented her ideas regarding the block on Main Street between Division and Brown and stated the area should be pedestrian only.

### LEGISLATIVE AGENDA

There were no **Special Budget Ordinances**.

There were no **Emergency Ordinances**.

### RESOLUTIONS

**Resolution 2018-0007**

Subsequent to public testimony from two individuals, the following action was taken:

**Upon Unanimous Roll Call Vote**, the City Council **adopted Resolution 2018-0007** adopting City of Spokane Transition Plan under the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973, 2014-2019.

#### **Resolution 2018-0008**

Upon consideration of Resolution 2018-0008, Council President Stuckart requested a motion to insert “a minimum of” between “15 years and” and “\$500.00 monthly thereafter...” (reference top of page 2 of the resolution), and then down in the “NOW, THEREFORE,” under the first bullet replace “the” with “a” and change it (the dollar amount) so it reads “... principal sum not to exceed \$141,000.00...” thereby striking \$139,711.59. The following action was taken:

**Motion** by Council Member Mumm, seconded by Council Member Fagan, **to so move (to change** the language of the resolution as presented by Council President Stuckart); **carried unanimously**.

Subsequent to commentary by Council President Stuckart and the opportunity for public testimony, with no individuals requesting to speak, the following action was taken:

**Upon Unanimous Roll Call Vote**, the City Council **adopted Resolution 2018-0008 (as amended)** providing for establishing an interfund loan for the purpose of the retirement and refinance of debt previously guaranteed by the Spokane Park Board in connection with construction financing for the Southside Senior Activity Center.

**For Council action on Resolution 2018-0012, see section of minutes under “Board and Commission Appointments.”**

#### **FINAL READING ORDINANCES**

**For Council action on Final Reading Ordinances C35575, C35576, and C35577, see section of minutes under “Hearings.”**

#### **FIRST READING ORDINANCES**

**For Council Action on First Reading Ordinance C35579, see section of minutes under 3:30 p.m. Administrative Session.**

There were no **Special Considerations**.

#### **HEARINGS**

##### **Hearing on Vacation of the West 3’ of Conklin Street South of 8<sup>th</sup> Avenue and Related First Reading Ordinance C35579**

This matter was tabled indefinitely. For Council Action on this matter, see section of minutes under 3:30 p.m. Administrative Session.

##### **Final Reading Ordinances C35576 and Final Reading Ordinance C35577, Both Relating to Sign Standards**

Planning Director Lisa Key provided an overview of and presentation on Final Reading Ordinances C35576 and C35577. Public testimony was received from one individual and Council commentary held. The following action was taken:

**Upon Unanimous Roll Call Vote**, the City Council **adopted** the following Final Reading Ordinances:

- **Final Reading Ordinance C35576** relating to sign standards amending SMC 17C.340.110, 17C.370.030, 17A.020.010, 17A.020.020, 17A.020.030, 17A.020.040, 17A.020.050, 17A.020.060, 17A.020.090, 17A.020.130, 17A.020.140, 17A.020.160, 17A.020.190 to title 17C of the Spokane Municipal Code and setting and effective date.
- **Final Reading Ordinance C35577** relating to sign standards amending SMC 17C.240.010, 17C.240.060, 17C.240.070, 17C.240.090, 17C.240.120, 17C.240.130, 17C.240.140, 17C.240.150, 17C.240.180, 17C.240.220, 17C.240.230, 17C.240.240, 17C.240.250, 17C.240.260, 17C.240.270, 17C.240.280; adopting new sections 17C.240.015, 17C.240.025, 17C.240.241, 17C.240.242, 17C.240.243, 17C.240.244, 17C.240.245, 17C.240.246, 17C.240.247, 17C.240.310 to chapter 17C.240; repealing

SMC 17C.240.020, 17C.240.080, 17C.240.100, 17C.240.160, 17C.240.190, 17C.240.200, 17C.240.290, and 17C.240.300 to title 17C of the Spokane Municipal Code and setting and effective date.

### Final Reading Ordinance C35575

The City Council held a hearing on Final Reading Ordinance C35575 relating to cottage housing, pocket residential development, and compact lot standards, and amending, adopting, and repealing various SMC sections. Assistant Planner Nathan Gwinn of the City's Planning Department provided a presentation and overview of the ordinance and responded to Council inquiries. Following Mr. Gwinn's presentation, Council President Stuckart referenced a revised version of the ordinance which includes additional "WHEREAS" clauses in the recitations. He noted the revised ordinance does not affect any of the actual code revisions. Council President Stuckart requested a motion to accept the version of the ordinance that was sent out this afternoon (and as filed in the City Clerk's Office on January 24, 2018, and included in City Council's January 29 Current Agenda packet). The following action was taken:

**Motion** by Council Member Fagan, seconded by Council Member Kinnear, to so move [to accept the version of the ordinance that was sent out this afternoon (and as filed in the City Clerk's Office on January 24, 2018, and included in City Council's January 29 Current Agenda packet)]; **carried unanimously.**

Public testimony was received and Council deliberations ensued. The City Council considered proposed amendments to Ordinance C35575 (reference Attachment 1 to these minutes), as circulated to City Council, and the following actions were taken:

**Main Motion** by Council Member Mumm, seconded by Council Member Beggs, to propose an amendment to SMC 17C.110.350(D)(3)(a)(ii) (to include the following language in the ordinance), as follows:

*"(A) The development is located at least partially within one thousand three hundred twenty feet of a CC, CA, or DT zone or CC3 zoning overlay, as measured in a straight line between the zone/overlay boundary to the lot line of the site containing the development; and"...*

(Clerical Note: Council Member Mumm stated the motion above as "...one thousand three hundred 'twenty-five' feet..." However, in light of the restatement of the motion below, the City Clerk adjusted the language of the motion to read "one thousand three hundred 'twenty feet'...")

Council Member Kinnear requested the above motion by Council Member Mumm be amended, and she presented the following motion to amend, as follows:

**Motion to Amend** by Council Member Kinnear, seconded by Council Member Mumm, to amend the (main) motion to read:

*"The development is located entirely within or immediately adjacent to a CC, CA, or DT zone or CC3 zoning overlay; and"...*

**Motion to Amend rejected 2- 5 (Council Members Kinnear and Mumm voting "aye" and Council President Stuckart and Council Members Beggs, Burke, Fagan, and Stratton voting "no").**

Council Member Mumm then restated the main motion and the following action was taken:

**Main Motion** (as restated) by Council Member Mumm, seconded by Council Member Beggs, to amend SMC 17C.110.350(D)(3)(a)(ii) (to include the following language in the ordinance), as follows:

*"(A) The development is located at least partially within one thousand three hundred twenty feet of a CC, CA, or DT zone or CC3 zoning overlay, as measured in a straight line between the zone/overlay boundary to the lot line of the site containing the development; and"...*

**Motion carried 6-1 (Council Member Burke voting "no").**

Prior to the City Council voting on the above action, Council Member Beggs clarified that the motion is only in "Density" and it's only if the units are five hundred square feet or less; and he noted that, in his view, is a tiny home. Council President Stuckart and Council Member Stratton responded in agreement.

(Clerical Note: Based on Council Member Beggs provided clarification and based on the provided handout reflecting proposed amendments to Ordinance C35575, it is the City Clerk's understanding that the intent of the Council's action was to also include the following language under SMC 17C.110.350(D)(3)(a)(ii):)

*“(B) All units in the development are five hundred square feet or less; (and)”...*

With the addition of the above language, the following language has been removed from SMC 17C.110.350.(D)(3)(a)(ii): “if all units in the development are five hundred square feet or less,” and the words “provided that” have been added. As revised “ii” reads as follows: “To encourage small dwelling units, cottage housing development is permitted a forty percent density bonus above what is allowed in the zone provided that.”...)

Council Member Beggs then presented the following motion:

**Main Motion** by Council Member Beggs, seconded by Council Mumm, to amend SMC 17C.110.350(D)(3)(a)(ii) to add the “blue” language at “(E)” and “(F),” which reads as follows:

- “(E) A community building is provided for use of the residents that supports small living, such as laundry facilities, working or meeting space, exercise room, community kitchen, or other such facility meeting the intent of this paragraph. The community building shall be in addition to and located adjacent to the required common open space; or*
- (F) The requirement for the community building is waived by the director upon an affirmative finding that the cottage housing development is otherwise adequately provided with those functions typically served by such a facility, as described above. The applicant assumes the burden of proof. When making this decision, the director shall consider the proximity of the site to locations that provide laundry services, food preparation, public gathering areas, and other community facilities.”*

During presentation of the motion above, Council Member Beggs noted that this is only for the “Density Bonus” for units of “five hundred square feet or less within a quarter mile of a CC...”

**Motion to Amend** by Council Member Beggs, seconded by Council Member Mumm, to amend the amendment in Section “(F),” in the first line, where it says “The requirement for the community building is...,” strike out the word “is” and add “may be” and then it goes to “waived;” and then further down, fourth line from the bottom, where it says “When making this decision, the director shall consider the,” insert “walking” (so it reads “...the walking proximity of the site to locations...”). **Motion to Amend passed unanimously.**

**Main Motion (as amended)** by Council Member Beggs, seconded by Council Member Mumm, to amend SMC 17C.110.350(D)(3)(a)(ii) to add the “blue” language at “(E)” and “(F),” which reads as follows:

- “(E) A community building is provided for use of the residents that supports small living, such as laundry facilities, working or meeting space, exercise room, community kitchen, or other such facility meeting the intent of this paragraph. The community building shall be in addition to and located adjacent to the required common open space; or*
- (F) The requirement for the community building may be waived by the director upon an affirmative finding that the cottage housing development is otherwise adequately provided with those functions typically served by such a facility, as described above. The applicant assumes the burden of proof. When making this decision, the director shall consider the walking proximity of the site to locations that provide laundry services, food preparation, public gathering areas, and other community facilities.”*

**Main Motion (as amended) carried unanimously.**

**Motion** by Council Member Mumm, seconded by Council Member Kinnear, **to amend** SMC 17C.110.350(D)(3)(a)(ii), to include the “green text,” (to read as follows):

- “(C) Only a maximum of two dwelling units are allowed within twenty-five feet of any rear lot line of RSF-zoned lots of less than ten thousand square feet in size with a single-family residential use that abuts the development; and*
- (D) A sight-obscuring fence or wall, at least six feet in height where permitted by the fence requirements of SMC 17C.110.230, shall be provided on those abutting rear lot lines described in paragraph (C), in addition to the required landscape standard of SMC 17C.110.350(E)(2)(a).”*

**Motion carried 4-3 (Council President Stuckart and Council Members Burke and Fagan voting “no”).**



Following final Council commentary on proposed Ordinance C35575 (as amended), the following action was taken:

**Upon Unanimous Roll Call Vote**, the City Council **passed Final Reading Ordinance C35575 (as amended)** relating to cottage housing, pocket residential development, and compact lot standards, amending Spokane Municipal Code (SMC) sections 17A.020.010, 17A.020.030, 17A.020.040, 17A.020.130, 17A.020.190, 17C.110.030, 17C.110.115, 17C.110.200, 17C.110.350, 17C.110.360, 17C.230.130, 17G.080.065; adopting a new section 17C.110.209 to chapter 17C.110 SMC; and repealing SMC section 17C.110T.002.

(Clerical Note: Following the January 29 City Council meeting, clerical errors were discovered in Ordinance C35575 and Ordinance C35576, and these errors have been corrected. For an explanation of the clerical errors discovered and corrections made to the ordinances, see Attachment 2 to these minutes.)

Referenced attachments to January 29, 2018, meeting minutes are on file for review in the Office of the City Clerk.

No individuals spoke during the **Second Open Forum**.

#### ADJOURNMENT

There being no further business to come before the City Council, the Regular Legislative Session of the Spokane City Council adjourned at 7:54 p.m.

## General Notices

#### NOTICE

NOTICE IS HEREBY GIVEN that the regular meeting of the SPOKANE CIVIL SERVICE COMMISSION will be conducted at 9:30 a.m., Tuesday, February 20, 2018 in the City Council Chambers.

Items on the Agenda are as follows:

- I. Approval of Minutes
- II. Staff Activities
- III. Extension of an Eligible List
- IV. Classification Resolution
- V. Business Plan Adoption
- VI. Other Business

The meeting is open to the public, with the possibility of moving into executive session only with members of the Civil Service Commission and the appropriate staff.

A Commission briefing will be held at 9:15 a.m., February 20, 2018, in the City Council Chambers

Dated at Spokane, Washington, this 31<sup>st</sup> day of January, 2018.

MARK LINDSEY  
Chair

JERRI BJORK  
Acting Chief Examiner

TO HUMAN RESOURCES STAFF AND ALL EMPLOYEE REPRESENTATIVES:

There will be a pre-Commission/Project Evaluation Committee meeting in the Civil Service Conference Room (4B) at 11:00 a.m. on Monday, February 19, 2018.

**AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION:** The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Spokane City Council Chamber in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and also is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) at the City Cable 5 Production Booth located on the First Floor of the Municipal Building, directly above the



Chase Gallery or through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Human Resources at 509.625.6363, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or msteinolfson@spokanecity.org. Persons who are deaf or hard of hearing may contact Human Resources through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

# Ordinances

**These ordinances are published in this issue of the *Official Gazette* pursuant to passage by the Spokane City Council. It should be noted that these ordinances may be subject to veto by the Mayor. If an ordinance is vetoed by the Mayor, the Mayoral veto will be published in a subsequent issue of the *Official Gazette*.**

## ORDINANCE NO. C35575

An ordinance relating to relating to cottage housing, pocket residential development, and compact lot standards, amending Spokane Municipal Code (SMC) sections 17A.020.010, 17A.020.030, 17A.020.040, 17A.020.130, 17A.020.190, 17C.110.030, 17C.110.115, 17C.110.200, 17C.110.350, 17C.110.360, 17C.230.130, 17G.080.065; adopting a new section 17C.110.209 to chapter 17C.110 SMC; and repealing SMC section 17C.110T.002.

WHEREAS, it is a planning goal of the Washington State Growth Management Act under RCW 36.70A.020(1) to “Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner;” and

WHEREAS, in compliance with Chapter 36.70A RCW, the City of Spokane adopted a Comprehensive Plan on May 21, 2001; and

WHEREAS, the City of Spokane’s Comprehensive Plan encourages development that is designed to create a positive perception of Spokane (Goal DP 3), and provides minimum and maximum residential densities (Land Use Chapter, Section 3.4), in addition to opportunities for a variety of housing types (Goal H1); and

WHEREAS, Comprehensive Plan Policy LU 2.1, Public Realm Features, states: “*Encourage features that improve the appearance of development, paying attention to how projects function to encourage social interaction and relate to and enhance the surrounding urban and natural environment;*” and

WHEREAS, Comprehensive Plan Policy LU 2.2, Performance Standards, states: “*Employ performance and design standards with sufficient flexibility and appropriate incentives to ensure that development is compatible with surrounding land uses;*” and

WHEREAS, Comprehensive Plan Policy LU 3.6, Compact Residential Patterns, states: “*Allow more compact and affordable housing in all neighborhoods, in accordance with design guidelines;*” and

WHEREAS, the discussion section of Comprehensive Plan Policy LU 3.7, Maximum and Minimum Lot Sizes, states: “*One of the ways to use the remaining usable land more efficiently is to increase the overall housing density. Increased density promotes efficient and cost effective provision of city facilities, services, and transportation systems and enables the provision of affordable housing;*” and

WHEREAS, Comprehensive Plan Policy LU 7.1, Regulatory Structure, states: “*Develop a land use regulatory structure that utilizes a variety of mechanisms to promote development that provides a public benefit;*” and

WHEREAS, Comprehensive Plan Policy H 1.18, Distribution of Housing Options, states: “*Promote a wide range of housing types and housing diversity to meet the needs of the diverse population and ensure that this housing is available throughout the community for people of all income levels and special needs;*” and

WHEREAS, the City of Spokane’s Comprehensive Plan defines infill development as the development of vacant lots or parcels within an already built up area; and

WHEREAS, design standards and guidelines are required for cottage housing, pocket residential development, and compact lot standards, so as to ensure compatibility of development with existing developed neighborhoods consistent

with Comprehensive Plan Policy DP 2.12, Infill Development, which states: “*Encourage infill construction and area redevelopment that complement and reinforce positive commercial and residential character;*” and

WHEREAS, the City of Spokane is required under RCW 36.70A.040(4)(d) to implement the goals and policies of the City’s Comprehensive Plan by adoption of implementing development standards; and

WHEREAS, the Washington Administrative Code 365-196-300(3)(b)(i) states “Development regulations must allow development at the densities assumed in the comprehensive plan;” and

WHEREAS, according to the Washington Commerce Department’s 2015 Housing Needs Assessment (“Assessment”), more than 24,000 of homeowner households at every income level assessed in the Spokane Urbanized Area paid more than 30 percent of their income on housing, a status defined as “cost-burdened;” and

WHEREAS, more than 28,000 renter households were also cost-burdened, according to the Assessment; and

WHEREAS, together these households represented a third of the total number of households; meanwhile, only 43 percent of households earning less than \$31,500 (50% of median family income) had access to affordable and available housing, according to the Assessment; and

WHEREAS, according to American Community Survey 1-year estimates, rental vacancies in Spokane County were tied in 2015 and 2016 at the lowest level for at least twelve years, at 3.7 percent, falling from a high of 8 percent in 2011; and

WHEREAS, the city of Spokane’s estimated rental vacancy rate also reached a twelve-year low at 3.1 percent in 2015, rising to 4.6 percent in 2016, which was down from a high of 9.7 percent in 2009 for that period; and

WHEREAS, in 2016, a Plan Commission subcommittee (“committee”) was formed to identify local issues and develop strategies to overcome obstacles to infill development that would enable and promote high-quality development on vacant land; and

WHEREAS, during a public engagement process that solicited community input, the committee identified development opportunities, recommended removing particular provisions of the development code that discourage single-family homes, and recommended changes needed to achieve high-quality infill development in residential zones; and

WHEREAS, the committee prepared a series of recommendations that included proposed regulatory changes, including amendments to unit lot subdivision (SMC 17G.080.065) to allow new development, update dimensional and other standards such as smaller lot sizes to support attached housing and more efficient use of land (SMC 17C.110.200), enabling internal subdivision of Cottage Housing development (SMC 17C.110.350), allowing cottage housing units to be larger and capable of attaching units, and allowing pocket residential development outright as a tool in the RSF zone or with a conditional use permit rather than through a zoning change to RSF-Compact; and

WHEREAS, the Spokane City Council adopted Resolution 2016-94 on November 21, 2016, recognizing the committee’s summary report and recommendation as a guide for future program development and potential regulatory implementation measures; and

WHEREAS, it is necessary to create opportunities for development that can achieve the higher densities envisioned in the Comprehensive Plan, thus reducing impacts on City service delivery; and

WHEREAS, it is necessary to create additional opportunities to compatibly increase the affordable housing supply and respond to demands of citizens of every income level experiencing a shortage of housing, as indicated by comments received and the historic low vacancy rates; and

WHEREAS, residential infill development may occur anywhere that a parcel of land is vacant or is not developed to the full number of units allowed in the underlying zoning designation; and

WHEREAS, there is a need for flexibility in the development of land for residential uses that are consistent with the Comprehensive Plan; and

WHEREAS, related to public health, safety, welfare, and protection of the environment, this ordinance is intended to make more efficient use of available lands, and encourage development in closer proximity to services, effectively reducing sprawl; and

WHEREAS, residential infill development is allowed in most of the zoning categories of the Spokane Municipal Code: in Commercial, Center and Corridor, and Downtown Zones, there are no maximum density of limits for residential uses; and

WHEREAS, this ordinance changes existing provisions for alternative residential development and standards for Residential Zones, where residential density is regulated, that improve the opportunities for the compatible development of residential uses that are consistent with the Comprehensive Plan; and

WHEREAS, the changes are aligned with the committee recommendations and include additional housing types and enabling subdivision in cottage housing developments, with additional bonus densities to encourage the construction of smaller housing units; and expansion of pocket residential development to additional areas and allowing sites eligible for a rezone to utilize the compact lot standards without requiring a rezone; and

WHEREAS, the City complied with RCW 36.70A.370 in the process of adopting this Ordinance; and

WHEREAS, the City conducted an open house meeting on November 2, 2017; and

WHEREAS, the City encouraged public participation and provided information on the amendments on its website (<http://my.spokanecity.org/projects>); and

WHEREAS, the City of Spokane Plan Commission held workshops throughout the process; and

WHEREAS, a State Environmental Policy Act (SEPA) Checklist was prepared and a Determination of Nonsignificance (DNS) was issued on November 29, 2017, for the proposed amendments; and

WHEREAS, public notice was published in the Spokesman Review on December 1 and 6, 2017, giving notice of the Plan Commission public hearing and of the released SEPA Checklist and DNS; and

WHEREAS, on December 13, 2017, the Plan Commission held a public hearing on the recommended amendments and recommended, by a vote of 8-1, approval of the amendments; and

WHEREAS, the City Council adopts the findings and conclusions of the Plan Commission and further incorporates the Planning Department's entire file into the record in support of the Council's adoption of this Ordinance; and

WHEREAS, the public has had opportunities to participate throughout the process and all persons desiring to comment were given an opportunity to be heard; -- Now, Therefore

The City of Spokane does ordain:

**Section 1.** That SMC section 17A.020.010 is amended to read as follows:

**17A.020.010 "A" Definitions**

- A. Abandoned Sign Structure.  
A sign structure where no sign has been in place for a continuous period of at least six months.
- B. Aboveground Storage Tank or AST.  
Any one or connected combination of tanks that is used to contain an accumulation of liquid critical materials and the aggregate volume of which (including the volume of piping connected thereto) is more than sixty gallons and the entire exterior surface area of the tank is above the ground and is able to be fully visually inspected. Tanks located in vaults or buildings that are to be visually inspected are considered to be aboveground tanks.
- C. Accepted.  
A project for which the required plans have been found to be technically adequate.
- D. Accessory Dwelling Unit (ADU).  
An accessory dwelling unit is a separate additional living unit, including separate kitchen, sleeping, and bathroom facilities, attached or detached from the primary residential unit, on a single-family lot. ADUs are known variously as:
  - 1. "Mother-in-law apartments,"
  - 2. "Accessory apartments," or
  - 3. "Second units."

- E.        Accessory Structure.  
A structure of secondary importance or function on a site. In general, the primary use of the site is not carried on in an accessory structure.
1.        Accessory structures may be attached or detached from the primary structure.
  2.        Examples of accessory structures include:
    - a.        Garages,
    - b.        Decks,
    - c.        Fences,
    - d.        Trellises,
    - e.        Flagpoles,
    - f.        Stairways,
    - g.        Heat pumps,
    - h.        Awnings, and
    - i.        Other structures.
  3.        See also SMC 17A.020.160 ("Primary Structure").
- F.        Accessory Use.  
A use or activity which is a subordinate part of a primary use and which is clearly incidental to a primary use on a site.
- G.        Activity.  
See Regulated Activity.
- H.        Administrative Decision.  
A permit decision by an officer authorized by the local government. The decision may be for approval, denial, or approval with conditions and is subject to the applicable development standards of the land use codes or development codes.
- I.        Adult Bookstore or Adult Video Store.
1.        A commercial establishment which, as one of its principal business activities, offers for sale or rental for any form of consideration any one or more of the following: books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, digital video discs, slides, or other visual representations which are characterized by their emphasis upon the display of "specified anatomical areas," as defined in SMC 17A.020.190, or "specified sexual activities," as defined in SMC 17A.020.190. A "principal business activity" exists where the commercial establishment meets any one or more of the following criteria:
    - a.        At least thirty percent of the establishment's displayed merchandise consists of said items; or
    - b.        At least thirty percent of the retail value (defined as the price charged to customers) of the establishment's displayed merchandise consists of said items; or
    - c.        At least thirty percent of the establishment's revenues derive from the sale or rental, for any form of consideration, of said items; or
    - d.        The establishment maintains at least thirty percent of its floor space for the display, sale, and/or rental of said items (aisles and walkways used to access said items, as well as cashier stations where said items are rented or sold, shall be included in "floor space maintained for the display, sale, and/or rental of said items"); or

2. The City of Spokane shoreline master program defines agriculture activities as:
  - a. Low-intensity agricultural use is defined as passive grazing and plant cultivation; or
  - b. High-intensity agricultural use includes such activities as feedlots, feed mills, packing plants, agricultural processing plants or warehouse for the purpose of processing, packing, and storage of agricultural products.
- O. **Agricultural Land.**  
Areas on which agricultural activities are conducted as of the date of adoption of the updated shoreline master program pursuant to the State shoreline guidelines as evidenced by aerial photography or other documentation. After the effective date of the SMP, land converted to agricultural use is subject to compliance with the requirements herein.
- P. **AKART.**  
An acronym for “all known, available, and reasonable methods to control toxicants” as used in the sense of the state Water Pollution Control Act and RCW 90.48.520 thereof. AKART shall represent the most current methodology that can be reasonably required for preventing, controlling, or abating the pollutants associated with a discharge. The concept of AKART applies to both point and nonpoint sources of pollution.
- Q. **Alkali Wetlands.**  
Alkali wetlands means wetlands characterized by the occurrence of shallow saline water. In eastern Washington, these wetlands contain surface water with specific conductance that exceeds three thousand micromhos/cm. They have unique plants and animals that are not found anywhere else in eastern Washington such as the alkali bee. Conditions within these wetlands cannot be easily reproduced through compensatory mitigation.
- R. **Alley.**  
See “Public Way” (SMC 17A.020.160).
- S. **Alteration.**  
A physical change to a structure or site.
  1. Alteration does not include normal maintenance and repair or total demolition.
  2. Alteration does include the following:
    - a. Changes to the facade of a building.
    - b. Changes to the interior of a building.
    - c. Increases or decreases in floor area of a building; or
    - d. Changes to other structures on the site, or the development of new structures.
- T. **Alteration of Plat, Short Plat, or Binding Site Plan.**  
The alteration of a previously recorded plat, short plat, binding site plan, or any portion thereof, that results in a change to conditions of approval or the deletion of existing lots or the change of plat or lot restrictions or dedications that are shown on the recorded plat. An alteration does not include a boundary line adjustment subject to SMC 17G.080.030.
- U. **Alternative or Post-incarceration Facility.**  
A group living use where the residents are on probation or parole.
- V. [Deleted]
- W. [Deleted]
- X. [Deleted]
- Y. [Deleted]

- Z. API 653.  
The American Petroleum Institute's standards for tank inspection, repair, alteration, and reconstruction.
- AA. Appeal.  
A request for review of the interpretation of any provision of Title 17 SMC.
- AB. Appeal – Standing For.  
As provided under RCW 36.70C.060, persons who have standing are limited to the following:
1. The applicant and the owner of property to which the land use decision is directed; and
  2. Another person aggrieved or adversely affected by the land use decision, or who would be aggrieved or adversely affected by a reversal or modification of the land use decision. A person is aggrieved or adversely affected within the meaning of this section only when all of the following conditions are present:
    - a. The land use decision has prejudiced or is likely to prejudice that person;
    - b. That person's asserted interests are among those that the local jurisdiction was required to consider when it made the land use decision;
    - c. A judgment in favor of that person would substantially eliminate or redress the prejudice to that person caused or likely to be caused by the land use decision; and
    - d. The petitioner has exhausted his or her administrative remedies to the extent required by law (RCW 36.70C.060).
- AC. Applicant.  
An application for a permit, certificate, or approval under the land use codes must be made by or on behalf of all owners of the land and improvements. "Owners" are all persons having a real property interest. Owners include:
1. Holder of fee title or a life estate;
  2. Holder of purchaser's interest in a sale contract in good standing;
  3. Holder of seller's interest in a sale contract in breach or in default;
  4. Grantor of deed of trust;
  5. Presumptively, a legal owner and a taxpayer of record;
  6. Fiduciary representative of an owner;
  7. Person having a right of possession or control; or
  8. Any one of a number of co-owners, including joint, in common, by entireties, and spouses as to community property.
- AD. Application – Complete.  
An application that is both counter-complete and determined to be substantially complete as set forth in SMC 17G.060.090.
- AE. Aquaculture.  
The farming or culture of food fish, shellfish, or other aquatic plants or animals in freshwater or saltwater areas, and may require development such as fish hatcheries, rearing pens and structures, and shellfish rafts, as well as use of natural spawning and rearing areas. Aquaculture does not include the harvest of free-swimming fish or the harvest of shellfish not artificially planted or maintained, including the harvest of wild stock geoducks on DNR-managed lands.
- AF. Aquatic Life.  
Shall mean all living organisms, whether flora or fauna, in or on water.

5. AO is characterized as sheet flow and AH indicates ponding.

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

AO. Arterial.  
See:  

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

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

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

1. An "assisted living facility" contains multiple assisted living units.
2. An assisted living unit is a dwelling unit permitted only in an assisted living facility.

~~((AQ))~~AR. Attached Housing.  
Two or more dwelling units that are single-family residences on individual lots attached by a common wall at a shared property line. These include:

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

~~((AR))~~AS. Attached Structure.  
Any structure that is attached by a common wall to a dwelling unit.  

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

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

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

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



- AG. Aquifer or Spokane Aquifer.  
A subterranean body of flowing water, also known as the Spokane-Rathdrum Aquifer, that runs from Pend Oreille Lake to the Little Spokane River.
- AH. Aquifer Sensitive Area (ASA).  
That area or overlay zone from which runoff directly recharges the aquifer, including the surface over the aquifer itself and the hillside areas immediately adjacent to the aquifer. The area is shown in the map adopted as part of SMC 17E.050.260.
- AI. Aquifer Water Quality Indicators.  
Common chemicals used for aquifer water quality screening. These are:
1. Calcium,
  2. Magnesium,
  3. Sodium,
  4. Total hardness,
  5. Chloride,
  6. Nitrate-nitrogen, and
  7. Phosphorus.
- AJ. Archaeological Areas and Historical Sites.  
Sites containing material evidence of past human life, such as structures and tools and/or cultural sites with past significant historical events. These sites are a nonrenewable resource and provided a critical educational link with the past.
- AK. Architectural feature  
Ornamental or decorative feature attached to or protruding from an exterior wall or roof, including cornices, eaves, belt courses, sills, lintels, bay windows, chimneys, and decorative ornaments.
- AL. Architectural Roof Structure  
Minor tower or turret extending from the cornice or main roof line of a building, typically highlighting a primary corner or building entry. For purposes of the FBC, such features may not be occupied.
1. Area of Shallow Flooding.  
A designated AO or AH Zone on the Flood Insurance Rate Map (FIRM).
  2. The base flood depths range from one to three feet.
  3. A clearly defined channel does not exist.
  4. The path of flooding is unpredictable and indeterminate.
  5. Velocity flow may be evident.
  6. AO is characterized as sheet flow and AH indicates ponding.
- AM. Area of Shallow Flooding.  
A designated AO or AH Zone on the Flood Insurance Rate Map (FIRM).
1. The base flood depths range from one to three feet.
  2. A clearly defined channel does not exist.
  3. The path of flooding is unpredictable and indeterminate.
  4. Velocity flow may be evident.

**Section 2.** That SMC section 17A.020.030 is amended to read as follows:

**17A.020.030 “C” Definitions**

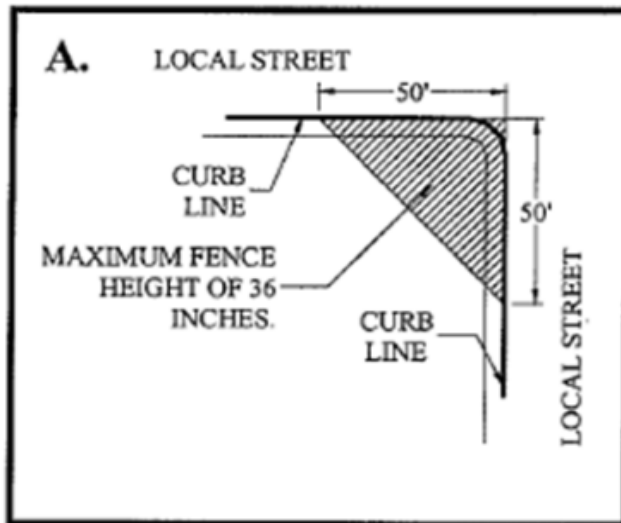
- A. **Candidate Species.**  
A species of fish or wildlife, which is being reviewed, for possible classification as threatened or endangered.
- B. **Carport.**  
A carport is a garage not entirely enclosed on all sides by sight-obscuring walls and/or doors.
- C. **Cellular Telecommunications Facility.**  
They consist of the equipment and structures involved in receiving telecommunication or radio signals from mobile radio communications sources and transmitting those signals to a central switching computer that connects the mobile unit with the land-based telephone lines.
- D. **Central Business District.**  
The general phrase “central business district” refers to the area designated on the comprehensive plan as the “downtown” and includes all of the area encompassed by all of the downtown zoning categories combined.
- E. **Certificate of Appropriateness.**  
Written authorization issued by the commission or its designee permitting an alteration or significant change to the controlled features of a landmark or landmark site after its nomination has been approved by the commission.
- F. **Certificate of Capacity.**  
A document issued by the planning services department indicating the quantity of capacity for each concurrency facility that has been reserved for a specific development project on a specific property. The document may have conditions and an expiration date associated with it.
- G. **Certified Erosion and Sediment Control Lead (CESCL).**  
An individual who is knowledgeable in the principles and practices of erosion and sediment control. The CESCL shall have the skills to assess the:
  - 1. site conditions and construction activities that could impact the quality of stormwater, and
  - 2. effectiveness of erosion and sediment control measures used to control the quality of stormwater discharges.

The CESCL shall have current certification through an approved erosion and sediment control training program that meets the minimum training standards established by the Washington State department of ecology.
- H. **Change of Use.**  
For purposes of modification of a preliminary plat, “change of use” shall mean a change in the proposed use of lots (e.g., residential to commercial).
- I. **Channel Migration Zone (CMZ).**  
A corridor of variable width that includes the current river plus adjacent area through which the channel has migrated or is likely to migrate within a given timeframe, usually one hundred years.
- J. **Channelization.**  
The straightening, relocation, deepening, or lining of stream channels, including construction of continuous revetments or levees for the purpose of preventing gradual, natural meander progression.
- K. **City.**  
The City of Spokane, Washington.
- L. **Clear Street Width.**  
The width of a street from curb to curb minus the width of on-street parking lanes.
- M. **Clear Pedestrian Zone**  
Area reserved for pedestrian traffic; typically included herein as a portion of overall sidewalk width to be kept clear of obstructions to foot traffic.

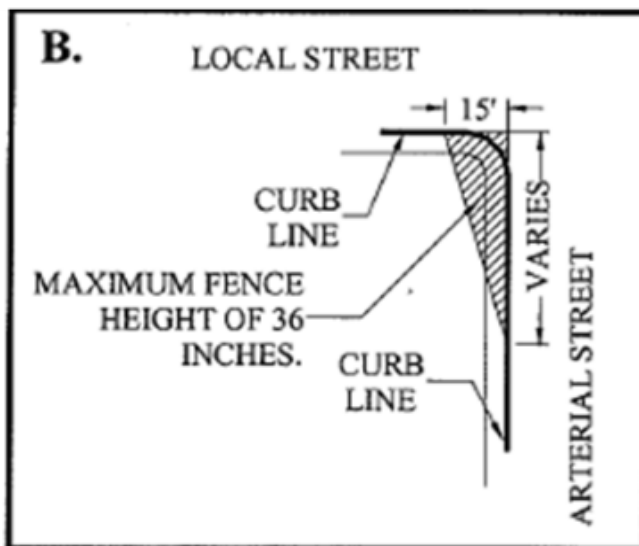
N. Clear View Triangle

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

1. A right isosceles triangle having sides of fifty feet measured along the curb line of each intersecting residential street; or

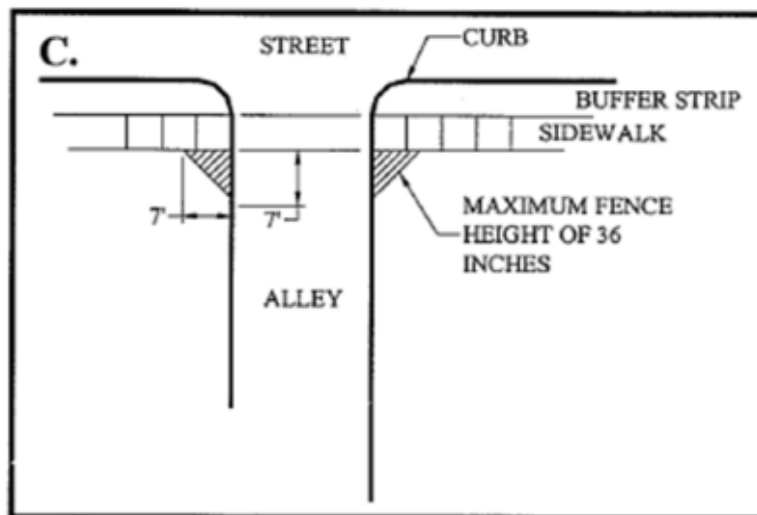


2. A right triangle having a fifteen-foot side measured along the curb line of the residential street and a seventy-five foot side along the curb line of the intersecting arterial street, except that when the arterial street has a speed limit of thirty-five miles per hour, the triangle has a side along such arterial of one hundred twenty-two feet; or



A right isosceles triangle having sides of seven feet measured along the right-of-way line of an alley and:

- a. the inside line of the sidewalk; or
- b. if there is no sidewalk, a line seven feet inside the curb line.



- O. **Clear Zone.**  
An unobstructed, relatively flat area provided beyond the edge of the traveled way for the recovery of errant vehicles.
- P. **Clearing.**  
The removal of vegetation or plant cover by manual, chemical, or mechanical means. Clearing includes, but is not limited to, actions such as cutting, felling, thinning, flooding, killing, poisoning, girdling, uprooting, or burning.
- Q. **Cliffs.**
1. A type of habitat in the Washington department of fish and wildlife (WDFW) priority habitat and species system that is considered a priority due to its limited availability, unique species usage, and significance as breeding habitat. Cliffs are greater than twenty-five feet high and below five thousand feet elevation.
  2. A "cliff" is a steep slope of earth materials, or near vertical rock exposure. Cliffs are categorized as erosion landforms due to the processes of erosion and weathering that produce them. Structural cliffs may form as the result of fault displacement or the resistance of a cap rock to uniform downcutting. Erosional cliffs form along shorelines or valley walls where the most extensive erosion takes place at the base of the slope.
- R. **Closed Record Appeal Hearing.**  
A hearing, conducted by a single hearing body or officer authorized to conduct such hearings, that relies on the existing record created during a quasi-judicial hearing on the application. No new testimony or submission of new evidence and information is allowed.
- S. **Collector Arterial.**  
A relatively low speed street serving an individual neighborhood.
1. Collector arterials are typically two-lane roads with on-street parking.
  2. Their function is to collect and distribute traffic from local access streets to principal and minor arterials.
- T. **Co-location.**  
Is the locating of wireless communications equipment from more than one provider on one structure at one site.
- U. **Colony.**  
A hive and its equipment and appurtenances, including one queen, bees, comb, honey, pollen, and brood.
- V. **Commercial Driveway.**  
Any driveway access to a public street other than one serving a single-family or duplex residence on a single lot.

- W. Commercial Vehicle.  
Any vehicle the principal use of which is the transportation of commodities, merchandise, produce, freight, animals, or passengers for hire.
- X. Commission – Historic Landmarks.  
The City/County historic landmarks commission.
- Y. Community Banner.  
A temporary banner made of sturdy cloth or vinyl that is not commercial advertising that has the purpose of the promotion of a civic event, public service announcement, holiday decorations, or similar community and cultural interests and is placed on a structure located in the public right-of-way, subject to procedures authorized by city administrator.
- Z. Community Meeting.  
An informal meeting, workshop, or other public meeting to obtain comments from the public or other agencies on a proposed project permit prior to the submission of an application.
1. A community meeting is between an applicant and owners, residents of property in the immediate vicinity of the site of a proposed project, the public, and any registered neighborhood organization or community council responsible for the geographic area containing the site of the proposal, conducted prior to the submission of an application to the City of Spokane.
  2. A community meeting does not constitute an open record hearing.
  3. The proceedings at a community meeting may be recorded and a report or recommendation shall be included in the permit application file.
- AA. Compensatory Mitigation.  
Replacing project-induced wetland losses or impacts, and includes, but is not limited to, the following:
1. Restoration.  
The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former or degraded wetland. For the purpose of tracking net gains in wetland acres, restoration is divided into re-establishment and rehabilitation.
  2. Re-establishment.  
The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former wetland. Re-establishment results in a gain in wetland acres (and functions). Activities could include removing fill material, plugging ditches, or breaking drain tiles.
  3. Rehabilitation.  
The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural or historic functions of a degraded wetland. Rehabilitation results in a gain in wetland function but does not result in a gain in wetland acres. Activities could involve breaching a dike to reconnect wetlands to a floodplain or return tidal influence to a wetland.
  4. Creation (Establishment).  
The manipulations of the physical, chemical, or biological characteristics present to develop a wetland on an upland or deepwater site where a wetland did not previously exist. Establishment results in a gain in wetland acres. Activities typically involve excavation of upland soils to elevations that will produce a wetland hydroperiod, create hydric soils, and support the growth of hydrophytic plant species.
  5. Enhancement.  
The manipulation of the physical, chemical, or biological characteristics of a wetland site to heighten, intensify, or improve specific function(s) or to change the growth stage or composition of the vegetation present. Enhancement is undertaken for specified purposes such as water quality improvement, flood water retention, or wildlife habitat. Enhancement results in a change in some wetland functions and can lead to a decline in other wetland functions, but does not result in a gain in wetland acres. Activities typically consist of planting vegetation, controlling non-native or invasive species, modifying site elevations or the proportion of open water to influence hydroperiods, or some combination of these activities.

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

- AB. Comprehensive Plan.  
The City of Spokane comprehensive plan, a document adopted pursuant to chapter 36.70A RCW providing land use designations, goals and policies regarding land use, housing, capital facilities, housing, transportation, and utilities.
- AC. Conceptual Landscape Plan.  
A scale drawing showing the same information as a general site plan plus the location, type, size, and width of landscape areas as required by the provisions of chapter 17C.200 SMC.
1. The type of landscaping, L1, L2, or L3, is required to be labeled.
  2. It is not a requirement to designate the scientific name of plant materials on the conceptual landscape plan.
- AD. Concurrency Certificate.  
A certificate or letter from a department or agency that is responsible for a determination of the adequacy of facilities to serve a proposed development, pursuant to chapter 17D.010 SMC, Concurrency Certification.
- AE. Concurrency Facilities.  
Facilities for which concurrency is required in accordance with the provisions of this chapter. They are:
1. transportation,
  2. public water,
  3. fire protection,
  4. police protection,
  5. parks and recreation,
  6. libraries,
  7. solid waste disposal and recycling,
  8. schools, and
  9. public wastewater (sewer and stormwater).
- AF. Concurrency Test.  
The comparison of an applicant's impact on concurrency facilities to the available capacity for public water, public wastewater (sewer and stormwater), solid waste disposal and recycling, and planned capacity for transportation, fire protection, police protection, schools, parks and recreation, and libraries as required in SMC 17D.010.020.
- AG. Conditional Use Permit.  
A "conditional use permit" and a "special permit" are the same type of permit application for purposes of administration of this title.
- AH. Condominium.  
Real property, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in unit owners, and unless a declaration and a survey map and plans have been recorded pursuant to chapter 64.34 RCW.
- AI. Confidential Shelter.  
Shelters for victims of domestic violence, as defined and regulated in chapter 70.123 RCW and WAC 248-554. Such facilities are characterized by a need for confidentiality.

- AJ. Congregate Residence.  
A dwelling unit in which rooms or lodging, with or without meals, are provided for nine or more non-transient persons not constituting a single household, excluding single-family residences for which special or reasonable accommodation has been granted.
- AK. Conservancy Environments.  
Those areas designated as the most environmentally sensitive and requiring the most protection in the current shoreline master program or as hereafter amended.
- AL. Container.  
Any vessel of sixty gallons or less in capacity used for transporting or storing critical materials.
- AM. Context Areas  
Established by the Regulating Plan, Context Area designations describe and direct differing functions and features for areas within FBC limits, implementing community goals for the built environment.
- AN. Conveyance.  
In the context of chapter 17D.090 SMC or chapter 17D.060 SMC, this term means a mechanism for transporting water from one point to another, including pipes, ditches, and channels.
- AO. Conveyance System.  
In the context of chapter 17D.090 SMC or chapter 17D.060 SMC, this term means the drainage facilities and features, both natural and constructed, which collect, contain and provide for the flow of surface and stormwater from the highest points on the land down to receiving water. The natural elements of the conveyance system include swales and small drainage courses, streams, rivers, lakes, and wetlands. The constructed elements of the conveyance system include gutters, ditches, pipes, channels, and most flow control and water quality treatment facilities.
- AP. Copy.  
Letters, characters, illustrations, logos, graphics, symbols, writing, or any combination thereof designed to communicate information of any kind, or to advertise, announce or identify a person, entity, business, business product, or to advertise the sale, rental, or lease of premises
- AQ. Cottage Housing.
1. A grouping of individual structures where each structure contains one or two dwelling units.
  2. The land underneath the structures (~~(is not)~~) may or may not be divided into separate lots.
  3. A cottage housing development may contain (~~(no less than six and no more than twelve individual structures in addition to)~~) detached accessory buildings for storing vehicles. It may also include a community building, garden shed, or other facility for use of the residents.
  4. The types of units allowed in cottage housing developments are detached cottages, attached unit homes and carriage units. For the purposes of SMC 17C.110.350, the definitions of these types are:



a. Cottage. A detached, single-family residential building.	
b. Attached Unit Home. A structure containing two dwelling units designed to look like a single-family home.	
c. Carriage Unit. A single-family dwelling unit located above a garage structure.	

- AR. Council.  
The city council of the City of Spokane.
- AS. County.  
Usually capitalized, means the entity of local government or, usually not capitalized, means the geographic area of the county, not including the territory of incorporated cities and towns.
- AT. Covenants, Conditions, and Restrictions (CC&Rs).  
A document setting forth the covenants, conditions, and restrictions applicable to a development, recorded with the Spokane County auditor and, typically, enforced by a property owner's association or other legal entity.
- AU. Creep.  
Slow, downslope movement of the layer of loose rock and soil resting on bedrock due to gravity.
- AV. Critical Amount.  
The quantity component of the definition of critical material.
- AW. Critical Aquifer Recharge Areas (CARA).  
Critical aquifer recharge areas (CARA) include locally identified aquifer sensitive areas (ASA) and wellhead protection areas.
- AX. Critical Areas.  
Any areas of frequent flooding, geologic hazard, fish and wildlife habitat, aquifer sensitive areas, or wetlands as defined under chapter 17E.010 SMC, chapter 17E.020 SMC, chapter 17E.030 SMC, chapter 17E.040 SMC, and chapter 17E.070.SMC.
- AY. Critical Facility.  
A facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to:

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

AZ. Critical Material.

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

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

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

BA. Critical Material Activity.

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

BB. Critical Materials Handbook.

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

1. The handbook is based on the original prepared by the Spokane water quality management program ("208") coordination office, with the assistance of its technical advisory committee. It is on file with the director of engineering services and available for public inspection and purchase.
2. The handbook, as approved and modified by the division director of public works and utilities, contains:
  - a. a critical materials list,
  - b. a critical materials activities list, and
  - c. other technical specifications and information.
3. The handbook is incorporated herein by reference. Its provisions are deemed regulations authorized hereunder and a mandatory part of this chapter.

BC. Critical Review.

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

**BD. Critical Review Action.**

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

**BE. Critical Review Applicant.**

A person or entity seeking a critical review action.

**BF. Critical Review Officer – Authority.**

1. The building official or other official designated by the director of public works and utilities.
2. For matters relating to the fire code, the critical review officer is the fire official.
3. The critical review officer carries out and enforces the provisions of this chapter and may issue administrative and interpretive rulings.
4. The critical review officer imposes requirements based upon this chapter, regulations, and the critical materials handbook.

5. The officer may adopt or add to any requirement or grant specific exemptions, where deemed reasonably necessary, considering the purpose of this chapter

**BG. Critical Review Statement.**

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

**BH. Cumulative Impacts.**

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

**BI. Curb Ramp.**

A ramp constructed in the sidewalk to allow wheelchair access from the sidewalk to the street.

**BJ. Cutbank.**

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

**Section 3.** That SMC section 17A.020.040 is amended to read as follows:

**17A.020.040 “D” Definitions**

**A. Day.**

A calendar day. A time period expressed in a number of days is computed by excluding the first day and including the last day. When an act to be done requires a City business day, and the last day by which the act may be done is not a City business day, then the last day to act is the following business day.

**B. Debris Flow.**

Slow moving, sediment gravity flow composed of large rock fragments and soil supported and carried by a mud-water mixture.

**C. Debris Slide.**

A shallow landslide within rock debris with the slide usually occurring within a relatively narrow zone.

**D. “Decibel (dB)” means the measure of sound pressure or intensity.**

**E. Dedication.**

The deliberate appropriation of land, or an easement therein, by its owner for any general and public uses, reserving to the owner no rights other than those that are compatible with the full exercise and enjoyment of the public uses for which the property has been devoted, and accepted for such use by or on behalf of the public. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat, short plat, or binding site plan showing the dedication thereon or by dedication deed to the City. The acceptance by the public shall be evidenced by the approval of such plat, short plat, binding site plan, or at the City’s option, by the City recording such dedication deed with the Spokane County auditor.

**F. Degraded Wetland.**

A wetland altered through impairment of some physical or chemical property which results in reduction of one or more wetland functions and values.

**G. Demolition or Partial Demolition.**

The destruction, removal, or relocation, in whole or in part, of a building or structure or a significant feature of a building or structure that is of important historical character. Demolition (or partial demolition) does not include the removal of past additions for the express purpose of restoration of a structure to its historic appearance, form, or function. Demolition (or partial demolition) does not include the destruction or removal of portions of a building or structure that are not significant to defining its historic character. This exclusion is valid so long as the demolition is done as part of a design review application approved pursuant to chapter 17C.040 SMC.

**H. Density.**

The number of housing units per acre as permitted by the zoning code.

- I. Denuded.  
Land that has had the natural vegetative cover or other cover removed leaving the soil exposed to mechanical and chemical weathering.
- J. Department.  
Any of the departments of engineering services, planning services, fire department, or parks and recreation for which responsibility has been assigned by charter or code for administration.
- K. Design Departure.  
Any change that is sought to modify or waive a design requirement (R) or waive a design presumption (P) contained within the design standards. The design departure process is found in chapter 17G.030 SMC, Design Departures.
- L. Design Guidelines.  
A set of design parameters for development which apply within a design district, sub-district, or overlay zone. The guidelines are adopted public statements of intent and are used to evaluate the acceptability of a project's design.
- M. Design Review Board.  
The design review board is defined in chapter 4.13 SMC. The design review board was previously named design review committee. Any reference to design review committee is the same as a reference to the design review board.
- N. Designation.  
The declaration of a building, district, object, site, or structure as a landmark or historic district.
- O. Desired Character.  
The preferred and envisioned character (usually of an area) based on the purpose statement or character statement of the base zone, overlay zone, or plan district. It also includes the preferred and envisioned character based on any adopted subarea plans or design guidelines for an area.
- P. Detailed Site Plan.  
A general site plan to which the following detailed information has been added:
1. Natural vegetation, landscaping, and open spaces.
  2. Ingress, egress, circulation, parking areas, and walkways.
  3. Utility services.
  4. Lighting.
  5. Signs.
  6. Flood plains, waterways, wetlands, and drainage.
  7. Berms, buffers, and screening devices; and
  8. Such other elements as required in this chapter.
- Q. Developable Area.  
Land outside of a critical area and associated buffer including wetlands, fish and wildlife habitat conservation areas, riparian habitat area, landslide areas, steep slope areas, floodplain, floodway, shallow flooding, channel migration zone, and associated buffers, or any other restricted area on a particular piece of property.
- R. Development.  
Any proposed land use, zoning, or rezoning, comprehensive plan amendment, annexation, subdivision, short subdivision, planned unit development, planned area development, conditional use permit, special use permit, shoreline development permit, or any other property development action permitted or regulated by the Spokane Municipal Code.

- S. Development Activity – Floodplain.  
Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.
- T. Development Approval.  
Any recommendation or approval for development required or permitted by this code.
- U. Development Codes.  
The state-adopted codes, boiler and pressure vessel, building, electrical, elevator, fire, mechanical, plumbing, and related publications adopted by the City, along with other provisions of this code that relate to private access to, use and obstruction of public right-of-way, and engineering standards that relate to private construction of public utilities and facilities.
- V. Development Permit.  
Any permit issued by the City authorizing construction, including a building permit, conditional use permit, substantial development permit, or other permit required by the City.
- W. Development Plan, Site.  
The final site plan that accompanied a recommendation or approval for development permitted by this code and that may identify standards for bulk and location of activities, infrastructure and utilities specific to the development.
- ~~((W))~~ X. Dike.  
An artificial embankment placed at a stream mouth or delta area to hold back sea water for purposes of creating and/or protecting arable land from flooding.
- ~~((X))~~ Y. Direct Impact.  
An impact upon public facilities that has been identified as a direct consequence or result of a proposed development.
- ~~((Y))~~ Z. Directional.  
Any of the four basic compass directions, abbreviated as follows: N, S, E, W, SE, NE, SW, NW shall also be considered as a directional. A directional is placed in front of the root roadway name.
- ~~((Z))~~ AA. Directional Sign.  
A sign exclusively limited to guiding the circulation of motorists or pedestrians on the site.
- ~~((AA))~~ AB. Director.  
The administrative official of the department responsible for compliance with this code, the development codes, and the land use codes. These include the director of building services, director of engineering services, and the director of planning services.
- ~~((AB))~~ AC. Discharge (n).  
In the context of chapter 17D.090 SMC or chapter 17D.060 SMC, this term means runoff, excluding offsite flows, leaving a proposed development through overland flow, built conveyance systems, or infiltration facilities.
- ~~((AG))~~ AD. Discharge (v).  
In the context of chapter 17D.090 SMC or chapter 17D.060 SMC, this term means any disposal, injection, dumping, spilling, pumping, emitting, emptying, leaching, or placing of any material so that such material enters and exits from the MS4 or from any other publicly owned or operated drainage system that conveys storm water. The term includes other verb forms, where applicable.
- ~~((AD))~~ AE. Discharger.  
In the context of chapter 17D.090 SMC or chapter 17D.060 SMC, this term means any person that discharges to the City's MS4 or any other publicly owned or operated drainage system that conveys, manages, or disposes of stormwater flows.
- ~~((AE))~~ AF. District.  
A geographically definable area, urban or rural, small or large, possessing a significant concentration, linkage, or continuity of buildings, objects, sites, and/or structures united by past events or aesthetically by plan or physical development.

((AF)) AG. Disturbance Area.

In the context of chapter 17D.090 SMC or chapter 17D.060 SMC, this term means an area where soils are exposed or disturbed by development, both existing and proposed. The disturbance area includes staging and storage areas, structures, and areas needed for vehicle access and maneuvering.

((AG)) AH. Dock.

All platform structures or anchored devices in or floating upon water bodies to provide moorage for pleasure craft or landing for water-dependent recreation.

((AH)) AI. Documented Habitat.

Habitat classified by state or federal agencies as critical to the survival of endangered or threatened or sensitive animal, fish, or plant species.

((At)) AJ. Domestic Animal.

1. Large Domestic Animals.

- a. Animals including, but not limited to, horses, donkeys, burros, llamas, alpacas, bovines, goats, sheep, swine, and other animals or livestock of similar size and type.
- b. Young of horses, mules, donkeys, burros, and llamas under one year in age.
- c. Bovines under ten months in age.
- d. Sheep, goats, and swine under three months in age are not included when counting large animals.

2. Small Domestic Animals.

- a. Fowl including, but not limited to, chickens, guinea hens, geese, ducks, turkeys, pigeons, and other fowl not listed or otherwise defined.
- b. Mink, chinchilla, nutria, gnawing animals in general, and other animals of similar size and type.
- c. Small livestock are defined as:
  - i. swine- breeds include miniature Vietnamese, Chinese or oriental pot-bellied pigs (*sus scrofa vittatus*),
  - ii. other small pig breeds such as Kunekune, Choctaw, and Guinea hogs,
  - iii. all breeds of goats excluding mature large meat breeds such as Boers, and
  - iv. all breeds of sheep excluding mature large meat breeds such as Suffolk or Hampshire sheep.
  - v. No horned rams shall be permitted as a small livestock.
  - vi. Under no circumstance shall a small livestock exceed thirty-six inches shoulder height or one hundred and fifty pounds in weight.
- d. Young small animals, livestock or fowl under three months in age are not included when counting small animal, livestock or fowl.

((A)) AK. Drainage Ditch.

An artificially created watercourse constructed to drain surface or ground water. Ditches are graded (man-made), channels installed to collect and convey runoff from fields and roadways. Ditches may include irrigation ditches, waste ways, drains, outfalls, operational spillways, channels, stormwater runoff facilities, or other wholly artificial watercourses, except those that directly result from the modification to a natural watercourse. Ditches channels that support fish are considered to be streams.



- ((AK)) AL. Dredge Spoil.  
The material removed by dredging.
- ((AL)) AM. Dredging.  
The removal, displacement, and disposal of unconsolidated earth material such as silt, sand, gravel, or other submerged material from the bottom of water bodies; maintenance dredging and other support activities are included in this definition.
- ((AM)) AN. Drift Cell.  
Or “drift sector” or “littoral cell” means a particular reach of marine shore in which littoral drift may occur without significant interruption and which contains any natural sources of such drift and also accretion shore forms created by such drift.
- ((AN)) AO. Driveway.  
An all-weather surface driveway structure as shown in the standard plans.
- ((AO)) AP. Duplex.  
A building that contains two primary dwelling units on one lot. The units must share a common wall or common floor/ceiling.
- ((AP)) AQ. Dwelling Unit.  
A building, or a portion of a building, that has independent living facilities including provisions for sleeping, cooking, and sanitation, and that is designed for residential occupancy by a group of people. Buildings with more than one set of cooking facilities are considered to contain multiple dwelling units unless the additional cooking facilities are clearly accessory, such as an outdoor grill.

**Section 4.** That SMC section 17A.020.130 is amended to read as follows:

**17A.020.130 “M” Definitions**

- A. Main Assembly Area.  
The principal room for persons gathering for religious services.
- B. Maintenance.  
Or “repair” means those usual activities required to prevent a decline, lapse, or cessation from a lawfully established condition or to restore the character, scope, size, and design of a serviceable area, structure, or land use to a state comparable to its previously authorized and undamaged condition. This does not include any activities that change the character, scope, or size of the original structure, facility, utility, or improved area beyond the original design.
- C. Manufactured Home.
1. “Manufactured home” is a single-family dwelling unit constructed after June 15, 1976, built in accordance with department of housing and urban development Manufactured Home Construction and Safety Standards Act, which is a national, preemptive building code.
  2. “Manufactured home accessory structure” is any attached or detached addition to a manufactured home, such as an awning, basement, carport, garage, porch, or storage structure, which is ordinarily appurtenant.
- D. Manufactured Home Park.  
Two or more manufactured homes or mobile homes used as dwelling units on a single parcel or lot.
- E. Marquee Sign.  
A sign incorporated into or attached to a marquee or permanent canopy.
- F. Marsh.  
A low, flat wetland area on which the vegetation consists mainly of herbaceous plants such as cattails, bulrushes, tules, sedges, skunk cabbage, or other hydrohytic plants. Shallow water usually stands on a marsh at least during part of the year.

- G. **Mean Annual Flow.**  
The average flow of a river or stream (measured in cubic feet per second) from measurements taken throughout the year. If available, flow data for the previous ten years should be used in determining mean annual flow.
- H. **Mining.**  
The extraction and removal of sand, gravel, minerals, or other naturally occurring material from the earth for economic use.
- I. **Minor Arterials.**  
A two- to four-lane facility which collects and distributes traffic from principal arterials to collector arterials and local access streets.
- J. **Mitigation – Mitigate.**  
An action which avoids a negative adverse impact and is reasonable and capable of being accomplished.
- K. **Mitigation – Mitigation Sequencing.**  
The use of any or all of the following actions listed in descending order of preference:
1. Avoiding the impact altogether by not taking a certain action or parts of an action.
  2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts.
  3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
  4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
  5. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; or
  6. Monitoring the impact and the compensation project and taking appropriate corrective measures.
- Mitigation may include a combination of the above measures.
- L. **Mobile Home.**  
A factory-built dwelling built prior to June 15, 1976, to standards other than the housing and urban development code, and acceptable under applicable state codes in effect at the time of construction of introduction of the home into the state. Mobile homes have not been built since introduction of the housing and urban development Manufactured Home Construction and Safety Standards Act.
- M. **Mobile Home Park.**  
Any real property which is rented or held out for rent to others for the placement of two or more mobile homes, manufactured homes, or park models for the primary purpose of production of income, except where such real property is rented or held out for rent for seasonal recreational purpose only and is not intended for year-round occupancy.
- N. **Modification to a Preliminary Plat, Short Plat, or Binding Site Plan.**  
A change, prior to recording, of an approved preliminary plat, preliminary short plat, or binding site plan that includes, but is not limited to, the addition of new lots or tracts, or a change of the boundaries or dimensions of lots or tracts.
- O. **Modular Home.**  
A single-family dwelling unit (which may be in the form of a factory-built or manufactured housing permit as well as a standard building permit) constructed in a factory in accordance with International Building Code and bearing the appropriate gold insignia indicating such compliance. The term includes “pre-fabricated,” “panelized,” and “factory-built” units.
- P. **Modulation.**  
A measured and proportioned inflection in a building’s face. Articulation, modulation, and their interval create a sense of scale important to residential buildings.

- ((P))Q. Monitoring.  
Periodic evaluation of a wetlands restoration, creation, or enhancement site or habitat management plan area to determine changes at the site, such as vegetation growth, hydrologic changes, soil development, and use of the site by birds and animals.
- ((Q))R. Monument.  
A physical survey monument as shown in the City's standard plans.
- ((R))S. Monument Sign.  
A freestanding sign where the base of the sign structure is on the ground or a maximum of twelve inches above the lowest point of the ground adjacent to the sign. The width of the top of the sign structure can be no more than one hundred twenty percent of the width of the base.
- ((S))T. Multi-family Residential Building.  
A common wall dwelling or apartment house that consists of three or more dwelling units.
- ((T))U. Multiple Containment.  
A means of spill or leak control involving a containment structure having one or more layers of material between the primary container and the environment.
1. Containment layers must be resistant to the material stored.
  2. The volume within the containment system must be at least as large as the primary container.
  3. Containment layers may be separated by an interstitial space.
- ((U))V. Municipal Separate Storm Sewer System (MS4).  
A conveyance, or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):
1. owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of wastes, stormwater, or other wastes, including special districts under state law such as sewer district, flood control district, or drainage district, designated and approved management agency under section 208 of the Clean Water Act that discharges to water of the United States;
  2. designed or used for collecting or conveying stormwater;
  3. which is not a combined sewer; and
  4. which is not part of a publicly owned treatment works (POTW) as defined at 40 CFR (Code of Federal Regulation) 122.2.
- ((V))W. MUTCD.  
The U.S. department of transportation Manual on Uniform Traffic Control Devices.

**Section 5.** That SMC section 17A.020.190 is amended to read as follows:

**17A.020.190 "S" Definitions**

- A. Salmonid.  
Belonging to the family of Salmonidae, including the salmons, trouts, chars, and whitefishes.
- B. Sandwich Board Sign.  
A self-supporting A-shaped freestanding temporary sign with only two visible sides that are situated adjacent to a business, typically on a sidewalk.
- C. Scrub-shrub Wetland.  
An area of vegetated wetland with at least thirty percent of its surface area covered by woody vegetation less than twenty feet in height at the uppermost strata.

- D. Secondary Building Walls.  
Exterior building walls that are not classified as primary building walls.
- E. Secondary Containment.  
A means of spill or leak containment involving a second barrier or tank constructed outside the primary container and capable of holding the contents of the primary container.
- F. Sediment.  
Mineral or organic matter deposited as a result of erosion.
- G. Sedimentation.  
The settling and accumulation of particles such as soil, sand, and gravel, suspended in water or in the air.
- H. SEPA Rules.  
Chapter 197-11 WAC adopted by the department of ecology.
- I. Service Area.  
A geographic area defined by the City, which encompasses public facilities that are part of a plan.
- J. Serviceable.  
Means presently useable.
- K. Setback.  
The minimum distance required between a specified object, such as a building and another point. Setbacks are usually measured from lot lines to a specified object. In addition, the following setbacks indicate where each setback is measured from:
1. "Front setback" means a setback that is measured from a front lot line.
  2. "Rear setback" means a setback that is measured from a rear lot line.
  3. "Side setback" means a setback that is measured from a side lot line.
  4. "Street setback" means a setback that is measured from a street lot line.
- L. Sex Paraphernalia Store.  
A commercial establishment that regularly features sexual devices and regularly advertises or holds itself out, in any medium, as an establishment that caters to adult sexual interests. This definition shall not be construed to include:
1. Any pharmacy, drug store, medical clinic, any establishment primarily dedicated to providing medical or healthcare products or services; or
  2. Any establishment located within an enclosed regional shopping mall.
- M. Sexual Device.  
Any three dimensional object designed for stimulation of the male or female human genitals, anus, buttocks, female breast, or for sadomasochistic use or abuse of oneself or others and shall include devices commonly known as dildos, vibrators, penis pumps, cock rings, anal beads, butt plugs, nipple clamps, and physical representations of the human genital organs. Nothing in this definition shall be construed to include devices primarily intended for protection against sexually transmitted diseases or for preventing pregnancy.
- N. Shall.  
Unless the context indicates otherwise, the term "shall" means:
1. In reference to the obligations imposed by this title upon owners or occupants of premises or their agents, a mandatory obligation to act, or when used with a negative term to refrain from acting, in compliance with this code at the risk of denial of approval or civil or criminal liability upon failure so to act, the term being synonymous with "must";
  2. With respect to the functions of officers and agents of the City, a direction and authorization to act in the exercise of sound discretion; or

3. The future tense of the verb “to be.”

O. Shallow Groundwater.

Naturally occurring water within an unconfined (water table) aquifer, partially confined aquifer or perched groundwater aquifer, and which is present at depth of fifteen feet or less below the ground surface, at any time, under natural conditions.

P. Shorelands.

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

Q. Shoreline and Ecosystems Enhancement Plan and Program.

See SMC 17E.020.090, Habitat Management Plans.

R. Shoreline Buffer.

1. A designated area adjacent to the ordinary high-water mark and running landward to a width as specified by this regulation intended for the protection or enhancement of the ecological function of the shoreline area.

2. The buffer will consist primarily of natural vegetation or planted vegetation which maintains or enhances the ecological functions of the shoreline area.

3. The term “buffer area” has the same meaning as “buffer.”

S. Shoreline Enhancement.

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

T. Shoreline Environment Designations.

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

U. Shoreline Habitat and Natural Systems Enhancement Projects.

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

2. Provided that the primary purpose of such actions is clearly restoration of the natural character and ecological functions of the shoreline, projects may include shoreline modification actions such as:

3. Modification of vegetation,

4. Removal of nonnative or invasive plants,

5. Shoreline stabilization, dredging, and filling.

V. Shoreline Jurisdiction.

See “Shorelands.”

W. Shoreline Letter of Exemption.

Authorization from the City which establishes that an activity is exempt from shoreline substantial development permit requirements under SMC 17E.060.300 and WAC 173-14-040, but subject to regulations of the Act and the entire shoreline master program.

- X. Shoreline Master Program.
1. The comprehensive use plan for a described area, and the use regulations together with maps, diagrams, charts, or other descriptive material and text, a statement of desired goals, and standards developed in accordance with the policies enunciated in RCW 90.58.020.
  2. For the City of Spokane, the shoreline master program includes the:
    - a. Shoreline Goals and Policies (Comprehensive Plan Chapter 14),
    - b. Shoreline Regulations (chapter 17E.060 SMC),
    - c. City of Spokane Shoreline Restoration Plan (stand-alone document), and
    - d. Shoreline Inventory and Analysis (Comprehensive Plan Volume III).
- Y. Shoreline Mixed Use.  
Combination of water-oriented and non-water oriented uses within the same structure or development area.
- Z. Shoreline Modifications.  
Those actions that modify the physical configuration or qualities of the shoreline area, usually through the construction of a physical element such as a dike, breakwater, pier, weir, dredged basin, fill, bulkhead, or other shoreline structure. They can include other actions, such as clearing, grading, or application of chemicals.
- AA. Shoreline Protection.
1. Structural and nonstructural methods to control flooding or address erosion impacts to property and dwellings or other structures caused by natural processes, such as current, flood, wind, or wave action.
  2. The terms "Shoreline protection measure" and this term have the same meaning.
  3. Substantial enlargement of an existing shoreline protection improvement is regarded as new shoreline protection measure.
- AB. Shoreline Recreational Development.  
Recreational development includes commercial and public facilities designed and used to provide recreational opportunities to the public. Water-dependent, water-related and water-enjoyment recreational uses include river or stream swimming areas, boat launch ramps, fishing areas, boat or other watercraft rentals, and view platforms.
- AC. Shoreline Restoration.
1. The re-establishment or upgrading of impaired ecological shoreline processes or functions. This may be accomplished through measures including, but not limited to, re-vegetation, removal of intrusive shoreline structures and removal or treatment of toxic materials.
  2. Restoration does not imply a requirement for returning the shoreline area to aboriginal or pre-European settlement conditions.
- AD. Shoreline Stabilization.  
Structural or non-structural modifications to the existing shoreline intended to reduce or prevent erosion of uplands or beaches. They are generally located parallel to the shoreline at or near the ordinary high-water mark. Other construction classified as shore defense works include groins, jetties, and breakwaters, which are intended to influence wave action, currents, and/or the natural transport of sediments along the shoreline.
- AE. Shoreline Structure.  
A permanent or temporary edifice or building, or any piece of work artificially built or composed of parts joined together in some definite manner, whether installed on, above, or below the surface of the ground or water, except for vessels.
- AF. Shorelines Hearings Board (SHB).  
The shorelines hearings board is a quasi-judicial body with powers of de novo review authorized by chapter 90.58 RCW to adjudicate or determine the following matters:

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

AG. Short Plat – Final.

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

AH. Short Plat – Preliminary.

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

AI. Short Subdivision.

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

AJ. Sign.

1. Materials placed or constructed or light projected, but not including any lawful display of merchandise, that:
  - a. Conveys a message or image, and
  - b. Is used to inform or attract the attention of the public
2. Some examples of signs are materials or lights meeting the definition of the preceding sentence and which are commonly referred to as signs, placards, A-boards, posters, murals, diagrams, banners, flags, or projected slides, images, or holograms.
3. The scope of the term sign does not depend on the content of the message or image conveyed.

AK. Sign – Animated Sign.

A sign that uses movement, by either natural or mechanical means, to depict action to create a special effect or scene.

AL. Sign – Electronic Message Center Sign.

An on-premises sign capable of displaying words, symbols, figures, or images that can be electronically or mechanically changed by remote or automatic means including signs using a video display method.

AM. Sign Face.

The portion of a sign which contains lettering, logo, trademark, or other graphic representations.

AN. Sign – Flashing Sign.

1. A pattern of changing light illumination where the sign illumination alternates suddenly between fully illuminated and fully non-illuminated in a strobe-like fashion for the purpose of drawing attention to the sign.
2. Time and temperature signs are excluded from this definition.
3. For the purpose of this title, electronic message centers consistent with the standards of SMC 17C.240.240(J) shall not be considered flashing signs.



- AO. Sign Maintenance.  
Normal care needed to keep a sign functional, such as cleaning, painting, oiling, and changing of light bulbs.
- AP. Sign – Off-premises.  
A sign relating, through its message and content, to a business activity, use, product, or service not available on the premises upon which the sign is erected.
- AQ. Sign Repair.  
Fixing or replacement of broken or worn parts. Replacement includes comparable materials only. Repairs may be made with the sign in position or with the sign removed.
- AR. Sign Structure.  
A structure specifically intended for supporting or containing a sign.
- AS. Significant Vegetation Removal.  
The removal or alteration of trees, shrubs, and/or ground cover by clearing, grading, cutting, burning, chemical means, or other activity that causes significant ecological impacts to functions provided by such vegetation.
1. The removal of invasive or noxious weeds does not constitute significant vegetation removal.
  2. Tree pruning, not including tree topping, where it does not affect ecological functions, does not constitute significant vegetation removal.
- AT. Single-family Residential Building.  
A dwelling containing only one dwelling unit.
- AU. Single-room Occupancy Housing (SRO).  
A structure that provides living units that have separate sleeping areas and some combination of shared bath or toilet facilities.
1. The structure may or may not have separate or shared cooking facilities for the residents.
  2. SRO includes structures commonly called residential hotels and rooming houses.
- AV. Site.  
Any parcel of land recognized by the Spokane County assessor's office for taxing purposes. A parcel may contain multiple lots.
- AW. Site – Archaeological.
1. A place where a significant event or pattern of events occurred. It may be the:
    - a. Location of prehistoric or historic occupation or activities that may be marked by physical remains; or
    - b. Symbolic focus of a significant event or pattern of events that may not have been actively occupied.
  2. A site may be the location of a ruined or now non-extant building or structure if the location itself possesses historic, cultural, or archaeological significance.
- AX. Site, Parent.  
The initial aggregated area containing a development, and from which individual lots may be divided, as used in the context of SMC 17C.110.360 Pocket Residential Development, and SMC 17G.080.065, Alternative Residential Subdivisions.
- ~~((AX))~~AY. Slump.  
The intermittent movement (slip) of a mass of earth or rock along a curved plane.
- ~~((AY))~~AZ. SMC.  
The Spokane Municipal Code, as amended.

- ((AZ))BA. Soil.  
The naturally occurring layers of mineral and organic matter deposits overlaying bedrock. It is the outer most layer of the Earth.
- ((BA))BB. Sound Contours.  
A geographic interpolation of aviation noise contours as established by the 2010 Fairchild AFB Joint Land Use Study and placed on the official zoning map. When a property falls within more than one noise zone, the more restrictive noise zone requirements shall apply for the entire property.
- ((BB))BC. Sound Transmission Class (STC).  
A single-number rating for describing sound transmission loss of a wall, partition, window or door.
- ((BG))BD. Special Drainage District (SDD).  
An area associated with shallow groundwater, intermittent standing water, or steep slopes where infiltration of water and dispersion of water into the soils may be difficult or delayed, creating drainage or potential drainage problems. SDDs are designated in SMC 17D.060.130.
- ((BD))BE. Special Event Sign.  
A temporary sign used to announce a circus, a carnival, festivals, or other similar events.
- ((BE))BF. Species of Concern.  
Species native to Washington State listed as state endangered, state threatened, state sensitive, or state candidate, as well as species listed or proposed for listing by the U.S. Fish and Wildlife Service or the National Marine Fisheries Service.
- ((BF))BG. Specified Anatomical Areas.  
They are human:
1. Genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola, when such areas are less than completely and opaquely covered;
  2. Male genitals in a discernibly turgid state, even if completely and opaquely covered.
- ((BG))BH. Specified Sexual Activities.  
Any of the following:
1. Human genitals in a state of sexual stimulation or arousal;
  2. Acts of human masturbation, sexual intercourse, or sodomy; and
  3. Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.
- ((BH))BI. Spokane Regional Stormwater Manual (SRSM).  
A technical document establishing standards for stormwater design and management to protect water quality, natural drainage systems, and down-gradient properties as urban development occurs.
- ((BI))BJ. Spokane Register of Historic Places.  
The register maintained by the historic preservation office, which includes historic landmarks and districts in the City and County.
- ((BJ))BK. Sports Field.  
An open area or stadium in which scheduled sports events occur on a regular basis. Sports events include both competitive and noncompetitive events such as track and field activities, soccer, baseball, or football games.
- ((BK))BL. Stabilization.  
The process of establishing an enduring soil cover of vegetation or mulch or other ground cover and may be in combination with installation of temporary or permanent structures.
- ((BL))BM. Standard Plans.  
Refers to the City of Spokane's standard plans.

- ~~((BM))~~BN. Standard References  
Standard engineering and design references identified in SMC 17D.060.030.
- ~~((BN))~~BO. State Candidate Species.  
Fish and wildlife species that WDFW will review for possible listing as state endangered, threatened, or sensitive.
- ~~((BO))~~BP. State Endangered Species.  
Any wildlife species native to the State of Washington that is seriously threatened with extinction throughout all or a significant portion of its range within the state.
- ~~((BP))~~BQ. State Register.  
The register maintained pursuant to chapter 195, Laws of 1977, 1st ex. sess., section 6 (chapter 27.34 RCW).
- ~~((BQ))~~BR. State Sensitive Species.  
Any wildlife species native to the State of Washington that is vulnerable or declining and is likely to become endangered or threatened throughout a significant portion of its range within the state without cooperative management or removal of threats.
- ~~((BR))~~BS. State Threatened Species.  
Any wildlife species native to the State of Washington that is likely to become an endangered species within the foreseeable future throughout a significant portion of its range within the state without cooperative management or removal of threats.
- ~~((BS))~~BT. Stealth Facilities.  
Any cellular telecommunications facility that is designed to blend into the surrounding environment. Examples of stealth facilities include:
1. Architecturally screened roof-mounted antennas;
  2. Building-mounted antennas painted to match the existing structure;
  3. Antennas integrated into architectural elements; and
  4. Antenna structures designed to look like light poles, trees, clock towers, bell steeples, or flag poles.
- ~~((BT))~~BU. Stewardship.  
Acting as supervisor or manager of the City and County's historic properties.
- ~~((BU))~~BV. Stormwater.
1. Any runoff flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.
  2. "Stormwater" further includes any locally accumulating ground or surface waters, even if not directly associated with natural precipitation events, where such waters contribute or have a potential to contribute to runoff onto the public right-of-way, public storm or sanitary sewers, or flooding or erosion on public or private property.
- ~~((BV))~~BW. Stormwater Management Program (SWMP).  
A set of actions and activities designed to reduce the discharge of pollutants from the regulated MS4 to the maximum extent practicable and to protect water quality, and comprising the components listed in S5 or S6 of the Eastern Washington Phase II Municipal Permit (WAR04-6505) and any additional actions necessary to meet the requirements of applicable TMDLs.
- ~~((BW))~~BX. Story.  
That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except:
1. The topmost story is that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above;

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

~~((BX))~~BY.

Stream.

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

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

~~((BY))~~BZ.

Street.

See "Public Way" (SMC 17A.020.160).

~~((BZ))~~CA.

Street Classifications.

1. Arterial and local access streets are classified in section 4.5 of the comprehensive plan as follows:
  - a. Principal arterial.
  - b. Minor arterial.
  - c. Collector arterial.
  - d. Local access street.
  - e. Parkway.
2. Definitions of all of the above classifications are included herein. Private streets are not classified but are defined under SMC 17A.020.160, "P" Definitions.

~~((CA))~~CB.

Street Frontage.

The lot line abutting a street.

~~((CB))~~CC.

Strobe Light.

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

~~((CC))~~CD.

Structural Alteration.

1. Modification of a sign, sign structure, or awning that affects size, shape, height, or sign location.
2. Changes in structural materials; or
3. Replacement of electrical components with other than comparable materials.
4. The replacement of wood parts with metal parts, the replacement of incandescent bulbs with light emitting diodes (LED), or the addition of electronic elements to a non-electrified sign would all be structural alterations.
5. Structural alteration does not include ordinary maintenance or repair, repainting an existing sign surface, including changes of message or image, exchanging painted and pasted or glued materials on painted wall signs, or exchanging display panels of a sign through release and closing of clips or other brackets.

- ~~((CD))~~CE. Structure.  
Any object constructed in or on the ground, including a gas or liquid storage tank that is principally above ground.
1. Structure includes:
    - a. Buildings,
    - b. Decks,
    - c. Fences,
    - d. Towers,
    - e. Flag poles,
    - f. Signs, and
    - g. Other similar objects.
  2. Structure does not include paved areas or vegetative landscaping materials.
- ~~((CE))~~CF. Structure – Historic.  
A work made up of interdependent and interrelated parts in a definite pattern of organization. Generally constructed by man, it is often an engineering project.
- ~~((CF))~~CG. Subdivision.  
A division or redivision of land into ten or more lots, tracts, or parcels for the purpose of sale, lease, or transfer of ownership (RCW 58.17.020).
- ~~((CG))~~CH. Subject Property.  
The site where an activity requiring a permit or approval under this code will occur.
- ~~((CH))~~CI. Sublevel Construction Controls.  
Design and construction requirements provided in SMC 17F.100.090.
- ~~((GI))~~CJ. Submerged Aquatic Beds.  
Wildlife habitat area made up of those areas permanently under water, including the submerged beds of rivers and lakes and their aquatic plant life.
- ~~((GJ))~~CK. Substantial Damage – Floodplain.  
Damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-existing condition would equal or exceed fifty percent of the assessed value of the structure before the damage occurred.
- ~~((GK))~~CL. Substantial Development.  
For the shoreline master program, shall mean any development of which the total cost or fair market value exceeds the dollar amount set forth in RCW 90.58 and WAC 173-26 for any improvement of property in the shorelines of the state.
- ~~((GL))~~CM. Substantial Improvement – Floodplain.
1. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the assessed value of the structure either:
    - a. Before the improvement or repair is started, or
    - b. If the structure has been damaged and is being restored, before the damage occurred.
  2. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.
  3. The term does not, however, include either any:

- a. Project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- b. Alteration of a structure listed on the National Register of Historic or State Inventory of Historic Places.

~~((GM))~~CN. Suffix.

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

**Section 6.** That SMC section 17C.110.030 is amended to read as follows:

**17C.110.030 Characteristics of Residential Zones**

- A. Residential Agriculture (RA).  
The RA zone is a low-density single-family residential zone that is applied to areas that are designated agriculture on the land use plan map of the comprehensive plan. Uses allowed in this zone include farming, green house farming, single-family residences and minor structures used for sales of agricultural products produced on the premises.
- B. Residential Single-family (RSF).  
The RSF zone is a low-density single-family residential zone. It allows a minimum of four and a maximum of ten dwelling units per acre. One- and two-story buildings characterize the allowed housing. The major type of new development will be attached and detached single-family residences. In appropriate areas, more compact development patterns are permitted. The RSF zone is applied to areas that are designated residential 4-10 on the land use plan map of the comprehensive plan.
- C. Residential Single-family Compact (RSF-C).  
The RSF-C zone is a low-density single-family residential zone that is applied to areas that are designated residential 4-10 on the land use plan map of the comprehensive plan. It allows a minimum of four and a maximum of ten dwelling units per acre. One- and two-story attached and detached single-family residences characterize the allowed housing. The RSF-C zone allows lots as small as three thousand square feet provided that the overall maximum density of the development does not exceed ten units per acre. It is the intent of this zone to allow somewhat smaller lots in appropriate locations and to allow new development to move closer to achieving the maximum density of the residential 4-10 designation. To promote compatible infill development, the design standards of SMC 17C.110.310 are applied in this zone. The RSF-C zone is intended to be applied to parcels that are wholly or partially within one-quarter mile of a CC Core designated on the land use plan map of the comprehensive plan. The RSF-C zone may also be implemented on parcels that are adjacent to or across a street or alley from a zoning category that allows higher density uses than the RSF zone, including the RTF, RMF, RHD, Commercial, Center and Corridor and Downtown zones.
- D. Residential Two-family (RTF).  
The RTF zone is a low-density residential zone. It allows a minimum of ten and a maximum of twenty dwelling units per acre. Allowed housing is characterized by one and two story buildings but at a slightly larger amount of building coverage than the RSF zone. The major type of new development will be duplexes, townhouses, row houses and attached and detached single-family residences. Cottage-style and pocket residential development are allowed. The RTF zone is applied to areas that are designated residential 10-20 on the land use plan map of the comprehensive plan. Generally, the RTF zone is applied to areas in which the predominant form of development is trending toward duplexes rather than single-family residences.
- E. Residential Multifamily (RMF).  
The RMF is a medium-density residential zone. Allowed housing is characterized by one to four story structures and a higher percentage of building coverage than in the RTF zone. The major types of development will include attached and detached single-family residential, condominiums, apartments, duplexes, townhouses and row houses. The minimum and maximum densities are fifteen and thirty units per acre.
- F. Residential High Density (RHD).  
The RHD is a high-density residential zone that allows the highest density of dwelling units in the residential zones. The allowed housing developments are characterized by high amount of building coverage. The major types of new housing development will be attached and detached single-family residential, duplexes, medium and high-rise apartments, condominiums (often with allowed accessory uses). The minimum density is fifteen units per acre; the maximum is limited by other code provisions (i.e., setbacks, height, parking, etc.).

**Section 7.** That SMC section 17C.110.115 is amended to read as follows:

**17C.110.115 Housing Types Allowed**

- A. Purpose.  
In the RA through RTF zones, housing types are limited to maintain the overall image and character of the city's residential neighborhoods. However, the standards allow options to increase housing variety and opportunities, and to promote affordable and energy-efficient housing. Other housing types, including multifamily units, are allowed in the higher density zones under the RMF and RHD categories.
- B. The kinds of housing types allowed in the residential zones are stated in Table 17C.110-2.

<b>TABLE 17C.110-2</b> <b>RESIDENTIAL ZONE HOUSING TYPES ALLOWED</b> <a href="#">(Click here to view PDF)</a>					
<b>P</b> – Permitted <b>N</b> – Not Permitted <b>CU</b> – Conditional Use review required	<b>RA</b>	<b>RSF and RSF-C</b>	<b>RTF</b>	<b>RMF</b>	<b>RHD</b>
Single-family Residence (detached)	P	P	P	P	P
Attached Single-family Residence [1]	P	P	P	P	P
Cottage Housing [1]	CU	CU	((N)) <u>CU</u>	((N))	((N))
<u>Housing on Transitional ((Housing)) Sites</u> [1]	P	P	P		
Zero Lot Line [1]	P	P	P	P	P
Accessory Dwelling Unit (ADU) [2]	P	P	P	P	P
Detached ADU [2]	P	P	P	P	P
Duplexes	N	N	P	P	P
Manufactured Home [3]	P	P	P	P	P
Mobile Home Parks [3]	CU	CU	N	N	N
Single Room Occupancy (SRO)	N	N	N	P	P
Group Living	See SMC 17C.330.100				
Multidwelling Structure	N	N	N	P	P
Short Term Rentals [4]	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>	<u>P/CU</u>
Notes: [1] See SMC 17C.110.300 through 17C.110.360, Alternative Residential Development Standards. [2] See chapter 17C.300 SMC, Accessory Dwelling Units. [3] See chapter 17C.345 SMC, Manufactured Homes and Mobile Home Parks. [4] See chapter 17C.316 SMC, Short Term Rentals.					

**Section 8.** That SMC section 17C.110.200 is amended to read as follows:

**17C.110.200 Lot Size**

- A. Purpose.  
The standards of this section allow for development on lots, but do not legitimize lots that were divided in violation of chapter 17G.080 SMC, Subdivisions. The required minimum lot size, lot depth, lot width and frontage

requirements for new lots ensure that development will, in most cases, be able to comply with all site development standards. The standards also prevent the creation of very small lots that are difficult to develop at their full density potential. Finally, the standards also allow development on lots that were reduced by condemnation or required dedications for right-of-way.

B. Existing Lot Size.

1. Development is prohibited on lots that are not of sufficient area, dimension and frontage to meet minimum zoning requirements in the base zone. Except:
  - a. one single-family residence may be developed on a lot that was legally created under the provisions of chapter 58.17 RCW, Plats – Subdivisions – Dedications, or applicable platting statutes;
  - b. a PUD lot may be less than the minimum size of the base zone, if such lot is delineated on a PUD plan, which has been approved by the hearing examiner. All use and development standards of the zone wherein such lot is located, shall be complied with, unless modified through the PUD process by the hearing examiner. A PUD shall comply with the requirements of subsection (C) of this section.
2. No lot in any zone may be reduced so that the dimension, minimum lot area, frontage or area per dwelling unit is less than that required by this chapter, except as modified through the PUD process by the hearing examiner.
3. Lots Reduced by Condemnation or Required Dedication for Right-of-way. Development that meets the standards of this chapter is permitted on lots, or combinations of lots, that were legally created and met the minimum size requirements at the time of subdivision, but were reduced below one or more of those requirements solely because of condemnation or required dedication by a public agency for right-of-way.

C. Land Division.

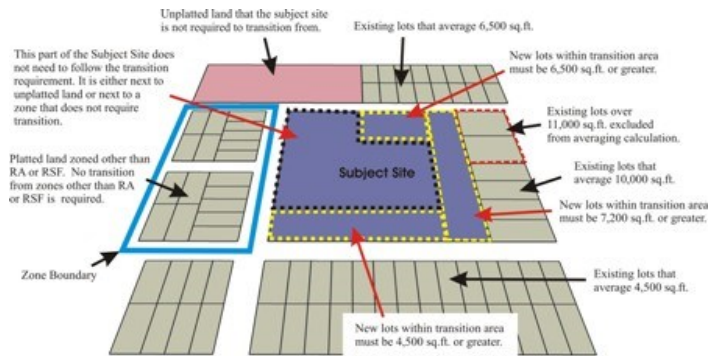
All new lots created through subdivision must comply with the standards for the base zone listed in Table 17C.110-3.

1. Transition Requirement.

For sites two acres or greater, transition lot sizes are required to be included as a buffer between existing platted land and new subdivision subject to the requirements of this section. The purpose of this section is to transition lot sizes between the proposed and existing residential developments in order to facilitate compatible development and a consistent development pattern. In the RA and RSF zones, the minimum lot size is subject to transitioning of lots sizes. Lots proposed within the initial eighty feet of the subject property are required to transition lot sizes based on averaging under the following formulas:

  - a. Transitioning is only required of properties adjacent to or across the right-of-way from existing residential development. "Existing residential development" in this section shall mean existing lots created through subdivision or short plat.
  - b. Lot size in the transition area is based on the average of the existing lot size in subdivisions adjacent to, or across the street from, the subject property. Lots greater than eleven thousand square feet are not counted in the averaging.
  - c. If the existing average lot size is greater than seven thousand two hundred square feet, then the lot size in the transition area can be no less than seven thousand two hundred square feet.
  - d. If the existing average lot size is less than seven thousand two hundred square feet, then the lot size in the transition area can be equal to or greater than the average.
  - e. If the subject site shares boundaries with more than one subdivision, the minimum lot size in the transition area shall be based on the average lot sizes along each boundary. When two boundaries meet, the lot size shall be based on the larger of the two boundaries. See example below; and





- f. If the subject site shares a boundary with property zoned other than RA or RSF, then there are no transition requirements along that boundary.
- g. After the first set of lots in the transition area, lot sizes may be developed to the minimum lot size of the base zone, i.e., four thousand three hundred fifty square feet in the RSF zone.

2. Planned unit developments, combined with a subdivision, may reduce the minimum lot size, lot width, lot depth and frontage requirements in the RA and RSF zones pursuant to SMC 17G.070.030(C)(1), except in the transition area required by subsection (C)(1) of this section.

D. Ownership of Multiple Lots.

Where more than one adjoining lot is in the same ownership, the ownership may be separated as follows:

1. If all requirements of this chapter will be met after the separation, including lot size, density and parking, the ownership may be separated through either a boundary line adjustment (BLA) or plat, as specified under chapter 17G.080 SMC, Subdivisions.
2. If one or more of the lots does not meet the lot size standards in this section, the ownership may be separated along the original plat lot lines through a boundary line adjustment (BLA).

E. New Development on Standard Lots. New development on lots that comply with the lot size standards in this section are allowed subject to the development standards and density requirements of the base zone as required under Table 17C.110-3.

F. Lot Frontage. All residential lots shall front onto a public street and meet the minimum lot frontage requirements of Table 17C.110-3. Except, that frontage on a public street is not required for lots created through alternative residential subdivision under SMC 17G.080.065, and lots approved in a planned unit development or a manufactured home park may have lots or spaces fronting onto private streets, subject to the decision criteria of SMC 17H.010.090.

TABLE 17C.110-3 DEVELOPMENT STANDARDS [1]						
DENSITY STANDARDS						
	RA	RSF & RSF-C	((RSF-C))	RTF	RMF	RHD
Density - Maximum	4,350 (10 units/acre)	4,350 (10 units/acre)	((4,350 (10 units/acre)))	2,100 (20 units/acre)	1,450 (30 units/acre)	--
Density - Minimum	11,000 (4 units/acre)	11,000 (4 units/acre)	((11,000 (4 units/acre)))	4,350 (10 units/acre)	2,900 (15 units/acre)	2,900 (15 units/acre)
MINIMUM LOT DIMENSIONS LOTS TO BE DEVELOPED WITH:						
Multi-Dwelling Structures or Development						
	RA	RSF & RSF-C	((RSF-C))	RTF	RMF	RHD
Minimum Lot Area					2,900 sq. ft.	2,900 sq. ft.
Minimum Lot Width					25 ft.	25 ft.
Minimum Lot Depth					70 ft.	70 ft.
Minimum Front Lot Line					25 ft.	25 ft.
Compact Lot Standards [2]						
Minimum Lot Area [3]		3,000 sq. ft.				
Minimum Lot Width		36 ft.				
Minimum Lot Depth		80 ft.				
Minimum Front Lot Line		30 ft.				
Attached Houses						
Minimum Lot Area (([2])) [3]	7,200 sq. ft.	4,350 sq. ft.	((3,000 sq. ft.))	1,600 sq. ft.	1,600 sq. ft.	None
Minimum Lot Width	40 ft.	40 ft.	((36 ft.))	36 ft. or 16 ft. with alley parking and no street curb cut	Same	Same
Minimum Lot Depth	80 ft.	80 ft.	((80 ft.))	50 ft.	25 ft.	25 ft.
Minimum Front Lot Line	40 ft.	40 ft.	((30 ft.))	Same as lot width	Same as lot width	Same as lot Width
Detached Houses						
Minimum Lot Area (([2])) [3]	7,200 sq. ft.	4,350 sq. ft.	((3,000 sq. ft.))	1,800 sq. ft.	1,800 sq. ft.	None
Minimum Lot Width	40 ft.	40 ft.	((36 ft.))	36 ft.	25 ft.	25 ft.
Minimum Lot Depth	80 ft.	80 ft.	((80 ft.))	40 ft.	25 ft.	25 ft.
Minimum Front Lot Line	40 ft.	40 ft.	((30 ft.))	30 ft.	25 ft.	25 ft.
Duplexes						
Minimum Lot Area				4,200 sq. ft.	2,900 sq. ft.	None
Minimum Lot Width				25 ft.	25 ft.	25 ft.
Minimum Lot Depth				40 ft.	40 ft.	25 ft.
Minimum Front Lot Line				25 ft.	25 ft.	25 ft.
PRIMARY STRUCTURE						
Maximum Building Coverage						
	RA	RSF & RSF-C	((RSF-C))	RTF	RMF	RHD
Lots 5,000 sq. ft. or larger	40%	2,250 sq. ft. +35% for	((2,250 sq. ft. +35% for portion	2,250 sq. ft. +35% for portion	50%	60%



[2] See SMC 17C.110.209, Compact Lot Standards.

~~(([2]))~~ [3] For developments two acres or greater, lots created through subdivision in the RA, RSF and the RSF-C zones are subject to the lot size transition requirements of SMC 17C.110.200(C)(1).

~~(([3]))~~ [4] In the RSF-C and RTF zones, and sites in the RSF zone qualifying for compact lot development standards, described in SMC 17C.110.209, FAR may be increased to 0.65 for attached housing development only.

~~(([4]))~~ [5] No structure located in the rear yard may exceed twenty feet in height.

~~(([5]))~~ [6] Base zone height may be modified according to SMC 17C.110.215, Height.

~~(([6]))~~ [7] Attached garage or carport entrance on a street is required to be setback twenty feet from the property line.

~~(([7]))~~ [8] See SMC 17C.110.220(D)(1), setbacks regarding the use of front yard averaging.

~~(([8]))~~ [9] See SMC 17C.110.220(D)(2), setbacks regarding reduction in the rear yard setback.

~~(([9]))~~ [10] Attached garages may be built to five feet from the rear property line except, as specified in SMC 17C.110.225(C)(6)(b), but cannot contain any living space.

[11] In the RSF-C zone and sites in the RSF zone qualifying for compact lot development standards, described in SMC 17C.110.209, the rear setback is 15 feet.

~~(([10]))~~ [12] Maximum site coverage for accessory structures is counted as part of the maximum site coverage of the base zone.

~~(([11]))~~ [13] Setback for a detached accessory structure and a covered accessory structure may be reduced to zero feet with a signed waiver from the neighboring property owner, except, as specified in SMC 17C.110.225(C)(5)(b).

~~(([12]))~~ [14] The setback for a covered accessory structure may be reduced to five feet from the property line.

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**Note:** For the remainder of Ordinance No. C35575, Ordinance No. C35576 and for Ordinance No. C35577, Job Opportunities and Notices for Bids, see Parts II - IV of this Issue (Issue 6) of the *Official Gazette*.

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# Official Gazette

## City of Spokane, Washington

Statement of City Business, including a Summary of the Proceedings of the City Council

Volume 108

**FEBRUARY 7, 2018**

Issue 6 Part II of IV



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### INSIDE THIS ISSUE

ORDINANCES 181

(ORDINANCES, JOB OPPORTUNITIES  
& NOTICES FOR BIDS CONTINUED IN  
PARTS III & IV OF THIS ISSUE)

**The Official Gazette**

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# Ordinances

These ordinances are published in this issue of the *Official Gazette* pursuant to passage by the Spokane City Council. It should be noted that these ordinances may be subject to veto by the Mayor. If an ordinance is vetoed by the Mayor, the Mayoral veto will be published in a subsequent issue of the *Official Gazette*.

**ORD C35575****(Continued from Part I of this issue.)**

**Section 9.** That there is adopted a new section 17C.110.209 to chapter 17C.110 of the Spokane Municipal Code to read as follows:

**17C.110.209 Compact Lot Standards****A. Purpose.**

This section allows for development of sites one and a half acres or less for the purpose of compact residential development. It is the intent of these standards to allow somewhat smaller lots in appropriate locations and to allow new development to move closer to achieving the maximum density of the residential 4-10 designation.

**B. Applicability.**

The compact lot development standards in Table 17C.110-3 apply for the housing types allowed in Table 17C.110-2 on sites defined in SMC 17C.110.209(B)(1) below in the RSF zone, and throughout the RSF-C zone, unless superseded by development standards of a plan district, overlay zone, or development standards contained in sections SMC 17C.110.310 through 17C.110.360.

1. The standards apply within the RSF zone only on developments meeting the size requirements of subsection (3) below and located:
    - a. At least partially within one thousand three hundred twenty feet of a CC, CA, or DT zone or CC3 zoning overlay; or
    - b. On a lot that is a transitional site as described in SMC 17C.110.330.
  2. To determine eligibility of a site, the distance in subsection (1)(a) above is measured in a straight line between the zone/overlay boundary to the lot line of the site containing the development.
  3. The maximum size for a development using the compact lot standards of Table 17C.110-3 in the RSF zone is one and a half acres. Compact lot developments over one and a half acres must be approved as a planned unit development.
- C. The design standards of SMC 17C.110.310 apply to projects using the compact lot standards in Table 17C.110-3 in order to complement and reinforce positive residential character.

**Section 10.** That SMC section 17C.110.350 is amended to read as follows:

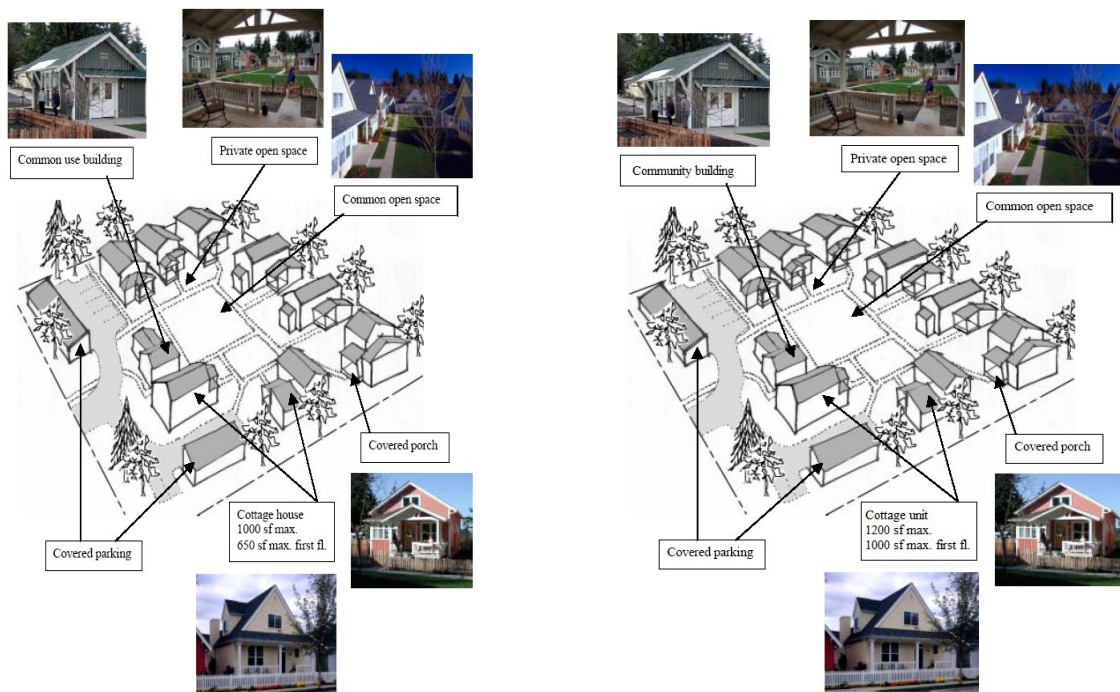
**17C.110.350 Cottage Housing****A. Purpose and Intent.**

The intent of cottage housing is to:

1. ~~Support ((the)) a diversity of housing ((, increases the variety of housing types for smaller households and provides the opportunity for small, detached single-family dwelling units within existing~~

~~neighborhoods.)) choices citywide by providing a housing type that responds to changing household sizes and ages (e.g., retirees, small families, single-person households);~~

2. Require specific design standards on the perimeter of the development to improve compatibility with the surrounding neighborhood;
3. Incentivize higher levels of design, usable open space, and more livable developments through use of density bonuses;
4. Provide opportunities for ownership of small, detached and attached single-family housing types clustered around a centrally located, functional common open space that fosters a sense of community; and
5. Provide semi-private areas around the individual dwellings to enable diversity in landscape design and foster a sense of ownership.



((

))

[Note: Graphic above left is to be deleted and replaced with graphic at right.]

#### B. Qualifying Situations.

Cottage housing developments are allowed in the RA through RTF zones on sites of ~~((one-half acre))~~ fourteen thousand five hundred square feet or larger with a minimum of ~~((six))~~ four units ~~((and a maximum of twelve units))~~.

#### C. Procedure.

Cottage housing is allowed by Type II conditional use permit in the RA, ~~((and))~~ RSF, and RTF zones, subject to ~~((the))~~ compliance with subsections (D) and (E) of this section. When cottage housing development involves subdivision of land, the permit application shall be processed concurrently with a Type II or Type III application for subdivision in accordance with the procedures of SMC 17G.080.065, Alternative Residential Subdivisions. If processed concurrently with a subdivision of greater than nine lots, the permit application shall be processed concurrently with the Type III subdivision application. This section is subject to the provisions of SMC 17C.110.015, Design Standards Administration. ~~((Design))~~ Staff will review ~~((ef))~~ the site plan and each building permit application ~~((is required))~~ for consistency with this chapter.

1. A site plan depicting ~~((the))~~ building locations and orientation, ~~((open space,))~~ dimensions of common and private open space, fencing, landscaping, parking, setbacks, easements, footprints of all adjacent structures, and compliance with subsections (D) and (E) of this section ~~((is required))~~ shall be submitted with the ~~((Type II))~~ permit application. If the site plan ~~((,if))~~ is approved, ~~((is required to be recorded at the Spokane County auditor's office including))~~ deed restrictions for the subject property that ~~((enforces))~~

enforce the elements of the cottage housing ordinance, including limitation on unit floor area, shall be recorded at the Spokane County auditor's office.

2. The permit application shall include elevations of all proposed model types, showing architectural expression and fenestration (to include window and door placement), and photographs of all adjacent structures.
- ((2)) 3. ((A)) Common open space, parking areas, and common use buildings will be maintained by the owner or an appropriate property management entity, if under singular ownership. In the event that the development is subdivided or condominium platted, a homeowners' association is required to be created for the maintenance of the common open space, parking ((area)) areas and common use areas, buildings((;)), and utilities within the development. This requirement shall be included in deed restrictions as required in paragraph 1.
4. With the exception of critical or natural areas, prior to occupancy of more than fifty percent of units approved for the development, the common open space, and private open space landscaping for those units, shall be completed in accordance with the approved landscaping plans. Occupancy of the last fifty percent shall be contingent upon the completion of all site landscaping.

D. Cottage Housing Site Development Standards.

This subsection provides development standards intended to achieve compatibility with adjacent single-family residential uses. Emergency access shall be provided to all units as required by applicable building and fire code regulations. The special cottage housing site development standards table displays basic requirements that vary from the development standards of the underlying zone.

<b>TABLE 17C.110.350-1 COTTAGE HOUSING SITE DEVELOPMENT STANDARDS</b>	
<b>STANDARD</b>	<b>SITE REQUIREMENTS</b>
<u>Cluster Size</u>	<u>4 or more units</u>
<u>Maximum Floor Area [1]</u>	<u>Detached Cottage: 1,200 sq. ft.(1,000 sq. ft. footprint)</u> <u>Attached Unit Home: 2,000 sq. ft. total</u> <u>Carriage Unit: 800 sq. ft.</u>
<u>Density Bonus [2]</u>	<u>20 or 40 percent above the maximum density in the zone</u>
<u>Maximum wall height for Cottage Housing Units [3]</u>	<u>20 ft.</u>
<u>Maximum roof height for buildings with minimum roof slope of 6:12 [4]</u>	<u>30 ft.</u>
<u>Minimum common open space per unit [5]</u>	<u>300 sq. ft.</u>
<u>Minimum private open space per unit [6]</u>	<u>200 sq. ft.</u>
<u>Setback from common open space [7]</u>	<u>10 ft.</u>
<u>Rear setback [8]</u>	<u>15 ft.</u>
<u>Minimum distance between structures (Including accessory structures) [9]</u>	<u>10 ft.</u>
<u>Minimum parking spaces required</u>	<u>1 per unit,</u> <u>plus 1 per bedroom after 2 bedrooms</u>
<u>Notes:</u> <u>[1] See SMC 17C.110.350(D)(2) for limitation on total unit floor area and exclusions for below-grade basements and other spaces from floor area calculation.</u> <u>[2] See SMC 17C.110.350(D)(3)</u> <u>[3] The height of the lowest point of the roof structure intersects with the outside plane of the wall. See SMC 17C.110.350(D)(4)</u> <u>[4] All parts of the roof above 20 ft. shall be pitched with a minimum roof slope of 6:12.</u> <u>[5] No dimension of the common open space shall be less than 20 ft. See SMC 17C.110.350(D)(5)</u> <u>[6] No dimension of the private open space shall be less than 10 ft. See SMC 17C.110.350(D)(6)</u> <u>[7] Porches or patios are allowed up to 6 ft. within this setback.</u> <u>[8] Measured from property line on exterior of development. See SMC 17C.110.350(D)(7) for exceptions for accessory structures and carriage units.</u> <u>[9] See SMC 17C.110.350(D)(7) for exceptions.</u>	

1. Cluster Size.

At least four units are required around a common open space.





((4)) 2. Floor Area.

a. Dwelling Units.

Floor area is defined in SMC 17A.020.060, and for the provisions of this section SMC 17C.110.350 excludes any space identified in SMC 17C.110.350(D)(2)(c), Exclusions, below. Cottage housing unit types are defined in SMC 17A.020.030.

- i. The total floor area of each cottage unit shall not exceed one thousand two hundred square feet and the footprint shall not exceed one thousand square feet. ((Total floor area is the area included with the surrounding exterior walls, but excluding any space where the floor to ceiling height is less than six feet.))
- ii. The total combined floor area of attached unit homes, including all units in the structure and the total footprint, shall not exceed two thousand square feet.
- iii. The total floor area of a carriage unit home shall not exceed eight hundred square feet.

~~((b. The maximum first floor or main floor area for an individual principal structure shall be as follows:~~

- ~~i. For at least fifty percent of the units, the floor area may not exceed six hundred fifty square feet; and~~
- ~~ii. For no more than fifty percent of the units, the floor area may be up to one thousand square feet.))~~

~~((e))~~ b. Limitation on Total Unit Floor Area.

The total square footage of a cottage housing dwelling unit may not be increased. A note shall be placed on the title to the property for purpose of notifying future property owners that any increase in the total square footage of a cottage housing unit is prohibited for the life of the cottage housing unit or the duration of the City cottage housing regulations.

~~((d))~~ c. Exclusions from Total Floor Area Calculation.

~~((Cottage))~~ In addition to exclusions in the definition of floor area in 17A.020.060, cottage housing unit areas that ~~((doe))~~ do not count toward the total floor area calculation are:

- ~~((i. Unheated storage space located under the main floor of the cottage;~~
- ~~ii))~~ i. Architectural projections, such as bay windows, fireplaces or utility closets no greater than eighteen inches in depth or six feet in width;
- ~~((iii. Attached roof porches (unenclosed);~~
- ~~iv. Detached garages or carports;))~~
- ii. Stairways;
- ~~((v))~~ iii. Spaces with ceiling height of ~~((six))~~ five feet or less ~~((measured to the exterior walls))~~;  
and
- ~~((vi))~~ iv. ~~((The director may approve))~~ Other exemptions similar in nature provided the intent of this section is met and upon approval of the director.



~~((2. Lot Coverage. The maximum lot coverage permitted for all structures shall not exceed forty percent.))~~

3. Density.

a. Density Bonus.

- i. The cottage housing development is permitted a twenty percent density bonus ((based on the minimum lot size permitted in the base zone to a maximum of twelve units in the development)) above what is allowed in the zone. ((To calculate the permitted density, divide the lot area by the minimum lot size of the base zone, and then multiply that number by twenty percent.))
- ii. To encourage smaller dwelling units, cottage housing development is permitted a forty percent density bonus above what is allowed in the zone provided that:
  - (A) The development is located at least partially within one thousand three hundred twenty feet of a CC, CA, or DT zone or CC3 zoning overlay, as measured in a straight line between the zone/overlay boundary to the lot line of the site containing the development; and
  - (B) All units in the development are five hundred square feet or less; and
  - (C) Only a maximum of two dwelling units are allowed within twenty-five feet of any rear lot line of RSF-zoned lots of less than ten thousand square feet in size with a single-family residential use that abuts the development; and
  - (D) A sight-obscuring fence or wall, at least six feet in height where permitted by the fence requirements of SMC 17C.110.230, shall be provided on those abutting rear lot lines described in paragraph (C) above, in addition to the required landscape standard of SMC 17C.110.350(E)(2)(a); and
  - (E) A community building is provided for use of the residents that supports small living, such as laundry facilities, working or meeting space, exercise room, community kitchen, or other such facility meeting the intent of this paragraph. The community building shall be in addition to and located adjacent to the required common open space; or
  - (F) The requirement for the community building may be waived by the director upon an affirmative finding that the cottage housing development is otherwise adequately provided with those functions typically served by such a facility, as described above. The applicant assumes the burden of proof. When making this decision, the director shall consider the walking proximity of the site to locations that provide laundry services, food preparation, public gathering areas, and other community facilities.

- b. The transition lot size requirements of SMC 17C.110.200(C) do not apply for purposes of calculating the number of units permitted in a cottage housing development.

- c. The following formula is used to determine the maximum number of units allowed on the site:

Square footage of site, less the area set aside for right-of-way and tracts of land dedicated for access and/or stormwater facilities;

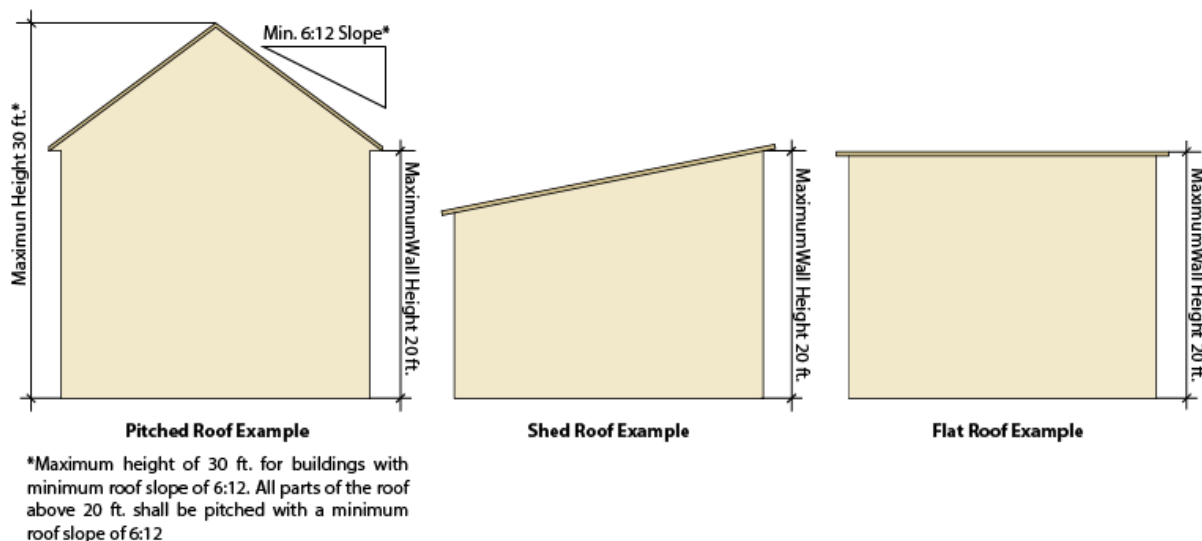
Divided by maximum density from Table 17C.110-3;

To achieve the density bonus, multiply by 1.2, or by 1.4, if eligible under SMC 17C.110.350 (D)(3)(a) (ii) above;

Equals maximum number of units allowed. If this formula results in a decimal fraction, the resulting maximum number of units allowed is rounded to the next whole number. Decimal fractions of five tenths or greater are rounded up. Fractions less than five tenths are rounded down.



4. Height.  
The height for all structures with cottage housing units shall not exceed ~~((eighteen))~~ twenty feet. ~~((Cottage or amenity buildings))~~ Structures with cottage housing units having pitched roofs with a minimum slope of 6:12 may extend up to ~~((twenty-five))~~ thirty feet at the ridge of the roof. Height requirements for accessory structures are listed in Table 17C.110-3.



[Note: Add graphic above.]

- ~~((5. — Porches.~~

- a. ~~Cottage housing units shall be oriented around and have the covered porches of main entry from the common open space. Except, cottages adjacent to a public street shall orient the front of the cottage to the street including placement of the porch. This provision does not preclude the use of additional porches or architectural features of the cottage from being oriented to the common open space.~~

- b. ~~Cottage housing units shall have a covered porch or entry at least sixty square feet in size with a minimum dimension of six feet on any side.~~

6)) 5. Common Open Space.

- a. This section requires units clustered around a common open space. The common open space ((must)) shall be at least ((two hundred fifty)) three hundred square feet per cottage housing unit. Open space with ((a)) any dimension of less than twenty feet shall not be included in the calculated common open space.

- ~~((b. Each cottage housing unit shall be provided with a private use open space of two hundred fifty square feet with no dimension of less than ten feet on one side. It should be contiguous to each cottage, for the exclusive use of the cottage resident, and oriented toward the common open space.))~~

- b. Common open space shall be located in a central area and be easily accessible to all dwellings within the surrounding cluster.

- ~~((c. The common open space is required to be landscaped prior to the occupancy of any of the structures and shall be maintained by a homeowners association.))~~

- c. Landscaping located in common areas shall be designed by a Landscape Architect registered in the State of Washington. The design shall follow standards in:

i. SMC 17C.110.350(D)(5)(d) for open space preservation in site design;

ii. Subsection (D)(8) for fences and screening;

iii. Subsection (D)(9) for parking areas;

iv. Subsection (D)(10) for pedestrian connectivity;

v. Subsection (E)(2) for open space and landscaping design standards and guidelines; and

vi. For all other parts of the common open space, the design shall be lawn or follow the general requirements and L3 open area landscaping described in SMC 17C.200.030 Landscape Types.

- d. The following critical and natural areas, where proposed to be preserved through site design, may be used to meet up to fifty percent of the total requirement for common open space, provided that these areas are either accessible to pedestrians to the extent practical or visually accessible from adjacent common open space:

i. Wetlands and wetland buffers;

ii. Frequently flooded areas;

iii. Shorelines and Shoreline buffers;

iv. Natural features (such as basalt outcroppings); and

v. Native vegetation (including stands of mature trees).

6. Private Open Space.

A private use open space of two hundred square feet shall be provided for each cottage housing unit, which may include porches or balconies. Open space with any dimension of less than ten feet shall not be included in the calculated private open space. The private open space shall be contiguous to each unit, for the exclusive use of that unit's resident(s).

7. Setbacks and Subdivisions.

- a. All ((structures)) cottage housing units shall maintain ((no less than)) a minimum of ten feet of separation from structures within the cluster, except as allowed in paragraph (b) below.

- b. Projections may extend into the required separation as follows:
- i. Eaves may extend up to ~~((twelve))~~ twenty-four inches.
  - ii. Architectural projections, such as bay windows, fireplaces or utility closets no greater than eighteen inches in depth or six feet in width.
  - ~~((ii))~~ iii. Minor appurtenances such as pipes, gas and electrical meters, HVAC equipment, alarm systems, air vents, and downspouts.
- ~~((b))~~ c. Setbacks for all structures from the exterior side and front property lines shall be ((an average of ten feet, but shall not be less than five feet, and not less than fifteen feet from a public street, similar to the front yard setback required of a standard detached single family residence)) the setbacks of the underlying zone. The exterior rear yard setback shall be fifteen feet, except as provided for accessory structures under SMC 17C.110.225. Carriage units built adjacent to an alley shall meet the setback for attached accessory structures in SMC 17C.110.225(C)(6)(b).



- ~~((c. Cottage housing may be developed as condominiums, and shall not be allowed as small lot subdivision.))~~
- d. All cottage housing units shall maintain a minimum setback of ten feet from the common open space. Patios or porches may extend up to six feet within this setback. Fences thirty-six inches in height or less may be located within this setback. See Figure 17C.110-C.
- e. When cottage housing development involves subdivision of land, the application shall be processed in accordance with the procedures of SMC 17G.080.065, Alternative Residential Subdivisions. Frontage on a public street is not required for lots created in a cottage housing development.
8. Fences.
- a. All fences on the interior of the development shall be no more than thirty-six inches in height.
  - b. Fences along the exterior property lines are subject to the fence requirements of SMC 17C.110.230.
  - c. Chain link ~~((fences shall))~~ fencing is not ~~((be))~~ allowed that is visible from and/or adjacent to the external project boundary. Chain link fencing must be painted or vinyl coated and all part must be a uniform dark matte color such as black or other dark color.
9. Parking.
- ~~((a. The required minimum number of parking stalls))~~ Parking requirements for ~~((each))~~ cottage housing ~~((unit shall be provided as required for single family))~~ are as stated for residential uses in chapter 17C.230 SMC, Parking and Loading, except as modified in this subsection.
- ~~((b. Parking shall be clustered and separated from the common area by landscaping and/or architectural screen. Solid board fencing shall not be allowed as an architectural screen.~~
- ~~c. Parking shall be screened from public streets and adjacent residential uses by landscaping and/or architectural screen. Solid board fencing shall not be allowed as an architectural screen.))~~
- a. General Parking Requirements.

- i. The minimum number of parking spaces required for cottage housing units shall be one parking space per dwelling unit, plus one parking space per bedroom after two bedrooms. The director may approve a lower minimum under SMC 17C.230.130(C).
    - ~~((d))~~ ii. Parking, garages, and vehicular maneuvering areas, excluding driveways, shall be set back a minimum of twenty feet from a public street lot line.
    - iii. All parking shall be separated and screened from adjacent public streets, residential areas, and the common open space by landscaping and/or architectural screen, consistent with landscape type L2 see-through buffer in SMC 17C.200.030, Landscape Types.
    - iv. Parking areas shall be located to the side or rear of cottage clusters and not between a public street and cottage housing structures. Parking may be located between structures and an alley.
    - v. Garage doors and/or carport openings shall not face a public right-of-way except where alley access is provided.
  - ~~((e))~~ b. Surface parking shall be ~~((located))~~ configured in clusters of not more than five adjoining spaces. To allow more efficient use of the site in some parking configurations, the minimum parking spaces and aisle dimensions shall follow the standards in Table 17C.230-4.
  - ~~((f. — A pitched roof design is required for all parking structures.))~~
  - c. Attached Garages and Carports.
    - i. Garages may be attached to individual cottage housing units provided all other standards herein are met and the footprint of the ground floor, including the garage, does not exceed the maximum allowed under SMC 17C.110.350(D)(2). Such garages shall not abut the common open spaces, but may abut and shall access an alley, if provided under SMC 17H.010.130.
    - ii. Attached garages and carports for cottages and attached housing units shall not exceed four hundred square feet per unit. Attached garages below carriage units shall not exceed the total for detached garages.
    - iii. Excavated basement garages may be allowed. The first floor elevation shall be no more than three feet above finished grade.
  - d. Detached Garages and Carports.  
Detached garage structures and carports shall not exceed a total of one thousand five hundred square feet.
10. Pedestrian Connectivity.  
~~((All buildings and common spaces shall be served by a pedestrian circulation system that connects to an existing or planned sidewalk, public sidewalk or trail system.))~~
- a. The pedestrian circulation system shall connect all main entrances on the site. For cottage housing units fronting the street, the public sidewalk may be used to meet this standard.
  - b. Direct pedestrian access should be provided to adjacent, publicly accessible parks, open space, and trails, transit, rideshare, and bicycle storage facilities, where feasible.
  - c. Pedestrian walkways shall be separated from structures by at least three feet.
  - d. Pathways in common open space and other shared areas of the development must be at least five feet wide and meet Americans with Disabilities Act (ADA) standards.
11. Attached Unit Homes and Carriage Units.  
Attached unit homes and carriage units, defined in chapter 17A.020 SMC, are permitted within cottage housing developments, subject to the applicable site development standards and design standards and

guidelines of this section. A maximum of two units may be attached in a single attached unit home structure.

12. Existing Structures.

- a. Existing detached single-family residential structures may be permitted to remain.
- b. Retained existing structures will be counted in calculating density and building coverage on the site.
- c. Existing structures may be modified to be more consistent with this section. For example, roof pitches may be increased consistent with subsection (D)(4) Height above, but neither the building ground floor nor total floor area may be increased beyond the maximum allowed in this section.

13. Community Buildings.

- a. Community buildings are permitted as accessory structures in cottage developments, and shall not contain a dwelling unit.
- b. Community buildings shall be located within the cottage housing development.



E. ((Building)) Design Standards and Guidelines.

~~((To prevent the repetitive use of the same combination of building features and site design elements within a cottage housing development, and to help provide compatabilty of the cottage housing development with the character of the surrounding neighborhood, building and site design shall provide variety and visual interest. The following are required to be provided within a cottage housing development:~~

- ~~1. Variety in Building Design. The same combination of building elements, features and treatments shall not be repeated for more than twenty percent of the total dwelling units in a cottage housing development. Dwellings with the same combination of features and treatments shall not be located adjacent to each other. For example, each dwelling in a six unit cottage housing development could include a porch provided building elements such as the details of the porch, roof shape or color, building color or materials, or building accents were varied to achieve visual interest.))~~

1. Orientation and Building Facades.

- a. Each building abutting a public street shall have ((A)) a minimum of four of the following building elements, features, and treatments ((that provide variety and visual interest shall be provided)) incorporated into the street-facing facade: (R)



- ~~((a. Additional porches and patios (required porch not included).~~



~~b. Varying roof shapes or gables between adjacent structures.~~

e)) \_\_\_\_ i. Windows with visible trim and mullions or recessed windows.

~~((d. Roof brackets.~~

e)) \_\_\_\_ ii. Dormers.

~~((f. Fascia boards.~~



g)) \_\_\_\_ iii. Bay windows.

~~((h)) \_\_\_\_ iv. Entry enhancement such as a well detailed door (multi-panel or glass insert), window adjacent to front door ((;) (sidelite). ((or roof extension.~~

~~i. Trellis.~~

~~j. Modulation.~~

~~k. Chimney (shown on the exterior of the house).~~



l)) \_\_\_\_ v. Variation in roof or building colors and materials, on individual units, such as brick, stone or other masonry as accents.

~~((m. Variation in housing type and size.~~

n)) \_\_\_\_ vi. Other building elements, treatments, features, or site designs approved by the ~~((code administrator))~~ director that provide variety and visual interest.

b. Exterior stairs that provide access to an upper level are not allowed on the front facade of the building. (R)

c. Parking lots, garages, and solid, blank wall facades shall not dominate common areas or other public areas. (R)

d. Each of the units abutting a public street must have its address, windows, and main entrance oriented toward the street frontage. (R)

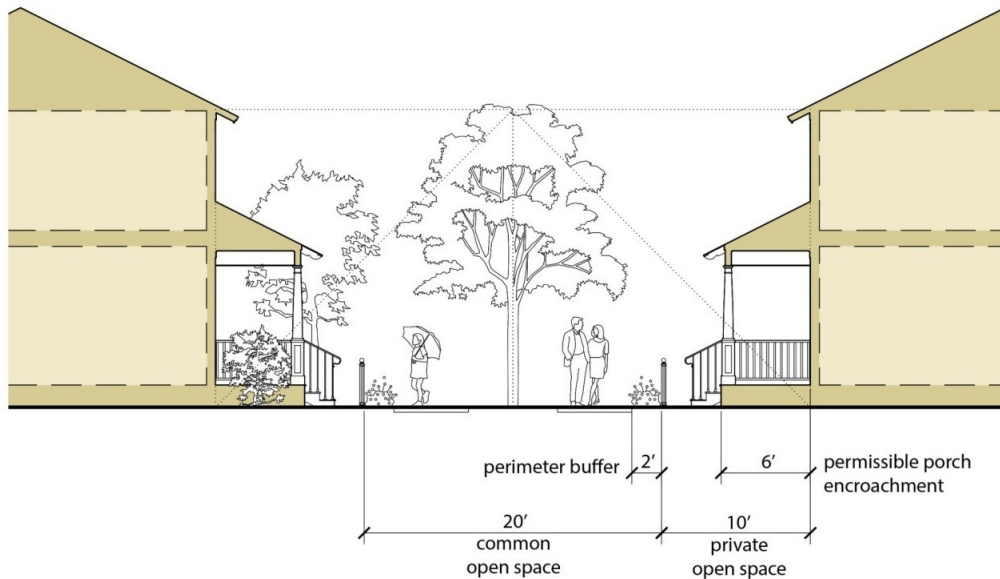


- e. Attached unit homes abutting public streets shall be designed to appear like a detached single-family home, with only one entry per building face/elevation. Attached unit homes on corner lots shall be designed so each unit is oriented towards a different street. This gives the structure the overall appearance of a house when viewed from either street. (R)
- f. Units that are on the interior of a development should be oriented toward the common open space or the most important path or street. (P)
- g. Design of attached units and carriage units shall be similar in terms of style, materials, color, detailing, articulation, fenestration (including window and door placement), etc., of the entire development. (P)

## 2. Open Space and Landscaping.

- a. A planting strip five feet in width shall be provided along exterior rear and side property lines consistent with L2 see-through buffer landscape standard of SMC 17C.200.030. (R)
- b. All street-facing facades must have landscaping along the foundation. There must be at least one three-gallon shrub for every three lineal feet of foundation. (R)
- c. Sixty percent of the area between the front lot line and the front building line must be landscaped. At a minimum, the required landscaped area must be planted with living ground cover. Up to one-third of the required landscaped area may be for recreational use, or for use by pedestrians. Examples include walkways, play areas, or patios. (R)
- d. Use of planting materials and landscape structures such as trellises, raised beds and fencing to unify the overall site design is required, with plantings consistent with L3 open area landscaping standard of SMC 17C.200.030. (R)
- e. At least fifty percent of the units in the development shall abut a common open space. A cottage housing unit is considered to "abut" an area of open space if there is no structure between the unit and the open space. (P)
- f. Common area sidewalks should be located at the edge of the common open space, and separated from private open space by narrow plantings and/or fencing. (P)
- g. No more than one driveway per cottage cluster should be permitted, except along an alley or where clusters front onto more than one street. (P)
- h. Landscaping and trees should be used to achieve compatibility in areas where these are unifying elements of community character. (C)
- i. To enhance the function of the required open spaces and delineate the thresholds between public and private areas, the following features are encouraged in the open spaces: (C)
  - i. When a sidewalk in a common open space is adjacent to a private residence, a perimeter buffer of two feet should be provided between the sidewalk and the residence's private open space.
  - ii. A residence's private open space should be generously planted with a variety of plantings, such as herbaceous shrubs and flowers, and foundational plantings near the home.

Figure 17C.110-C: Minimum Open Space and Maximum Porch Encroachment Dimensions



[Note: Add the graphic above.]

### 3. Patios and Porches.

- a. Cottage housing units shall have a covered, unenclosed porch or entry at least sixty square feet in size with a minimum depth of six feet and minimum width of eight feet. (R)



- b. If the cottage housing unit is fronting on a public street then at least one primary entry porch shall be located to face the street. If the unit is not fronting on a public street then the covered porch shall be located on the side of the home that serves as the main entry from a common open space. (R)
- c. Porch or patio railings within the private open space should be semi-transparent and a maximum of forty-two inches in height. (C)

### 4. Exterior Building Lighting.

- a. The common open space shall be provided with lighting in the common area or alternately, the individual units fronting on the common open space shall have exterior lighting features. (P)
- b. The design shall incorporate lighting fixtures on any shared access or external lighting on units facing private access areas. (P)
- c. To diminish the amount of glare and spillover from lighting, the following standards shall apply: (R)
- i. Intensity: Exterior lighting fixtures shall not exceed one foot-candle in intensity.

1. Encourage greater efficiency of land use by allowing compact infill development on aggregate sites.
2. Stimulate new housing that is compatible in scale and character to established surrounding residential areas.
3. Produce a broader range of building forms for residential development.
4. Expand opportunities for affordable home ownership.
5. Promote high quality housing of a character compatible with existing neighborhoods.
6. Encourage adequate, usable open space.

B. Applicability.

Pocket residential development is permitted within the RSF, RSF-C, RTF, RMF, RHD, O, OR, CC, NR, CB, and GC zones.

C. Application Procedure.

Pocket residential development is allowed outright with a building permit (~~except when a subdivision of land is proposed. In the RTF zone a community meeting with the Planning Department and the neighborhood is required prior to the issuance of a development permit~~). When pocket residential development involves subdivision of land, the application shall be processed in accordance with the procedures of chapter 17G.080 SMC, Subdivisions.

D. Basic Development Standards.

1. **Maximum Building Height.**  
The maximum height of structures within a pocket residential development is as allowed in the underlying zone.
2. **Maximum Building Coverage.**  
The maximum building coverage (~~((within a pocket residential development site is forty percent in the RA, RSF-C, RTF zones; fifty percent in the RMF zone and sixty percent in the RHD zone))~~) of the aggregate buildings located upon the parent site shall not exceed the maximum building coverage permitted by the underlying zone. Maximum building coverage is not limited in the O, OR, CC, NR, CB, and GC zones.
3. **Setbacks.**  
Setbacks in a pocket residential development are measured from the exterior boundary of the parent site. The following setbacks are required except in commercial and center and corridor zones where the setbacks are as required in the underlying zoning district.
  - a. **Front Setback.**  
The front yard requirement for the parent site shall be fifteen feet except as allowed under the front yard averaging provisions of SMC 17C.110.220(D)(1).
  - b. **Side Setback, Abutting a Residential Zoning District.**  
If the side yard of the site is adjacent to other residentially zoned property the side yard shall be a minimum of five feet.
  - c. **Side Setback, Interior to Parent Site.**  
If platted, the side yard, interior to the parent site, may be zero, provided, however, that any structure located upon a lot created under SMC 17G.080.065 shall comply with applicable building and fire code and the setbacks applicable to the underlying site development plan.
  - d. **Side Setback, Street.**  
The street side yard requirement for the parent site shall be a minimum of five feet.
  - e. **Rear Setback of the Parent Site.**  
Twenty-five feet or as required in the underlying zoning district.
4. **Minimum and Maximum Parent Site Size:**
  - a. The minimum parent site size for a pocket residential development is as follows:

- ii. Cutoffs Required: Lighting fixtures shall comply with the standards of SMC 17C.220.080.

5. Variety in Design and Architectural Features.

- a. Reduce the potential impact of new cottage housing development on established and historic neighborhoods by incorporating elements and forms from nearby buildings. This may include reference to architectural details, building massing, proportionality, and use of high-quality materials such as wood, brick, and stone. (P)
- b. Create a human scale streetscape by including vertical and horizontal patterns as expressed by bays, belt lines, doors and windows. (P)

((2)) c. Modulation and Articulation.



- i. Modulation and articulation ((is achieve through a combination of changes in plan and materials detailing. They function)) should be incorporated on each individual building to add visual interest through shadows, human scale detailing, and textures while ((reducing)) reducing the ((apparent)) appearance of mass and scale of the buildings. The use of these techniques shall be varied between adjacent buildings. (P)
- ~~((a. Articulation is the giving of emphasis to architectural elements (like windows, balconies, entries, etc.), that create a complimentary pattern or rhythm, dividing the buildings into smaller identifiable pieces.~~
- b. ~~Modulation is a measured and proportioned inflection in a building's face. Together articulation, modulation and their interval create a sense of scale important to residential buildings.))~~
- ii. Attached units must be modulated along the public street at least every thirty feet. Building modulations must step the building wall back or forward at least four feet. (R)
- d. Design of garage structures and carports shall be similar to the style, materials, color, detailing, articulation, fenestration, etc. of the cottage housing units. (R)
- e. Carriage unit homes shall not comprise more than fifty percent of the total dwelling units in a cottage housing development. (P)
- f. Detached, combined garages or carports are encouraged. (C)

**Section 11.** That SMC section 17C.110.360 is amended to read as follows:

**17C.110.360 Pocket Residential Development**

- A. Purpose.  
The purpose of the pocket residential development is to:

- i. RSF and RSF-C zone: Eight thousand seven hundred square feet.
    - ii. RTF zone: Four thousand two hundred square feet.
    - iii. RMF, RHD zones: Two thousand nine hundred square feet.
    - iv. O, OR, CC, NR, CB, and GC zones: No minimum parent site size.
  - b. The maximum parent site size for a pocket residential development is one and a half acres. Pocket residential developments over one and a half acres must be approved as a planned unit development.
5. Density.  
The maximum density allowed in a pocket residential development is limited to that allowed in the underlying zoning district in which the parent site is located, except as permitted by SMC 17C.110.330 (C) for transitional sites. ~~((The density of a pocket residential development is based on the gross site area including area set aside for public or private street rights-of-way and tracts of land dedicated for stormwater facilities.))~~
  6. Frontage and Access.  
Frontage on a public street is not required for lots created in a pocket residential development. Private streets or private access may be used to provide lot frontage when a private street or private access is approved in accordance with ~~((SMC 17H.010.090 and a street design variance request is approved in accordance with SMC 17H.010.020))~~ chapter 17H.010 SMC. The parent site shall have frontage on a public street sufficient for adequate access and utilities.
  7. Parking.  
The minimum required off-street parking for a pocket residential development ~~((is one stall for each dwelling unit))~~ shall comply with the required parking standards of the underlying zone for residential uses in chapter 17C.230 SMC Parking and Loading.
  8. Required Outdoor Area.  
Pocket residential developments shall comply with the required outdoor area standards of the underlying zone in accordance with SMC 17C.110.223 and Table 17C.110-3 Development Standards. Common outdoor areas designated to meet this requirement ~~((shall))~~ will be permanently maintained by ((and conveyed to)) the owner or an appropriate property management entity, if under singular ownership. In the event that the development is subdivided or condominium platted, a homeowners' ((or property owners')) association ((as regulated by law)) is required to be created for the maintenance of the common open space within the development. This requirement shall be included in deed restrictions as required in SMC 17G.080.065(D).
  9. Permitted Housing Types.  
The housing types allowed in a pocket residential development are those allowed in the underlying zone in accordance with Table 17C.110-2.
  10. Lot Size.  
There is no minimum lot size for lots created within a pocket residential development.

E. Design Standards((:)) .

1. Ground Level Access.  
In order to create the appearance of individual homes, rather than apartments, each attached dwelling unit shall have its own individual access from grade. Stacked units are permitted to have one main entrance with an internal ((stairways)) stair accessed from grade ((are permitted)) to internal individual unit entrances.

*Individual Access from Grade*



*Example of Individual Access for Each Unit*



*Example of Individual Access with Shared Open Space*



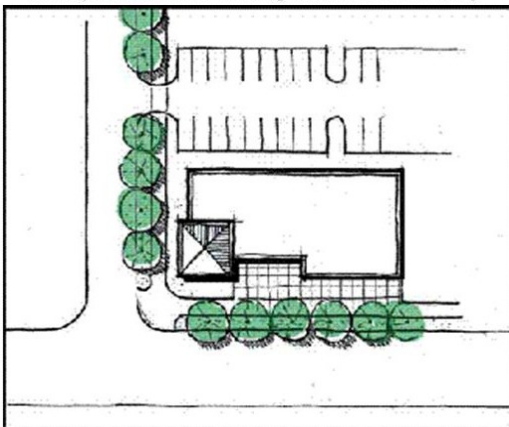
2. Parking Lots.

To ensure that parking is as unobtrusive as possible the following standards must be met:

a. Alley Access.

If the development abuts an alley, parking must be accessed from the alley.

*Example of Surface Parking Accessed from Alley*





- b. Screening: Surface parking lots shall be screened both from the street and adjacent residential development by ~~((a combination of trees and shrubs. Trees shall be at least two inches in caliper at the time of planting and no more than thirty feet apart. Shrubs shall be at least thirty inches in height at the time of planting.))~~ landscape type L2 see-through buffer in SMC 17C.200.030, Landscape Types. Decorative walls or fences no more than forty-two inches in height may be used in lieu of shrubs. Parking is not allowed in a required front yard setback area.

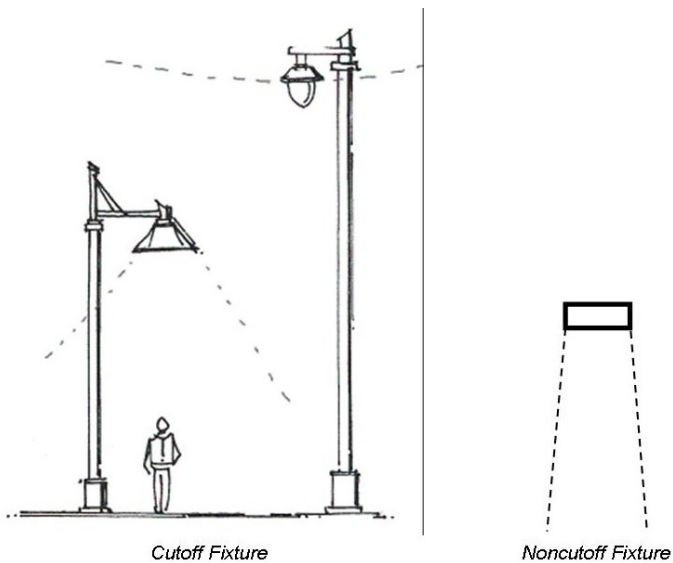
*Planting Material Screen*



*Example of Surface Parking Screened from Street*

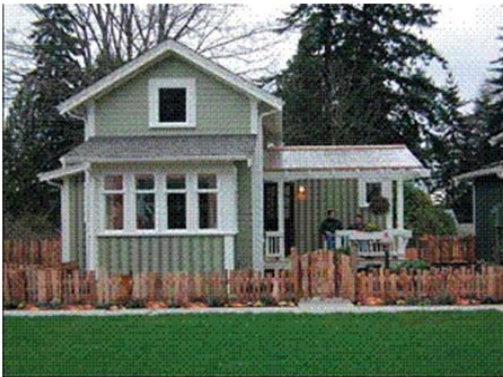


- c. Paving: All surface parking shall be improved in accordance with the standards of SMC 17C.230.140.
3. Lighting.  
To diminish the amount of glare and spillover from lighting, the following standards shall apply:
- a. Intensity: Exterior lighting fixtures shall not exceed one foot-candle in intensity.
- b. Cutoffs Required: Lighting fixtures shall comply with the standards of SMC 17C.220.080



4. Fencing: To ensure a residential atmosphere, fencing higher than forty two inches shall not be permitted along any street frontage.

*Residential Fencing*



*Residential Fence Along Street Frontage No Higher than 42 inches*



5. Residential Building Design.
- This section is subject to the provisions of SMC 17C.110.015, Design Standards Administration. For pocket residential development, the following design standards must be met:
- All street-facing facades must have landscaping along the foundation. There must be at least one three-gallon shrub for every three lineal feet of foundation. (R)



- b. Sixty percent of the area between the front lot line and the front building line must be landscaped. At a minimum, the required landscaped area must be planted with living ground cover. Up to one-third of the required landscaped area may be for recreational use, or for use by pedestrians. Examples include walkways, play areas, or patios. (R)
- c. ~~((Generous))~~ Use of planting materials and landscape structures such as trellises, raised beds and fencing to unify the overall site design is encouraged, with plantings consistent with L3 open area landscaping standard of SMC 17C.200.030. (P)
- d. Front facade. Fire escapes, or exterior stairs that provide access to an upper level are not allowed on the front facade of the building. (R)
- e. Duplexes and attached houses on corner lots shall be designed so each unit is oriented towards a different street. This gives the structure the overall appearance of a house when viewed from either street. (R)
- f. All units must meet the following standards. Adjustments to this paragraph are prohibited, but modifications may be requested through a design departure. The standards are:
  - i. Entrances. Each of the units fronting on the street must have its address, windows, and main entrance oriented toward a street frontage. Units that are on the interior of a parent site may be oriented toward a private access or shared open space. Where an existing house is being converted to two units, one main entrance with internal access to both units is allowed. (R)
  - ii. Each unit must have a covered, main entry-related porch or stoop area of at least fifty square feet with no dimension less than five feet. (R)
  - iii. ~~((Buildings))~~ Attached units must be modulated along the public street at least every thirty feet. Building modulations must step the building wall back or forward at least four feet. (R)
  - iv. Reduce the potential impact of new Pocket Residential Development on established and historic neighborhoods by incorporating elements and forms from nearby buildings. This may include reference to architectural details, building massing, proportionality, and use of high-quality materials such as wood, brick, and stone. (P)
  - v. Create a human scale streetscape by including vertical and horizontal patterns as expressed by bays, belt lines, doors and windows. (P)

**Section 12.** That SMC 17C.110T.002 entitled "Table 17C.110-2 Residential Housing Types Allowed" is repealed.

[Note: Repealing this section will eliminate a duplicated table. The Table 17C.110-2, Residential Zone Housing Types Allowed, will continue to exist under SMC 17C.110.115 Housing Types Allowed.]

**Section 13.** That SMC section 17C.230.130 is amended to read as follows:

#### **17C.230.130 Parking Exceptions**

- A. In center and corridor downtown, and FBC CA1, CA2, and CA3 zones any new building or building addition with a floor area less than three thousand square feet shall have no parking requirement.
- B. In the neighborhood retail zone, any existing building, new building, or building addition, having a floor area less than three thousand square feet shall have no parking requirement. In addition, if a building has a floor area of five thousand square feet or less, the parking requirement will be determined after deducting the three thousand square foot exemption from the building's floor area. For example, the parking requirement for a four thousand square foot building would be based on one thousand square feet of floor area – i.e., a four thousand square foot building size minus the three thousand square foot exemption.
- C. The director may approve ratios that are higher than the maximum or lower than the minimum if sufficient factual data is provided to indicate that a different amount is appropriate. The applicant assumes the burden of proof. Approval of parking above the maximum shall be conditioned upon increasing the amount of required landscaping by thirty percent. Approval of parking below the minimum shall be conditioned upon the project

contributing towards a pedestrian and transit supportive environment both next to the immediate site and in the surrounding area. When determining if a different amount of parking is appropriate, the director shall consider the proximity of the site to frequent transit service, the intensity of the zoning designation of the site and surrounding sites, and the character of the proposed use.

- D. If property owners and businesses establish a parking management area program with shared parking agreements, the director may reduce or waive parking requirements.
- E. Except in the residential single-family and residential two-family zones, existing legal nonconforming buildings that do not have adequate parking to meet the standards of this section are not required to provide off-street parking when remodeling which increases the amount of required parking occurs within the existing structure.

<b>TABLE 17C.230-2</b> <b>PARKING SPACES BY USE [1]</b> (Refer to Table 17C.230-1 for Parking Space Standards by Zone) CU = Conditional Use			
<b>RESIDENTIAL CATEGORIES</b>			
<b>USE CATEGORIES</b>	<b>SPECIFIC USES</b>	<b>MINIMUM PARKING</b>	<b>MAXIMUM PARKING</b>
Group Living		1 per 4 residents	None
Residential Household Living		1 per unit plus 1 per bedroom after 3 bedrooms; 1 per Accessory Dwelling Unit (ADU); Single Resident Occupancy (SRO) are exempt	None
<b>COMMERCIAL CATEGORIES</b>			
<b>USE CATEGORIES</b>	<b>SPECIFIC USES</b>	<b>MINIMUM PARKING</b>	<b>MAXIMUM PARKING</b>
Adult Business		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Commercial Outdoor Recreation		20 per acre of site	30 per acre of site
Commercial Parking		Not applicable	None
Drive-through Facility		Not applicable	None
Major Event Entertainment		1 per 8 seats or per CU review	1 per 5 seats or per CU review
Office	General Office	1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
	Medical/Dental Office	1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Quick Vehicle Servicing		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Retail Sales and Service	Retail, Personal Service, Repair-oriented	1 per 330 sq. ft. of floor area	1 per 200 sq. ft. of floor area
	Restaurants and Bars	1 per 250 sq. ft. of floor area	1 per 60 sq. ft. of floor area
	Health Clubs, Gyms, Lodges, Meeting Rooms and similar continuous entertainment, such as Arcades and Bowling Alleys	1 per 330 sq. ft. of floor area	1 per 180 sq. ft. of floor area
	Temporary Lodging	1 per rentable room; for associated uses such as Restaurants, see above	1.5 per rentable room; for associated uses such as Restaurants, see above
	Theaters	1 per 4 seats or 1 per 6 feet of bench area	1 per 2.7 seats or 1 per 4 feet of bench area
	Retail sales and services of large items, such as appliances, furniture and equipment	1 per 1,000 sq. ft. of floor area	1 per 200 sq. ft. of floor area

Mini-storage Facilities		Same as Warehouse and Freight Movement	Same as Warehouse and Freight Movement
Vehicle Repair		1 per 750 sq. ft. of floor area	1 per 200 sq. ft. of floor area
<b>INDUSTRIAL CATEGORIES</b>			
<b>USE CATEGORIES</b>	<b>SPECIFIC USES</b>	<b>MINIMUM PARKING</b>	<b>MAXIMUM PARKING</b>
Industrial Services, Railroad Yards, Wholesale Sales		1 per 1,000 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Manufacturing and Production		1 per 1,000 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Warehouse and Freight Movement		1 per 1,000 sq. ft. of floor area for the first 3,000 sq. ft. of floor area and then 1 per 3,500 sq. ft. of floor area thereafter	1 per 200 sq. ft. of floor area
Waste-related		Per CU review	Per CU review
<b>INSTITUTIONAL CATEGORIES</b>			
<b>USE CATEGORIES</b>	<b>SPECIFIC USES</b>	<b>MINIMUM PARKING</b>	<b>MAXIMUM PARKING</b>
Basic Utilities		None	None
Colleges		1 per 600 sq. ft. of floor area exclusive of dormitories, plus 1 per 4 dorm rooms	1 per 200 sq. ft. of floor area exclusive of dormitories, plus 1 per 2.6 dorm room
Community Service		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Daycare		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Medical Centers		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Parks and Open Areas		Per CU review for active areas	Per CU review for active areas
Religious Institutions		1 per 100 sq. ft. of main assembly area or per CU review	1 per 60 sq. ft. of main assembly area
Schools	Grade, Elementary, Junior High	1 per classroom	2.5 per classroom
	High School	7 per classroom	10.5 per classroom
<b>OTHER CATEGORIES</b>			
<b>USE CATEGORIES</b>	<b>SPECIFIC USES</b>	<b>MINIMUM PARKING</b>	<b>MAXIMUM PARKING</b>
Agriculture		None or per CU review	None or per CU review
Aviation and Surface Passenger Terminals		Per CU review	Per CU review
Detention Facilities		Per CU review	Per CU review
Essential Public Facilities		Per CU review	Per CU review
Wireless Communication Facilities		None or per CU review	None or per CU review
Rail Lines and Utility Corridors		None	None
[1] The director may approve different amounts of parking spaces under the exceptions listed in SMC 17C.230.130.			

**Section 14.** That SMC section 17G.080.065 is amended to read as follows:

**17G.080.065 ((Unit Lot)) Alternative Residential Subdivisions**

**A. Purpose.**

The purpose of these provisions is to allow for the creation of lots for ~~((types of))~~ alternative residential development as described in SMC 17C.110.300, including attached housing, ((and specified)) cottage housing ((projects)), and similar developments with multiple dwelling units on a parent site, while applying only those site development standards applicable to the parent site as a whole, rather than to individual ((unit)) lots resulting from the subdivision.

- B. Applicability.  
~~((The provisions of this section apply exclusively to the subdivision of land that is already developed with residential dwelling units.))~~ The types of existing development that may use the ~~((unit lot))~~ alternative residential subdivision are:
1. Cottage housing projects ~~((previously))~~ approved under SMC 17C.110.350 ~~((and built prior to January 1, 2014))~~;
  2. Housing developed under SMC 17C.110.360 Pocket Residential Development; or
  - ~~((2))~~ 3. A similar existing development that consists of multiple dwelling units on a single parcel or site ~~((; or))~~,  
provided that such existing structures shall comply with applicable building and fire code.
  - ~~((3. An existing townhouse development in zones in which townhouse dwellings are a permitted use.))~~
- C. Application Procedure.  
~~((Unit lot))~~ Alternative residential subdivisions of nine or fewer lots shall be processed as short plats and all others shall be processed as subdivisions according to the associated permit types in SMC chapter 17G.060.
- D. General Regulations.
1. ~~((The unit lot))~~ An alternative residential subdivision ((as a whole)) shall meet development standards applicable to the underlying site development plan approval, if any, the basic development standards and design standards of SMC 17C.110.350 Cottage Housing or SMC 17C.110.360 Pocket Residential Development, and the provisions of this section. As a result of the ~~((unit lot))~~ alternative residential subdivision, development on individual ~~((unit))~~ lots may be nonconforming as to some or all of the development standards based on analysis of the individual ~~((unit))~~ lot. So long as the parent site meets the criteria of the underlying site development plan or the dwelling units are already in existence, each lot will be deemed to be in conformance. If ~~((the))~~ existing dwelling units ((are already legally in existence and)) do not comply with development standards (i.e.: minimum building setbacks, maximum density, etc.), a ~~((unit))~~ lot may be created for each existing dwelling unit. Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent site;
  2. ~~((Unit lot))~~ Alternative residential subdivisions shall be subject to all applicable requirements of Title 17 SMC, except as otherwise modified by this section;
  3. ~~((Unit))~~ Each lot's area and width ~~((per unit))~~ for purposes of subdivision may be as small as the ~~((coverage))~~ footprint of the individual dwelling unit;
  4. Portions of the parent site not subdivided for individual ~~((unit))~~ lots shall be owned in common by the owners of the individual ~~((unit))~~ lots, or by a homeowners association comprised of the owners of the individual ~~((unit))~~ lots located within the parent site. A homeowners' association is required to be created for the maintenance of any shared required outdoor area or other open space, shared parking areas, and other common use areas, buildings, and utilities within the development. This requirement shall be included in deed restrictions as required in paragraph 7;
  5. Maximum ~~((lot))~~ building coverage of the aggregate buildings located upon the parent site shall not exceed the maximum ~~((lot))~~ building coverage permitted by the underlying zone;
  6. Except for existing nonconforming development, building setbacks shall be as required for the zone as applied to the underlying parent site as a whole. There shall be no setback required from individual ~~((unit))~~ lot lines which are interior to the perimeter of the parent site; provided, however, that any structure located upon a ~~((unit))~~ lot created hereunder shall comply with the setbacks applicable to the underlying site development plan;
  - ~~((7. Internal drive aisles providing vehicular access to unit lots shall not be considered public or private streets when utilizing the provisions of this section;~~
  - 8) 7. Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions identifying the rights and responsibilities of property owners and/or the homeowners association shall be executed for use and maintenance of common garage, parking and vehicle access areas; on-site recreation; landscaping; ~~((underground))~~ utilities; common open space; exterior building facades and

roofs; and other similar features, and shall be recorded with the county auditor's office. Separation requirements for utilities must be met. Each ~~((unit lot))~~ alternative residential subdivision shall make adequate provisions for ingress, egress and utilities access to and from each ~~((unit))~~ lot created by reserving such common areas or other easements over and across the parent site as deemed necessary to comply with all other design and development standards generally applicable to the underlying site development plan;

((9)) 8. Notes shall be placed on the plat recorded with the county auditor's office to acknowledge the following:

- a. Approval of the design and layout of the development was granted by the review of the development, as a whole, on the parent site by the site development plan approval (stating the subject project file number if applicable);
- b. Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent site as a whole, and shall conform to the approved site development plan;
- c. If a structure or portion of a structure has been damaged or destroyed, any repair, reconstruction or replacement of the structure(s) shall conform to the approved site development plan;
- d. ~~((The individual unit lots are not separate building sites and))~~ Additional development of the individual ~~((unit))~~ lots may be limited as a result of the application of development standards to the parent site.

E. Conflicts.

Any conflicts between the provisions of this section and the text of other sections in the Unified Development Code shall be resolved in favor of the text of this section.

**Passed by City Council January 29, 2018**

**Delivered to Mayor February 5, 2018.**

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**ORDINANCE NO. C35576**

An ordinance relating to sign standards amending SMC 17C.340.110, 17C.370.030, 17A.020.010, 17A.020.020, 17A.020.030, 17A.020.040, 17A.020.050, 17A.020.060, 17A.020.090, 17A.020.130, 17A.020.140, 17A.020.160, 17A.020.190 to title 17C of the Spokane Municipal Code and setting and effective date.

WHEREAS, on April 10, 2017 the City Council adopted Ordinance No. C35490, imposing an immediate, six-month moratorium on the relocation of off-premises signs into areas of Spokane having a center and corridor zoning designation; setting a public hearing; and declaring an emergency; and

WHEREAS, on May 22, 2017 the City Council held a public hearing on Ordinance No. C35490, received a staff report, presentation by the proponents and opponents of the moratorium, heard public testimony, adopted findings of fact, extended the moratorium for a an additional six months and set an expiration date of November 22; and

WHEREAS, during the moratorium, Planning Department staff conducted workshops with the Plan Commission and City Council to discuss revisions to the City's sign regulations to (i) address the concerns that prompted the Council's adoption of the moratorium and (ii) to meet the guidelines set forth in the U.S. Supreme Court's opinion in *Reed v. Gilbert*, 135 S. Ct. 2218, 192 L.Ed.2d 236 (2015) and other applicable law (the "Sign Code Update"); and

WHEREAS, the Plan Commission held workshops on the proposed Sign Code Update on June 14, 2017, September 13, 2017, and September 27, 2017, and a public hearing on October 11, 2017; and

WHEREAS, based on written and verbal testimony that is a part of the record and is summarized in the City Plan Commission Recommendation, Findings and Conclusions adopted on October 25, 2017, the Plan Commission unanimously recommended that the City Council adopt the proposed Sign Code Update; and

WHEREAS, the changes proposed by the Sign Code Update necessitated amendments to other sections of the Spokane Municipal Code for consistency and administrative purposes; and

WHEREAS, the Plan Commission held workshops on the proposed cleanup amendments on October 25, 2017 and November 8, 2017 and a public hearing on December 13, 2017; and

WHEREAS, based on written and verbal testimony that is a part of the record and is summarized in the City Plan Commission Recommendation, Findings and Conclusions adopted on January 10, 2018, the Plan Commission unanimously recommended that the City Council adopt the proposed amendments; and

WHEREAS, on November 14, 2017, the responsible official issued a determination of non-significance (DNS) under SEPA (Chapter 43.21C RCW) relating to the proposed amendments and notice of said DNS was published in the Spokesman Review on November 29, and December 6, 2017.

WHEREAS, the City complied with RCW 36.70A.370 in processing this Ordinance.

NOW, THEREFORE,

The City of Spokane does ordain:

Section 1. That SMC Section 17C.340.110 is amended to read as follows:

#### **Section 17C.340.110 Development Standards**

Structural alteration to accommodate the occupation is not permitted:

- A. unless required by code, a separate outside access to the area devoted to the occupation is not permitted;
- B. the occupation, including storage, does not occupy more than twenty-five percent of the residence's finished floor area, nor in any case more than two hundred square feet;
- C. the occupation does not occupy any accessory structure, including an attached garage;
- D. the number of persons engaged in the home occupation may not exceed two persons. This may consist of either one family member and one nonfamily member or two family members;
- E. ~~((there is no commercial advertising, except that there may be one nonilluminated sign, up to three square foot in area, bearing the name and occupation of the occupant, placed flat against the building;))~~ The sign standards are stated in chapter 17C.240 SMC, Signs;
- F. There is no window or outdoor display.
- G. Any stock of goods has been produced on the premises.
- H. No use is made of equipment or material that produces vibration, noise, dust, smoke, odor, or electrical interference to the detriment of surrounding residences.
- I. There are no deliveries or shipments to or from the premises of such quantities or frequency as would involve commercial motor vehicles or suggest a need for a customer parking area.
- J. The property shall retain its residential appearance and character.
- K. No commercial use of the streets shall be allowed as specified in SMC 17C.319.100.

**Section 2.** That SMC Section 17C.370.030 is amended to read as follows:

#### **Section 17C.370.030 Procedure**

- A. Planning Director Administrative or Hearing Examiner Decision.
  - 1. Establishing a use under this chapter in an eligible structure requires following the same application and posting process as a Type II or III Conditional Use Process as provided in chapter 17G.060 SMC. A Type III application is required for projects that have a floor area of three thousand square feet or more, including building additions, and for any non-residential project on a site that does not have frontage on a designated arterial (principal, minor, or collector). For projects that do not exceed this threshold, a

Type II conditional use permit application is required, except the planning director may require a Type II conditional use permit application be processed as a Type III application when the director issues written findings that the Type III process is in the public interest.

2. The planning director administrative decision or hearing examiner decision is only for the use approved through the process. If a proposed change of use for the site proposes other uses that are not within the use category description approved for the site, a new planning director administrative decision or hearing examiner decision is required to determine the requirements that the new use shall follow.
- B. The fee for the planning director administrative decision is the same as a Type I application. The fee for a Type III hearing examiner decision shall be the same as a Type III application.
- C. A predevelopment meeting as provided in SMC 17G.060.040 is required before an application may be submitted.
- D. Decision criteria are found in SMC 17G.060.170 and applications shall follow the same procedures for a Type II or III conditional use process, as may be applicable depending on the type of application reviewed.
- E. If the planning director or hearing examiner makes a determination with supporting findings that the benefits of the proposed use and improvements to the existing structure and the property on which the structure is located would mitigate potential negative impacts on the residential character of the area, then a planning director administrative decision or hearing examiner decision may be granted consistent with the following uses. The director or hearing examiner may make a determination with supporting findings that a proposed use is not permitted because the nature of the use would have negative impacts on the residential character of the area that cannot be mitigated with conditions of approval.
  1. Uses Not Allowed.  
Sale or leasing of:
    - a. motorized consumer vehicles,
    - b. fire arms,
    - c. weapons,
    - d. marijuana.
  2. Uses Allowed:
    - a. Office uses found in SMC 17C.190.250;
    - b. Retail sales and service uses found in SMC 17C.190.270; and
    - c. Uses allowed within the RMF zone found in SMC 17C.110.100.
- F. Development and operation standards in addition to the base zone:
  1. The structure on the site must have been originally legally built to accommodate a non-residential use and, at the time of application, its existing use must not be classified within the institutional use category as described in Article V of chapter 17C.190 SMC, which may be converted under SMC 17C.320.060.
  2. Reserved.
  3. The site must be located within the RA, RSF, RTF, RMF, or RHD zones.
  4. The site size may not be expanded and the uses approved under this section may not expand onto surrounding sites beyond the site area existing on July 26, 2012. Any expansion of existing structures is subject to the current applicable development standards, except structures larger than five thousand square feet shall not be expanded. A planting of L2 see-through buffer as described by SMC 17C.200.030 shall be required for any structural expansion or provision of additional off-street parking.

5. Parking and loading requirements are specific to the use authorized by the hearing examiner or director and shall follow the standards in chapter 17C.230 SMC Parking and Loading for a Neighborhood Retail Zone (NR).
  6. Business operation hours shall be determined by the hearing examiner or director. Operational hours for non-residential uses operating later than ten p.m. and earlier than five a.m. will need to demonstrate that all off-site impacts will be fully mitigated.
  7. Drive through facilities are prohibited.
  8. Outdoor storage is prohibited. Outdoor seating areas and daytime display of merchandise is allowed.
  9. Lighting shall be provided within parking lots and along pedestrian walkways. Lighting fixtures shall be limited to sixteen feet in height. All lighting shall be shielded from producing off-site glare.
  10. All exterior garbage cans, garbage collection areas, and recycling collection areas must be screened from the street and any adjacent properties. Trash receptacles for pedestrian use are exempt.
  11. The signage standards ~~((for the CC4 zones))~~ in SMC 17C.240.150, Table 17C.240-1 shall apply. ~~((Temporary outdoor signage is prohibited except that one sandwich board sign is permitted.))~~ If the a sandwich board sign is erected in the public right-of-way it must be consistent with ~~((SMC 17C.240.240))~~SMC 17C.240.244.
- G. If the hearing examiner or planning director determines that proposed use is appropriate for the site, the hearing examiner or director may attach additional conditions to the decision that may include items such as:
1. Building and property improvements that must be completed prior to issuance of a certificate of occupancy.
  2. Conditions needed to mitigate off-site impacts consistent with SMC 17C.220 Off-Site Impacts.
  3. Specific conditions under which the use may operate.
- H. Appeals. The decisions of the planning director may be appealed to the hearing examiner as provided for in SMC 17G.060.210 and follow an appeal process consistent with a Type II Conditional Use Permit application. The decisions of the hearing examiner may be appealed to superior court as provided for in SMC 17G.060.210.

**Section 3.** That SMC Section 17C.020.010 is amended to read as follows:

**Section 17A.020.010 "A" Definitions**

- A. Abandoned Sign Structure.  
~~((A sign structure where no sign has been in place for a continuous period of at least six months.))~~See SMC 17C.240.015.
- B. Aboveground Storage Tank or AST.  
Any one or connected combination of tanks that is used to contain an accumulation of liquid critical materials and the aggregate volume of which (including the volume of piping connected thereto) is more than sixty gallons and the entire exterior surface area of the tank is above the ground and is able to be fully visually inspected. Tanks located in vaults or buildings that are to be visually inspected are considered to be aboveground tanks.
- C. Accepted.  
A project for which the required plans have been found to be technically adequate.
- D. Accessory Dwelling Unit (ADU).  
An accessory dwelling unit is a separate additional living unit, including separate kitchen, sleeping, and bathroom facilities, attached or detached from the primary residential unit, on a single-family lot. ADUs are known variously as:
1. "Mother-in-law apartments,"
  2. "Accessory apartments," or
  3. "Second units."



- E. **Accessory Structure.**  
A structure of secondary importance or function on a site. In general, the primary use of the site is not carried on in an accessory structure.
1. Accessory structures may be attached or detached from the primary structure.
  2. Examples of accessory structures include:
    - a. Garages,
    - b. Decks,
    - c. Fences,
    - d. Trellises,
    - e. Flagpoles,
    - f. Stairways,
    - g. Heat pumps,
    - h. Awnings, and
    - i. Other structures.
  3. See also SMC 17A.020.160 ("Primary Structure").
- F. **Accessory Use.**  
A use or activity which is a subordinate part of a primary use and which is clearly incidental to a primary use on a site.
- G. **Activity.**  
See Regulated Activity.
- H. **Administrative Decision.**  
A permit decision by an officer authorized by the local government. The decision may be for approval, denial, or approval with conditions and is subject to the applicable development standards of the land use codes or development codes.
- I. **Adult Bookstore or Adult Video Store.**
1. A commercial establishment which, as one of its principal business activities, offers for sale or rental for any form of consideration any one or more of the following: books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, digital video discs, slides, or other visual representations which are characterized by their emphasis upon the display of "specified anatomical areas," as defined in SMC 17A.020.190, or "specified sexual activities," as defined in SMC 17A.020.190. A "principal business activity" exists where the commercial establishment meets any one or more of the following criteria:
    - a. At least thirty percent of the establishment's displayed merchandise consists of said items; or
    - b. At least thirty percent of the retail value (defined as the price charged to customers) of the establishment's displayed merchandise consists of said items; or
    - c. At least thirty percent of the establishment's revenues derive from the sale or rental, for any form of consideration, of said items; or
    - d. The establishment maintains at least thirty percent of its floor space for the display, sale, and/or rental of said items (aisles and walkways used to access said items, as well as cashier stations where said items are rented or sold, shall be included in "floor space maintained for the display, sale, and/or rental of said items"); or

- e. The establishment maintains at least five hundred square feet of its floor space for the display, sale, and/or rental of said items (aisles and walkways used to access said items, as well as cashier stations where said items are rented or sold, shall be included in “floor space maintained for the display, sale, and/or rental of said items”); or
    - f. The establishment regularly offers for sale or rental at least two thousand of said items; or
    - g. The establishment regularly features said items and regularly advertises itself or holds itself out, in any medium, by using “adult,” “XXX,” “sex,” “erotic,” or substantially similar language, as an establishment that caters to adult sexual interests.
  - 2. For purposes of this definition, the term “floor space” means the space inside an establishment that is visible or accessible to patrons, excluding restrooms.
- J. Adult Business.  
An “adult bookstore or adult video store,” an “adult entertainment establishment,” or a “sex paraphernalia store.”
- K. Adult Entertainment Establishment.
- 1. An “adult entertainment establishment” is an enclosed building, or any portion thereof, used for presenting performances, activities, or material relating to “specified sexual activities” as defined in SMC 17A.020.190 or “specified anatomical areas” as defined in SMC 17A.020.190 for observation by patrons therein.
  - 2. A motion picture theater is considered an adult entertainment establishment if the preponderance of the films presented is distinguished or characterized by an emphasis on the depicting or describing of “specified sexual activities” or “specified anatomical areas.”
  - 3. A hotel or motel providing overnight accommodations is not considered an adult entertainment establishment merely because it provides adult closed circuit television programming in its rooms for its registered overnight guests.
- L. Adult Family Home.
- M. A residential use as defined and licensed by the state of Washington in a dwelling unit.
- N. Agency or Agencies.
- 1. The adopting jurisdiction(s), depending on the context.
- N. Agricultural Activities.
- 1. Pursuant to WAC 173-26-020(3)(a), agricultural uses and practices including, but not limited to:
    - a. Producing, breeding, or increasing agricultural products;
    - b. Rotating and changing agricultural crops;
    - c. Allowing land used for agricultural activities to lie fallow in which it is plowed and tilled but left unseeded;
    - d. Allowing land used for agricultural activities to lie dormant as a result of adverse agricultural market conditions;
    - e. Allowing land used for agricultural activities to lie dormant because the land is enrolled in a local, state, or federal conservation program, or the land is subject to a conservation easement;
    - f. Conducting agricultural operations; maintaining, repairing, and replacing agricultural equipment;
    - g. Maintaining, repairing, and replacing agricultural facilities, provided that the replacement facility is not closer to the shoreline than the original facility; and
    - h. Maintaining agricultural lands under production or cultivation.

2. The City of Spokane shoreline master program defines agriculture activities as:

- a. Low-intensity agricultural use is defined as passive grazing and plant cultivation; or
- b. High-intensity agricultural use includes such activities as feedlots, feed mills, packing plants, agricultural processing plants or warehouse for the purpose of processing, packing, and storage of agricultural products.

O. Agricultural Land.

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

P. AKART.

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

Q. Alkali Wetlands.

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

R. Alley.

See “Public Way” (SMC 17A.020.160).

S. Alteration.

A physical change to a structure or site.

1. Alteration does not include normal maintenance and repair or total demolition.

2. Alteration does include the following:

- a. A.Changes to the facade of a building.
- b. Changes to the interior of a building.
- c. Increases or decreases in floor area of a building; or
- d. Changes to other structures on the site, or the development of new structures.

T. Alteration of Plat, Short Plat, or Binding Site Plan.

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

U. Alternative or Post-incarceration Facility.

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

V. [Deleted]

W. [Deleted]

X. [Deleted]

Y. [Deleted]

Z. AA. API 653.

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

- AA. Appeal.  
A request for review of the interpretation of any provision of Title 17 SMC.
- AB. Appeal – Standing For.  
As provided under RCW 36.70C.060, persons who have standing are limited to the following:
1. The applicant and the owner of property to which the land use decision is directed; and
  2. Another person aggrieved or adversely affected by the land use decision, or who would be aggrieved or adversely affected by a reversal or modification of the land use decision. A person is aggrieved or adversely affected within the meaning of this section only when all of the following conditions are present:
    - a. The land use decision has prejudiced or is likely to prejudice that person;
    - b. That person's asserted interests are among those that the local jurisdiction was required to consider when it made the land use decision;
    - c. A judgment in favor of that person would substantially eliminate or redress the prejudice to that person caused or likely to be caused by the land use decision; and
    - d. The petitioner has exhausted his or her administrative remedies to the extent required by law (RCW 36.70C.060).
- AC. Applicant.  
An application for a permit, certificate, or approval under the land use codes must be made by or on behalf of all owners of the land and improvements. "Owners" are all persons having a real property interest. Owners include:
1. Holder of fee title or a life estate;
  2. Holder of purchaser's interest in a sale contract in good standing;
  3. Holder of seller's interest in a sale contract in breach or in default;
  4. Grantor of deed of trust;
  5. Presumptively, a legal owner and a taxpayer of record;
  6. Fiduciary representative of an owner;
  7. Person having a right of possession or control; or
  8. Any one of a number of co-owners, including joint, in common, by entireties, and spouses as to community property.
- AD. Application – Complete.  
An application that is both counter-complete and determined to be substantially complete as set forth in SMC 17G.060.090.
- AE. Aquaculture.  
The farming or culture of food fish, shellfish, or other aquatic plants or animals in freshwater or saltwater areas, and may require development such as fish hatcheries, rearing pens and structures, and shellfish rafts, as well as use of natural spawning and rearing areas. Aquaculture does not include the harvest of free-swimming fish or the harvest of shellfish not artificially planted or maintained, including the harvest of wild stock geoducks on DNR-managed lands.
- AF. Aquatic Life.  
Shall mean all living organisms, whether flora or fauna, in or on water.
- AG. Aquifer or Spokane Aquifer.  
A subterranean body of flowing water, also known as the Spokane-Rathdrum Aquifer, that runs from Pend Oreille Lake to the Little Spokane River.

- AH. Aquifer Sensitive Area (ASA).  
That area or overlay zone from which runoff directly recharges the aquifer, including the surface over the aquifer itself and the hillside areas immediately adjacent to the aquifer. The area is shown in the map adopted as part of SMC 17E.050.260.
- AI. Aquifer Water Quality Indicators.  
Common chemicals used for aquifer water quality screening. These are:
1. Calcium,
  2. Magnesium,
  3. Sodium,
  4. Total hardness,
  5. Chloride,
  6. Nitrate-nitrogen, and
  7. Phosphorus.
- AJ. Archaeological Areas and Historical Sites.  
Sites containing material evidence of past human life, such as structures and tools and/or cultural sites with past significant historical events. These sites are a nonrenewable resource and provided a critical educational link with the past.
- AK. Architectural feature.  
Ornamental or decorative feature attached to or protruding from an exterior wall or roof, including cornices, eaves, belt courses, sills, lintels, bay windows, chimneys, and decorative ornaments.
- AL. Architectural Roof Structure.  
Minor tower or turret extending from the cornice or main roof line of a building, typically highlighting a primary corner or building entry. For purposes of the FBC, such features may not be occupied.
1. Area of Shallow Flooding.  
A designated AO or AH Zone on the Flood Insurance Rate Map (FIRM).
  2. The base flood depths range from one to three feet.
  3. A clearly defined channel does not exist.
  4. The path of flooding is unpredictable and indeterminate.
  5. Velocity flow may be evident.
  6. AO is characterized as sheet flow and AH indicates ponding.
- AM. Area of Shallow Flooding.  
A designated AO or AH Zone on the Flood Insurance Rate Map (FIRM).
1. The base flood depths range from one to three feet.
  2. A clearly defined channel does not exist.
  3. The path of flooding is unpredictable and indeterminate.
  4. Velocity flow may be evident.
  5. AO is characterized as sheet flow and AH indicates ponding.

- AN. Area of Special Flood Hazard.  
The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.
- AO. Arterial.  
See:
1. "Principal Arterials" – SMC 17A.020.160,
  2. "Minor Arterials" – SMC 17A.020.130,
  3. "Collector Arterial" – SMC 17A.020.030, or
  4. "Parkway" – SMC 17A.020.160.
- AP. Assisted Living Facility.  
A multi-family residential use licensed by the state of Washington as a boarding home pursuant to chapter 18.20 RCW, for people who have either a need for assistance with activities of daily living (which are defined as eating, toileting, ambulation, transfer [e.g., moving from bed to chair or chair to bath], and bathing) or some form of cognitive impairment but who do not need the skilled critical care provided by nursing homes.
1. An "assisted living facility" contains multiple assisted living units.
  2. An assisted living unit is a dwelling unit permitted only in an assisted living facility.
- AQ. Attached Housing.  
Two or more dwelling units that are single-family residences on individual lots attached by a common wall at a shared property line. These include:
1. Townhouses,
  2. Row houses, and
  3. Other similar structures
- AR. Attached Structure.  
Any structure that is attached by a common wall to a dwelling unit.
1. The common wall must be shared for at least fifty percent of the length of the side of the principal dwelling.
  2. A breezeway is not considered a common wall.
  3. Structures including garages, carports, and house additions attached to the principal dwelling unit with a breezeway are still detached structures for purposes of this chapter and its administration.
- AS. Available Capacity.  
Capacity for a concurrency facility that currently exists for use without requiring facility construction, expansion, or modification (RCW 76.70A.020).
- AT. Average Grade Level.  
Means the average of the natural or existing topography of the portion of the lot, parcel, or tract of real property on that part of the lot to be occupied by the building or structure as measured by averaging the elevations at the center of all exterior walls of the proposed structure.
- AU. Awning  
A roof-like cover, often made of fabric or metal, designed and intended for protection from the weather or as a decorative embellishment, and which projects from a wall or roof of a structure over a window, walk, or door.

**Section 4.** That SMC Section 17A.020.020 is amended to read as follows:

**Section 17A.020.020 "B" Definitions**

- A. Backed Sign.  
~~((A sign where the faces of the sign are parallel or within twenty degrees of parallel to each other.))~~  
See SMC 17C.240.015.
- B. Balloon Sign.  
~~((A sign that is blown up with air or gas.))~~ See SMC 17C.240.015.
- C. Bank Carving.  
The incorporation of masses of alluvium or other weak bank materials into a stream channel because of undermining, usually in high flow stages.
- D. Bank Erosion.  
The incorporation of masses of alluvium or other weak bank materials into a stream channel.
- E. Bankfull Width.
1. For streams, the measurement of the lateral extent of the water surface elevation perpendicular to the channel at bankfull depth. In cases where multiple channels exist, bankfull width is the sum of the individual channel widths along the cross-section.
  2. For lakes, ponds, and impoundments, line of mean high water.
  3. For periodically inundated areas of associated wetlands, line of periodic inundation, which will be found by examining the edge of inundation to ascertain where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland.
- F. Banner.  
~~((A sign made of fabric or other similar non-rigid material with no enclosing framework or electrical components that is supported or anchored on two or more edges or at all four corners. Banners also include non-rigid signs anchored along one edge, or two corners, with weights installed that reduce the reaction of the sign to wind. See also Flag.))~~ See SMC 17C.240.015.
- G. Bas-relief.  
Sculptural form in which shapes or figures are carved in a flat surface and project only slightly from the background.
- H. Base Flood.
1. The flood having a one percent chance of being equaled or exceeded in any given year, also referred to as the "one hundred year flood."
  2. Designation on maps always includes the letters A or V.
- I. Basement.  
The portion of a building having its floor sub-grade (below ground level) on all sides.
- J. Bedrock.  
Means a general term for rock, typically hard, consolidated geologic material that underlies soil or other unconsolidated, superficial material or is exposed at the surface.
- K. Bee.  
Any stage of development of the common domestic honeybee, *Apis mellifera* species.
- L. Beekeeper.  
A person owning, possession, or controlling one or more colonies of bees.
- M. Best Available Science.  
Current scientific information used in the process to designate, protect, or restore critical areas, which is derived from a valid scientific process.
- N. Best Management Practices.  
The utilization of methods, techniques, or products that have been demonstrated to be the most effective and reliable in minimizing environmental impacts.

- O. Bikeways/Pathways. Facilities designated for use by commuters and recreational users on foot or bicycle. The following types of bikeway facilities are identified and further defined in the Spokane Regional Pedestrian/Bikeway Plan published by the Spokane Regional Transportation Council:
1. Residential bikeway.
  2. Shared-use lane.
  3. Paved shoulder.
  4. Bicycle lane.
  5. Shared-use pathway.
- P. Binding Site Plan – Final.  
A drawing to a scale which:
1. identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters provided in SMC 17G.080.060;
  2. contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land; and
  3. contains provisions making any development be in conformity with the site plan.
  4. A binding site plan can only be used on property zoned commercial or industrial.
- Q. Binding Site Plan – Preliminary.  
A neat and approximate drawing of a proposed binding site plan showing the general layout of streets, alleys, lots, blocks, and other elements required by this chapter. The preliminary binding site plan shall be the basis for the approval or disapproval of the general layout of a binding site plan.
- R. Block.  
A group of lots, tracts, or parcels within well-defined and fixed boundaries. Blocks shall be recognized as closed polygons, bordered by street right-of-way lines, addition lines, or a combination of the two, unless an alley is desired, in which case a block is comprised of two closed polygons bordered by street and alley right-of-way lines.
- S. Block Frontage.  
All of the property fronting on one side of a street that is between intersecting or intercepting streets, or that is between a street and a water feature, or end of a dead end street. An intercepting street determines only the boundary of the block frontage on the side of the street which it intercepts.
- T. Board.  
The board of county commissioners of Spokane County.
- U. Boating Facilities.  
Boating facilities include uses for boat or launch ramps. Boating facility use generally requires shoreline modification with impacts to the shoreline both waterward and landward of the ordinary high-water marks.
- V. Boundary Line Adjustment.  
A division made for the purpose of adjusting boundary lines which does not create any additional lot, tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site.
- W. Breakaway Wall.  
A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.
- X. Breezeway.  
A breezeway is a roofed passageway joining two separate structures.



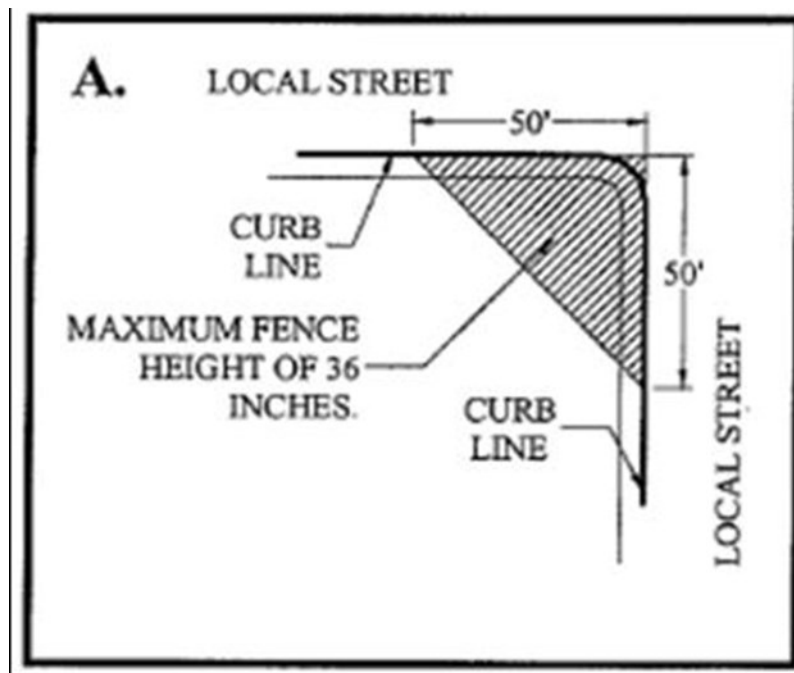
- Y. Building.
1. A “building” is a structure, or part, used or intended for supporting or sheltering any use or occupancy.
  2. The term includes “factory-built structure” and “mobile home.”
  3. “Building” does not include a recreational vehicle.
  4. “Building” means a structure that has a roof and is enclosed on at least fifty percent of the area of its sides for purposes of administration of zoning provisions.
- Z. Building Base  
The plinth or platform upon which a building wall appears to rest, helping establish pedestrian-scaled elements and aesthetically tying the building to the ground.
- AA. Building Coverage.  
Building coverage is the total amount of ground area covered by a structure or structures.
1. For purposes of calculating building coverage, covered porches, covered decks, pergolas, trellis, or other feature covering a deck, patio or porch are considered structures and included in the building coverage calculations.
  2. Building coverage also includes uncovered horizontal structures such as decks, stairways, and entry bridges that are more than forty-two inches above grade.
  3. The calculation of building coverage includes the measurements of structures from the exterior wall including protrusions such as bay windows, but does not include the eave overhang.
- AB. Building Envelope.  
The area of a lot that delineates where a building may be placed.
- AC. Building Frontage.  
The length of any side of a building which fronts on a public street, measured in a straight line parallel with the abutting street
- AD. Build-to Line.  
An alignment establishing a certain distance from the property line (street right-of- way line) along which the building is required to be built.
- AE. Bulkhead.  
A solid or open pile wall erected generally parallel to and near the ordinary high-water mark for the purpose of protecting adjacent uplands from water or erosion. Bulkheads are considered a “hard” shoreline stabilization measure.

**Section 5.** That SMC Section 17A.020.030 is amended to read as follows:

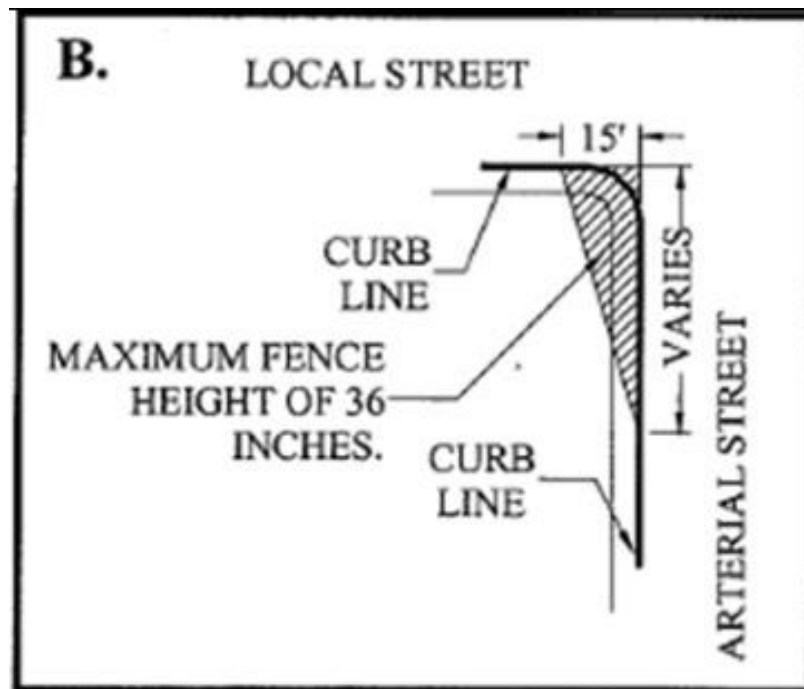
**Section 17A.020.030 “C” Definitions**

- A. Candidate Species.  
A species of fish or wildlife, which is being reviewed, for possible classification as threatened or endangered.
- B. Carport.  
A carport is a garage not entirely enclosed on all sides by sight-obscuring walls and/or doors.
- C. Cellular Telecommunications Facility.  
They consist of the equipment and structures involved in receiving telecommunication or radio signals from mobile radio communications sources and transmitting those signals to a central switching computer that connects the mobile unit with the land-based telephone lines.
- D. Central Business District.  
The general phrase “central business district” refers to the area designated on the comprehensive plan as the “downtown” and includes all of the area encompassed by all of the downtown zoning categories combined.

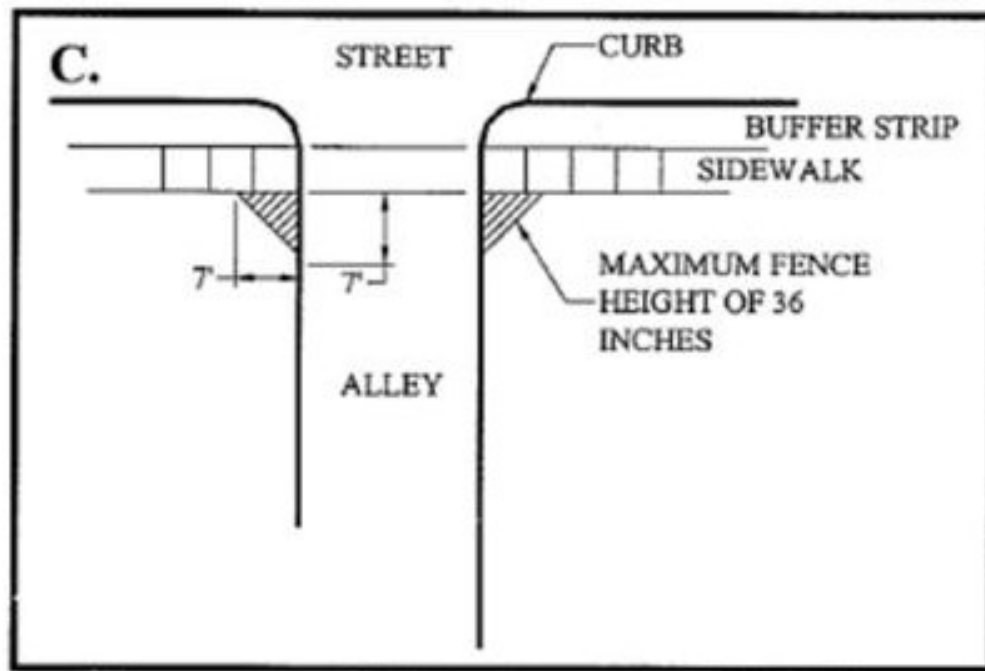
- E. Certificate of Appropriateness.  
Written authorization issued by the commission or its designee permitting an alteration or significant change to the controlled features of a landmark or landmark site after its nomination has been approved by the commission.
- F. Certificate of Capacity.  
A document issued by the planning services department indicating the quantity of capacity for each concurrency facility that has been reserved for a specific development project on a specific property. The document may have conditions and an expiration date associated with it.
- G. Certified Erosion and Sediment Control Lead (CESCL).  
An individual who is knowledgeable in the principles and practices of erosion and sediment control. The CESCL shall have the skills to assess the:
1. site conditions and construction activities that could impact the quality of stormwater, and
  2. effectiveness of erosion and sediment control measures used to control the quality of stormwater discharges.
- The CESCL shall have current certification through an approved erosion and sediment control training program that meets the minimum training standards established by the Washington State department of ecology.
- H. Change of Use.  
For purposes of modification of a preliminary plat, "change of use" shall mean a change in the proposed use of lots (e.g., residential to commercial).
- I. Channel Migration Zone (CMZ).  
A corridor of variable width that includes the current river plus adjacent area through which the channel has migrated or is likely to migrate within a given timeframe, usually one hundred years.
- J. Channelization.  
The straightening, relocation, deepening, or lining of stream channels, including construction of continuous revetments or levees for the purpose of preventing gradual, natural meander progression.
- K. City.  
The City of Spokane, Washington.
- L. Clear Street Width.  
The width of a street from curb to curb minus the width of on-street parking lanes.
- M. Clear Pedestrian Zone  
Area reserved for pedestrian traffic; typically included herein as a portion of overall sidewalk width to be kept clear of obstructions to foot traffic.
- N. Clear View Triangle  
A clear view maintained within a triangular space at the corner of a lot so that it does not obstruct the view of travelers upon the streets.
1. A right isosceles triangle having sides of fifty feet measured along the curb line of each intersecting residential street; or



2. A right triangle having a fifteen-foot side measured along the curb line of the residential street and a seventy-five foot side along the curb line of the intersecting arterial street, except that when the arterial street has a speed limit of thirty-five miles per hour, the triangle has a side along such arterial of one hundred twenty-two feet; or



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



- O. **Clear Zone.**  
An unobstructed, relatively flat area provided beyond the edge of the traveled way for the recovery of errant vehicles.
- P. **Clearing.**  
The removal of vegetation or plant cover by manual, chemical, or mechanical means. Clearing includes, but is not limited to, actions such as cutting, felling, thinning, flooding, killing, poisoning, girdling, uprooting, or burning.
- Q. **Cliffs.**
1. A type of habitat in the Washington department of fish and wildlife (WDFW) priority habitat and species system that is considered a priority due to its limited availability, unique species usage, and significance as breeding habitat. Cliffs are greater than twenty-five feet high and below five thousand feet elevation.
  2. A "cliff" is a steep slope of earth materials, or near vertical rock exposure. Cliffs are categorized as erosion landforms due to the processes of erosion and weathering that produce them. Structural cliffs may form as the result of fault displacement or the resistance of a cap rock to uniform downcutting. Erosional cliffs form along shorelines or valley walls where the most extensive erosion takes place at the base of the slope.
- R. **Closed Record Appeal Hearing.**  
A hearing, conducted by a single hearing body or officer authorized to conduct such hearings, that relies on the existing record created during a quasi-judicial hearing on the application. No new testimony or submission of new evidence and information is allowed.
- S. **Collector Arterial.**  
A relatively low speed street serving an individual neighborhood.
1. Collector arterials are typically two-lane roads with on-street parking.
  2. Their function is to collect and distribute traffic from local access streets to principal and minor arterials.
- T. **Co-location.**  
Is the locating of wireless communications equipment from more than one provider on one structure at one site.
- U. **Colony.**  
A hive and its equipment and appurtenances, including one queen, bees, comb, honey, pollen, and brood.
- V. **Commercial Driveway.**  
Any driveway access to a public street other than one serving a single-family or duplex residence on a single lot.

- W. Commercial Vehicle.  
Any vehicle the principal use of which is the transportation of commodities, merchandise, produce, freight, animals, or passengers for hire.
- X. Commission – Historic Landmarks.  
The City/County historic landmarks commission.
- Y. Community Banner.  
~~((A temporary banner made of sturdy cloth or vinyl that is not commercial advertising that has the purpose of the promotion of a civic event, public service announcement, holiday decorations, or similar community and cultural interests and is placed on a structure located in the public right-of-way, subject to procedures authorized by city administrator.))~~See SMC 17C.240.015.
- Z. Community Meeting.  
An informal meeting, workshop, or other public meeting to obtain comments from the public or other agencies on a proposed project permit prior to the submission of an application.
1. A community meeting is between an applicant and owners, residents of property in the immediate vicinity of the site of a proposed project, the public, and any registered neighborhood organization or community council responsible for the geographic area containing the site of the proposal, conducted prior to the submission of an application to the City of Spokane.
  2. A community meeting does not constitute an open record hearing.
  3. The proceedings at a community meeting may be recorded and a report or recommendation shall be included in the permit application file.
- AA. Compensatory Mitigation.  
Replacing project-induced wetland losses or impacts, and includes, but is not limited to, the following:
1. Restoration.  
The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former or degraded wetland. For the purpose of tracking net gains in wetland acres, restoration is divided into re-establishment and rehabilitation.
  2. Re-establishment.  
The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former wetland. Re-establishment results in a gain in wetland acres (and functions). Activities could include removing fill material, plugging ditches, or breaking drain tiles.
  3. Rehabilitation.  
The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural or historic functions of a degraded wetland. Rehabilitation results in a gain in wetland function but does not result in a gain in wetland acres. Activities could involve breaching a dike to reconnect wetlands to a floodplain or return tidal influence to a wetland.
  4. Creation (Establishment).  
The manipulations of the physical, chemical, or biological characteristics present to develop a wetland on an upland or deepwater site where a wetland did not previously exist. Establishment results in a gain in wetland acres. Activities typically involve excavation of upland soils to elevations that will produce a wetland hydroperiod, create hydric soils, and support the growth of hydrophytic plant species.
  5. Enhancement.  
The manipulation of the physical, chemical, or biological characteristics of a wetland site to heighten, intensify, or improve specific function(s) or to change the growth stage or composition of the vegetation present. Enhancement is undertaken for specified purposes such as water quality improvement, flood water retention, or wildlife habitat. Enhancement results in a change in some wetland functions and can lead to a decline in other wetland functions, but does not result in a gain in wetland acres. Activities typically consist of planting vegetation, controlling non-native or invasive species, modifying site elevations or the proportion of open water to influence hydroperiods, or some combination of these activities.

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

- AB. Comprehensive Plan.  
The City of Spokane comprehensive plan, a document adopted pursuant to chapter 36.70A RCW providing land use designations, goals and policies regarding land use, housing, capital facilities, housing, transportation, and utilities.
- AC. Conceptual Landscape Plan.  
A scale drawing showing the same information as a general site plan plus the location, type, size, and width of landscape areas as required by the provisions of chapter 17C.200 SMC.
1. The type of landscaping, L1, L2, or L3, is required to be labeled.
  2. It is not a requirement to designate the scientific name of plant materials on the conceptual landscape plan.
- AD. Concurrency Certificate.  
A certificate or letter from a department or agency that is responsible for a determination of the adequacy of facilities to serve a proposed development, pursuant to chapter 17D.010 SMC, Concurrency Certification.
- AE. Concurrency Facilities.  
Facilities for which concurrency is required in accordance with the provisions of this chapter. They are:
1. transportation,
  2. public water,
  3. fire protection,
  4. police protection,
  5. parks and recreation,
  6. libraries,
  7. solid waste disposal and recycling,
  8. schools, and
  9. public wastewater (sewer and stormwater).
- AF. Concurrency Test.  
The comparison of an applicant's impact on concurrency facilities to the available capacity for public water, public wastewater (sewer and stormwater), solid waste disposal and recycling, and planned capacity for transportation, fire protection, police protection, schools, parks and recreation, and libraries as required in SMC 17D.010.020.
- AG. Conditional Use Permit.  
A "conditional use permit" and a "special permit" are the same type of permit application for purposes of administration of this title.
- AH. Condominium.  
Real property, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in unit owners, and unless a declaration and a survey map and plans have been recorded pursuant to chapter 64.34 RCW.
- AI. Confidential Shelter.  
Shelters for victims of domestic violence, as defined and regulated in chapter 70.123 RCW and WAC 248-554. Such facilities are characterized by a need for confidentiality.

- AJ. Congregate Residence.  
A dwelling unit in which rooms or lodging, with or without meals, are provided for nine or more non-transient persons not constituting a single household, excluding single-family residences for which special or reasonable accommodation has been granted.
- AK. Conservancy Environments.  
Those areas designated as the most environmentally sensitive and requiring the most protection in the current shoreline master program or as hereafter amended.
- AL. Container.  
Any vessel of sixty gallons or less in capacity used for transporting or storing critical materials.
- AM. Context Areas  
Established by the Regulating Plan, Context Area designations describe and direct differing functions and features for areas within FBC limits, implementing community goals for the built environment.
- AN. Conveyance.  
In the context of chapter 17D.090 SMC or chapter 17D.060 SMC, this term means a mechanism for transporting water from one point to another, including pipes, ditches, and channels.
- AO. Conveyance System.  
In the context of chapter 17D.090 SMC or chapter 17D.060 SMC, this term means the drainage facilities and features, both natural and constructed, which collect, contain and provide for the flow of surface and stormwater from the highest points on the land down to receiving water. The natural elements of the conveyance system include swales and small drainage courses, streams, rivers, lakes, and wetlands. The constructed elements of the conveyance system include gutters, ditches, pipes, channels, and most flow control and water quality treatment facilities.
- AP. Copy.  
~~((Letters, characters, illustrations, logos, graphics, symbols, writing, or any combination thereof designed to communicate information of any kind, or to advertise, announce or identify a person, entity, business, business product, or to advertise the sale, rental, or lease of premises))~~ See SMC 17C.240.015.
- AQ. Cottage Housing.
1. A grouping of individual structures where each structure contains one dwelling unit.
  2. The land underneath the structures is not divided into separate lots.
  3. A cottage housing development may contain no less than six and no more than twelve individual structures in addition to detached accessory buildings for storing vehicles. It may also include a community building, garden shed, or other facility for use of the residents.
- AR. Council.  
The city council of the City of Spokane.
- AS. County.  
Usually capitalized, means the entity of local government or, usually not capitalized, means the geographic area of the county, not including the territory of incorporated cities and towns.
- AT. Covenants, Conditions, and Restrictions (CC&Rs).  
A document setting forth the covenants, conditions, and restrictions applicable to a development, recorded with the Spokane County auditor and, typically, enforced by a property owner's association or other legal entity.
- AU. Creep.  
Slow, downslope movement of the layer of loose rock and soil resting on bedrock due to gravity.
- AV. Critical Amount.  
The quantity component of the definition of critical material.
- AW. Critical Aquifer Recharge Areas (CARA).  
Critical aquifer recharge areas (CARA) include locally identified aquifer sensitive areas (ASA) and wellhead protection areas.

- AX. Critical Areas.  
Any areas of frequent flooding, geologic hazard, fish and wildlife habitat, aquifer sensitive areas, or wetlands as defined under chapter 17E.010 SMC, chapter 17E.020 SMC, chapter 17E.030 SMC, chapter 17E.040 SMC, and chapter 17E.070.SMC.
- AY. Critical Facility.  
A facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to:
1. schools;
  2. nursing homes;
  3. hospitals;
  4. police;
  5. fire;
  6. emergency response installations; and
  7. installations which produce, use, or store hazardous materials or hazardous waste.
- AZ. Critical Material.
1. A compound or substance, or class thereof, designated by the division director of public works and utilities which, by intentional or accidental release into the aquifer or ASA, could result in the impairment of one or more of the beneficial uses of aquifer water and/or impair aquifer water quality indicator levels. Beneficial uses include, but are not limited to:  
(~~domestic and industrial water supply.~~)
    - a. domestic and industrial water supply,
    - b. agricultural irrigation,
    - c. stock water, and
    - d. fish propagation.Used herein, the designation is distinguished from state or other designation.
  2. A list of critical materials is contained in the Critical Materials Handbook, including any City modifications thereto.
- BA. Critical Material Activity.  
A land use or other activity designated by the manager of engineering services as involving or likely to involve critical materials.  
A list of critical materials activities is contained in the Critical Materials Handbook.
- BB. Critical Materials Handbook.  
The latest edition of a publication as approved and amended by the division director of public works and utilities from time to time to accomplish the purposes of this chapter.
1. The handbook is based on the original prepared by the Spokane water quality management program ("208") coordination office, with the assistance of its technical advisory committee. It is on file with the director of engineering services and available for public inspection and purchase.
  2. The handbook, as approved and modified by the division director of public works and utilities, contains:
    - a. a critical materials list,
    - b. a critical materials activities list, and



c. other technical specifications and information.

3. The handbook is incorporated herein by reference. Its provisions are deemed regulations authorized hereunder and a mandatory part of this chapter.

BC. Critical Review.

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

BD. Critical Review Action.

1. An action by a municipal official or body upon an application as follows:

- a. Application for a building permit where plans and specifications are required, except for Group R and M occupancies (SMC 17G.010.140 and SMC 17G.010.150).
- b. Application for a shoreline substantial development permit (SMC 17G.060.070(B)(1)).
- c. Application for a certificate of occupancy (SMC 17G.010.170).
- d. Application for a variance or a certificate of compliance (SMC 17G.060.070(A) or SMC 17G.060.070(B)(1)).
- e. Application for rezoning (SMC 17G.060.070(A)).
- f. Application for conditional permit (SMC 17G.060.070(A)).
- g. Application for a business license (SMC 8.01.120).
- h. Application for a permit under the Fire Code (SMC 17F.080.060).
- i. Application for a permit or approval requiring environmental review in an environmentally sensitive area (SMC 17E.050.260).
- j. . Application for connection to the City sewer or water system.
- k. Application for construction or continuing use of an onsite sewage disposal system (SMC 13.03.0149 and SMC 13.03.0304).
- l. Application for sewer service with non-conforming or non-standard sewage (SMC 13.03.0145, SMC 13.03.0314, and SMC 13.03.0324).
- m. Application involving a project identified in SMC 17E.010.120.
- n. Issuance or renewal of franchise; franchisee use of cathodic protection also requires approval or a franchise affecting the City water supply or water system.
- o. Application for an underground storage tank permit (SMC 17E.010.210); and
- p. Application for permit to install or retrofit aboveground storage tank(s) (SMC 17E.010.060(A) and SMC 17E.010.400(D)).

2. Where a particular municipal action is requested involving a land use installation or other activity, and where said action is not specified as a critical review action, the City official or body responsible for approval may, considering the objectives of this chapter, designate such as a critical review action and condition its approval upon compliance with the result thereof.

BE. Critical Review Applicant.

A person or entity seeking a critical review action.

**BF. Critical Review Officer – Authority.**

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

**BG. Critical Review Statement.**

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

**BH. Cumulative Impacts.**

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

**BI. Curb Ramp.**

A ramp constructed in the sidewalk to allow wheelchair access from the sidewalk to the street.

**BJ. Cutbank.**

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

**Section 6.** That SMC Section 17A.020.040 is amended to read as follows:

**Section 17A.020.040 “D” Definitions****A. Day.**

A calendar day. A time period expressed in a number of days is computed by excluding the first day and including the last day. When an act to be done requires a City business day, and the last day by which the act may be done is not a City business day, then the last day to act is the following business day.

**B. Debris Flow.**

Slow moving, sediment gravity flow composed of large rock fragments and soil supported and carried by a mud-water mixture.

**C. Debris Slide.**

A shallow landslide within rock debris with the slide usually occurring within a relatively narrow zone.

**D. “Decibel (dB)” means the measure of sound pressure or intensity.****E. Dedication.**

The deliberate appropriation of land, or an easement therein, by its owner for any general and public uses, reserving to the owner no rights other than those that are compatible with the full exercise and enjoyment of the public uses for which the property has been devoted, and accepted for such use by or on behalf of the public. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat, short plat, or binding site plan showing the dedication thereon or by dedication deed to the City. The acceptance by the public shall be evidenced by the approval of such plat, short plat, binding site plan, or at the City’s option, by the City recording such dedication deed with the Spokane County auditor.

**F. Degraded Wetland.**

A wetland altered through impairment of some physical or chemical property which results in reduction of one or more wetland functions and values.

- G. **Demolition or Partial Demolition.**  
The destruction, removal, or relocation, in whole or in part, of a building or structure or a significant feature of a building or structure that is of important historical character. Demolition (or partial demolition) does not include the removal of past additions for the express purpose of restoration of a structure to its historic appearance, form, or function. Demolition (or partial demolition) does not include the destruction or removal of portions of a building or structure that are not significant to defining its historic character. This exclusion is valid so long as the demolition is done as part of a design review application approved pursuant to chapter 17C.040 SMC.
- H. **Density.**  
The number of housing units per acre as permitted by the zoning code.
- I. **Denuded.**  
Land that has had the natural vegetative cover or other cover removed leaving the soil exposed to mechanical and chemical weathering.
- J. **Department.**  
Any of the departments of engineering services, planning services, fire department, or parks and recreation for which responsibility has been assigned by charter or code for administration.
- K. **Design Departure.**  
Any change that is sought to modify or waive a design requirement (R) or waive a design presumption (P) contained within the design standards. The design departure process is found in chapter 17G.030 SMC, Design Departures.
- L. **Design Guidelines.**  
A set of design parameters for development which apply within a design district, sub-district, or overlay zone. The guidelines are adopted public statements of intent and are used to evaluate the acceptability of a project's design.
- M. **Design Review Board.**  
The design review board is defined in chapter 4.13 SMC. The design review board was previously named design review committee. Any reference to design review committee is the same as a reference to the design review board.
- N. **Designation.**  
The declaration of a building, district, object, site, or structure as a landmark or historic district.
- O. **Desired Character.**  
The preferred and envisioned character (usually of an area) based on the purpose statement or character statement of the base zone, overlay zone, or plan district. It also includes the preferred and envisioned character based on any adopted subarea plans or design guidelines for an area.
- P. **Detailed Site Plan.**  
A general site plan to which the following detailed information has been added:
1. Natural vegetation, landscaping, and open spaces.
  2. Ingress, egress, circulation, parking areas, and walkways.
  3. Utility services.
  4. Lighting.
  5. Signs.
  6. Flood plains, waterways, wetlands, and drainage.
  7. Berms, buffers, and screening devices; and
  8. Such other elements as required in this chapter.
- Q. **Developable Area.**  
Land outside of a critical area and associated buffer including wetlands, fish and wildlife habitat conservation areas, riparian habitat area, landslide areas, steep slope areas, floodplain, floodway, shallow flooding, channel migration zone, and associated buffers, or any other restricted area on a particular piece of property.

- R. Development. Any proposed land use, zoning, or rezoning, comprehensive plan amendment, annexation, subdivision, short subdivision, planned unit development, planned area development, conditional use permit, special use permit, shoreline development permit, or any other property development action permitted or regulated by the Spokane Municipal Code.
- S. Development Activity – Floodplain.  
Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.
- T. Development Approval.  
Any recommendation or approval for development required or permitted by this code.
- U. Development Codes.  
The state-adopted codes, boiler and pressure vessel, building, electrical, elevator, fire, mechanical, plumbing, and related publications adopted by the City, along with other provisions of this code that relate to private access to, use and obstruction of public right-of-way, and engineering standards that relate to private construction of public utilities and facilities.

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**Note: For the remainder of Ordinance No. C35576 and for Ordinance No. C35577, Job Opportunities and Notices for Bids, see Parts III & IV of this Issue (Issue 6) of the *Official Gazette*.**

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# Official Gazette

## City of Spokane, Washington

Statement of City Business, including a Summary of the Proceedings of the City Council

Volume 108

**FEBRUARY 7, 2018**

Issue 6 Part III of IV



### MAYOR AND CITY COUNCIL

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COUNCIL PRESIDENT BEN STUCKART

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KATE BURKE (DISTRICT 1)

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(ORDINANCES, JOB OPPORTUNITIES  
& NOTICES FOR BIDS CONTINUED IN  
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# Ordinances

**These ordinances are published in this issue of the *Official Gazette* pursuant to passage by the Spokane City Council. It should be noted that these ordinances may be subject to veto by the Mayor. If an ordinance is vetoed by the Mayor, the Mayoral veto will be published in a subsequent issue of the *Official Gazette*.**

**ORD C35576****(Continued from Part II of this issue.)**

- V. Development Permit.  
Any permit issued by the City authorizing construction, including a building permit, conditional use permit, substantial development permit, or other permit required by the City.
- W. Dike.  
An artificial embankment placed at a stream mouth or delta area to hold back sea water for purposes of creating and/or protecting arable land from flooding.
- X. Direct Impact.  
An impact upon public facilities that has been identified as a direct consequence or result of a proposed development.
- Y. Directional.  
Any of the four basic compass directions, abbreviated as follows: N, S, E, W, SE, NE, SW, NW shall also be considered as a directional. A directional is placed in front of the root roadway name.
- Z. Directional Sign.  
(~~A sign exclusively limited to guiding the circulation of motorists or pedestrians on the site.~~) See SMC 17C.240.015.
- AA. Director.  
The administrative official of the department responsible for compliance with this code, the development codes, and the land use codes. These include the director of building services, director of engineering services, and the director of planning services.
- AB. Discharge (n).  
In the context of chapter 17D.090 SMC or chapter 17D.060 SMC, this term means runoff, excluding offsite flows, leaving a proposed development through overland flow, built conveyance systems, or infiltration facilities.
- AC. Discharge (v).  
In the context of chapter 17D.090 SMC or chapter 17D.060 SMC, this term means any disposal, injection, dumping, spilling, pumping, emitting, emptying, leaching, or placing of any material so that such material enters and exits from the MS4 or from any other publicly owned or operated drainage system that conveys storm water. The term includes other verb forms, where applicable.
- AD. Discharger.  
In the context of chapter 17D.090 SMC or chapter 17D.060 SMC, this term means any person that discharges to the City's MS4 or any other publicly owned or operated drainage system that conveys, manages, or disposes of stormwater flows.
- AE. District.  
A geographically definable area, urban or rural, small or large, possessing a significant concentration, linkage, or continuity of buildings, objects, sites, and/or structures united by past events or aesthetically by plan or physical development.

- AF. Disturbance Area.  
In the context of chapter 17D.090 SMC or chapter 17D.060 SMC, this term means an area where soils are exposed or disturbed by development, both existing and proposed. The disturbance area includes staging and storage areas, structures, and areas needed for vehicle access and maneuvering.
- AG. Dock.  
All platform structures or anchored devices in or floating upon water bodies to provide moorage for pleasure craft or landing for water-dependent recreation.
- AH. Documented Habitat.  
Habitat classified by state or federal agencies as critical to the survival of endangered or threatened or sensitive animal, fish, or plant species.
- AI. Domestic Animal.
1. Large Domestic Animals.
    - a. Animals including, but not limited to, horses, donkeys, burros, llamas, alpacas, bovines, goats, sheep, swine, and other animals or livestock of similar size and type.
    - b. Young of horses, mules, donkeys, burros, and llamas under one year in age.
    - c. Bovines under ten months in age.
    - d. Sheep, goats, and swine under three months in age are not included when counting large animals.
  2. Small Domestic Animals.
    - a. Fowl including, but not limited to, chickens, guinea hens, geese, ducks, turkeys, pigeons, and other fowl not listed or otherwise defined.
    - b. Mink, chinchilla, nutria, gnawing animals in general, and other animals of similar size and type.
    - c. Small livestock are defined as:
      1. swine- breeds include miniature Vietnamese, Chinese or oriental pot-bellied pigs (*sus scrofa vittatus*),
      2. other small pig breeds such as Kunekune, Choctaw, and Guinea hogs,
      3. ll breeds of goats excluding mature large meat breeds such as Boers, and
      4. all breeds of sheep excluding mature large meat breeds such as Suffolk or Hampshire sheep.
      5. No horned rams shall be permitted as a small livestock.
      6. Under no circumstance shall a small livestock exceed thirty-six inches shoulder height or one hundred and fifty pounds in weight.
    - d. Young small animals, livestock or fowl under three months in age are not included when counting small animal, livestock or fowl.
- AJ. Drainage Ditch.  
An artificially created watercourse constructed to drain surface or ground water. Ditches are graded (man-made), channels installed to collect and convey runoff from fields and roadways. Ditches may include irrigation ditches, waste ways, drains, outfalls, operational spillways, channels, stormwater runoff facilities, or other wholly artificial watercourses, except those that directly result from the modification to a natural watercourse. Ditches channels that support fish are considered to be streams.
- AK. Dredge Spoil.  
The material removed by dredging.

- AL. Dredging.  
The removal, displacement, and disposal of unconsolidated earth material such as silt, sand, gravel, or other submerged material from the bottom of water bodies; maintenance dredging and other support activities are included in this definition.
- AM. Drift Cell.  
Or “drift sector” or “littoral cell” means a particular reach of marine shore in which littoral drift may occur without significant interruption and which contains any natural sources of such drift and also accretion shore forms created by such drift.
- AN. Driveway.  
An all-weather surface driveway structure as shown in the standard plans.
- AO. Duplex.  
A building that contains two primary dwelling units on one lot. The units must share a common wall or common floor/ceiling.
- AP. Dwelling Unit.  
A building, or a portion of a building, that has independent living facilities including provisions for sleeping, cooking, and sanitation, and that is designed for residential occupancy by a group of people. Buildings with more than one set of cooking facilities are considered to contain multiple dwelling units unless the additional cooking facilities are clearly accessory, such as an outdoor grill.

**Section 7.** That SMC Section 17A.020.050 is amended to read as follows:

**Section 17A.020.050 “E” Definitions**

- A. Early Notice.  
The lead agency’s response to an applicant stating whether it considers issuance of a determination of significance likely for the applicant’s proposal (Mitigated Determination of Nonsignificance [DNS] procedures).
- B. Easement.  
A right granted by a property owner to specifically named parties or to the public for the use of certain land for specified purposes.
- C. Ecological Functions.  
Or “shoreline functions” means the work performed or role played by the physical, chemical, and biological processes that contribute to the maintenance of the aquatic and terrestrial environments that constitute the shoreline’s natural ecosystem. See WAC 173-26-201(2)(c).
- D. Eave  
The lower border of a roof that overhangs the wall, typically associated with exposed sloped roof elements.
- E. Ecologically Intact Shorelines.  
Those shoreline areas that retain the majority of their natural shoreline functions, as evidenced by the shoreline configuration and the presence of native vegetation. Generally, but not necessarily, ecologically intact shorelines are free of structural shoreline modifications, structures, and intensive human uses. In forested areas, they generally include native vegetation with diverse plant communities, multiple canopy layers, and the presence of large woody debris available for recruitment to adjacent water bodies. Recognizing that there is a continuum of ecological conditions ranging from near natural conditions to totally degraded and contaminated sites, this term is intended to delineate those shoreline areas that provide valuable functions for the larger aquatic and terrestrial environments which could be lost or significantly reduced by human development. Ecologically intact status of a shoreline is determined on a case-by-case basis.
- F. Economic Hardship.  
An owner’s inability to make reasonable economic use of a historic structure as determined pursuant to SMC 17D.040.230.
- G. Ecosystem-wide Processes.  
The suite of naturally occurring physical and geologic processes of erosion, transport, and deposition; and specific chemical processes that shape landforms within a specific shoreline ecosystem and determine both the types of habitat and the associated ecological functions.



- H. Electric Sign.  
~~((Any sign containing electrical wiring, lighting, or other electrical components, but not including signs illuminated by a detached exterior light source.))~~ See SMC 17C.240.015.
- I. Elevated Building.  
For insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.
- J. Emergent Wetland.  
A wetland with at least thirty percent of the surface area covered by erect, rooted, herbaceous wetland vegetation as the uppermost vegetative strata.
- K. Enclosed Roof Structure  
Conditioned, occupiable structure extending beyond the roof line of a building; commonly termed a penthouse. For purposes of the HFBC, Enclosed Roof Structures must be set back from the parapet of a building to qualify for height limit exceptions.
- L. Endangered Species.  
A wildlife species whose prospects for survival are in immediate danger because of a loss or change in habitat, exploitation, predation, competition, disease, disturbance, or contamination and that are designated as such by a governmental agency.
- M. Enhancement.  
See "Compensatory Mitigation" (SMC 17A.020.030).
- N. Erosion.  
The wearing away of the ground surface as a result of mass wasting or the movement of wind, water, soil, and/or ice.
- O. Essential Habitat.  
Habitat necessary for the survival of federally listed threatened, endangered and sensitive species and state listed priority species.
- P. Ex Parte Communication.  
Any oral or written communication made by any person, including a City employee or official, pertaining to a matter that is or will be within the jurisdiction of the hearing examiner made outside of a public record.
- Q. Existing Manufactured Home Park or Subdivision – Floodplain.  
A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before July 1, 2004.
- R. Exotic.  
Any species of plants or animals that are not indigenous and are foreign to the planning area.
- S. Expansion to an Existing Manufactured Home Park or Subdivision – Floodplain. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.
- T. Extirpation.  
The local destruction of or extermination of a species.
- U. Extraordinary Hardship.  
That the strict application of the provisions of this code and/or rules adopted to implement this code would prevent all economically viable use of the property.

**Section 8.** That SMC Section 17A.020.060 is amended to read as follows:

**Section 17A.020.060 "F" Definitions**

- A. Facade.  
All the wall planes of a structure as seen from one side or view. For example, the front facade of a building would include all of the wall area that would be shown on the front elevation of the building plans.

- B. **Facade Easement.**  
A use interest, as opposed to an ownership interest, in the property of another. The easement is granted by the owner to the City or County and restricts the owner's exercise of the general and natural rights of the property on which the easement lies. The purpose of the easement is the continued preservation of significant exterior features of a structure.
- C. **Facility and Service Provider.**  
The department, district, or agency responsible for providing the specific concurrency facility.
- D. **Factory-built Structure.**
1. "Factory-built housing" is any structure designed primarily for human occupancy, other than a mobile home, the structure or any room of which is either entirely or substantially prefabricated or assembled at a place other than a building site.
  2. "Factory-built commercial structure" is a structure designed or used for human habitation or human occupancy for industrial, educational, assembly, professional, or commercial purposes, the structure or any room of which is either entirely or substantially prefabricated or assembled at a place other than a building site.
- E. **Fair Market Value.**  
The open market bid price for conducting the work, using the equipment and facilities, and purchase of the goods, services, and materials necessary to accomplish the development. This would normally equate to the cost of hiring a contractor to undertake the development from start to finish, including the cost of labor, materials, equipment and facility usage, transportation and contractor overhead, and profit. The fair market value of the development shall include the fair market value of any donated, contributed, or found labor, equipment, or materials.
- F. **Fascia Sign.**  
~~((A single faced sign attached flush to a building or other structure or a sign consisting of light projected onto a building or other structure. Fascia signs do not include signs that are attached to or projected onto structures defined as sign structures by this chapter.))~~See SMC 17C.240.015.
- G. **Feasible (Shoreline Master Program).**
1. For the purpose of the shoreline master program, means that an action, such as a development project, mitigation, or preservation requirement, meets all of the following conditions:
    - a. The action can be accomplished with technologies and methods that have been used in the past in similar circumstances, or studies or tests have demonstrated in similar circumstances that such approaches are currently available and likely to achieve the intended results;
    - b. The action provides a reasonable likelihood of achieving its intended purpose; and
    - c. The action does not physically preclude achieving the project's primary intended legal use.
  2. In cases where these guidelines require certain actions, unless they are infeasible, the burden of proving infeasibility is on the applicant.
  3. In determining an action's infeasibility, the reviewing agency may weigh the action's relative public costs and public benefits, considered in the short- and long-term time frames.
- H. **Feature.**  
To give special prominence to.
- I. **Feeder Bluff.**  
Or "erosional bluff" means any bluff (or cliff) experiencing periodic erosion from waves, sliding, or slumping, and/or whose eroded sand or gravel material is naturally transported (littoral drift) via a driftway to an accretion shoreform; these natural sources of beach material are limited and vital for the long-term stability of driftways and accretion shoreforms.
- J. **Fill.**  
The addition of soil, sand, rock, gravel, sediment, earth retaining structure, or other material to an area waterward of the ordinary high-water mark in wetlands, or on shorelands in a manner that raises the elevation or creates dry land.

- K. Financial Guarantee.  
A secure method, in a form and in an amount both of which are acceptable to the city attorney, providing for and securing to the City the actual construction and installation of any improvements required in connection with plat and/or building permit approval within a period specified by the City, and/or securing to the City the successful operation of the improvements for two years after the City's final inspection and acceptance of such improvements. There are two types of financial guarantees under chapter 17D.020 SMC, Financial Guarantees: Performance guarantee and performance/warranty retainer.
- L. Fish Habitat.  
A complex of physical, chemical, and biological conditions that provide the life-supporting and reproductive needs of a species or life stage of fish. Although the habitat requirements of a species depend on its age and activity, the basic components of fish habitat in rivers, streams, ponds, lakes, estuaries, marine waters, and near-shore areas include, but are not limited to, the following:
1. Clean water and appropriate temperatures for spawning, rearing, and holding.
  2. Adequate water depth and velocity for migrating, spawning, rearing, and holding, including off-channel habitat.
  3. Abundance of bank and in-stream structures to provide hiding and resting areas and stabilize stream banks and beds.
  4. Appropriate substrates for spawning and embryonic development. For stream- and lake-dwelling fishes, substrates range from sands and gravel to rooted vegetation or submerged rocks and logs. Generally, substrates must be relatively stable and free of silts or fine sand.
  5. Presence of riparian vegetation as defined in this program. Riparian vegetation creates a transition zone, which provides shade and food sources of aquatic and terrestrial insects for fish.
  6. Unimpeded passage (i.e., due to suitable gradient and lack of barriers) for upstream and downstream migrating juveniles and adults.
- M. Flag.  
~~((A sign made of fabric or other similar non-rigid material supported or anchored along only one edge or supported or anchored at only two corners. If any dimension of the flag is more than three times as long as any other dimension, it is classified and regulated as a banner regardless of how it is anchored or supported. See also "Banner."))~~See SMC 17C.240.015.
- N. Float.  
A floating platform similar to a dock that is anchored or attached to pilings.
- O. Flood Insurance Rate Map or FIRM.  
The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the City.
- P. Flood Insurance Study (FIS).  
The official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.
- Q. Flood or Flooding.  
A general and temporary condition of partial or complete inundation of normally dry land areas from:
1. The overflow of inland waters; or
  2. The unusual and rapid accumulation of runoff of surface waters from any source.
- R. Flood-proofing.  
Structural provisions, changes, adjustments, or a combination thereof, to buildings, structures, and works in areas subject to flooding in order to reduce or eliminate the damages from flooding to such development and its contents, as well as related water supplies and utility facilities.

- S. Floodway.  
The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. As defined under Section 90.58.030 RCW, or as amended.
- T. Floor Area.  
The total floor area of the portion of a building that is above ground. Floor area is measured from the exterior faces of a building or structure. Floor area does not include the following:
1. Areas where the elevation of the floor is four feet or more below the lowest elevation of an adjacent right-of way.
  2. Roof area, including roof top parking.
  3. Roof top mechanical equipment.
  4. Attic area with a ceiling height less than six feet nine inches.
  5. Porches, exterior balconies, or other similar areas, unless they are enclosed by walls that are more than forty-two inches in height, for fifty percent or more of their perimeter; and
  6. In residential zones, FAR does not include mechanical structures, uncovered horizontal structures, covered accessory structures, attached accessory structures (without living space), detached accessory structures (without living space).
- U. Floor Area Ratio (FAR).  
The amount of floor area in relation to the amount of site area, expressed in square feet. For example, a floor area ratio of two to one means two square feet of floor area for every one square foot of site area.
- V. Focused Growth Area.  
Includes mixed-use district centers, neighborhood centers, and employment centers.
- W. Frame Effect.  
A visual effect on an electronic message sign applied to a single frame to transition from one message to the next. This term shall include, but not be limited to scrolling, fade, and dissolve. This term shall not include flashing.
- X. Freestanding Sign.  
~~((A sign on a frame, pole, or other support structure that is not attached to any building.))~~ See SMC 17C.240.015
- Y. Frontage. The full length of a plot of land or a building measured alongside the road on to which the plot or building fronts. In the case of contiguous buildings individual frontages are usually measured to the middle of any party wall.

**Section 9.** That SMC Section 17A.020.090 is amended to read as follows:

**Section 17A.020.090 “I” Definitions**

- A. Illegal Discharge.  
Any direct or indirect non-storm water discharge to MS4.
- B. Illicit Connection(s).  
Any man-made conveyance that is connected to the MS4 in violation of chapter 17D.060 SMC.
- C. Illicit Discharge.  
This term is covered in SMC 17D.060.190.
- D. Illuminated Wall Highlights.  
Lighted areas that highlight a building's architectural or structural features and that do not convey a message or image. Illuminated wall highlights can either be created by light projected onto a feature or highlighting a feature with neon tubing or other light fixture.

- E. Impact Fee.  
A charge or fee assessed by the City which mitigates all or any portion of a direct impact.
- F. Impermeable Sediment.  
Sediment restricting the flow of water.
- G. Impervious Surface  
Ground surfaces and coverings composed of water-impenetrable materials such as asphalt, concrete, brick, stone and rooftops.
- H. Improvements.  
Improvements require under conditions of approval such as streets, drainage facilities, and utilities.
- I. Incentives.  
Such rights or privileges as may from time to time exist to compensate the owner for the imposition of controls on a designated district or landmark.
- J. In-ground Storage Tank (IST).  
Any one or a connected combination of tanks that is used to contain an accumulation of liquid critical materials, the aggregate of which (including the volume of piping connected thereto) is more than sixty gallons that is situated to any degree within the ground, and the entire exterior surface of the tank cannot be fully visually inspected. The surface area of tank located above the ground will be treated as an aboveground storage tank (AST), and the area below the ground will be treated as an underground storage tank (UST).
- K. In-kind Compensation.  
The restoration or replacement of a wetland with hydrogeomorphic characteristics closely approximating those of a specified wetland.
- L. Inner Gorge Slope.  
Canyon walls created by a combination of stream downcutting/undercutting and mass wasting on the slope walls. Inner gorges may show evidence of recent movement, such as landslides, surface erosion, vertical tracks of disturbance vegetation, or areas that are concave in contour and/or profile. The steepness of inner gorges varies with the underlying materials. Slope gradients as gentle as about twenty-eight degrees (fifty-three percent) can be unstable in gorges, cut into incompetent bedrock, weathered materials or unconsolidated deposits. A minimum vertical height of ten feet is usually applied to distinguish between inner gorges and slightly incised streams. The top edge of an inner gorge is typically distinguished by a distinct break in slope. The upper boundary of an inner gorge is assumed to be a line along the first break in slope of at least ten degrees (seventeen percent).
- M. In-stream Structure.  
A structure placed by humans within a stream or river waterward of the ordinary high-water mark that either causes or has the potential to cause water impoundment or the diversion, obstruction, or modification of water flow. In-stream structures may include those for hydroelectric generation, irrigation, water supply, flood control, transportation, utility service transmission, fish habitat enhancement, or other purpose.
- N. Infiltration.  
The downward entry of water into the immediate surface of soil.
- O. Integral Curb and Gutter.  
Concrete curb and gutter which is formed and placed as one unit.
- P. "Interior Noise Level" means the average level of sound expressed in decibels (dB) measured in any habitable room with exterior windows and doors closed.
- Q. Interpretive Signs.  
~~((A sign that identifies historic buildings or sites where important events occurred or which serve educational, cultural, historical, or scientific purposes.))~~ See SMC 17C.240.015.
- R. Interstitial Monitoring.  
A method of leak detection based on determining if there has been a failure of one of the containment layers surrounding an interstitial space. Monitoring methods may include the:

1. detection of pressure changes within the space;
2. detection of vapors from the contained material within the space; or
3. physical detection of contained material, or water from outside the container, within the space.

S. Interstitial Space.

The volume between two separate layers of a secondary or multiple containment system. The space may be filled with air or other gas or it may be filled with a porous material.

T. Invasive Species.

A species that is:

1. non-native (or alien) to city of Spokane; and
2. whose introduction causes or is likely to cause economic or environmental harm, or harm to human health.

Invasive species can be plants, animals, and other organisms (e.g., microbes). Human actions are the primary means of invasive species introductions.

U. Isolated Wetlands.

Those wetlands which:

1. are outside of and not contiguous to any hundred-year floodplain of a lake, river, or stream; and
2. have no contiguous hydric soil or hydrophytic vegetation between the wetland and any waters of the United States.

**Section 10.** That SMC Section 17A.020.130 is amended to read as follows:

**Section 17A.020.130 “M” Definitions**

A. Main Assembly Area.

The principal room for persons gathering for religious services.

B. Maintenance.

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

C. Manufactured Home.

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

D. Manufactured Home Park.

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

E. Marquee Sign.

~~((A sign incorporated into or attached to a marquee or permanent canopy.))~~ See SMC 17C.240.015.

F. Marsh.

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

- G. Mean Annual Flow.  
The average flow of a river or stream (measured in cubic feet per second) from measurements taken throughout the year. If available, flow data for the previous ten years should be used in determining mean annual flow.
- H. Mining.  
The extraction and removal of sand, gravel, minerals, or other naturally occurring material from the earth for economic use.
- I. Minor Arterials.  
A two- to four-lane facility which collects and distributes traffic from principal arterials to collector arterials and local access streets.
- J. Mitigation – Mitigate.  
An action which avoids a negative adverse impact and is reasonable and capable of being accomplished.
- K. Mitigation – Mitigation Sequencing.  
The use of any or all of the following actions listed in descending order of preference:
1. Avoiding the impact altogether by not taking a certain action or parts of an action.
  2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts.
  3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
  4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
  5. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; or
  6. Monitoring the impact and the compensation project and taking appropriate corrective measures.
- Mitigation may include a combination of the above measures.
- L. Mobile Home.  
A factory-built dwelling built prior to June 15, 1976, to standards other than the housing and urban development code, and acceptable under applicable state codes in effect at the time of construction of introduction of the home into the state. Mobile homes have not been built since introduction of the housing and urban development Manufactured Home Construction and Safety Standards Act.
- M. Mobile Home Park.  
Any real property which is rented or held out for rent to others for the placement of two or more mobile homes, manufactured homes, or park models for the primary purpose of production of income, except where such real property is rented or held out for rent for seasonal recreational purpose only and is not intended for year round occupancy.
- N. Modification to a Preliminary Plat, Short Plat, or Binding Site Plan.  
A change, prior to recording, of an approved preliminary plat, preliminary short plat, or binding site plan that includes, but is not limited to, the addition of new lots or tracts, or a change of the boundaries or dimensions of lots or tracts.
- O. Modular Home.  
A single-family dwelling unit (which may be in the form of a factory-built or manufactured housing permit as well as a standard building permit) constructed in a factory in accordance with International Building Code and bearing the appropriate gold insignia indicating such compliance. The term includes “pre-fabricated,” “panelized,” and “factory-built” units.
- P. Modulation.  
A measured and proportioned inflection in a building’s face. Articulation, modulation, and their interval create a sense of scale important to residential buildings.

- Q. Monitoring.  
Periodic evaluation of a wetlands restoration, creation, or enhancement site or habitat management plan area to determine changes at the site, such as vegetation growth, hydrologic changes, soil development, and use of the site by birds and animals.
- R. Monument  
A physical survey monument as shown in the City's standard plans.
- S. Monument Sign.  
~~((A freestanding sign where the base of the sign structure is on the ground or a maximum of twelve inches above the lowest point of the ground adjacent to the sign. The width of the top of the sign structure can be no more than one hundred twenty percent of the width of the base.))~~See SMC 17C.240.015.
- T. Multi-family Residential Building.  
A common wall dwelling or apartment house that consists of three or more dwelling units.
- U. Multiple Containment.  
A means of spill or leak control involving a containment structure having one or more layers of material between the primary container and the environment.
1. Containment layers must be resistant to the material stored.
  2. The volume within the containment system must be at least as large as the primary container.
  3. Containment layers may be separated by an interstitial space.
- V. Municipal Separate Storm Sewer System (MS4).  
A conveyance, or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):
1. owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of wastes, stormwater, or other wastes, including special districts under state law such as sewer district, flood control district, or drainage district, designated and approved management agency under section 208 of the Clean Water Act that discharges to water of the United States;
  2. designed or used for collecting or conveying stormwater;
  3. which is not a combined sewer; and
  4. which is not part of a publicly owned treatment works (POTW) as defined at 40 CFR (Code of Federal Regulation) 122.2.
- W. MUTCD. The U.S. department of transportation Manual on Uniform Traffic Control Devices.

**Section 11.** That SMC Section 17A.020.140 is amended to read as follows:

**Section 17A.020.140 “N” Definitions**

- A. National Pollutant Discharge Elimination System (NPDES).  
The national program for issuing, modifying, revoking, and reissuing, terminating, monitoring, and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the Federal Clean Water Act, for the discharge of pollutants to surface waters of the state from point sources. These permits are referred to as NPDES permits and, in Washington State, are administered by the Washington State department of ecology.
- B. National Register.  
The register maintained pursuant to P.L. 89-655, 80 Stat. 915, as amended.
- C. Native Plant Community.  
The collective product of individual plants indigenous to a particular locale responding to shared habitats.



- D. **Native Vegetation.**  
Plant species, which are indigenous to the planning area.
- E. **Natural Location of Drainage Systems.**  
The location of those predominate channels, swales, and pre-existing and established systems as defined by the earliest documented topographic contours existing for the subject property, either from maps or photographs, site inspections or other appropriate means.
- F. **New Construction – Floodplain.**  
Structures for which the date of complete application for permit commenced on or after July 1, 2004.
- G. **New Manufactured Home Park or Subdivision – Floodplain.**  
A manufactured home park or subdivision for which a complete application, as defined by SMC 17G.060.090, for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the permit for the individual unit.
- H. **NFPA 30.**  
The National Fire Prevention Association's flammable and combustible liquids code.
- I. **"Noise level reduction (NLR)"** means the amount of noise reduction required through construction and incorporation of sound reduction materials and design to reduce interior noise levels.
- J. **"Noise reduction coefficient (NRC)"** means the arithmetic average of the sound absorption coefficients of a material at 250, 500, 1,000, and 2,000 Hz.
- K. **No Net Loss of Shoreline Ecological Functions.**  
A public policy goal that means the maintenance of the aggregate total of the City's shoreline ecological functions at its current level of environmental resource productivity. As a development and/or mitigation standard, no net loss requires that the impacts of a particular shoreline development and/or use, whether permitted or exempt, be identified and prevented or mitigated, such that it has no resulting adverse impacts on shoreline ecological functions or processes. Each project shall be evaluated based on its ability to meet the no net loss standard commensurate with its scale and character.
- L. **Nominal Driveway Width.**  
The driveway width measured at the face of curb, from driveway joint to driveway joint, as shown in the standard plans.
- M. **Nomination.**  
The process by which a building, district, object, site, or structure is recommended for placement on a register.
- N. **Nonbuildable Tract.**  
Land reserved for specified uses including, but not limited to:
1. reserve tracts,
  2. recreation,
  3. open space,
  4. critical areas,
  5. surface water retention,
  6. utility facilities and access.
- Nonbuildable tracts are not considered lots or building sites.
- O. **Nonconforming Development.**  
An element of a development, such as a setback, height, or parking area, that was created in conformance with development regulations but which subsequently, due to a change in the zone or zoning regulations, is no longer in conformance with the current applicable development standards.

- P. Nonconforming Sign.  
~~((A sign that was created and issued a permit in conformance with development regulations, but which subsequently, due to a change in the zone or land use regulations, is no longer in conformance with the current applicable development standards.))~~ See SMC 17C.240.015.
- Q. Nonconforming Situation.  
A nonconforming residential density, nonconforming development or nonconforming use. A situation may be nonconforming in more than one aspect. For example, a site may contain a nonconforming use and also have some nonconforming development.
- R. Nonconforming Use.  
A use or the amount of floor area of a use that was allowed by right when established or a use that obtained a required land use approval when established, that is now prohibited in the zone due to a subsequent change in the zone or zoning regulations.
- S. Non-water Oriented Uses.  
A use that is not water-dependent, is not water-related, and is not water-enjoyment. Non-water oriented uses have little or no relationship to the shoreline and are not considered priority uses under the shoreline management act. Any use that does not meet the definition of water-dependent, water-related, or water-enjoyment is classified as non-water oriented.
- T. Noxious Weeds.  
Those plants which are non-native, highly destructive, and competitive as defined by chapter 17.10 RCW, or as amended.
- U. Nursing Home.  
A residence, licensed by the state, that provides full-time convalescent and/or chronic care for individuals who, by reason of chronic illness or infirmity, are unable to care for themselves.
1. No care for the acutely ill or surgical or obstetrical services shall be provided in such a residence.
  2. This definition excludes hospitals or sanitariums.

**Section 12.** That SMC Section 17A.020.160 is amended to read as follows:

**Section 17A.020.160 “P” Definitions**

- A. Painted Wall Highlights.  
~~((Painted areas that highlight a building's architectural or structural features and that do not convey a message or image.))~~ See SMC 17C.240.015.
- B. Painted Wall Sign.  
~~((A sign applied to a building wall with paint or a thin layer of vinyl, paper, or similar material adhered directly to the building surface and that has no sign structure.))~~ See SMC 17C.240.015.
- C. Parcel. See “Lot”  
(SMC 17A.020.120).
- D. Parkway.
  1. A street serving as a principal, minor, or collector arterial, typically with recreational or scenic opportunities.
  2. Parkways will often have landscaped medians.
- E. Party of Record.  
Any person who has appeared at a hearing of the hearing examiner by presenting testimony or making written comment.
- F. Paved Area.

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

G. Pedestrian Buffer Strips (PBS).

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

H. Pedestrian Path

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

I. Pedestrian-Scaled Fixtures (lighting)

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

J. Pedestrian-Scaled Signs

~~((Permanent, first floor, exterior signs designed and placed to address pedestrian traffic; may be mounted flush with or projecting from a column, building wall, awning or transom.))~~ See SMC 17C.240.015.

K. Pedestrian Street.

1. A street designated on the official zoning map as a pedestrian street where development standards are required to promote a pedestrian friendly street. Pedestrian streets offer a pleasant and safe walking environment.

Design features include minimal interruptions of the sidewalk by driveways, publicly usable site furnishing such as benches, tables, and bike racks, and visually interesting buildings close to the sidewalk.

L. Performance Guarantee.

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

M. Performance/Warranty Retainer.

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

N. Permanent Erosion and Sediment Control Measures.

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

O. Permanent Sign.

~~((Any sign not classified as a temporary sign.))~~ See SMC 17C.240.015.

P. Permanent Stabilization.

See Permanent Erosion and Sediment Control Measures.

Q. Permeable Sediment.

Sediment permitting the flow of water.

R. Person.

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

S. Pier.

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

~~((T.))~~ Pitched Roof Sign.

~~A sign attached to a roof with a pitch of one to four or greater and placed parallel to the building wall.))~~

~~((U.))~~ I. Planned Capacity.

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

~~((V.))~~ U. Planned Capacity for Transportation Facilities.

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

1. These strategies may include:

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

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

~~((W.))~~ V. Planned Unit Development (PUD).

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

~~((X.))~~ W.

Plans.

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

~~((Y.))~~ X.

Planting Zone

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

~~((Z.))~~ Y.

Plat – Final.

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

~~((AA.))~~ Z.

Plat – Preliminary.

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

~~((AB.))~~ AA.

Plaza.

Areas generally open to the public on a controlled basis and used for passive recreational activities and relaxation. Plazas are paved areas typically provided with amenities, such as seating, drinking, and ornamental fountains, art, trees, and landscaping, for use by pedestrians.

~~((AG-))~~AB. Plinth

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

~~((AD-))~~AC. Pollutant.

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

~~((AE-))~~AD. Pollution.

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

~~((AF-))~~AE. Potential Geologically Hazardous Areas.

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

~~((AG-))~~AF. Practicable Alternative.

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

~~((AH-))~~AG. Predevelopment Meetings.

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

~~((AI-))~~AH. Principal Buildings

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

~~((AJ-))~~AI. Primary Building Entry

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

~~((AK-))~~AJ. Primary Building Walls.

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

~~((AL-))~~AK. Primary Container.

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

~~((AM-))~~AL. Primary Drainage Basin.

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

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

~~((AN-))~~AM. Primary Structure.

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

~~((AO-))~~AN. Primary Use.

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

~~((AP-))~~AO. Principal Arterials.

A four- to six-lane street serving as a primary facility for access between the central business district, major employment districts, and major shopping centers.

~~((AQ-))~~AP. Priority Habitats.

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

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

~~((AR-))~~AQ. Priority Species.

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

~~((AS-))~~AR. Private Street.

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

~~((AT-))~~AS. Project Permit or Project Permit Application.

Any land use or environmental permit or license required for a project action, including, but not limited to, building permits, short plats, subdivisions, binding site plans, planned unit developments, conditional uses, shoreline substantial development permits, site plan review, permits, or approvals required by the critical area ordinance, and site specific rezones authorized by a comprehensive plan or subarea plan, but excluding the adoption or amendment of a comprehensive plan, subarea plan, or development regulations, except as otherwise specifically identified under RCW 36.70B.140.

~~((AU-))~~AT. Projecting Sign.

~~((A sign attached to and projecting out from a building face or wall, generally at right angles to the building. Projecting signs include signs that are totally in the right of way, partially in the right of way, or fully on private property.)) See SMC 17C.240.015.~~

~~((AV-))~~AU. Protected Species.

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

~~((AW-))~~ AV. Proximity.

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

~~((AX-))~~ AW. Public Access.

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

~~((AY-))~~ AX. Public Facilities.

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

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

~~((AZ-))~~ AX. Public Property.

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

~~((BA-))~~ AZ. Public Way.

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

**Section 13.** That SMC Section 17A.020.180 is amended to read as follows:

**Section 17A.020.180 "R" Definitions**

- A. RCW.  
The Revised Code of Washington, as amended.

~~((B.))~~ ~~Real Estate Sign.~~

~~A sign indicating that a property or any portion thereof is available for inspection, sale, lease, rent.))~~

- ~~((G-))~~B. Reasonable Cause.  
A reasonable basis to believe or suspect that there is storage, seepage, spillage, accumulation, or use of critical materials or the pursuit of critical materials activities at a site or premises.
- ~~((D-))~~C. Reconsideration – Request For.  
A request to the appeal body to consider again or reverse the decision on the permit application.
- ~~((E-))~~D. Recreational Vehicle.  
A vehicle, which is:
1. Built on a single chassis;
  2. Four hundred square feet or less when measured at the largest horizontal projection;
  3. Designed to be self-propelled or permanently towable by a light duty truck; and
  4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- ~~((F-))~~E. Recycling Drop-off Center.  
A facility for the drop-off and temporary holding of materials such as paper, cardboard, glass, metal, plastic, batteries, and motor oil.
1. Processing of materials is limited to glass breaking and separation.
  2. Recycling materials are not sold to a recycling drop-off center.
  3. A recycling drop-off center is intended for household or consumer use.
  3. Use by commercial or industrial establishments is not included.
  5. Unattended drop-off stations for single materials, such as newsprint, are also not included.
- ~~((G-))~~F. Recycling Operation.  
A use where one or more recycling materials are accumulated, stored, sorted, or processed.
1. A recycling operation may get recycling materials from drop-off centers, from a household or business pick-up operation, or from commercial or industrial uses.
  2. Materials may be processed on site or accumulated in large quantities for eventual sale or transfer to other processors.
  3. Recycling operation does not include the processing of yard debris or other decomposable material except for clean paper products.
- ~~((H-))~~G. Redivision.  
The redivision of a lot located within a previously recorded plat or short plat.
- ~~((I-))~~H. Regional Shopping Mall – Enclosed.  
A group of retail and other commercial establishments that is planned, developed, and managed as a single property, with on-site parking provided around the perimeter of the shopping center, and that is generally at least forty acres in size and flanked by two or more large “anchor” stores, such as department stores. The common walkway or “mall” is enclosed, climate-controlled and lighted, usually with an inward orientation of the stores facing the walkway.
- ~~((J-))~~I. Registered Neighborhood Organization.  
A community development block grant (CDBG) neighborhood steering committee, a neighborhood council, or other neighborhood or community group within the City that:
1. Represents a specifically designated geographic area;
  2. Is governed by bylaws and has elected officers; and



3. Has registered as such with the City and is on the current list of registered neighborhood organizations.

~~((K-))~~J. Regularly.  
Occurring consistently and repeatedly on an ongoing basis.

~~((L-))~~K. Regulated Substance.  
A critical material as referred to in 42 U.S.C. 6991(2).

~~((M-))~~L. Related Persons.  
One or more persons related either by blood, marriage, adoption, or guardianship, and including foster children and exchange students; provided, however, any limitation on the number of residents resulting from this definition shall not be applied if it prohibits the City from making reasonable accommodations to disabled persons in order to afford such persons equal opportunity to use and enjoy a dwelling as required by the Fair Housing Amendment Act of 1988, 42 U.S.C. 3604(f)(3)(b) and the Washington Housing Policy Act, RCW 35.63.220.

~~((N-))~~M. Repair (see also "Maintenance").  
An activity that restores the character, scope, size, and design of a serviceable area, structure, or land use to its previously authorized and undamaged condition. Activities that change the character, size, or scope of a project beyond the original design, and drain, dredge, fill, flood, or otherwise alter additional wetlands are not included in this definition.

~~((O-))~~N. Reservoir.  
A body of water collected and stored in an artificial pool that is intended for future use.

~~((P-))~~O. Residential Zone.  
Those zones from RA through RHD.

~~((Q-))~~P. Responsible Party.  
A person who is either:

1. The property owner or person authorized to act on the owner's behalf; or
2. Any person causing or contributing to a violation of this chapter.

~~((R-))~~Q. Restoration.  
See "Compensatory Mitigation" (SMC 17A.020.030).

~~((S-))~~R. Revetment.  
A sloped wall constructed of riprap or other suitable material placed on stream banks or other shorelines to slow down bank erosion and minimize lateral stream movement.

~~((T-))~~S. Right-of-way.  
A public or private area that allows for the passage of people or goods.

1. Right-of-way includes passageways such as:
  - a. freeways,
  - b. streets,
  - c. bike paths,
  - d. alleys, and
  - e. walkways.
2. A public right-of-way is a right-of-way that is dedicated or deeded to the public for public use and under the control of a public agency.

~~((U-))~~T. Riparian.

1. Riparian habitat is defined as an area that contains elements of both aquatic and terrestrial ecosystems, which mutually influence each other.
2. It is the area where the vegetation, water tables, soils, microclimate, and wildlife inhabitants of terrestrial ecosystems are influenced by perennial or intermittent water, and the biological and physical properties of the adjacent aquatic ecosystems are influenced by adjacent vegetation, nutrient, and sediment loading, terrestrial wildlife, and organic debris from the land.
3. Riparian vegetation includes not only streamside vegetation that is dependent upon presence of water, but also on the upland vegetation that is part of the zone of influence in the riparian area.
4. Riparian habitats have high wildlife density and high species diversity. They serve as important wildlife breeding and seasonal ranges. They are important movement corridors and are highly vulnerable to habitat alteration.

~~((V-))~~U.

Riparian Habitat Area (RHA).

A defined area used to manage and buffer impacts to wildlife habitat and consists of landscape features that support fish and wildlife in areas near water bodies such as streams, rivers, wetlands and lakes.

~~((W-))~~V.

Riparian Wetland.

Wetlands located at the shore of a lake or river. The transitional area between aquatic and upland ecosystems that is identified by the presence of vegetation that requires or tolerates free or unbound water or conditions that are more moist than normally found in the area.

~~((X-))~~W.

Riprap.

A layer, facing, or protected mound of stones placed to prevent erosion, scour, or sloughing of a structure of embankment; also, the stone so used.

~~((Y-))~~X.

River Delta.

Those lands formed as an aggradational feature by stratified clay, silt, sand, and gravel deposited at the mouths of streams where they enter a quieter body of water. The upstream extent of a river delta is that limit where it no longer forms distributary channels.

~~((Z-))~~Y.

Riverine.

Situated alongside or associated with a river.

~~((AA-))~~Z.

Roadway.

1. Curbed roadways within the City limits and other urbanized areas are commonly and generically referred to as "streets." Roadways outside the urban areas are most often not curbed, and are commonly and generically referred to as "roads."
2. Within the context of this code, "roadway" refers to any traveled way, either public or private, that has been platted or otherwise specifically dedicated for the purpose of circulation and will require a name in accordance with chapter 17D.050A SMC.

~~((AB-))~~AA.

Roadway Name.

Roadway names consist of three parts:

1. Direction.
2. Root name; and
3. Suffix.

~~((AC-))~~AB.

Rock Shore.

Those shorelines whose bluffs and banks are typically composed of natural rock formations.

~~((AD-))~~AC.

Rockfall.

The falling of rocks from near vertical cliffs.

~~((AE-))~~AD. Roof Line.

The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, chimneys, or other projections.

~~((AF.))~~Roof Top Sign.

~~A sign on a roof that has a pitch of less than one to four.))~~

~~((AG-))~~AE. Root Name.

A maximum of two words, which are not considered part of the directional or suffix.

~~((AH-))~~AF. Runoff.

Water that travels across the land surface, or laterally through the ground near the land surface, and discharges to water bodies either directly or through a collection and conveyance system. It includes stormwater and water from other sources that travels across the land surface.

~~((AI-))~~AG. Runoff and Infiltration Controls.

Measures adopted to prevent damage due to flooding and erosion problems.

**Section 14.** That SMC Section 17A.020.190 is amended to read as follows:

#### **Section 17A.020.190 “S” Definitions**

- A. Salmonid.  
Belonging to the family of Salmonidae, including the salmons, trouts, chars, and whitefishes.
- B. Sandwich Board Sign.  
~~((A self-supporting A-shaped freestanding temporary sign with only two visible sides that are situated adjacent to a business, typically on a sidewalk.))~~ See SMC 17C.240.015.
- C. Scrub-shrub Wetland.  
An area of vegetated wetland with at least thirty percent of its surface area covered by woody vegetation less than twenty feet in height at the uppermost strata.
- D. Secondary Building Walls.  
Exterior building walls that are not classified as primary building walls.
- E. Secondary Containment.  
A means of spill or leak containment involving a second barrier or tank constructed outside the primary container and capable of holding the contents of the primary container.
- F. Sediment.  
Mineral or organic matter deposited as a result of erosion.
- G. Sedimentation.  
The settling and accumulation of particles such as soil, sand, and gravel, suspended in water or in the air.
- H. SEPA Rules.  
Chapter 197-11 WAC adopted by the department of ecology.
- I. Service Area.  
A geographic area defined by the City, which encompasses public facilities that are part of a plan.
- J. Serviceable.  
Means presently useable.
- K. Setback.  
The minimum distance required between a specified object, such as a building and another point. Setbacks are usually measured from lot lines to a specified object. In addition, the following setbacks indicate where each setback is measured from:
  - 1. “Front setback” means a setback that is measured from a front lot line.

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

L. Sex Paraphernalia Store.

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

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

M. Sexual Device.

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

N. Shall.

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

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

O. Shallow Groundwater.

Naturally occurring water within an unconfined (water table) aquifer, partially confined aquifer or perched groundwater aquifer, and which is present at depth of fifteen feet or less below the ground surface, at any time, under natural conditions.

P. Shorelands.

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

Q. Shoreline and Ecosystems Enhancement Plan and Program.

See SMC 17E.020.090, Habitat Management Plans.

R. Shoreline Buffer.

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

- S. Shoreline Enhancement.  
Any alteration of the shoreline that improves the ecological function of the shoreline area or any aesthetic improvement that does not degrade the shoreline ecological function of the shoreline.
- T. Shoreline Environment Designations.  
The categories of shorelines established by local shoreline master programs in order to provide a uniform basis for applying policies and use regulations within distinctively different shoreline areas. The basic recommended system classifies shorelines into four distinct environments (natural, conservancy, rural, and urban). See WAC 173-16-040(4).
- U. Shoreline Habitat and Natural Systems Enhancement Projects.
1. Shoreline habitat and natural systems enhancement projects include those activities proposed and conducted specifically for the purpose of establishing, restoring, or enhancing habitat for propriety species in shorelines.
  2. Provided that the primary purpose of such actions is clearly restoration of the natural character and ecological functions of the shoreline, projects may include shoreline modification actions such as:
  3. Modification of vegetation,
  4. Removal of nonnative or invasive plants,
  5. Shoreline stabilization, dredging, and filling.
- V. Shoreline Jurisdiction.  
See "Shorelands."
- W. Shoreline Letter of Exemption.  
Authorization from the City which establishes that an activity is exempt from shoreline substantial development permit requirements under SMC 17E.060.300 and WAC 173-14-040, but subject to regulations of the Act and the entire shoreline master program.
- X. Shoreline Master Program.
1. The comprehensive use plan for a described area, and the use regulations together with maps, diagrams, charts, or other descriptive material and text, a statement of desired goals, and standards developed in accordance with the policies enunciated in RCW 90.58.020.
  2. For the City of Spokane, the shoreline master program includes the:
    - a. Shoreline Goals and Policies (Comprehensive Plan Chapter 14),
    - b. Shoreline Regulations (chapter 17E.060 SMC),
    - c. City of Spokane Shoreline Restoration Plan (stand-alone document), and
    - d. Shoreline Inventory and Analysis (Comprehensive Plan Volume III).
- Y. Shoreline Mixed Use.  
Combination of water-oriented and non-water oriented uses within the same structure or development area.
- Z. Shoreline Modifications.  
Those actions that modify the physical configuration or qualities of the shoreline area, usually through the construction of a physical element such as a dike, breakwater, pier, weir, dredged basin, fill, bulkhead, or other shoreline structure. They can include other actions, such as clearing, grading, or application of chemicals.
- AA. Shoreline Protection.
1. Structural and nonstructural methods to control flooding or address erosion impacts to property and dwellings or other structures caused by natural processes, such as current, flood, wind, or wave action.
  2. The terms "Shoreline protection measure" and this term have the same meaning.

3. Substantial enlargement of an existing shoreline protection improvement is regarded as new shoreline protection measure.

AB. Shoreline Recreational Development.

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

AC. Shoreline Restoration.

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

AD. Shoreline Stabilization.

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

AE. Shoreline Structure.

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

AF. Shorelines Hearings Board (SHB).

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

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

AG. Short Plat – Final.

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

AH. Short Plat – Preliminary.

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

AI. Short Subdivision.

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

AJ. Sign.

~~((1. Materials placed or constructed or light projected, but not including any lawful display of merchandise, that:~~

~~a. Conveys a message or image, and~~

~~b. Is used to inform or attract the attention of the public~~

~~2. Some examples of signs are materials or lights meeting the definition of the preceding sentence and which are commonly referred to as signs, placards, A-boards, posters, murals, diagrams, banners, flags, or projected slides, images, or holograms.~~

~~3. The scope of the term sign does not depend on the content of the message or image conveyed.)) See SMC 17C.240.015.~~

AK. Sign – Animated Sign.  
((A sign that uses movement, by either natural or mechanical means, to depict action to create a special effect or scene.)) See SMC 17C.240.015.

AL. Sign – Electronic Message Center Sign.  
((An on-premises sign capable of displaying words, symbols, figures, or images that can be electronically or mechanically changed by remote or automatic means including signs using a video display method.)) See SMC 17C.240.015.

AM. Sign Face.  
((The portion of a sign which contains lettering, logo, trademark, or other graphic representations. (See SMC 17C.240.140, Sign Face Area.)) See SMC 17C.240.015.

AN. Sign – Flashing Sign.  
  
((1. A pattern of changing light illumination where the sign illumination alternates suddenly between fully illuminated and fully non-illuminated in a strobe-like fashion for the purpose of drawing attention to the sign.  
  
2. Time and temperature signs are excluded from this definition.  
  
3. For the purpose of this title, electronic message centers consistent with the standards of SMC 17C.240.240(J) shall not be considered flashing signs.)) See SMC 17C.240.015.

AO. Sign Maintenance.  
((Normal care needed to keep a sign functional, such as cleaning, painting, oiling, and changing of light bulbs.)) See SMC 17C.240.015.

AP. Sign – Off-premises.  
((A sign relating, through its message and content, to a business activity, use, product, or service not available on the premises upon which the sign is erected.)) See SMC 17C.240.015.

AQ. Sign Repair.  
((Fixing or replacement of broken or worn parts. Replacement includes comparable materials only. Repairs may be made with the sign in position or with the sign removed.)) See SMC 17C.240.015.

AR. Sign Structure.  
((A structure specifically intended for supporting or containing a sign.)) See SMC 17C.240.015.

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

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

AT. Single-family Residential Building.  
A dwelling containing only one dwelling unit.

- AU. Single-room Occupancy Housing (SRO).  
A structure that provides living units that have separate sleeping areas and some combination of shared bath or toilet facilities.
1. The structure may or may not have separate or shared cooking facilities for the residents.
  2. SRO includes structures commonly called residential hotels and rooming houses.
- AV. Site.  
Any parcel of land recognized by the Spokane County assessor's office for taxing purposes. A parcel may contain multiple lots.
- AW. Site – Archaeological.
1. A place where a significant event or pattern of events occurred. It may be the:
    - a. Location of prehistoric or historic occupation or activities that may be marked by physical remains; or
    - b. Symbolic focus of a significant event or pattern of events that may not have been actively occupied.
  2. A site may be the location of a ruined or now non-extant building or structure if the location itself possesses historic, cultural, or archaeological significance.
- AX. Slump.  
The intermittent movement (slip) of a mass of earth or rock along a curved plane.
- AY. SMC.  
The Spokane Municipal Code, as amended.
- AZ. Soil.  
The naturally occurring layers of mineral and organic matter deposits overlaying bedrock. It is the outer most layer of the Earth.
- BA. Sound Contours.  
A geographic interpolation of aviation noise contours as established by the 2010 Fairchild AFB Joint Land Use Study and placed on the official zoning map. When a property falls within more than one noise zone, the more restrictive noise zone requirements shall apply for the entire property.
- BB. Sound Transmission Class (STC).  
A single-number rating for describing sound transmission loss of a wall, partition, window or door.
- BC. Special Drainage District (SDD).  
An area associated with shallow groundwater, intermittent standing water, or steep slopes where infiltration of water and dispersion of water into the soils may be difficult or delayed, creating drainage or potential drainage problems. SDDs are designated in SMC 17D.060.130.
- BD. Special Event Sign.  
~~((A temporary sign used to announce a circus, a carnival, festivals, or other similar events.))~~ See SMC 17C.240.015.
- BE. Species of Concern.  
Species native to Washington State listed as state endangered, state threatened, state sensitive, or state candidate, as well as species listed or proposed for listing by the U.S. Fish and Wildlife Service or the National Marine Fisheries Service.
- BF. Specified Anatomical Areas.  
They are human:
1. Genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola, when such areas are less than completely and opaquely covered;
  2. Male genitals in a discernibly turgid state, even if completely and opaquely covered.



- BG. Specified Sexual Activities.  
Any of the following:
1. Human genitals in a state of sexual stimulation or arousal;
  2. Acts of human masturbation, sexual intercourse, or sodomy; and
  3. Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.
- BH. Spokane Regional Stormwater Manual (SRSW).  
A technical document establishing standards for stormwater design and management to protect water quality, natural drainage systems, and down-gradient properties as urban development occurs.
- BI. Spokane Register of Historic Places.  
The register maintained by the historic preservation office, which includes historic landmarks and districts in the City and County.
- BJ. Sports Field.  
An open area or stadium in which scheduled sports events occur on a regular basis. Sports events include both competitive and noncompetitive events such as track and field activities, soccer, baseball, or football games.
- BK. Stabilization.  
The process of establishing an enduring soil cover of vegetation or mulch or other ground cover and may be in combination with installation of temporary or permanent structures.
- BL. Standard Plans.  
Refers to the City of Spokane's standard plans.
- BM. Standard References  
Standard engineering and design references identified in SMC 17D.060.030.
- BN. State Candidate Species.  
Fish and wildlife species that WDFW will review for possible listing as state endangered, threatened, or sensitive.
- BO. State Endangered Species.  
Any wildlife species native to the State of Washington that is seriously threatened with extinction throughout all or a significant portion of its range within the state.
- BP. State Register.  
The register maintained pursuant to chapter 195, Laws of 1977, 1st ex. sess., section 6 (chapter 27.34 RCW).
- BQ. State Sensitive Species.  
Any wildlife species native to the State of Washington that is vulnerable or declining and is likely to become endangered or threatened throughout a significant portion of its range within the state without cooperative management or removal of threats.
- BR. State Threatened Species.  
Any wildlife species native to the State of Washington that is likely to become an endangered species within the foreseeable future throughout a significant portion of its range within the state without cooperative management or removal of threats.
- BS. Stealth Facilities.  
Any cellular telecommunications facility that is designed to blend into the surrounding environment. Examples of stealth facilities include:
1. Architecturally screened roof-mounted antennas;
  2. Building-mounted antennas painted to match the existing structure;
  3. Antennas integrated into architectural elements; and

4. Antenna structures designed to look like light poles, trees, clock towers, bell steeples, or flag poles.

BT. Stewardship.

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

BU. Stormwater.

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

BV. Stormwater Management Program (SWMP).

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

BW. Story.

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

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

BX. Stream.

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

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

BY. Street.

See "Public Way" (SMC 17A.020.160).

BZ. Street Classifications.

1. Arterial and local access streets are classified in section 4.5 of the comprehensive plan as follows:
  - a. Principal arterial.
  - b. Minor arterial.
  - c. Collector arterial.
  - d. Local access street.

e. Parkway.

2. Definitions of all of the above classifications are included herein. Private streets are not classified but are defined under SMC 17A.020.160, "P" Definitions.

CA. Street Frontage.  
The lot line abutting a street.

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

CC. Structural Alteration.

~~((1. Modification of a sign, sign structure, or awning that affects size, shape, height, or sign location.~~

~~2. Changes in structural materials; or~~

~~3. Replacement of electrical components with other than comparable materials.~~

~~4. The replacement of wood parts with metal parts, the replacement of incandescent bulbs with light emitting diodes (LED), or the addition of electronic elements to a non-electrified sign would all be structural alterations.~~

~~5. Structural alteration does not include ordinary maintenance or repair, repainting an existing sign surface, including changes of message or image, exchanging painted and pasted or glued materials on painted wall signs, or exchanging display panels of a sign through release and closing of clips or other brackets.)) See SMC 17C.240.015.~~

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

1. Structure includes:

- a. Buildings,
- b. Decks,
- c. Fences,
- d. Towers,
- e. Flag poles,
- f. Signs, and
- g. Other similar objects.

2. Structure does not include paved areas or vegetative landscaping materials.

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

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

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

CH. Sublevel Construction Controls.  
Design and construction requirements provided in SMC 17F.100.090.

- CI. Submerged Aquatic Beds.  
Wildlife habitat area made up of those areas permanently under water, including the submerged beds of rivers and lakes and their aquatic plant life.
- CJ. Substantial Damage – Floodplain.  
Damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-existing condition would equal or exceed fifty percent of the assessed value of the structure before the damage occurred.
- CK. Substantial Development.  
For the shoreline master program, shall mean any development of which the total cost or fair market value exceeds the dollar amount set forth in RCW 90.58 and WAC 173-26 for any improvement of property in the shorelines of the state.
- CL. Substantial Improvement – Floodplain.
1. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the assessed value of the structure either:
    - a. Before the improvement or repair is started, or
    - b. If the structure has been damaged and is being restored, before the damage occurred.
  2. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.
  3. The term does not, however, include either any:
    - a. Project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
    - b. Alteration of a structure listed on the National Register of Historic or State Inventory of Historic Places.
- CM. Suffix.  
Describes the roadway type and is located after the root roadway name (i.e., street, avenue, court, lane, way, etc.). The appropriate suffix shall be used in accordance with SMC 17D.050A.040(U).

**Section 14. Severability Clause.** If a section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, the decision shall not affect the validity of the remaining portions of this Ordinance.

**Passed by City Council January 29, 2018**

**Delivered to Mayor February 5, 2018.**

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#### **ORDINANCE NO. C35577**

An ordinance relating to sign standards amending SMC 17C.240.010, 17C.240.060, 17C.240.070, 17C.240.090, 17C.240.120, 17C.240.130, 17C.240.140, 17C.240.150, 17C.240.180, 17C.240.220, 17C.240.230, 17C.240.240, 17C.240.250, 17C.240.260, 17C.240.270, 17C.240.280; adopting new sections 17C.240.015, 17C.240.025, 17C.240.241, 17C.240.242, 17C.240.243, 17C.240.244, 17C.240.245, 17C.240.246, 17C.240.247, 17C.240.310 to chapter 17C.240; repealing SMC 17C.240.020, 17C.240.080, 17C.240.100, 17C.240.160, 17C.240.190, 17C.240.200, 17C.240.290, and 17C.240.300 to title 17C of the Spokane Municipal Code and setting and effective date.

WHEREAS, on April 10, 2017 the City Council adopted Ordinance No. C35490, imposing an immediate, six-month moratorium on the relocation of off-premises signs into areas of Spokane having a center and corridor zoning designation; setting a public hearing; and declaring an emergency; and

WHEREAS, on May 22, 2017 the City Council held a public hearing on Ordinance No. C35490, received a staff report, presentation by the proponents and opponents of the moratorium, heard public testimony, adopted findings of fact, extended the moratorium for an additional six months and set an expiration date of November 22; and

WHEREAS, on October 9, 2017 the City Council adopted Ordinance No. C35555, heard public testimony, and extended the moratorium for an additional six months and set an expiration date of April 10, 2018; and

WHEREAS, during the moratorium, Planning Department staff conducted workshops with the Plan Commission and City Council to discuss amendments to the City's sign regulations to (i) address the concerns that prompted the Council's adoption of the moratorium and (ii) to meet the guidelines set forth in the U.S. Supreme Court's opinion in *Reed v. Gilbert*, 135 S. Ct. 2218, 192 L.Ed.2d 236 (2015) and other applicable law (the "Sign Code Update"); and

WHEREAS, during the moratorium, Planning Department staff also worked with a group of stakeholders to obtain technical and professional feedback on the proposed Sign Code Update. The group included representatives from the Community Assembly, the City Plan Commission, the Spokane Association of Realtors, and the sign industry. The group prepared a recommendation and has had the opportunity to review and comment on the proposed Sign Code Update; and

WHEREAS, the Plan Commission held workshops on proposed Sign Code Update on June 14, 2017, September 13, 2017, and September 27, 2017, and a public hearing on October 11, 2017; and

WHEREAS, based on written and verbal testimony that is a part of the record and is summarized in the City Plan Commission Recommendation, Findings and Conclusions adopted on October 25, 2017, the Plan Commission unanimously recommended that the City Council adopt the proposed Sign Code Update; and

WHEREAS, on September 26, 2017, the responsible official issued a determination of non-significance (DNS) under SEPA (Chapter 43.21C RCW) relating to the Sign Code Update and notice of said DNS was published in the Spokesman Review on September 27, and October 4, 2017.

WHEREAS, the City complied with RCW 36.70A.370 in processing the Sign Code Update.

WHEREAS, in adopting the Sign Code Update, it is the intent of the City Council to make the City's sign regulations easier to understand and for the City to enforce; and

WHEREAS, the Sign Code Update will promote and accomplish the goals, policies and objectives of the City's Comprehensive Plan and Zoning Code; and

WHEREAS, the Sign Code Update provides minimum standards in order to safeguard life, health, property and public welfare, and promote traffic safety by following the established design standards, including quality of materials, construction, illumination, size, location and maintenance of sign and sign structures; and

WHEREAS, by adopting the Sign Code Update, the City Council intends to insure that the City's sign regulations recognize free speech rights by regulating signs in a content-neutral manner; and

WHEREAS, the standards in the Sign Code Update will promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to, cluttered, distracting and/or illegible signage; and

WHEREAS, these standards protect the beauty of the City's built environment by encouraging signs that are compatible with the architectural style, characteristics and scale of the building to which it may be attached, and to encourage signs that are compatible with adjacent buildings and businesses; and

WHEREAS, these standards protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the streetscape; and

WHEREAS, these standards provide consistent sign design standards; and

WHEREAS, these standards encourage creative and innovative approaches to signage, and signs that are of a quality design, pleasing in appearance and are appropriate in size, materials and illumination to the surrounding neighborhood; and

WHEREAS, these standards provide an improved visual environment for the citizens of and visitors to the City; and

WHEREAS, these standards adopt clear, understandable regulations which enable the fair and consistent enforcement of this Chapter;

NOW, THEREFORE,

The City of Spokane does ordain:

Section 1. That SMC Section 17C.240.010 is amended to read as follows:

**17C.240.010 ((Purpose)) Intent and Purpose**

~~((These regulations balance the need to protect the public safety and welfare; the need for a well-maintained and attractive community; and the need for adequate identification, communication, and advertising. The regulations for signs have the following specific objectives:~~

- ~~A. To ensure that signs and awnings are designed, constructed, installed, and maintained according to minimum standards to safeguard life, health, property, and public welfare.~~
- ~~B. To allow and promote positive conditions for sign communication while at the same time avoiding nuisances to nearby properties.~~
- ~~C. To reflect and support the desired character and development patterns of the various zones, overlay zones, and promote an attractive environment.~~
- ~~D. To allow for adequate and effective signs in residential, commercial, and industrial zones while preventing signs from dominating the appearance of the area.~~
- ~~E. To ensure that the constitutionally guaranteed right of free speech is protected; and~~
- ~~F. To avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and the community's appearance.~~

~~The regulations allow for a variety of sign types and sizes for a site. The provisions do not ensure or provide for every property or business owner's desired level of visibility for the signs. The sign standards are intended to allow signs to have adequate visibility from streets and rights-of-way that abut a site, but not necessarily to streets and rights-of-way farther away.))~~

- A. Signs have a strong visual impact on the character and quality of the community. As a prominent part of the scenery, they attract or repel the viewing public, affect the safety of vehicular traffic, and their suitability or appropriateness helps to set the tone for the neighborhood. The City relies upon its scenery and physical beauty to attract commerce, aesthetic considerations assume economic value. It is the intent of the City, through this Chapter, to protect and enhance the City's historic and residential character and its economic base through the provision of appropriate and aesthetic signage. In addition, it is the intent of the City to limit the size, type and location of signs in order to minimize their distracting effect on drivers and thereby improve traffic safety. The City seeks to balance the need for the protection of public health, safety, welfare and community aesthetics, with the desire to protect the freedom of speech, and prevent discrimination in the application of free speech principles and tenets through the use of content-neutral regulations.
- B. The purpose of this Chapter is to promote the public health, safety and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral and nondiscriminatory sign standards and requirements. This Chapter has also been adopted to:
  - 1. Promote and accomplish the goals, policies and objectives of the City's Comprehensive Plan and Zoning Code;
  - 2. To provide minimum standards in order to safeguard life, health, property and public welfare, and promote traffic safety by following the established design standards, including quality of materials, construction, illumination, size, location and maintenance of sign and sign structures;
  - 3. Recognize free speech rights by regulating signs in a content-neutral manner;
  - 4. Promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to, cluttered, distracting and/or illegible signage;
  - 5. Protect the beauty of the City's built environment by encouraging signs that are compatible with the architectural style, characteristics and scale of the building to which it may be attached, and to encourage signs that are compatible with adjacent buildings and businesses;

6. Protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the streetscape;
7. Provide consistent sign design standards;
8. Encourage creative and innovative approaches to signage, and signs that are of a quality design, pleasing in appearance and are appropriate in size, materials and illumination to the surrounding neighborhood;
9. Provide an improved visual environment for the citizens of and visitors to the City; and
10. Adopt clear, understandable regulations which enable the fair and consistent enforcement of this Chapter.

**Section 2.** That there is adopted a new section 17C.240.015 to chapter 17C.240 of the Spokane Municipal Code to read as follows:

**Section 17C.240.015 Definitions**

A. "A" Definitions

1. **Abandoned Temporary Sign.**  
A temporary sign that, because of the passage of time, has faded, peeled, cracked or otherwise become deteriorated or dilapidated, or is no longer affixed to the ground, or is missing the sign face, or otherwise meets the definition of litter set forth in SMC 10.08.010.
2. **Abandoned Sign Structure.**  
A sign structure where no sign has been in place for a continuous period of at least six months.
3. **Alter**  
To change the copy, color, size, shape, illumination, position, location, construction or supporting structure of a sign, not including ordinary maintenance.
4. **Animated Sign.**  
A sign that uses movement, by either natural or mechanical means, to depict action to create a special effect or scene.

B. "B" Definitions

1. **Backed Sign.**  
A sign where the faces of the sign are parallel or within twenty degrees of parallel to each other.
2. **Balloon Sign.**  
A sign that is blown up with air or gas.
3. **Banner.**  
A sign made of fabric or other similar non-rigid material with no enclosing framework or electrical components that is supported or anchored on two or more edges or at all four corners. Banners also include non-rigid signs anchored along one edge, or two corners, with weights installed that reduce the reaction of the sign to wind.

C. "C" Definitions

1. **Clear View Triangle.**  
See SMC 17A.020.030
2. **Community Banner.**  
A temporary banner made of sturdy cloth or vinyl that is not commercial advertising that has the purpose of the promotion of a civic event, public service announcement, holiday decorations, or similar community and cultural interests and is placed on a structure located in the public right-of-way, subject to procedures authorized by city administrator.

3. Copy.  
Letters, characters, illustrations, logos, graphics, symbols, writing, or any combination thereof designed to communicate information of any kind, or to advertise, announce or identify a person, entity, business, business product, or to advertise the sale, rental, or lease of premises.

D. "D" Definitions

1. Directional Sign.  
A sign exclusively limited to guiding the circulation of motorists or pedestrians on the site.
2. Director  
See SMC 17A.020.040

E. "E" Definitions

1. Electric Sign.  
Any sign containing electrical wiring, lighting, or other electrical components, but not including signs illuminated by a detached exterior light source.
2. Electronic Message Center Sign.  
An on-premises sign capable of displaying words, symbols, figures, or images that can be electronically or mechanically changed by remote or automatic means including signs using a video display method.

F. "F" Definitions

1. Facade.  
See SMC 17A.020.060(A).
2. Fascia Sign.  
A single-faced sign attached flush to a building or other structure or a sign consisting of light projected onto a building or other structure. Fascia signs do not include signs that are attached to or projected onto structures defined as sign structures by this chapter.
3. Flag.  
A sign made of fabric or other similar non-rigid material supported or anchored along only one edge or supported or anchored at only two corners. If any dimension of the flag is more than three times as long as any other dimension, it is classified and regulated as a banner regardless of how it is anchored or supported.
4. Flashing Sign.
  - a. A pattern of changing light illumination where the sign illumination alternates suddenly between fully illuminated and fully non-illuminated in a strobe-like fashion for the purpose of drawing attention to the sign.
  - b. Time and temperature signs are excluded from this definition.
  - c. For the purpose of this title, electronic message centers consistent with the standards of SMC 17C.240.240 shall not be considered flashing signs
5. Freestanding Sign.  
A sign on a frame, pole, or other support structure that is not attached to any building.

I. "I" Definitions

1. Illuminated Wall Highlights  
See SMC 17A.020.090
2. Interpretive Signs.  
A sign that identifies historic buildings or sites where important events occurred or which serve educational, cultural, historical, or scientific purposes.

M. "M" Definitions



1. Marquee Sign.  
A sign incorporated into or attached to a marquee or permanent canopy.
2. Monument Sign.  
A freestanding sign where the base of the sign structure is on the ground or a maximum of twelve inches above the lowest point of the ground adjacent to the sign. The width of the top of the sign structure can be no more than one hundred twenty percent of the width of the base.
3. MUTCD.  
See SMC 17A.020.130

N. "N" Definitions

1. Nonconforming Sign.  
A sign that was created and issued a permit in conformance with development regulations, but which subsequently, due to a change in the zone or land use regulations, is no longer in conformance with the current applicable development standards.

O. "O" Definitions

1. Off-premises Sign.  
A sign relating, through its message and content, to a business activity, use, product, or service not available on the premises upon which the sign is erected.

P. "P" Definitions

1. Painted Wall Highlights.  
Painted areas that highlight a building's architectural or structural features and that do not convey a message or image.
2. Painted Wall Sign.  
A sign applied to a building wall with paint or a thin layer of vinyl, paper, or similar material adhered directly to the building surface and that has no sign structure.
3. Pedestrian-Scaled Signs  
Permanent, first-floor, exterior signs designed and placed to address pedestrian traffic; may be mounted flush with or projecting from a column, building wall, awning or transom.
4. Permanent Sign.  
Any sign not classified as a temporary sign.
5. Projecting Sign.  
A sign attached to and projecting out from a building face or wall, generally at right angles to the building. Projecting signs include signs that are totally in the right-of-way, partially in the right-of-way, or fully on private property.

R. "R" Definitions

1. Right-of-way  
See SMC 17A.020.180
2. Roadway  
See SMC 17A.020.180
3. Roof Line.  
The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, chimneys, or other projections.
4. Roof mounted sign.  
A sign which has a point of attachment to the roof or mansard of a building. Architectural projections, including mechanical equipment screens, above any parapet or roof line whose sole function is a background for signs shall be considered a sign structure. A sign on such an architectural projection shall be considered a roof sign.

## S. "S" Definitions

1. Sandwich Board Sign.  
A self-supporting A-shaped freestanding temporary sign with only two visible sides that are situated adjacent to a business, typically on a sidewalk.
2. Sign.  
Materials placed or constructed or light projected, but not including any lawful display of merchandise, that:
  - a. Conveys a message or image, and
  - b. Is used to inform or attract the attention of the public
    - i. Some examples of signs are materials or lights meeting the definition of the preceding sentence and which are commonly referred to as signs, placards, A-boards, posters, murals, diagrams, banners, flags, or projected slides, images, or holograms.
    - ii. The scope of the term sign does not depend on the content of the message or image conveyed.
3. Sign Face.  
The portion of a sign which contains lettering, logo, trademark, or other graphic representations. (See SMC 17C.240.110, Sign Face Area.)
4. Sign Maintenance.  
Normal care needed to keep a sign functional, such as cleaning, painting, oiling, and changing of light bulbs.
5. Sign Repair.  
Fixing or replacement of broken or worn parts. Replacement includes comparable materials only. Repairs may be made with the sign in position or with the sign removed.
6. Sign Structure.  
A structure specifically intended for supporting or containing a sign.
7. Special Event Sign.  
A temporary sign used to announce a circus, a carnival, festivals, or other similar events.
8. Structural Alteration.
  - a. Modification of a sign, sign structure, or awning that affects size, shape, height, or sign location.
  - b. Changes in structural materials; or
  - c. Replacement of electrical components with other than comparable materials.
  - d. The replacement of wood parts with metal parts, the replacement of incandescent bulbs with light emitting diodes (LED), or the addition of electronic elements to a non-electrified sign would all be structural alterations.
  - e. Structural alteration does not include ordinary maintenance or repair, repainting an existing sign surface, including changes of message or image, exchanging painted and pasted or glued materials on painted wall signs, or exchanging display panels of a sign through release and closing of clips or other brackets.

## T. "T" Definitions

1. Temporary sign (which may include special event sign)  
Any sign that is used temporarily and is not permanently mounted, painted or otherwise affixed, including any poster, banner, pennants, placard, stake sign or sign not placed in the ground with concrete or other means to provide permanent support, stability and rot prevention. Temporary signs do not include off-premise signs, as defined in this chapter. Temporary signs may only be made of non-durable materials including, but not limited to, paper, corrugated board, flexible, bendable or foldable plastics, foamcore board, vinyl canvas or vinyl

mesh products of less than 20 oz. fabric, vinyl canvas and vinyl mesh products without polymeric plasticizers and signs painted or drawn with water soluble paints or chalks. Signs made of any other materials shall be considered permanent and are subject to the permanent sign regulations of this Chapter.

**Section 3.** That SMC Section 17C.240.020 entitled "Where These Regulations Apply" is repealed.

**Section 4.** That there is adopted a new section 17C.240.025 to chapter 17C.240 of the Spokane Municipal Code to read as follows:

#### **Section 17C.240.025 Applicability and Interpretations**

- A. This Chapter applies to all signs as defined in Section 17C.240.015 (Definitions), within the City which are visible or audible from any street, sidewalk or public place, regardless of the type or nature.
- B. This Chapter is not intended to, and shall not be interpreted to, restrict speech on the basis of its content, viewpoint, or message. Any classification of sign authorized in this chapter for commercial purposes shall be interpreted to also be permitted for non-commercial purposes. No part of this Chapter shall be construed to favor commercial speech over non-commercial speech. To the extent that any provision of this Chapter is ambiguous, the term shall be interpreted not to regulate speech on the basis of the content of the message.
- C. Substitution Clause.  
Notwithstanding anything herein to the contrary, noncommercial copy may be substituted for commercial copy on any lawful sign structure.
- D. Severability  
If a section, subsection, paragraph, sentence, clause, or phrase of this chapter is declared unconstitutional or invalid for any reason, the decision shall not affect the validity of the remaining portions of this chapter.

**Section 5.** That SMC Section 17C.240.060 is amended to read as follows:

#### **Section 17C.240.060 Exemptions**

The following signs ~~((do not require))~~ are exempt from a sign permit (unless otherwise noted) ~~((;)). ((nor shall the area and number of such signs be included in the area and number of signs permitted for any site or use))~~ The area and number of such signs shall not be included in the area and number of signs permitted for any site or use, however, all other relevant requirements of this chapter shall apply. This shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance and its compliance with the provisions of this chapter or any other law or ordinance.

- A. ~~((The flag, emblem, or insignia of a nation or other governmental unit or nonprofit organization subject to the guidelines concerning their use set forth by the government or organization which they represent.))~~ Flags. Any flags, provided that they conform to all provisions of this chapter for signs. ~~Freestanding ((Flagpoles)) flagpoles~~ require a ((sign))building permit for structural review.
- B. Memorial signs or tablets, names of buildings, stained glass windows, and dates of erection when cut into the surface or the facade of the building or when projecting not more than two inches.
- C. ~~((Traffic or other municipal signs, signs required by law or emergency, railroad crossing signs, legal notices, and any temporary signs as are authorized under policy approved by the city council.))~~ Governmental signs. Signs installed by the City, County, or a federal or State governmental agency for the protection of the public health, safety and general welfare, including, but not limited to, the following:
  - 1. Emergency and warning signs necessary for public safety or civil defense;
  - 2. Traffic and/or wayfinding signs erected and maintained by an authorized public agency;
  - 3. Signs required to be displayed by law;
  - 4. Signs showing the location of public facilities including public and private hospitals and emergency medical services; and
  - 5. Any sign, posting, notice, or similar sign placed by or required by a governmental agency in carrying out its responsibility to protect the public health, safety and general welfare.

- D. Signs of public utility companies indicating danger or which serve as an aid to public safety or which show the location of underground facilities (~~((or of public telephones))~~).
- E. Flush-mounted wall signs, used to identify the name and address of the occupant for each dwelling provided the sign does not exceed two square feet in sign area.
- F. ~~((Signs located in the interior of any building or within an enclosed lobby or court of any building or group of buildings, which signs are designed and located to be viewed exclusively by patrons of such use or uses.))~~  
Non-visible signs. Signs not visible beyond the boundaries of the lot or parcel upon which they are located, or from any public right-of-way. Such freestanding signs require a building permit for structural review.
- ~~((G. Decorations, such signs in the nature of a decoration, clearly incidental and customary and commonly associated with any national, local or religious holiday.))~~
- G. Changes to the face or copy of changeable copy signs, digital signs, electronic messaging signs, provided such changes do not change the material or appearance of the sign as originally permitted by the City.
- ~~((H. Painting, repainting, or cleaning of an advertising structure or the changing of the advertising copy of message thereon shall not be considered an erection or alteration which requires a sign permit unless a structural change is made.))~~
- H. The normal repair and maintenance, (painting, repainting, cleaning) of conforming or legal nonconforming signs that does not involve structural alteration of the sign or supporting structure.
- I. Sculptures, fountains, mosaics, murals, public art and design features which do not (~~((incorporate advertising or identification))~~) otherwise constitute a sign.
- J. "No trespassing," "no dumping," "no parking," "private" signs identifying essential public needs (i.e., restrooms, entrance, exit, telephone, etc.) and other informational warning signs, which shall not exceed three square feet in surface area.
- ~~((K. Directional signs erected by the City on arterial streets directing the public to public, civic, or nonprofit facilities. Such signs shall be erected at the discretion of the director of public works and shall be subject to City design guidelines. In addition, with the approval of the design review board, the director of public works may allow the erection of directional signs as are necessary to designate commercial areas or significant tourist sites within the City.))~~
- ~~((L.))~~K. Publicly approved non-illuminated interpretive signs, or historical signs, or tablets displayed by a public, educational non-profit agency, or private development pursuant to ((SMC 17E.060.830 and SMC 17E.060.840)) SMC 17E.060.820 through SMC 17E.060.840, strictly for the purpose of informing or educating the public.
- ~~((M.))~~L. Illuminated wall highlights that do not contain words, logos, or corporate images.
- M. Interior signs. Signs or displays located entirely inside of a building and located at least three (3) feet away from transparent doors and windows.
- N. Temporary signs (provided they comply with 17C.240.244, Temporary Signs).

**Section 6.** That SMC Section 17C.240.070 is amended to read as follows:

#### **Section 17C.240.070 Prohibitions**

The following are prohibited and existing ones must be removed:

- A. ~~((Signs containing strobe lights.))~~ Flashing signs or lights. A sign that contains an intermittent or flashing light source, or a sign that includes the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source, except as consistent with the standards contained in Table 17C.240-4.
- B. Abandoned signs and abandoned sign structures.
- C. Signs placed on or painted on a motor vehicle or trailer parked with the primary purpose of providing signs not otherwise allowed by the code.
- D. Permanent balloon signs.

- ~~((E. Temporary signs (except as provided for in SMC 17C.240.240(G), Temporary Signs-))~~
- E. Hazardous signs. Any sign that is dangerous or confusing to motorists on the public right-of-way, including any sign which by its color, wording, design, location or illumination resembles, conflicts, imitates or interferes with the effectiveness of any official traffic control device or which otherwise impedes the safe and efficient flow of traffic.
- ~~((F. Signs that imitate or resemble official traffic lights, signs or signals or signs that interfere with the effectiveness of any official traffic light, sign, or signal-))~~
- ~~((G-))~~E. Signs which are located upon or projecting over public streets, sidewalks, or rights of way except as provided for awnings and marquees in SMC 17F.040.140, ((and)) sandwich board signs in ((SMC 17C.240.240(G)(9) and)) SMC17C.240.220, signs extending into the right-of-way allowed in ((SMC 17C.240.240(G)) SMC17C.240.180 (B), and temporary signs in SMC 17C.240.244 (E).
- ~~((H-))~~G. Off premises signs (except as ((provided for in SMC 17C.240.240(G), Temporary Signs, such as real estate signs and community banners; SMC 12.02.0755, Signs Permitted in Conjunction With Bus Bench Signs, and SMC 17C.240.250, Off premises Signs)) expressly allowed in other sections of this chapter). No off-premises sign shall be located on a vacant lot, parcel or easement. No off-premises sign shall be located on a lot, parcel or easement as the principal use of that lot, parcel or easement. Signs may only be established as an accessory use to a principally permitted use.
- ~~((I. Strings of banners, pennants, and other graffiti like material with advertising copy except grand opening displays and special event signs as allowed in SMC 17C.240.240(G-))~~
- ~~((J-))~~H. Signs erected, constructed or structurally altered that are required to have a permit that were erected, constructed, or altered without a permit.
- ~~((K-))~~I. Except as otherwise allowed under this chapter or other ordinances, laws, or regulations of the City of Spokane, ((#)) it shall be unlawful for any person, except a public officer or employee in the performance of his public duty, to affix, post, paint, nail, fasten, place, or locate any sign, card, banner, handbill, poster, ((or advertising)) advertisement or notice of any kind, or cause the same to be done, ((upon public streets, highways, public right-of-way or any publicly owned or maintained property within the City of Spokane, or)) upon any City owned or maintained structure located in the public right of way, including but not limited to, any building, curbstone, traffic control device, street sign, utility pole, hydrant, fence, lamp post, guardrail, tree or shrubbery or any other structure situated within any such areas or to affix the same to a wire or appurtenance thereof((, except as may be authorized by the ordinances, laws, or regulations of the City of Spokane, the State of Washington or the United States)). City-owned or maintained structures include, but are not limited to, bridges, overpasses, street medians, retaining walls, fences, street furniture, and shelters, among other structures located upon public streets, highways, public right-of-way or other public property. ~~((The prohibition contained herein shall not apply to political campaign signs which are permitted pursuant to the regulations set forth in SMC 17C.240.240(G)(6-))~~
- ~~((L. Flashing signs-))~~
- J. No sign may impede free ingress and egress from any door, window or exit way required by building and/or fire code regulations.

**Section 7.** That SMC Section 17C.240.080 entitled "General Rules for Reading and Applying the Code Language" is repealed.

**Section 8.** That SMC Section 17C.240.090 is amended to read as follows:

#### **Section 17C.240.090 Sign Permit Required**

- A. Permit Requirements.  
No sign governed by the provisions of this code shall be erected, structurally altered, or relocated by any person, firm, or corporation ~~((after the date of adoption of this code))~~ without a permit issued by the City ~~((with the exceptions as noted))~~ unless an exemption applies under this chapter. No new permit is required for signs which have permits and which conform with the requirements of this code on the date of its adoption unless and until the sign is structurally altered or relocated.
- B. Permit Applications.  
Permit applications shall include a site plan that provides the following information:

1. The location of the affected lot, building(s), and sign(s).
2. The scale of the site plan.
3. A scaled-drawing of the proposed sign or sign revision, including size, height, copy, structural footing details, method of attachment, and illumination.
4. The location of all existing signs on the site including size and height.
5. For signs subject to spacing regulations, the location of neighboring signs on adjacent properties.
6. Tax parcel number or correct address where proposed sign will be located.

- C. Fee Schedule.  
Fees for sign permits are as provided by SMC 8.02.031(G).

**Section 9.** That SMC Section 17C.240.100 entitled "Applying the Code to Specific Situation" is repealed.

**Section 10.** That SMC Section 17C.240.120 is amended to read as follows:

### Section 17C.240.120 Measurements

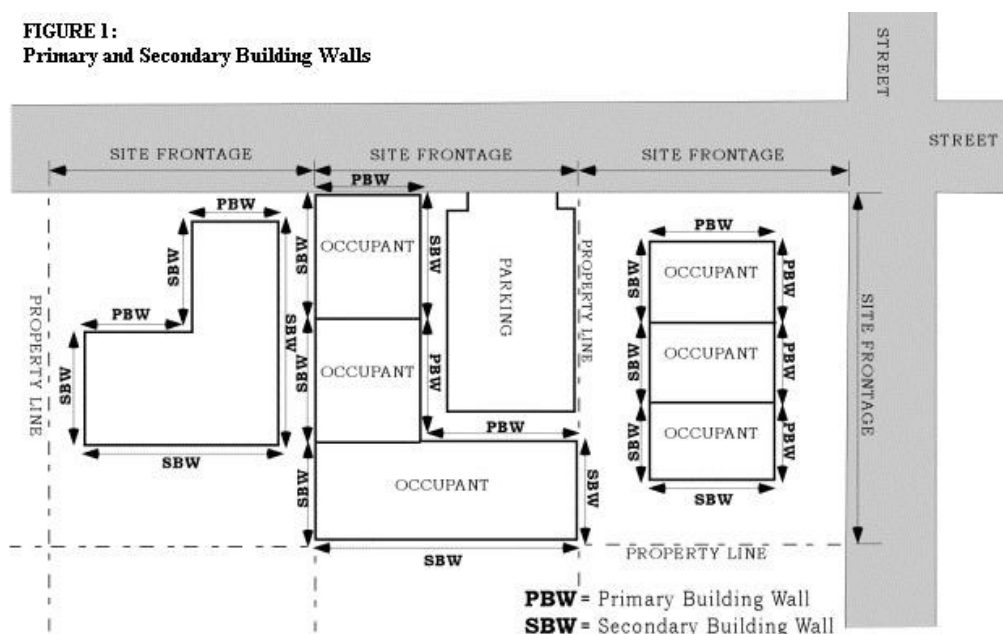
The standards contained in SMC 17C.240.130 through SMC 17C.240.180 address how the signs allowed in the various zoning categories are measured including sign area, height, and other parameters. These standards work in combination with the standards of SMC 17C.240.~~((499))~~210 through SMC 17C.240.~~((399))~~310 regarding allowed sign size, number, type, and other provisions.

**Section 11.** That SMC Section 17C.240.130 is amended to read as follows:

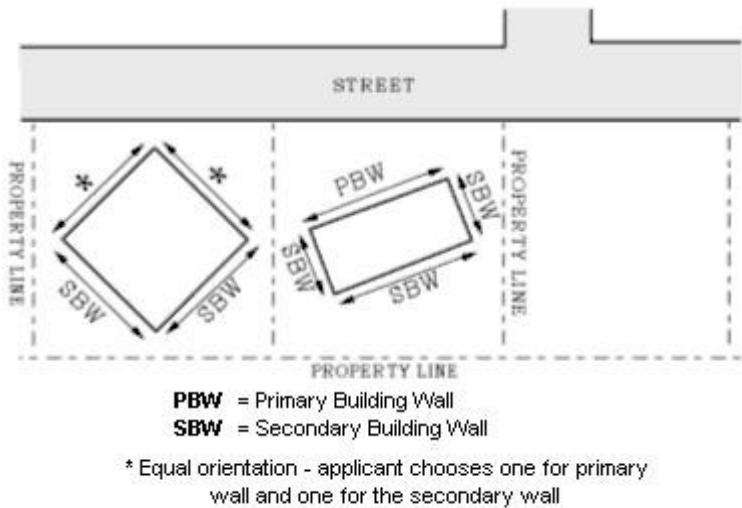
### Section 17C.240.130 Primary Building Walls

The length of a primary building wall is derived for each tenant space's ground floor exterior wall (See Figure 1). When walls are not parallel to a street, they are assigned to the street frontage to which they are most oriented (~~((See Figure ((8a)))~~). When the primary entrance is located in a building wall that is adjacent to, at an angle from, and shorter than the street-facing wall, the primary building wall will be measured as a combination of the street wall and the wall containing the entrance. Where the angled wall is on the corner of the building between two street-facing walls, the applicant may choose which street facing wall to combine with the wall containing the entrance to be considered the primary building wall. The length of the primary building wall will be measured in a straight line parallel to the street-facing wall (~~((See Figure (8b)))~~).

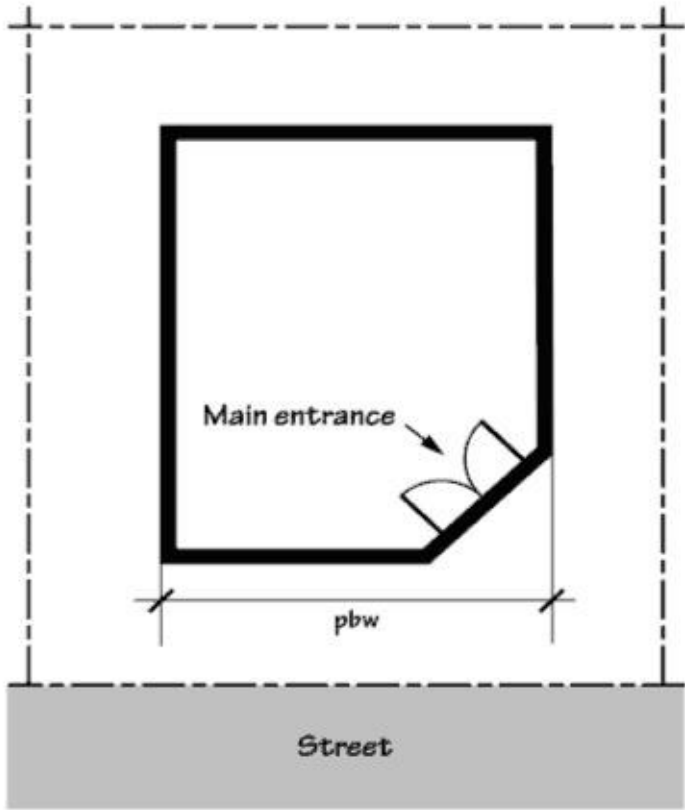
**FIGURE 1:**  
**Primary and Secondary Building Walls**



**FIGURE 8a**  
**Building Wall Orientation**



**FIGURE 8b**  
**Primary Building Wall - Angled Entrance**



The diagram illustrates the definition of Primary Building Wall (PBW) for various building footprints and orientations. It is divided into two main sections: one for buildings with a street frontage and one for buildings with a side street frontage.

**Top Section: Buildings with Street Frontage**

- Left Building:** A simple rectangular building. The PBW is the wall facing the street.
- Middle Building:** A complex building with multiple wings. The PBW is the wall facing the street. The building is divided into three sections, each labeled "occupant".
- Right Building:** A building with a side street frontage. The PBW is the wall facing the side street. The building is divided into three sections, each labeled "occupant".

**Bottom Section: Buildings with Side Street Frontage**

- Left Building:** A building with a side street frontage. The PBW is the wall facing the side street. The building is divided into three sections, each labeled "occupant".
- Middle Building:** A building with a side street frontage. The PBW is the wall facing the side street. The building is divided into three sections, each labeled "occupant".
- Right Building:** A building with a side street frontage. The PBW is the wall facing the side street. The building is divided into three sections, each labeled "occupant".

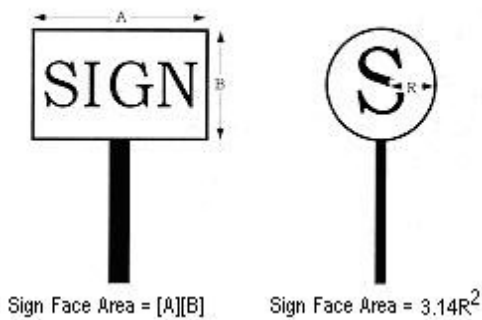
**Legend:**

- PBW = Primary Building Wall
- \* = Applicant chooses one wall as Primary Building Wall.
- \*\* = PBW is whichever wall has the occupant's primary entrance.

A. Sign Cabinets.  
The area of sign faces enclosed in frames or cabinets is determined based on the outer dimensions of the frame or cabinet surrounding the sign face (See Figure 2).



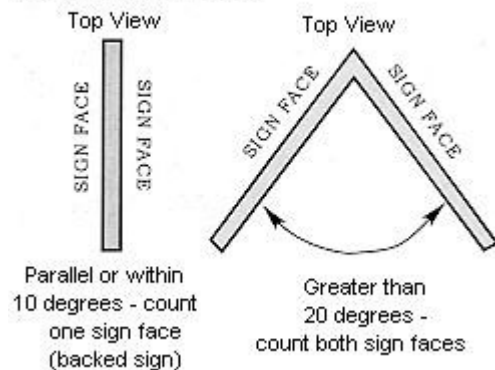
**FIGURE 2**  
**Sign Face Measurement**



**B. Backed Signs.**

Only one side of a backed sign is counted in determining the area of sign faces. Where the two sides are not of equal size, the larger of the two sides is used for the determination of sign area (See Figure 3).

**FIGURE 3**  
**Sign Face Measurement**



**C. Multiple Cabinets.**

For freestanding and projecting signs that contain multiple cabinets on one structure and oriented in the same direction, the modules together are counted as one sign face (See Figure 4).

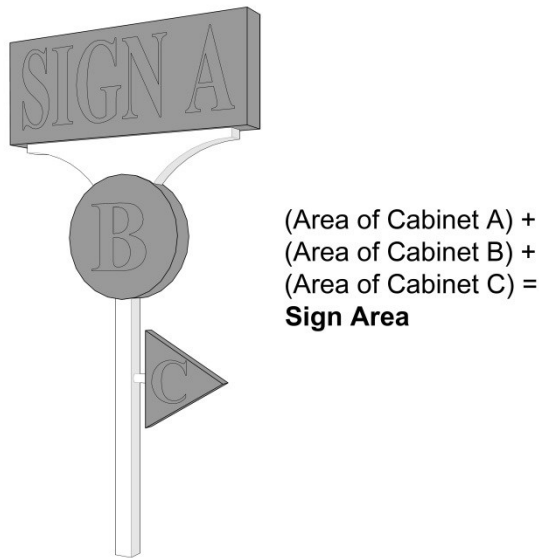
**FIGURE 4**  
**Sign Face Measurements**



$$\text{Sign Face Area} = [D][E] + [F][G] + [H][I]$$

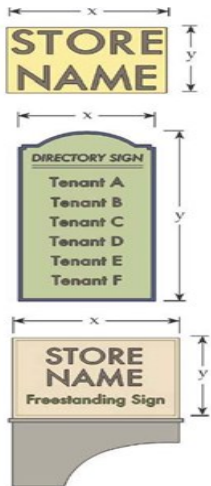
(( ))

Figure 4  
Multiple Cabinets



- D. Round Signs.  
The maximum surface area visible at one time of a round, three dimensional, or three or more sided sign is counted to determine sign area.
- E. ~~((Signs On a Base Material.~~  
~~When a sign is on a background panel and attached without a cabinet, such as a wood board or Plexiglas background panel, the dimensions of the background panel are to be used.))~~  
Background panel or surface.  
Sign copy mounted, affixed or painted on a background panel or surface distinctively painted, textured or constructed as a background for the sign copy, is measured as that area contained within the smallest rectangle, parallelogram, triangle, or circle that will enclose the sign copy and the background, as shown in Figure 5.

Figure 5



## F. ((Individual Elements.

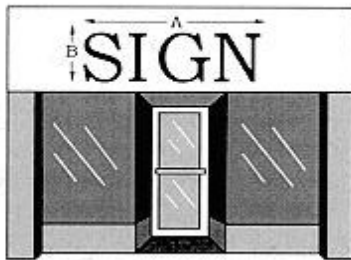
~~When signs are constructed of individual elements attached to a building wall, the sign area is determined by calculating the area of an imaginary rectangle drawn around the sign elements (See Figure 5). Sign elements will be measured as one unit when the distance between the elements is less than the dimension of the smallest element (See Figure 6).))~~

Individual letters or graphics.

Sign copy mounted as individual letters or graphics against a wall of a building or surface of another structure, that has not been painted, textured or otherwise altered to provide a distinctive background for the sign copy, is measured as the sum of the smallest square, rectangle, parallelogram, triangle or circle that will enclose each word, sentence and complete message, and each graphic in the sign.

((

**FIGURE 5**  
**Sign Face Measurements**



Sign Face Area = [A][B]

))

Figure 6



Sign Face Area = (A)(B)

## G. Painted Wall Signs.

~~Painted wall signs are measured ((by drawing an imaginary rectangle around the edge of each of the sign elements. Sign elements will be measured as one unit when the distance between the elements is less than two times the length of each element (See Figure 6). Visible wall area includes windows and doors, but not openings such as loading entrances.))~~ as the sum of the smallest square, rectangle, parallelogram, triangle or circle that will enclose each word, sentence and complete message, and each graphic in the sign.

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**Note: For the remainder of Ordinance No. C35577 , Job Opportunities and Notices for Bids, see Part IV of this Issue (Issue 6) of the *Official Gazette*.**

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# Official Gazette

## City of Spokane, Washington

Statement of City Business, including a Summary of the Proceedings of the City Council

Volume 108

**FEBRUARY 7, 2018**

Issue 6 Part IV of IV



### MAYOR AND CITY COUNCIL

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COUNCIL PRESIDENT BEN STUCKART

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(ORDINANCES, JOB OPPORTUNITIES  
& NOTICES FOR BIDS CONTINUED IN  
PARTS IV OF THIS ISSUE)

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# Ordinances

These ordinances are published in this issue of the *Official Gazette* pursuant to passage by the Spokane City Council. It should be noted that these ordinances may be subject to veto by the Mayor. If an ordinance is vetoed by the Mayor, the Mayoral veto will be published in a subsequent issue of the *Official Gazette*.

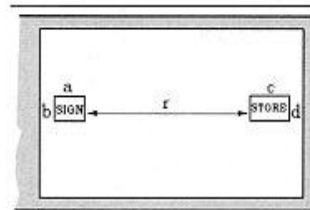
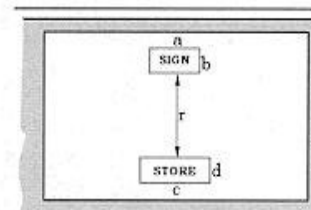
**ORD C35577****(Continued from Part III of this issue.)****H. Awnings and Marquees.**

When signs are incorporated into awnings, the sign area is determined by computing the area of an imaginary rectangle drawn around the sign face. When the ends of awnings or marquees are parallel and contain sign faces, only one side is counted in addition to the sign face area on the front.

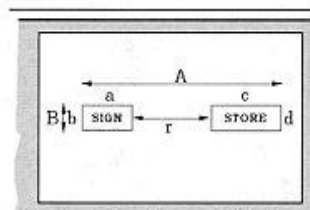
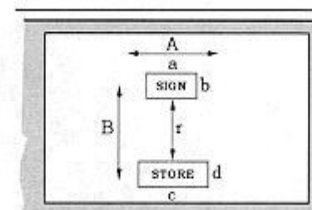
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**FIGURE 6**  
**Multiple Elements in a Painted Wall Sign or Fascia Sign**

Sign elements counted as two sign faces

 $r > \text{the dimension of the smallest element}$  $r > \text{the dimension of the smallest element}$ 

Sign elements counted as one sign face

 $r < \text{the dimension of the smallest element}$  $r < \text{the dimension of the smallest element}$ 

))

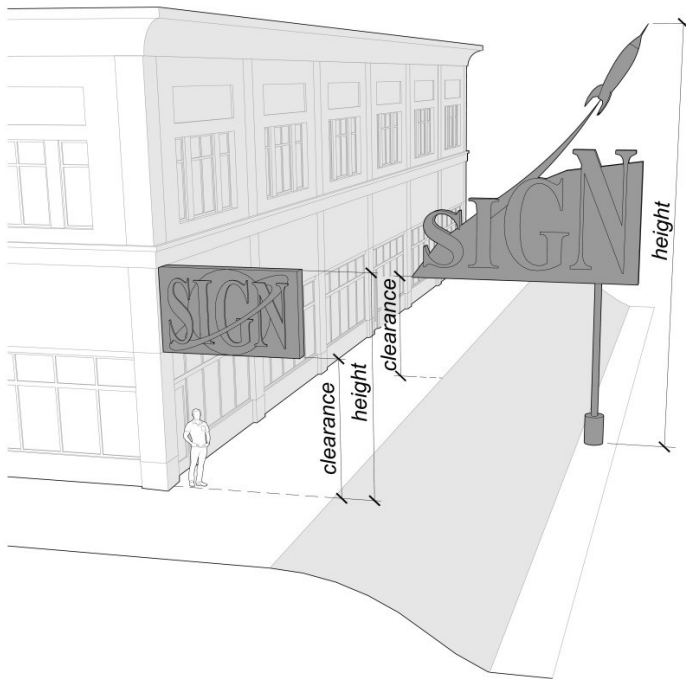
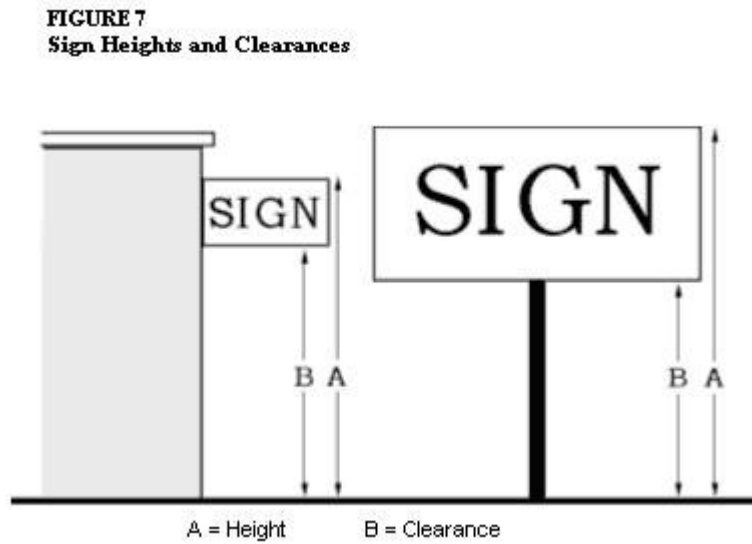
**Section 11.** That SMC Section 17C.240.150 is amended to read as follows:

**Section 17C.240.150 ((Height of Signs)) Sign Heights and Clearances****A. Height**

The overall height of a sign or sign structure is measured from the finish grade to the highest point of the sign or sign structure (See Figure 7).

**B. Clearance**

Clearances are measured from the highest point of the ground directly below the sign to the bottom of the sign structure enclosing the sign face (See Figure 7).

**Figure 7****Sign Heights and Clearances**

**Section 12.** That SMC Section 17C.240.160 entitled "Clearances" is repealed.

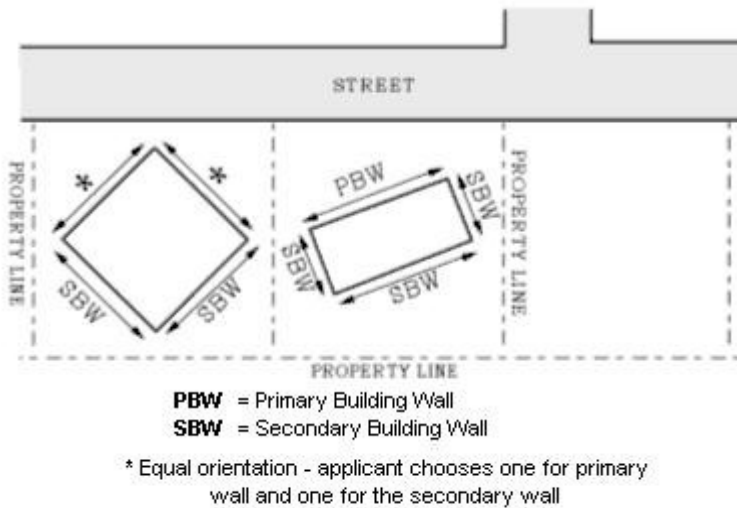
**Section 13.** That SMC Section 17C.240.180 is amended to read as follows:

Section 17C.240.180 Diagonal Corner Signs

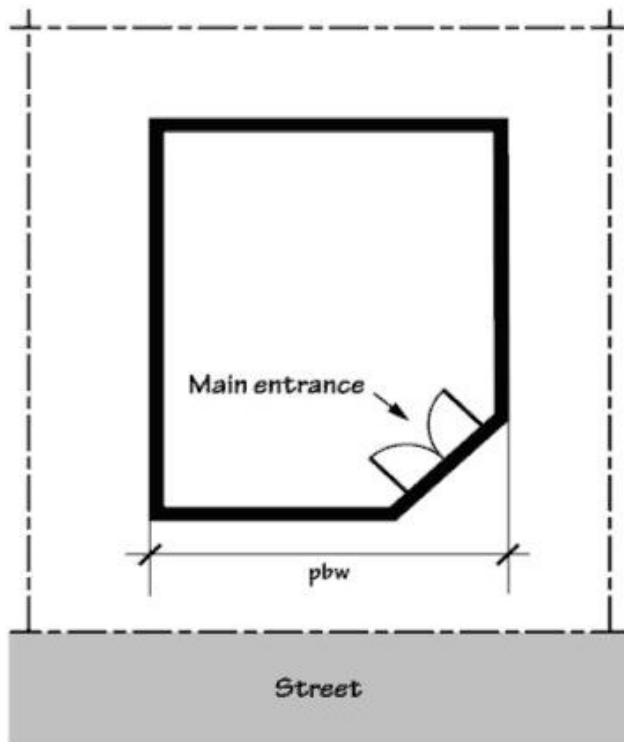
Diagonal corner signs that face more than one street must be assigned to a street and building frontage by the applicant. The sign must meet all standards for the street and building frontage to which it is assigned ((See Figure 8)).

((

**FIGURE 8a**  
**Building Wall Orientation**



**FIGURE 8b**  
**Primary Building Wall - Angled Entrance**



))

**Section 14.** That SMC Section 17C.240.190 entitled “Sign Standards Purpose” is repealed.

**Section 15.** That SMC Section 17C.240.200 entitled “Official Zoning Maps” is repealed.



**Section 16.** That SMC Section 17C.240.220 is amended to read as follows:

**Section 17C.240.220 Standards in the Residential Zones**

A. General Standards.

~~((The standards for))~~ All permanent signs in ~~((the RA through RHD))~~ Residential zones ~~((are stated in))~~ must comply with the standards detailed in Table 17C.240-1. ~~((All signs must conform to the regulations of SMC 17C.240.240.))~~

~~((Table 17C.240-1 (See Linked Document)))~~

Table 17C.240-1. Standards for Permanent Signs in ((RA, RSF, RTF, RMF, and RHD)) Residential and CA4 Zones [1]					
Use Category/Structure Type [2]	Number of Signs	Max. Sign Face Area	Types of Signs Allowed	Maximum Sign Height	Additional Signs Allowed [3]
Residential Household Living/ Houses, Duplexes, Attached Houses	1 per site	3 sq. ft.	Fascia, Painted Wall	Top of wall, or 10 ft. whichever is less	Directional Signs
			Freestanding	6 ft.	
Residential Household Living/ Multi-family Residential Building, Group Living, Day Care, Nonresidential Category Uses Not Listed Below	1 per building	15 sq. ft.	Fascia, Painted Wall	Top of wall	Directional Signs
			Freestanding	10 ft.	
Subdivisions, PUDs, ((Mobile Home Parks,)) Agricultural Uses [4]	1 per entrance	32 sq. ft.	Monument	10 ft.	Directional Signs
Mobile Home Parks	The sign standards for mobile home parks are contained in 17C.345.120				
Parks and Open Areas [5]	1 per street frontage	10 sq. ft.	Monument	10 ft.	Directional Signs
Colleges, Community Services, Medical Centers, Religious Institutions, Schools, Commercial Outdoor Recreation, Major Event Entertainments, Nonconforming Uses in Commercial and Industrial Use Categories, Uses in the Office Use Category Allowed as a Conditional Use in the RMF and RHD Zones	The sign standards of the NR zone apply. See SMC 17C.240.160.				
Notes: [1] Temporary signs are regulated by SMC 17C.240.210, Temporary Signs. [2] See Title 17C SMC, Uses, Use Categories, and Structure Types. [3] These signs are allowed in addition to other signs when they meet the standards of SMC 17C.240.200(D). [4] These signs are allowed in addition to those for individual buildings. [5] Signs in, or adjacent to and facing, a sports field associated with Parks and Open Areas are subject to the standards of the NR zone. See SMC 17C.240.160.					

B. Sign Features.

Signs in ~~((the RA, RSF, RMF, and RHD))~~ all residential zones, except for those subject to the NR zone sign standards, are subject to the standards of this subsection. Illuminated signs placed in windows are subject to these sign regulations. Extensions into the right-of-way are prohibited.

**Section 17.** That SMC Section 17C.240.230 is amended to read as follows:

### **Section 17C.240.230 Standards in the Commercial and Industrial Zones**

General Standards and Sign Features.

~~((The standards for permanent signs and sign features in the Commercial and Industrial zones are stated in Tables 17C.240-2 and 17C.240-3. All signs must conform to the regulations of SMC 17C.240.240-))~~ All permanent signs in Commercial and Industrial zones must comply with the standards detailed in Tables 17C.240-2 and 17C.240-3.

Table 17C.240-2 Standards for Permanent Signs in Commercial, Center and Corridor, and Industrial Zones [1]					
	DTC, DTG, DTU, DTS, GC, LI & HI [8]	CC2 ((&)), CB, & CA3 [2][8]	O, OR, NR, NMU	CC1, CA1 & CA2 [2]	CC4 [2]
<b>SIGNS ATTACHED TO BUILDINGS</b>					
Size Allocation	1-1/2 sq. ft. per 1 ft. of primary building wall or 15 percent of the primary building wall, whichever is greater	1 sq. ft. per 1 ft. of primary building wall if a freestanding sign is also on the same street frontage, 1-1/2 sq. ft. per 1 ft. of primary building wall if there is no freestanding sign on the same street frontage	Same	Same	15 sq. ft.
Maximum Number	No limit within size allocation	Same	Same	Same	1
Maximum Area Per Sign	250 sq. ft. In the DT Zones, the maximum area per sign attached to a building is not limited	100 sq. ft.	50 sq. ft.	50 sq. ft.	15 sq. ft.
Minimum Guaranteed Sign Area for a Ground Floor Tenant Space	32 sq. ft.	Same	Same	Same	15 sq. ft.
<b>TYPES ALLOWED</b>					
Fascia, Awning, Marquee, <del>((Pitched Roof))</del> Roof Mounted, Painted Wall	Yes	Yes	Yes	Yes	Yes
Projecting	Yes, but no projecting signs if a freestanding sign is also on the same street frontage	Same	Same	Same	Same
<del>((Roof))</del>	<del>((Yes))</del>	<del>((No))</del>	<del>((No))</del>	<del>((No))</del>	<del>((No))</del>
<b>FREESTANDING SIGNS</b>					
Maximum Number	1 per site or 1 per 300 ft. of arterial street frontage and 1 for each additional 300 ft. or fraction thereof [3]	1 per arterial street frontage	1 per arterial street frontage	1 monument sign per arterial street frontage	1 monument sign per building
When Not Allowed	Not Limited	Not allowed if there is already a projecting sign on the same site frontage, or if existing signs attached to buildings exceed the limit of 1 sq. ft. to 1 ft. of primary building wall	Same	Same	Not allowed if there is already a wall or projecting sign

Size Allocation for All Freestanding Signs	1 sq. ft. per 1 ft. of arterial street frontage Local street frontage can be used if there are not arterial site frontages	Same	Same	Same	15 sq. ft.
Size Limit	250 sq. ft.	75 sq. ft. [5]	50 sq. ft. [5]	50 sq. ft.	15 sq. ft.
Maximum Height [6]	35 ft. ( <del>((H))</del> ) In the DTS zone, the maximum height is 60 ft.	20 ft.	20 ft.	5 ft.	5 ft.
ADDITIONAL SIGNS ALLOWED					
Directional Signs, Temporary Signs [7]	See SMC 17C.240. <del>((240(H)))</del> 243(D) and SMC 17C.240. <del>((240(G)))</del> 244				
Yes = Allowed    No = Prohibited					
Notes:					
[1] Temporary signs are regulated under SMC 17C.240. <del>((240))</del> 244(H), Temporary Signs.					
[2] Signs in CC and CA zones are subject to the standards and guidelines contained in the Initial Design Standards and Guidelines for Centers and Corridors.					
[3] On sites with frontages longer than 300 feet, sign area earned from the first 300 feet may not be used on the second sign. For example, a 350-foot street frontage may have a 200 sq. ft. and a 50 sq. ft. freestanding sign. Interstate freeways, United States highways, state routes that are not also City of Spokane Arterials are not considered arterial streets for purposes of this Title. Sites with frontage on more than one arterial are allowed a freestanding sign on each arterial. The size allocation for each freestanding sign shall be calculated independently using only the length of the arterial frontage adjacent to the freestanding sign. The square footage allowance for freestanding signs for one arterial shall not be transferred to other arterials.					
[4] Where a site has no arterial street frontage, one freestanding sign is allowed.					
[5] The maximum sign area may be an additional twenty-five square feet for each additional business on a site having more than one business, up to a maximum area of one hundred fifty square feet.					
[6] This height limit is for the total height of the combined sign face and sign structure.					
[7] These signs may be allowed in addition to signs attached to buildings and freestanding signs when they meet the standards of SMC 17C.240. <del>((240(H)))</del> 243 (D) and SMC 17C.240. <del>((240(G)))</del> 244.					
[8] Signage standards for mini-storage facilities are listed in 17C.350. Mini-storage facilities are not permitted in the DTC or CA3 zone.					

((

<b><del>((Table 17C.240-3</del></b>		
<b><del>Sign Features for All Signs in Tables 17C.240-1 and 17C.240-2</del></b>		
	<b><del>GC, CC2, Downtown, CB, LI &amp; HI</del></b>	<b><del>O, OR, NR, NMU, CC1 &amp; CC4</del></b>
Electronic Message Center Sign Features	<del>Yes [1]</del>	<del>Yes [1]</del> <del>Not Permitted in CC4 Zone</del>
Lighting	<del>Direct, Indirect, or Internal</del>	<del>Same</del>
Maximum Distance Extending into ROW	<del>See SMC 17C.240.240(C)</del>	<del>Same</del>
Maximum Area Extending into ROW	<del>See SMC 17C.240.240(C)</del>	<del>Same</del>
Bonus Allowance for Outstanding Design	<del>See SMC 17C.240.290</del>	<del>Same</del>
<p><del>Yes = Allowed    No = Prohibited</del></p> <p><del>Notes:</del></p> <p><del>[1] Electronic Message Center sign features are allowed in the GC, CC2, Downtown, CB, LI, HI O, OR, NR, NMU, &amp; CC1 zones if they meet the standards of SMC 17C.240.240(J), Electronic Message Center Signs. )</del></p>		

))

**Table 17C.240-3****Sign Features for All Signs in Table 17C.240-2**

	<b><u>GC, CC2, Downtown, CB, LI, HI, O, OR, NR, NMU, CC1 &amp; CC4</u></b>
<b><u>Electronic Message Center Sign Features</u></b>	Allowed [1][2]
<b><u>Lighting</u></b>	Direct, Indirect, or Internal
<b><u>Maximum Distance Extending into ROW</u></b>	See SMC 17C.240.220(E)
<b><u>Maximum Area Extending into ROW</u></b>	See SMC 17C.240.220(E)
<b><u>Bonus Allowance for Outstanding Design</u></b>	See SMC 17C.240.290

**Notes:**

[1] Electronic Message Center sign features are allowed in the GC, CC2, Downtown, CB, LI, HI O, OR, NR, NMU, & CC1 zones if they meet the standards of SMC 17C.240.240, Electronic Message Center Signs.

[2] Electronic Message Center sign features are not allowed in the CC4 Zone

**Section 18.** That SMC Section 17C.240.240 is amended to read as follows:

**Section 17C.240.240 ((Additional Standards in All Zones)) Sign Placement and Location Restrictions**

((A. ~~Where These Regulations Apply.~~

~~These regulations apply to all signs regulated by this chapter.))~~

((B.)) A. Sign Placement.

All signs and sign structures must be erected and attached totally within the site except when allowed to extend into the right-of-way by this chapter.

((C.)) B. Signs Extending Into the Right-of-way.

The standards of this subsection apply to permanent signs that are erected on private property and that extend into the right-of-way ((and temporary signs that are in the right of way)).

1. Projecting Signs.

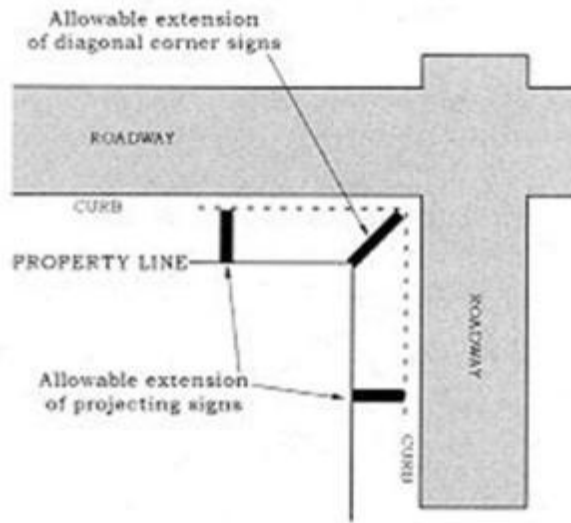
Projecting signs that extend into the right-of-way must meet the following standards:

a. Distance Into the Right-of-way.

- i. Where allowed, signs may extend into the right-of-way not more than ten feet or within two feet of the curbline, whichever is the smaller projection.
- ii. Diagonal corner signs may extend into the right-of-way to a point that is determined by extending a line from the maximum points allowed for projecting signs on each street frontage (See Figure 8).

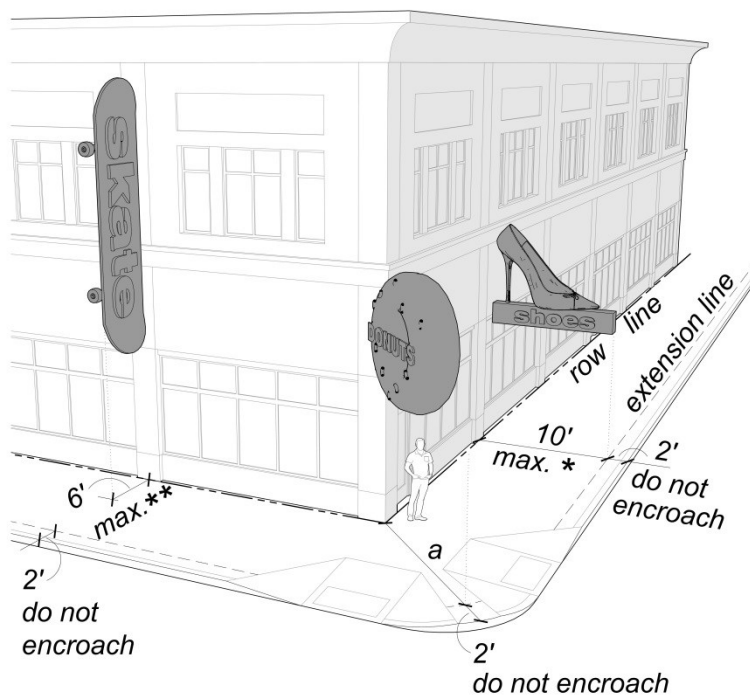
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**FIGURE 9**  
**Diagonal Corner Signs**



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Figure 8  
Signs Projecting into the Right of Way



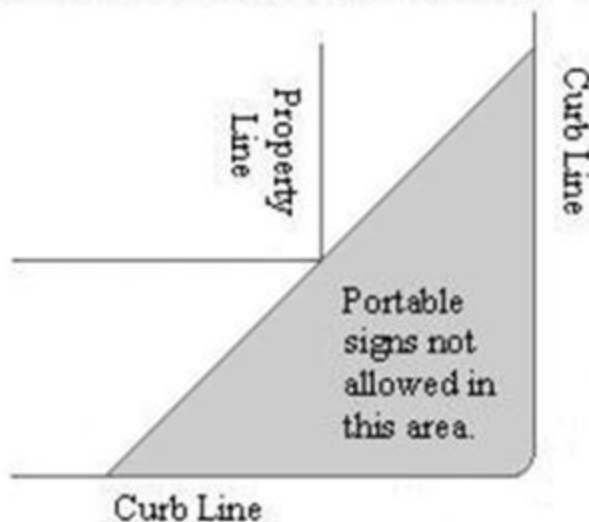
*a* = Allowable extension into right-of-way for diagonal signs

\* = Maximum extension into right-of-way for signs 60 sqft in area

\*\* = Maximum extension into right-of-way for signs 100 sqft in area

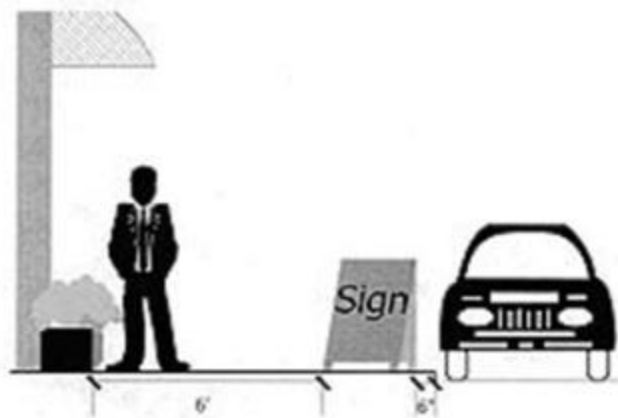
- b. **Maximum Sign Face Area In the Right-of-way.**  
The area of a sign is limited by the amount the sign extends into the right-of-way, as follows:
    - i. A sign extending more than six feet cannot have a total area of projection in excess of sixty square feet; and
    - ii. A sign extending less than six feet may not exceed one hundred square feet in area.
  - c. **Blanketing.**  
A projecting sign that extends into the right-of-way more than three feet may not be within twenty feet of another projecting or freestanding sign that extends more than three feet into the right-of-way if the new sign is within horizontal lines drawn from the top and bottom of the prior sign.
2. **Awnings and Marquees.**  
Awnings and marquees that contain signs may extend into the right-of-way the same distance as awnings and marquees that do not contain signs (See SMC 17F.040.140, Awnings).
- ~~((3. **Temporary Signs.**  
Temporary signs allowed to be placed in the right-of-way in SMC 17C.240.240(G) shall meet the following standards:~~
- ~~a. The sign is entirely outside the roadway.~~
  - ~~b. The sign is no larger than nine square feet in size. The sign face is no wider than three feet and no taller than thirty-six inches.~~
  - ~~c. The sign is entirely outside of the area of a right-of-way corner that is between the curb and the lines created by extending the property line to the curb face (See Figure 10a).~~

**FIGURE 10a**  
**Placement of Portable Signs in the R-O-W**



- ~~d. The sign is entirely outside the area of a sidewalk that is between the lines created by extending the edges of any curb ramp across the sidewalk to the property line.~~
- ~~e. The sign is within six inches of the curb (See Figure 10b)~~

**FIGURE 10b**  
**Placement of Portable Signs in the R-O-W**



f. ~~The sign does not obstruct a continuous through pedestrian zone of at least six feet in width except in center and corridor zones, sandwich board signs which are located on the sidewalk shall be located in such a manner as to leave a pathway at least four feet wide that is free of obstructions.~~

g. ~~The sign does not obstruct pedestrian and wheelchair access from the sidewalk to any of the following:~~

i. ~~Transit stop areas.~~

ii. ~~Designated disabled parking spaces.~~

iii. ~~Disabled access ramps; or~~

iv. ~~Building exits including fire escapes.~~

h. ~~Physical Attachment to Public Property.~~

~~Except as allowed for community banners, temporary signs placed in the right-of-way must remain portable and may not be attached or anchored in any way to trees or to public property including utility or light poles, parking meters, the ground, or pavement.~~

i. ~~Additional Placement Standards for Temporary Signs.~~

~~Temporary signs placed in the right of way must meet the following additional standards:~~

i. ~~Where no curb exists, the sign must be placed outside the roadway at least five feet from the edge of the roadway. Temporary signs may not be placed in medians, traffic islands, or other areas within the roadway.~~

ii. ~~Temporary signs must not be placed in parking spaces, pedestrian pathways, or bicycle paths.~~

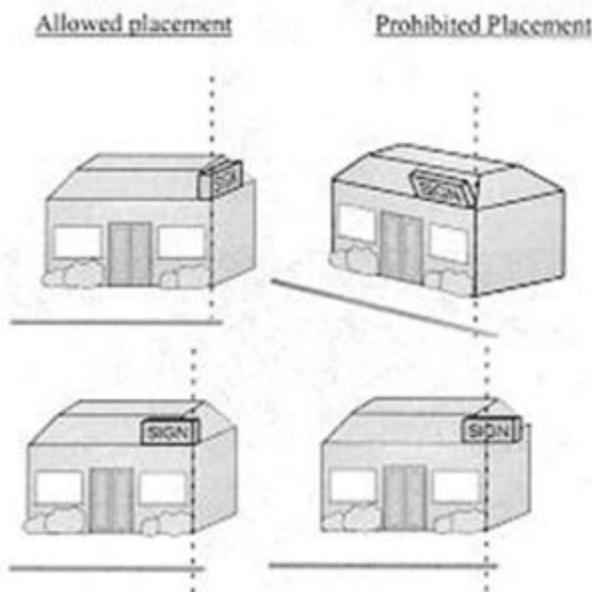
4. ~~Removal of Signs.~~

~~The city engineer may require signs extending into the right-of-way to be modified or moved if streets are widened, or other improvements made in the right of way, which result in the creation of unsafe conditions. The modification or moving will be at the owner's expense. If a nonconforming sign is moved under this requirement, it may be re-erected on the site without being brought into conformance.~~

B. ~~Signs Attached to Buildings or Structures.~~

1. ~~Placement.~~  
~~Signs attached to buildings or structures that are based on the sign rights of a primary building wall may be placed on that primary building wall, on a secondary building wall, or on another structure. They may not be placed on another primary building wall.~~
2. ~~Awnings and Marquees.~~  
~~Signs attached to an awning or marquee that extends into the right-of-way must comply with the pedestrian clearance and right-of-way extension standards of SMC 17F.040.140, Awnings.~~
3. ~~Fascia Signs.~~
  - a. ~~Vertical Extensions.~~  
~~Fascia signs may not extend more than six inches above the top of the building wall. Fascia signs attached to other structures may not extend above the top of the structure.~~
  - b. ~~Horizontal Extensions.~~  
~~A fascia sign may not extend more than eighteen inches out from the wall or structure to which it is attached. Fascia signs may not extend beyond the corner of buildings or other structures.~~
4. ~~Pitched Roof Signs.~~
  - a. ~~Vertical Extensions.~~  
~~The face of pitched roof signs may not extend more than six inches above the roofline.~~
  - b. ~~Placement and Angle.~~  
~~Pitched roof signs must be parallel to the building face. They may not extend beyond the building wall (See Figure 11).~~

**FIGURE 11**  
**Pitched Roof Sign Placement**



5. ~~Projecting Signs.~~
  - a. ~~Vertical extensions.~~  
~~The face of a projecting sign may not extend more than six inches above the roof line.~~



b. ~~Placement.~~

~~Projecting signs that extend over the right-of-way must meet the placement standards of SMC 17C.240.240(C), Signs Extending Into the Right of way.~~

C. ~~Freestanding signs and monument signs.~~

1. ~~Setbacks.~~

~~Freestanding signs are regulated as follows:~~

a. ~~Residential Zones.~~

i. ~~In residential zones, freestanding signs are allowed in required setbacks; however, in required front setbacks, monument signs exceeding three and one-half feet tall shall be setback ten feet from the front property line, provided that the requirements of SMC 17C.240.240(F) are met.~~

ii. ~~Freestanding signs with structural supports less than two feet in width, with copy area placed at a height of seven feet or more above grade, may be located at the front property line, provided that the requirements of SMC 17C.240.240(F) are met.~~

iii. ~~Freestanding signs with structural supports of more than two feet shall be set back not less than ten feet from the front property line, provided that the requirements of SMC 17C.240.240(F) are met.~~

b. ~~Commercial and Industrial Zones.~~

~~In O, OR, NR, NMU, CB, CC-2, GC, LI, and HI zones, freestanding signs are allowed in required setbacks for buildings and parking areas. However, freestanding signs are prohibited in the setback between a property line abutting a residentially zoned site and the building line or parking area setback line.~~

2. ~~Frontages.~~

~~Freestanding signs must be placed on arterial street frontages unless there are none. Freestanding signs that are allowed based on the length of one arterial street frontage may not be placed on another arterial street frontage. Frontage on a freeway is not considered arterial street frontage.~~

3. ~~Extensions Into the Right of way.~~

~~Freestanding signs may project into the public right-of-way as follows:~~

a. ~~No more than ten feet beyond the property line; or~~

b. ~~Within two feet of the curbline, whichever is the smaller projection.~~

c. ~~The area of a sign is limited by the amount of projection beyond the property line, as follows:~~

i. ~~A sign projecting more than six feet cannot have a total area of projection in excess of sixty square feet; and~~

ii. ~~A sign projecting less than six feet may not exceed one hundred square feet in area.~~

d. ~~All supports of a freestanding sign must be on private property.))~~

~~((F-))~~C. Clearances.

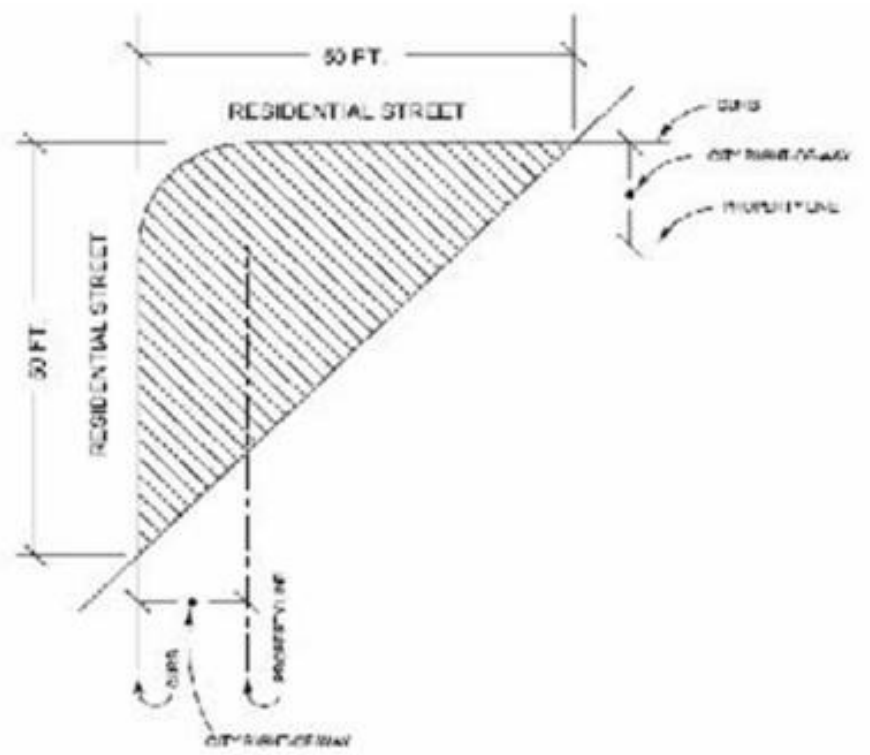
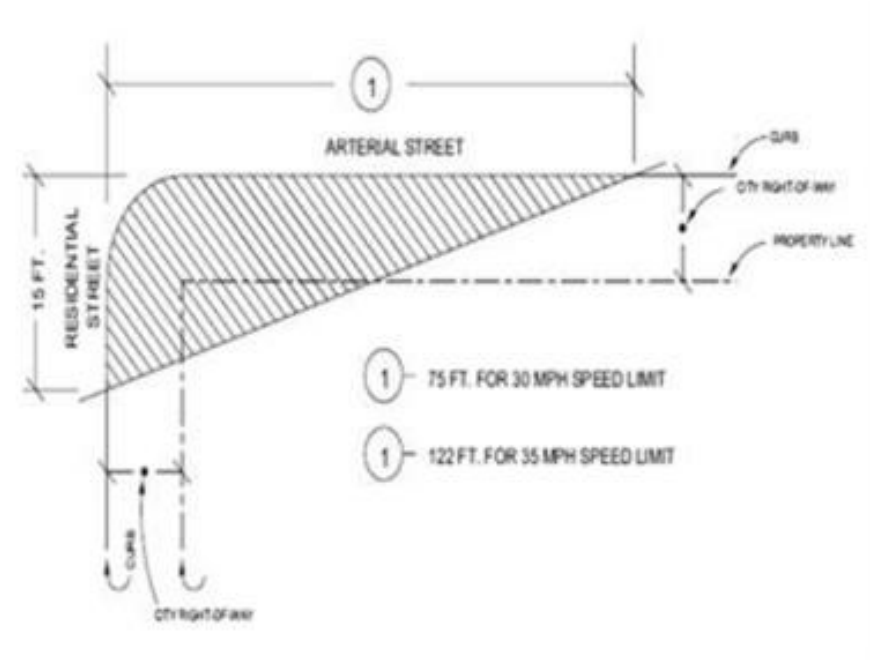
1. ~~((Vision Clearance Areas.))~~Clear View Triangle

a. ~~((Vision Clearance Areas.~~

~~Vision clearance areas are triangular shaped areas located at the intersection of any combination of rights-of-way, alleys, or driveways. The sides of the triangle extend fifteen feet from the intersection of the vehicle travel areas (See Figures 12a and b). The height of the vision clearance area is from thirty six inches above the ground to ten feet above the ground immediately below the sign or awning (See Figure 12c-)).~~ Subject to the authority of the traffic engineer to make adjustments and special requirements in particular cases, all signs and sign

features within the Clear View Triangle defined in SMC 17A.020.030 shall be maintained to keep a vertical clear view zone between three and ten feet from ground immediately below the sign or awning (see Figure 9).

**FIGURE 12a**  
**Vision Clearance Area**



- b. ~~((Signs in Vision Clearance Areas.))~~ Signs may not be located within a ~~((vision clearance area))~~ clear view triangle as defined in this paragraph. Support structures for a sign may only be located in a ~~((vision clearance area))~~ clear view triangle if the combined total width is twelve inches or less and the combined total depth is twelve inches or less.

2. Vehicle Area Clearances.

In areas outside of rights-of-way, when a sign or awning extends over where vehicles travel or are parked, the bottom of the structure must be at least fourteen feet above the ground. Vehicle areas include driveways, alleys, parking areas, and loading and maneuvering areas.

3. Pedestrian Area Clearances.

When a sign or awning extends over a sidewalk, walkway, or other space used by pedestrians, the bottom of the structure must be at least eight feet above the ground. Free-hanging valances made of fabric or other non-rigid material hung on signs, awnings, and marquees must be at least seven feet above of a sidewalk, walkway, or other space used by pedestrians.

~~((4. Clearances from Fire Escapes, Means of Egress, or Standpipes.~~

~~Signs, sign structures, and awnings are prohibited from being erected in any manner that interferes in any way with the free use of any fire escape, means of egress, or standpipe. Attaching signs, sign structures, or awnings to a fire escape is prohibited.~~

~~5. Obstruction of Windows and Ventilation.~~

~~Signs, sign structures and awnings are prohibited from being installed in any way that obstructs any building openings to such an extent that light, ventilation, or exhaust are reduced to a level below that required by the building code.))~~

4. Access to Signs.

Access clear of all obstructions must be provided to all signs.

~~((D. Temporary Signs.~~

~~The following signs are classified as temporary (non-permanent). Temporary signs are permitted subject to the applicable limitations.~~

~~4. Construction Signs.~~

~~No sign permit is required. Such signs may be placed on the property on which construction is occurring upon private property only and may be displayed only after a building permit is obtained and during the period of construction on the construction site. The applicable limits are as follows:~~

- a. ~~In all zones other than single family residential zones, no construction sign shall exceed thirty two square feet in sign area or ten feet in height.~~

- b. ~~In single family residential zones, no construction sign shall exceed fifteen square feet in sign area.~~

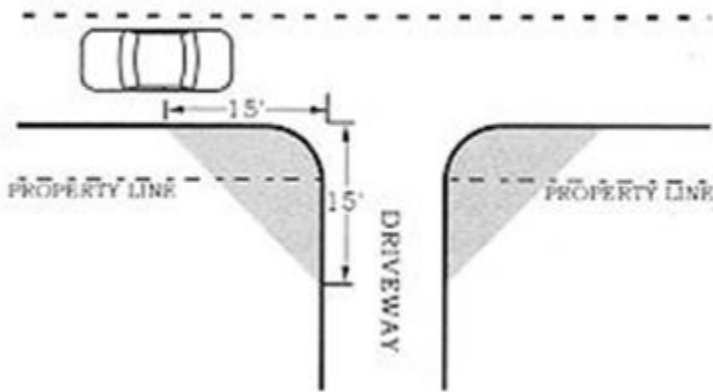
~~5. Grand Opening Displays.~~

~~No sign permit is required. Such signs may be placed upon the premises of the business only. Such temporary signs, posters, banners, strings of lights, clusters of flags, balloons, or other air or gas filled figures, and searchlights are permitted for a period of thirty days only to announce the opening of a completely new business. All such materials shall be removed immediately upon the expiration of seven days after the event's conclusion. Such displays are permitted only in districts where the business so advertised is allowed under district zoning regulations. Searchlights may be permitted by any business provided the beam of light does not flash against any building or does not sweep an arc of forty five percent from vertical. All banners must be legible, made of durable materials, and must be well maintained.~~

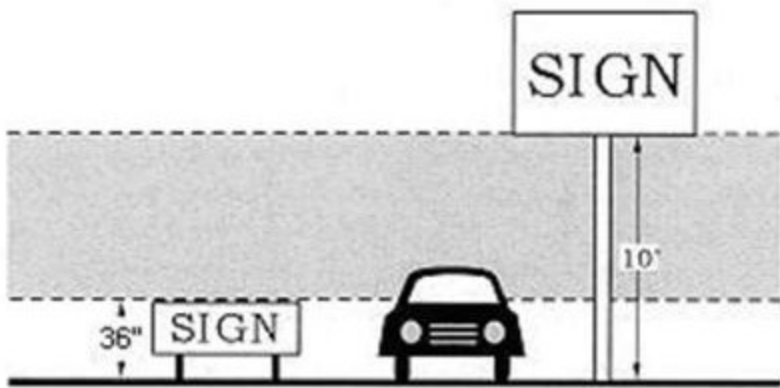
~~6. Special Event Signs.~~

~~No sign permit is required. Such temporary signs may be placed upon the premises of the business only and shall not be larger than twenty square feet. Said signs shall not be posted or attached to telephone poles, power poles, or other public utility facilities. Such signs may be displayed thirty days prior to an event and must be removed within seven days after the event's conclusion. The event committee for which the sign is displayed shall be responsible for its removal and subject to the penalties as provided in this code. Searchlights may be permitted by any business provided the beam of light does not flash against any building or does not sweep an arc of forty five percent from vertical. All banners must be legible, made of durable materials, and must be well maintained.~~

**FIGURE 12b**  
**Vision Clearance for Driveways**

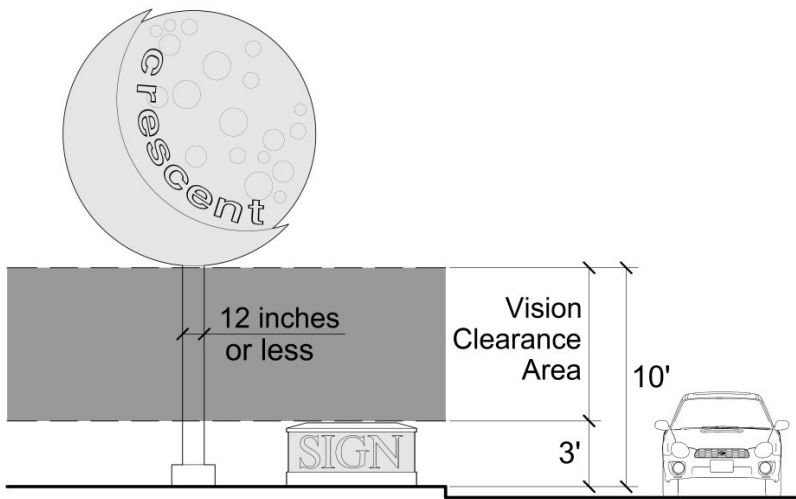


**FIGURE 12c**  
**Vision Clearance Area Height**



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Figure 9  
Vertical Clear View Zone



7. ~~Balloon Signs.~~

~~No sign permit is required. Such signs may be placed upon the premises of the business only. One balloon sign is allowed per site for a maximum of one month at a showing twice per calendar year in the commercial and industrial zones. Temporary balloon signs may be located on a building rooftop. The vertical dimension of the balloon may not exceed twenty-five feet.~~

8. ~~Real Estate Signs.~~

~~No sign permit is required. Such signs may be placed upon private property only. All exterior real estate signs must be of wood or plastic or other durable material. The permitted signs, with applicable limits, are as follows:~~

a. ~~Residential "For Sale," "For Rent," and "Sold" Signs.~~

~~Such signs shall be limited to one sign per street frontage not to exceed five square feet in sign area, placed wholly on the property for sale or rent, and not to exceed a height of seven feet.~~

b. ~~Residential "Open House" Signs.~~

~~Such signs shall be limited to one sign per street frontage on the premises for sale and up to ten off premises signs spaced not closer than two hundred feet. Such signs are permitted only during daylight hours and when the real estate professional or seller or an agent is in attendance at the property for sale. No such sign shall exceed five square feet in sign area.~~

c. ~~Undeveloped Commercial and Industrial Property "For Sale or Rent" Signs.~~

~~One sign per street frontage advertising undeveloped commercial and industrial property for sale or rent. The sign shall not exceed thirty-two square feet in sign area and ten feet in height.~~

d. ~~Developed Commercial and Industrial Property "For Sale or Rent" Signs.~~

~~One sign per street frontage advertising a commercial or industrial building for rent or sale is permitted while the building is actually for rent or sale. If one face of the building is less than ten feet from the building line, the sign shall be placed on the building or in a window. The sign shall not exceed ten feet in height and, if free-standing, shall be located more than fifteen feet from any abutting property line or a public right of way line. Said sign shall not exceed thirty-two square feet in sign area.~~

e. ~~Undeveloped Residential Property "For Sale" Signs.~~

~~One sign per street frontage advertising undeveloped residential property for sale is permitted not exceeding thirty-two square feet in sign area. The sign must be placed more than thirty feet from the abutting owner's property line and may not exceed a height of ten feet.~~

f. ~~Subdivisions approved after the effective date of this chapter are permitted one cluster of flagpoles (not to exceed five flagpoles) in front of sales offices to advertise the new development.~~

9. ~~Political Campaign Signs.~~

~~All signs which are relating to promoting or publicizing the nomination or election of any individual for a public political office to be voted on in any primary, general or special election or advocating any ballot measure to be voted on in any primary, general or special election, hereinafter referred to as political campaign signs, are permitted subject to the following regulations:~~

a. ~~Size of Signs.~~

~~Political campaign signs located on private property in a residential zone shall be limited to a maximum surface area of sixteen square feet. Political campaign signs located on private property in zones other than residential zones shall be limited to a maximum surface area of thirty-two square feet. Political campaign signs located in the public right-of-way as set forth in subsection c shall be limited to a maximum surface area of five square feet with a maximum height of five feet. The maximum square footage shall be based upon one side of the sign. Signs may be two-sided.~~

b. ~~Signs on Private Property.~~

~~Political campaign signs may be erected upon any private property with the permission of the property owner, resident, or respective agent. In cases of vacant property, or where there is no occupied structure on the property, political signs may be placed thereon with the written consent of the property owner or his agent.~~

- ~~c. Political Campaign Signs on the Public Right of way.~~  
~~Placement of political campaign signs on the public right of way must have the permission for such placement of the abutting property owner, resident or respective agent. For purposes of this section, the public right of way shall mean that portion of the public right of way located next to a street between the roadway and the adjacent private property open to the public for general pedestrian passage, including the buffer/planting strip. Political campaign signs may be posted preceding a primary, general or special election within the public right of way only if the signs do not create a traffic obstruction or hazard or impair or impede pedestrian thoroughfares and comply with all requirements of this section. Political campaign signs located in the public right of way shall only be attached to a self supporting wood stick(s), metal post, or other such devices, shall not be attached to any other structures and shall not be erected in any manner which would damage the surface infrastructure in which the sign is located.~~
- ~~d. Method of Display.~~  
~~Political campaign signs authorized under this section shall not be displayed using digital, flashing, electronic, or solar technology unless specifically authorized by other provisions of the Spokane Municipal Code. Political campaign signs authorized under this section, either on private property or within the public right of way, are subject to all other regulations regarding temporary signs.~~
- ~~e. Unauthorized Signs on City Property.~~  
~~Unauthorized signs of any nature located on City owned or maintained property or on any portion of park property under the jurisdiction of the park board are prohibited and shall be immediately removed unless specifically authorized by law. City owned or maintained property shall include all property held in the City's name or controlled by easement or other legal devices, including all portions of the public right of way. This prohibition shall not apply to political campaign signs located in the public right of way adjacent to vacant city owned property.~~
- ~~f. Removal of Signs.~~

  - ~~i. Political campaign signs on the public right of way as defined in this section or private property shall not be displayed after the date the election results have been certified for the election for which it was intended. In cases where a general election follows a primary election, those signs for candidates whose names will appear on the ballot in the general election may be displayed during the interim period and up to the date the general election results are certified. In all instances herein in which political campaign signs are required to be removed, or if the signs have become detached from their support device or damaged, it shall be the responsibility of the property owner or occupant, if the sign is located on private property, or the respective candidate, if the sign is located on the public right of way, to have the signs removed.~~
  - ~~ii. Failure to remove political campaign signs located on the public right of way shall result in a one-time sign removal fee of twenty five dollars per sign under fifteen square feet and fifty dollars for signs over fifteen square feet being assessed against the respective responsible campaign official. For the purpose of recovering the costs of removal there is a rebuttable presumption that the candidate seeking office or the sponsor of a ballot measure is the responsible campaign official who is responsible for the placement of a political campaign sign in the public right of way. Removal of signs located in the public right of way shall be under the direction of the director of public works and utilities or his or her designee.~~
  - ~~iii. Failure to remove political campaign signs located on private property shall result in a civil infraction assessed pursuant to SMC 1.05.160 against the property owner or occupant for each sign. Each day shall be a separate violation. A notice to remove the sign shall be issued by the code enforcement department to the property owner and/or occupant prior to the issuance of a civil infraction pursuant to SMC 1.05.040.~~
  - ~~iv. The sign removal fee may be appealed to the hearing examiner within ten days of a letter assessing the fee. A civil infraction may be contested in the municipal court.~~

- ~~g. Signs Related to Constitutionally Protected Free Speech.~~  
~~Signs expressing constitutionally protected free speech located on private property, including the public right-of-way adjacent to the private property, as defined in this section, unrelated to promoting or publicizing the nomination or election of any individual for a public political office or advocating any ballot measure to be voted on in any primary, general or special election shall not be subject to the time period for the removal of political campaign signs, but shall otherwise be subject to all other provisions of this section.~~
- ~~h. Public Notice.~~  
~~Nothing in this chapter shall be construed to prohibit or modify the requirements for placement of public notices required by law.~~
- ~~i. Exemption.~~  
~~Nothing in this chapter shall limit the promotion or publication of a political message by other means lawfully permitted under the City's sign code, chapter 17C.240 SMC.~~
- ~~j. Permit or Permit Fees.~~  
~~There shall be no permit or fee requirement for political campaign signs erected under this section unless the sign is attached to a sign structure permitted under other provisions of the sign code that requires a permit and fee.~~
- ~~10. Community Banners.~~  
~~Such signs may be permitted and extend into the public right-of-way by permission of the city administrator or appointed representative. Such signs may only be placed at City-designated locations provided that the banner:~~

  - ~~a. is not commercial advertising but, rather, has as its principal purpose the promotion of a civic event, public service announcement, holiday decoration, or similar community interests;~~
  - ~~b. has been approved by the arts commission;~~
  - ~~c. complies with all applicable codes; and~~
  - ~~d. does not, in the judgment of the street director, present a traffic hazard.~~
- ~~11. Banners.~~  
~~See SMC 17C.240.240(G)(2) for grand opening displays and SMC 17C.240.240(G)(3) for special event signs.~~
- ~~12. Sandwich Board Signs.~~  
~~Businesses will only be allowed a maximum of one sandwich board sign. These signs are subject to the following conditions:~~

  - ~~a. Notification.~~  
~~Notification to the City is required prior to displaying a sandwich board sign. This notification shall include acknowledgement of the sandwich board sign requirements, list of materials used, and rendering of the sign, including the dimensions.~~
  - ~~b. Size.~~  
~~The area of the sign shall not exceed nine square feet per side in size and shall not exceed three feet in any dimension.~~
  - ~~c. Maintenance Standards.~~  
~~Signs shall be constructed out of materials able to withstand typical northwest weather. Such materials may be metal, finished wood, chalkboard, whiteboard, or plastic; signs and copy shall be of professional quality. Owners of sandwich board signs shall be required to keep their signs in a legible, intact, and well maintained manner.~~
  - ~~d. Display Time.~~  
~~Signs may only be displayed during business hours. If business hours continue past daylight hours, precautions should be taken to place the sign in a location where it is readily visible after dark. This shall not be construed to allow the wiring of a sign for lighting.~~

e. ~~Location.~~

~~Signs may be located no further than twelve feet from the entrance to the business. Such signs shall not be placed in a location which is within the vision triangle or any location which will impede vehicular traffic. Further, such signs shall not be placed in a manner which will block or otherwise obstruct the safe use of sidewalks, building entrances or stairs by pedestrians, including pedestrians who are visually impaired or otherwise handicapped.~~

13. ~~Garage Sale (Yard Sales, Moving Sales, Patio Sales).~~

~~No sign permit is required. Such sign shall be limited to one sign on the premises and ten off premises signs. No such sign shall exceed four square feet in sign area. Signs shall not be posted or attached to telephone poles, power poles or other public utility facilities. The sign or signs may be displayed only during the sale and must be removed the day the sale ends. The person or persons for which the sign or signs are displayed shall be responsible for its removal and subject to the penalties as provided in this code.~~

14. ~~Seasonal Sales.~~

~~No sign permit is required. Such temporary signs may be placed upon private property only. Vendors who receive a license as defined in chapter 8.01 SMC for seasonal or temporary sales activities (e.g. Christmas trees) are permitted one sign not to exceed twenty square feet in sign area. This sign shall be mounted to the booth or trailer used for temporary sales.~~

D. ~~Directional Signs.~~

1. ~~General Standards.~~

~~Directional signs that meet the standards of this subsection are allowed in all zones and are not counted in the total square footage of permanent signage allowed on the site. Adjustments or modifications to the standards of this subsection are prohibited.~~

2. ~~Size.~~

~~Freestanding directional signs may be up to six square feet in area and forty two inches in height. Fascia directional signs may be up to six square feet in area and eight feet in height.~~

3. ~~Sign Features.~~

~~Direct, internal or indirect lighting is allowed. Extensions into the right of way are prohibited.~~

4. ~~Directional Signs that Do Not Meet the Standards of this Subsection.~~

~~Directional signs that do not meet the standards of this subsection must meet either the standards for signs attached to buildings or the standards for freestanding signs.~~

E. ~~Permanent Banners.~~

1. ~~General.~~

~~Banners used as permanent signs are allowed in all zones and will be included in the total square footage of permanent signage allowed on the site. Temporary banners are regulated under subsection (G) above.~~

2. ~~Standards.~~

~~Permanent banners are subject to the standards for either fascia signs or projecting signs depending on how the banner is supported or anchored.~~

F. ~~Electronic Message Center Signs.~~

~~Electronic message center signs are permitted subject to the limitations in Table 17C.240-4.))~~

D. Removal of Signs.

1. The director of public works and utilities may require any legally permitted or legal non-conforming signs extending into the right-of-way to be modified or moved if streets are widened, or other improvements made in the right-of-way, which result in the creation of unsafe conditions. The modification or moving will be at the owner's expense. If a legal nonconforming sign is moved under this requirement, it may be re-erected on the site without being brought into conformance.
2. Abandoned signs and signs not explicitly allowed within the right-of-way shall be subject to immediate removal, under the authority of the director of public works or his/her designee.



**Section 19.** That there is adopted a new section 17C.240.241 to chapter 17C.240 of the Spokane Municipal Code to read as follows:

**Section 17C.240.241 Building Mounted Wall Signs.**

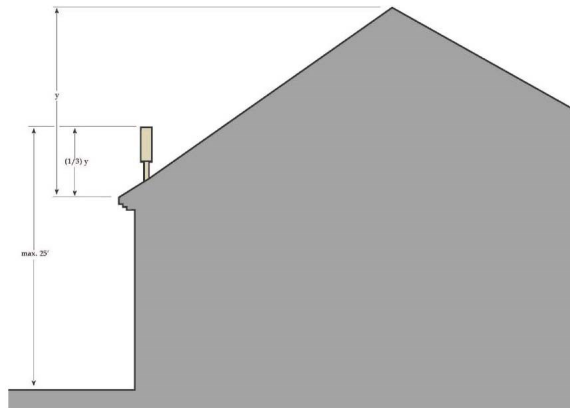
- A. Placement.  
Signs attached to buildings or structures that are based on the sign rights of a primary building wall may be placed on that primary building wall, on a secondary building wall, or on another structure. They may not be placed on another primary building wall.
- B. Awnings and Marquees.  
Signs attached to an awning or marquee that extends into the right-of-way must comply with the pedestrian clearance and right-of-way extension standards of SMC 17F.040.140, Awnings
- C. Fascia Signs.
  - 1. Vertical Extensions.  
Fascia signs may not extend more than six inches above the top of the building wall. Fascia signs attached to other structures may not extend above the top of the structure.
  - 2. Horizontal Extensions.  
A fascia sign may not extend more than eighteen inches out from the wall or structure to which it is attached. Fascia signs may not extend beyond the corner of buildings or other structures.
- D. Projecting Signs.
  - 1. Vertical extensions.  
The face of a projecting sign may not extend more than six inches above the roof line.
  - 2. Placement.  
Projecting signs that extend over the right-of-way must meet the placement standards of SMC 17C.240.170(B), Signs Extending Into the Right-of-way.

**Section 20.** That there is adopted a new section 17C.240.242 to chapter 17C.240 of the Spokane Municipal Code to read as follows:

**Section 17C.240.242 Roof-Mounted Signs**

- A. No permit shall issue for a roof-mounted sign which does not comply with the following standards:
  - 1. Number. No more than one (1) roof-mounted sign shall be allowed for each building.
  - 2. Area. The area of the roof-mounted sign shall not exceed the total amount of wall sign area that would be allowed for the building or site on which the roof mounted sign is located.
  - 3. Location. Allowed on the slope of peaked/sloped roof buildings only, and only on the lowest one-third (1/3) of the slope of the peaked roof. Roof-mounted signs shall be installed so that the structural supports of the sign are minimized. Angle irons, guy wires, braces or other secondary supports shall appear to be an integral part of the roof or roof-mounted sign.
  - 4. Zone. Roof-mounted signs are permitted in nonresidential zones only.
  - 5. Design. Roof-mounted signs may be non-illuminated, internally illuminated or indirectly illuminated, provided that the light is limited to the sign face only.

**Figure 10**  
Roof Mounted Signs



**Section 21.** That there is adopted a new section 17C.240.243 to chapter 17C.240 of the Spokane Municipal Code to read as follows:

**Section 17C.240.243 Freestanding Signs**

**A. Setbacks.**

Freestanding signs are regulated as follows:

**1. Residential Zones.**

- a. In residential zones, freestanding signs are allowed in required setbacks; however, in required front setbacks, monument signs exceeding three and one-half feet tall shall be setback ten feet from the front property line, provided that the requirements of SMC 17C.240.170(C) are met.
- b. Freestanding signs with structural supports less than two feet in width, with copy area placed at a height of seven feet or more above grade, may be located at the front property line, provided that the requirements of SMC 17C.240.170(C) are met.
- c. Freestanding signs with structural supports of more than two feet shall be set back not less than ten feet from the front property line, provided that the requirements of SMC 17C.240.170(C) are met.

**2. Commercial and Industrial Zones.**

In O, OR, NR, NMU, CB, CC-2, GC, LI, and HI zones, freestanding signs are allowed in required setbacks for buildings and parking areas. However, freestanding signs are prohibited in the setback between a property line abutting a residentially zoned site and the building line or parking area setback line.

**B. Frontages.**

Freestanding signs must be placed on arterial street frontages unless there are none. Freestanding signs that are allowed based on the length of one arterial street frontage may not be placed on another arterial street frontage. Frontage on a freeway is not considered arterial street frontage.

**C. Extensions Into the Right-of-way.**

Freestanding signs may project into the public right-of-way as follows, provided they also meet the requirements of 17C.240.170(B):

1. No more than ten feet beyond the property line; or
2. Within two feet of the curblineline, whichever is the smaller projection.
3. The area of a sign is limited by the amount of projection beyond the property line, as follows:
  - a. A sign projecting more than six feet cannot have a total area of projection in excess of sixty square feet; and

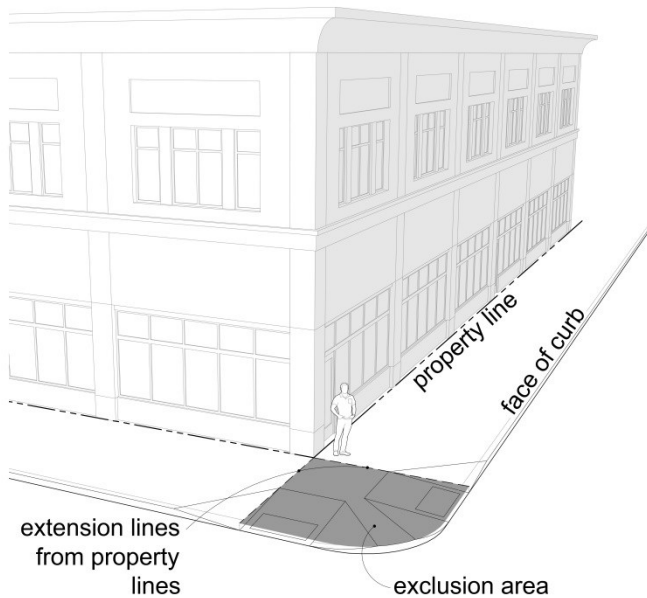
- b. A sign projecting less than six feet may not exceed one hundred square feet in area.
- 4. All supports of a freestanding sign must be on private property.
- D. Directional Signs.
  - 1. General Standards.  
Directional signs that meet the standards of this subsection are allowed in all zones and are not counted in the total square footage of permanent signage allowed on the site. Adjustments or modifications to the standards of this subsection are prohibited.
  - 2. Size.  
Freestanding directional signs may be up to six square feet in area and forty two inches in height. Fascia directional signs may be up to six square feet in area and eight feet in height.
  - 3. Sign Features.  
Direct, internal or indirect lighting is allowed. Extensions into the right-of-way are prohibited. Up to 25 percent of the area of the sign may contain a logo, image, or other copy.
  - 4. Directional Signs that Do Not Meet the Standards of this Subsection.  
Directional signs that do not meet the standards of this subsection must meet either the standards for signs attached to buildings or the standards for freestanding signs.

**Section 22.** That there is adopted a new section 17C.240.244 to chapter 17C.240 of the Spokane Municipal Code to read as follows:

**Section 17C 240.244 Temporary Signs**

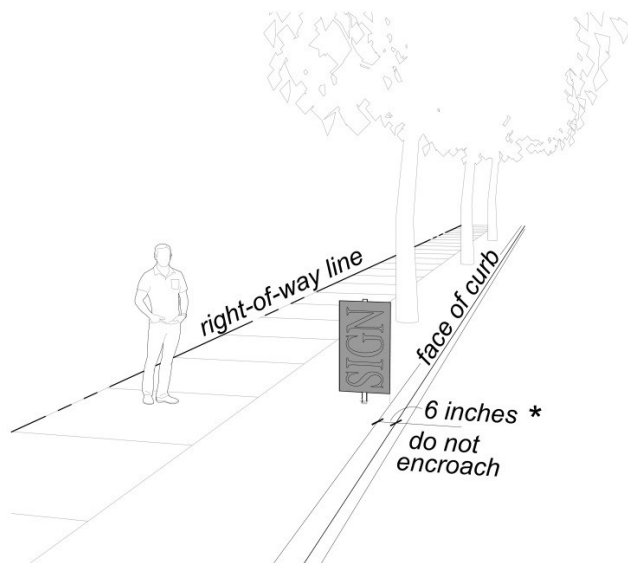
- A. No Permit required. No sign permit is required for temporary signs.
- B. Removal. Any abandoned temporary sign, or other temporary signs that are not explicitly allowed within the right-of-way shall be removed. Failure to remove such signs shall constitute a violation of this chapter.
  - 1. The director of public works and utilities shall have the authority to require the immediate removal of any abandoned temporary sign or other temporary signs not explicitly allowed in the public right-of-way.
  - 2. Authority over abandoned temporary signs in other locations is described in SMC 17C.240.050. The removal shall be at the cost of the sign and/or property owner.
- C. Materials. See the definition of “temporary sign” in Section 17C.240.015.
- D. City property (excluding City right-of-way). Temporary signs on City-owned property (excluding City right-of-way) are allowed only in conjunction with an approved Special Event permit.
- E. City Right-of-Way outside of the Roadway. Temporary signs allowed to be placed in the right-of-way shall meet the following standards:
  - 1. The sign is entirely outside the roadway.
  - 2. The sign is no larger than the maximum allowed for a freestanding temporary sign in the zoning district.
  - 3. The sign is entirely outside of the area of a right-of-way corner that is between the curb and the lines created by extending the property line to the curb face (See Figure 11a).

Figure 11a  
Exclusion Area



4. The sign is entirely outside the area of a sidewalk that is between the lines created by extending the edges of any curb ramp across the sidewalk to the property line.
5. The edge of the sign is within six inches of the curb (See Figure 11b).

Figure 11b  
Temporary Signs in the Right of Way



\* = Where no curb is present, distance must be 5' from edge of roadway

6. The sign does not obstruct a continuous through pedestrian zone of at least six feet in width.
7. The sign does not obstruct pedestrian and wheelchair access from the sidewalk to any of the following:
  - a. Transit stop areas.

- b. Designated disabled parking spaces.
    - c. Disabled access ramps; or
    - d. Building exits including fire escapes.
  - 8. Physical Attachment to Public Property.  
See SMC 17C.240.070(I).
  - 9. Additional Placement Standards for Temporary Signs.  
Temporary signs placed in the right-of-way must meet the following additional standards:
    - a. Where no curb exists, the sign must be placed outside the roadway at least five feet from the edge of the roadway. Temporary signs may not be placed in medians, traffic islands, or other areas within the roadway.
    - b. Temporary signs must not be placed in parking spaces, pedestrian pathways, or bicycle paths. Residential zones.
    - c. Temporary signs placed in the right-of-way must have the permission for such placement of the abutting property owner, resident, or respective agent. For purposes of this section, the public right-of-way shall mean that portion of the public right-of-way located next to a street between the roadway and the adjacent private property open to the public for general pedestrian passage, including the buffer/planting strip.
- F. Temporary signs may be placed on property residentially zoned in accordance with the requirements of this Section and the following:
- 1. Freestanding signs (includes post-mounted, stake and portable signs).
    - a. Single-family zones: Temporary free-standing signs shall not exceed four (4) square feet in size and five (5) feet in height, if the sign is post mounted on the ground, and not to exceed three (3) feet in height if the sign is stake-mounted or portable.
    - b. Multi-family zones: Temporary free-standing signs shall not exceed six (6) square feet in size and five (5) feet in height if the sign is post mounted on the ground, and not to exceed three (3) feet in height if the sign is stake-mounted or portable.
  - 2. Surface-mounted signs. Limited to sites two (2) acres or larger:
    - a. Size. No larger than thirty-two (32) square feet.
    - b. Location. Must be flatly affixed to walls below the fascia or parapet line, or flatly affixed to on-site fences either facing or abutting the street, or facing inward to the subject site. Signs shall not be attached or tethered to other site improvements.
- G. Non-residential zones. Temporary signs are allowed on non-residentially zoned property in accordance with the requirements of this Section and the following:
- 1. Freestanding signs (including post-mounted, stake and portable signs): Size/height. Limited to four (4) square feet and five (5) feet in height if the temporary sign is mounted in the ground, and not to exceed three (3) feet in height if the temporary sign is portable.
  - 2. Surface-mounted signs:
    - a. Size. Limited to thirty-two (32) square feet.
    - b. Location. Must be flatly affixed to walls below the fascia or parapet line, or flatly affixed to on-site fences either facing the abutting street, or facing inward to the subject site. Signs shall not be attached or tethered to other site improvements.

**Section 23.** That there is adopted a new section 17C.240.245 to chapter 17C.240 of the Spokane Municipal Code to read as follows:

**Section 17C.240.245 Sandwich Board Signs**

- A. Sandwich board signs shall be limited to one sign per address. These signs are subject to the following conditions:
1. **Size.**  
The area of the sign shall not exceed nine square feet per side in size and shall not exceed three feet in any dimension.
  2. **Maintenance Standards.**  
Signs shall be constructed out of materials able to withstand typical northwest weather. Such materials may be metal, finished wood, chalkboard, whiteboard, or plastic; signs and copy shall be of professional quality. Owners of sandwich board signs shall be required to keep their signs in a legible, intact, and well-maintained manner.
  3. **Display Time.**  
Signs may only be displayed during business or event hours. If business or event hours continue past daylight hours, precautions should be taken to place the sign in a location where it is readily visible after dark. This shall not be construed to allow the wiring of a sign for lighting.
  4. **Location.**  
Signs may be located no further than twelve feet from the business, sponsoring establishment, or event location. Such signs shall not be placed in a location which is within the vision triangle or any location which will impede vehicular traffic. Further, such signs shall not be placed in a manner which will block or otherwise obstruct the safe use of sidewalks, building entrances or stairs by pedestrians, including pedestrians who are visually impaired or otherwise handicapped.

**Section 24.** That there is adopted a new section 17C.240.246 to chapter 17C.240 of the Spokane Municipal Code to read as follows:

**Section 17C.240.246 Community Banners**

- A. **Community Banners.**  
Such signs may be permitted and extend into the public right-of-way by permission of the city administrator or appointed representative. Such signs may only be placed at City-designated locations provided that the banner:
1. is not commercial advertising but, rather, has as its principal purpose the promotion of a civic event, public service announcement, holiday decoration, or similar community interests;
  2. complies with all applicable codes and officially adopted city policies; and
  3. does not, in the judgment of the street director, present a traffic hazard.

**Section 25.** That there is adopted a new section 17C.240.247 to chapter 17C.240 of the Spokane Municipal Code to read as follows:

**Section 17C.240.247 Electronic Message Center Signs**

- A. **Electronic Message Center Signs.**  
Electronic message center signs are permitted subject to the limitations in Table 17C.240-4.

**Table 17C 240-4 Electronic Message Center Sign Features**

<b>Zoning Category</b>	<b>Maximum Allowed Sign Size by Zoning Designation: Freestanding/Wall</b>	<b>Electronic Message Center Sign Size</b>	<b>Hours of Operation</b>	<b>Brightness</b>	<b>Timing</b>	<b>Content</b>	<b>Signs Using Video Display Methods Permitted?</b>
<u>CC4</u>	Wall: 15 sq. ft. Freestanding: 15 sq. ft.	Not Allowed					
<u>All Residential &amp; CA4</u>	Residential Use: 15 sq. ft. Institutional Use: Wall: 50 sq. ft. Freestanding: 50 sq. ft.	Not allowed for residential use.  Not greater than 50% of the allowed sign size for institutional uses.	Shall be turned off between the hours of 10 pm and 6 am	[1]	[2][3]	On premises advertising only	No
<u>CC1, CA1 &amp; CA2</u>	Wall: 50 sq. ft. Freestanding: 50 sq. ft.	No greater than 50% maximum total allowable sign area	Not Limited	[1]	[2][3]	On premises advertising only	No
<u>O, OR, NR [4], NMU</u>	Wall: 50 sq. ft. Freestanding: 50 sq. ft.	No greater than 50% maximum total allowable sign area	Not Limited	[1]	[2][3]	On premises advertising only	No
<u>CC2, CB, CA3</u>	Wall: 100 sq. ft. Freestanding: 75 sq. ft.	No greater than 50% maximum total allowable sign area or 48 sq. feet. (the lesser of the two)	Not Limited	[1]	[2][3]	On premises advertising only	No
<u>GC, LI, HI</u>	Wall: 250 sq. ft. Freestanding: 250 sq. ft.	No greater than 50% maximum total allowable sign area or 48 sq. feet. (the lesser of the two)	Not Limited	[1]	[2][3]	On premises advertising only	Yes
<u>DTC, DTG, DTU, DTS [5]</u>	Wall: 250 sq. ft. Freestanding: 250 sq. ft.	Not Allowed					

**Notes:****[1] Brightness:**

- Electronic message centers in all zones shall come equipped with an automatic dimming photocell, which automatically adjusts the display's brightness based on ambient light conditions.
- The brightness level in all zones shall not increase by more than 0.3 foot candles (or 3.23 lumens per square meter or lux) as measured using a foot candle meter at a pre-set distance.
- Brightness measurement process for electronic message centers shall be as follows:
  - a. At least 30 minutes past sunset, use a foot candle meter to record the ambient light reading for the area. This is done while the electronic message center is off or displaying all black copy.
  - b. The reading should be taken with the meter aimed directly at the electronic message center and measured from a distance of 100 feet.
  - c. Turn on the electronic message center to full white copy and take another reading.
  - d. If the difference between the readings is 0.3 foot candles or less, the brightness is properly adjusted.
- The owners of such signs shall include a signed letter accompanying their permit application, certifying that they will comply with the prescribed brightness limitations set by this ordinance.

**[2] Timing:** Electronic message centers shall display static images for not less than two seconds before transitioning to another static image. Transitions may utilize frame effects but flashing signs are prohibited.

**[3] Duration:** An animated sign or any portion of a sign that uses a video display method shall have a minimum duration of two seconds and a maximum duration of five seconds.

**[4] NR Zone Limitation:** In the NR Zone, electronic message centers are allowed only on sites that have frontage on a Minor or a Principal Arterial as designated on the Official Arterial Street Map, SMC 12.08.040.

**[5] Downtown Zone Prohibition:** Electronic message centers are prohibited in all downtown zones. Existing electronic message center signs are nonconforming signs and are subject to the provisions of SMC 17C.240.280

**Section 26.** That SMC Section 17C.240.250 is amended to read as follows:

### **Section 17C.240.250 Off-premises Signs**

- A. No new off-premises signs may be constructed, on any site.
- B. Off-premises signs now in existence in any zone, meeting the requirements of 17C.240.280, are ~~((declared))~~ considered nonconforming uses and may remain, subject to the following restrictions:
  1. A nonconforming off-premises sign may not be increased in size or elevation, relocated to another site or to a new location on the same site or expanded, enlarged, or extended in any way, including, but not limited to, the addition of advertising faces or the addition of rotating faces with movable panels designed to create additional advertising, except as provided for in the public works exception below.
  2. Public Works Exception.  
~~((An existing))~~ A legal, non-conforming off-premises sign that is allowed to remain in conformance with ~~((SMC 17C.240.250(B)))~~ this section shall be allowed to be relocated if necessitated for the accomplishment of a governmental public works project. This relocation of these off-premises signs for public works projects shall be subject to the limitations in subsections (a) through ~~((e-))~~ f below:
    - a. No increase in square footage of ~~((outdoor advertising display))~~ off-premises sign copy shall be permitted. These signs shall be replaced at the same size they existed at immediately prior to relocation.
    - b. No additional ~~((outdoor advertising))~~ sign faces shall be added.
    - c. No increase in height of the existing ~~((outdoor advertising display))~~ off-premises sign shall be permitted except where needed to provide for minimum height clearance (from the ground to the bottom of the off-premises signs) to comply with roadway safety.
    - d. The ~~((outdoor advertising display))~~ off-premises sign shall be relocated along the same roadway it was removed from in the geographical vicinity and shall comply with the Scenic Vistas Act of 1971 (chapter 47.42 RCW and chapter 468-66 WAC) if located along a state highway. For purposes of this provision, the term "roadway" shall apply to both directions of a couplet.
    - e. The off-premise sign shall not be relocated to a site with a Residential, Neighborhood Retail, or Center and Corridor zoning designation including CA zones, or located within an historic district, regardless of the zoning or district of the original sign location.
    - ~~((e-))~~ f. The relocation of the ~~((outdoor advertising))~~ off-premises sign shall be subject to all current City of Spokane rules, regulations, and procedures relating to the regulation and control of ~~((off-premises))~~ signs~~((:-))~~, excepting size, height, and off premise advertising limitations.
  3. A nonconforming off-premises sign may not be structurally altered. Structural alterations mean alterations to, including replacement of, either the off-premises sign face, or the supporting structure. Normal maintenance and repair including painting, cleaning, or replacing damaged parts of the off-premises sign, shall not be considered a structural alteration.
  4. Any nonconforming off-premises sign which deteriorates, is damaged or destroyed by fire, explosion, wind, act of nature, failure to maintain or other accidental means may be restored if the cost thereof does not exceed fifty percent of its replacement cost. Off-premises signs damaged in an amount in excess of fifty percent of replacement cost shall be removed.
  5. All nonconforming off-premises signs shall be kept in good repair and maintained in a neat, clean, attractive and safe condition. Any work required to repair or maintain an off-premises sign shall be completed promptly so long as the off-premises sign is not structurally altered, and so long as the cost of such repair and/or maintenance does not exceed fifty percent of the cost of replacing the off-premise sign.

**Section 27.** That SMC Section 17C.240.260 is amended to read as follows:

### **Section 17C.240.260 Additional Standards for Specific Uses**



A. Bed and Breakfast Facilities.

Sites with bed and breakfast facilities must meet the sign regulations for household living.

~~((B. Temporary Activities.~~

~~Permanent signs associated with temporary activities are prohibited. All signs associated with a temporary activity must be removed when the activity ends.))~~

~~((C.))~~ B. Home Occupations.

Sites with home occupations must meet the sign regulations for household living.

**Section 28.** That SMC Section 17C.240.270 is amended to read as follows:

**Section 17C.240.270 Additional Standards in ~~((Overlay Zones))~~ Shoreline Districts**

A. General Shoreline Regulations.

1. In addition to any restrictions and conditions in this chapter, signs in the shoreline jurisdiction are subject to special regulations as set forth in SMC 17C.240.270(A) through SMC 17C.240.270(D). These special regulations address general shoreline sign requirements and those that are specific to shoreline districts as generally represented on the shoreline districts map.

2. The following regulations apply in all shoreline districts:

a. No sign may front directly on the watercourse.

b. No sign may be located on the water side of a street parallel and adjacent to the watercourse or any place where it would impair a vista or visual access to the water.

c. Off-premises signs, permanent banners and roof signs are not allowed.

d. In the shoreline natural environment or those areas identified under ~~((SMC 17E.060.630))~~ SMC 17E.060.020, Natural Land Forms, all signs may be prohibited at the discretion of the director, with exceptions made for wayfinding or interpretative signs giving directions to viewpoints or trails and signs describing special flora, fauna, or historical or cultural features.

e. Directional and interpretive signs accessory to park uses shall be allowed within the shoreline buffer and may not exceed an area of twelve square feet or a height of nine feet.

~~((f. Directional signs may not exceed an area of twelve square feet or a height of nine feet.))~~

~~((g.))~~ f. Pursuant to ~~((SMC 17E.060.290(R)))~~ SMC 17E.060.280(R), required access signs that indicate the public's right of access and hours of access shall be installed and maintained by the property owner and shall not exceed an area of twelve square feet or a height of nine feet.

~~((h.))~~ g. Pre-existing signs are governed by the nonconforming use provisions of SMC 17C.240.280.

B. Upriver District.

1. Signs must be flat against the building or a variation of a flat sign, such as a "V" sign, and may not project more than eighteen inches into a required yard or public right-of-way.

2. No sign may exceed thirty-five feet in height above average grade along the front of the building.

3. Signs are subject to maximum area limitations based on lineal frontage and building size as follows:

a. One square foot of sign area is allowed for every lineal foot of street frontage, to a maximum sign area of twenty square feet.

b. On corner lots, additional signs up to one-half square foot in area are permitted for each lineal foot of frontage on the side street, to a maximum of twenty square feet of sign area.

- c. The maximum sign area for a building over two stories is ten percent of the building facade on the principal street, to a maximum of sixty square feet.
4. Signs may be directly, internally, or indirectly illuminated but not animated, flashing, or rotating.
5. The illumination of a sign may not exceed the equivalent of:
  - a. eight hundred MA fluorescent lamps spaced on twelve-inch centers penetrating a three-sixteenths inch white Plexiglas facing, or
  - b. sixty MA neon tubing in an individual letter with no more than three tubes per letter.
- C. Downtown and Campus Districts.
  1. Signs must be flat against the building, or a variation of a flat sign such as a "V" sign, and may not project more than eighteen inches into a required yard or public right-of-way.
  2. No sign may exceed thirty-five feet in height above average grade along the front of the building.
  3. Signs are subject to maximum area limitations based on lineal frontage and building size as follows:
    - a. One square foot of sign area is allowed for every lineal foot of street frontage, to a maximum sign area of fifty square feet.
    - b. Additional signs may be allowed up to one-half square foot in area for each lineal foot of frontage measured along the side street, to a maximum of fifty square feet of sign area.
    - c. The maximum sign area for a building over two stories is ten percent of the area of the building facade on the principal street, up to a maximum sign area of one hundred fifty square feet.
  4. Signs may be directly, internally, or indirectly illuminated but not animated, flashing, or rotating.
  5. The illumination of a sign may not exceed the equivalent of:
    - a. eight hundred MA fluorescent lamps spaced on eight-inch centers penetrating a three-sixteenth inch Plexiglas facing material, or
    - b. sixty MA neon tubing in an individual letter with no more than four tubes per letter.
- D. Great Gorge Park, Downriver, and Latah Creek Districts.
  1. No sign may be illuminated, animated, flashing, or rotating.
  2. Up to two signs of an area of six square feet or less each may be used to advertise the sale of products raised or grown on the premises.
  3. Any Peaceful Valley commercial area is governed by regulations of the Upriver District.

**Section 29.** That SMC Section 17C.240.280 is amended to read as follows:

**Section 17C.240.280 Nonconforming Signs**

- A. Any sign legally existing prior to August 5, 2009 that does not conform in use, location, height, or size with the regulations of the zone in which such sign is located shall be considered nonconforming and may continue in such status until such time as it is removed by its owner.
- B. Regulations that Apply to All Nonconforming Signs.
  1. Sign maintenance, sign repair, and changing of permanent sign faces is allowed so long as structural alterations are not made and the sign is not increased in size. In the DTS zone, for existing signs that are sixty feet or more in height, the replacement of the sign cabinet with a sign cabinet of equal or smaller sign area is permitted if the sign height is not more than the existing sign.

2. Permanent signs and sign structures that are moved, replaced, or structurally altered must be brought into conformance with the sign regulations. However, nonconforming signs required to be moved because of public right-of-way improvements may be re-established (See SMC 17C.240.240(((C)(4)))D, Removal of Signs, and SMC 17C.240.250(B)(2), Public Works Exception.)
3. Nonconforming temporary signs must be removed.
4. Ownership.  
The status of a nonconforming sign is not affected by changes in ownership.
5. Change to a Conforming Sign.  
A nonconforming sign may be altered to become conforming or be replaced with a conforming sign by right. Once a sign is altered to conform or is replaced with a conforming sign, the nonconforming rights for that sign are lost and a nonconforming sign may not be re-established. Unless prohibited, proposed changes that are not in conformance are subject to the adjustment process.
6. Loss of Nonconforming Sign Status.
  - a. Discontinuance.  
If there is no sign face in place on a sign structure or building wall for six continuous months, the nonconforming rights are lost and a nonconforming sign may not be re-established.
  - b. Destruction.  
When a sign or sign structure is removed or intentionally destroyed, replacement signs and sign structures must comply with the current standards. However:
    - i. Repair and Maintenance.  
A nonconforming sign or sign structure may be removed temporarily to perform sign maintenance or sign repair. In order to preserve the nonconforming sign status, the person removing the sign must inform the director, in writing, before the sign is removed. If the responsible party fails to inform the director, any re-erected sign will be considered a new sign.
    - ii. Unintentional Destruction.  
When a sign or sign structure that has nonconforming elements is damaged or destroyed by fire, explosion, wind, act of nature, or other accidental means, it may be rebuilt to the same size and height using the same or similar materials, so long as the cost of such repair and/or maintenance does not exceed fifty percent of the cost of replacing the non-conforming sign.

C. Documenting a Nonconforming Sign.

To document legal nonconforming status, the applicant must provide evidence to show that the sign was established prior to the effective date of this chapter or allowed when established, and that the sign has been maintained over time. If the applicant provides standard evidence from the lists below, the director will determine if the evidence is satisfactory.

1. Sign Established Before effective Date of this Chapter.  
If the sign was established before the effective date of this chapter, the applicant must provide evidence to show that the sign was established before the effective date of this chapter. Standard evidence that the sign was established before the effective date of this chapter is a:
  - a. building, zoning, sign, or development permit;
  - b. date-stamped photograph of the sign at its current location.
2. Sign Maintained Over Time.  
The applicant must provide evidence to show that the sign has been maintained over time. Standard evidence that the sign has been maintained over time is:
  - a. utility bills;
  - b. sign-specific property or income tax records;

- c. business licenses;
- d. listings in telephone, business, or Polk directories;
- e. advertisements in dated publications;
- f. building, sign, land use, or development permits; or
- g. records of sign lease agreements;
- h. tax returns or schedules.

**Section 30.** That SMC Section 17C.240.290 entitled "Bonus Allowance for Outstanding Design" is repealed.

**Section 31.** That SMC Section 17C.240.300 entitled "Construction Provisions and Traffic Engineer Review" is repealed.

**Section 32.** That there is adopted a new section 17C.240.310 to chapter 17C.240 of the Spokane Municipal Code to read as follows:

**Section 17C.240.310 Exceptions**

- A. Approval Required. An exception may be granted from the strict application of the regulations in this Chapter which apply to: (a) sign placement on a parcel or building frontage; (b) sign area; or (3) sign height, as regulated in this Chapter. An exception may not be granted to allow any prohibited signs or prohibited sign features, as described in Section 17C.240.070, or for any other purpose not listed in this subsection. The exception procedure in this Section does not apply to any street Right-of-Way Use permit or Building permit.
- B. Need for Sign Permit, Consolidation of Processing. An application for an exception may be submitted before or concurrent with the associated sign permit application. No sign permit application requiring an exception for issuance will be processed without a sign exception application unless the applicant specifically requests that the application be processed without an exception.
- C. Review Procedures. The following steps shall be followed in the processing of sign exception applications:
  - 1. Determination of Complete Application (Section 17G.060.090)
  - 2. Notice of Decision (Section 17G.060.190)
  - 3. Appeals (Section 17G.060.210)
- D. Application Requirements. A complete sign exception application shall consist of the following:
  - 1. Application form. A completed sign exception application, including the applicant's name, address, phone number and e-mail address. If the applicant is not the property owner, then the property owner must be identified and the application must include an affidavit from the property owner, verifying that the property owner has given permission to the applicant for the submission of the sign exception application and for the installation/posting of the sign on the property owner's property.
  - 2. Sign Permit Application (all of the materials required by Section 17C.240.080 Sign Permit required). However, the applicant may submit an exception application without a sign permit application as provided in subsection B above.
  - 3. A narrative report which describes the requested exception in detail. The report shall identify all of the sections of this Chapter from which the applicant is requesting the exception, as well as the nature and extent of the exception (in size, area, location on the property, height).
  - 4. The narrative report shall also include the applicant's description of the manner in which the sign exception satisfies all of the exception criteria in subsection E below.
  - 5. Fees. Payment of the appropriate sign exception application fee.

- E. Exception Criteria for Approval. Sign exception applications shall be reviewed by the planning director to determine whether all of the following criteria are satisfied. In order to approve any sign exception, the director must make written findings to show that all of the following criteria have been met:
1. The request for an exception is due to unusual conditions pertaining to sign visibility needs for a specific building or lot; and
  2. The sign will not create a hazard; and
  3. The sign will not violate any state statute or any City Code provision (other than the ones identified in this Chapter relating to signs); and
  4. The sign will not negatively affect adjacent property; and
  5. The sign will be in keeping with the general character of the surrounding area and the granting of the exception would not result in an alteration of the essential character of the surrounding area; and
  6. The proposed exception is consistent with the purposes and intent of the Zoning Code and the purposes of this Chapter; and
  7. The exception is consistent with the City's Comprehensive Plan; and
  8. The applicant has established that there are practical difficulties in complying with the provision(s) of this Chapter and that the proposed sign is a reasonable use of the property. (Economic considerations alone do not constitute practical difficulties.); and
  9. The plight of the applicant is due to circumstances unique to the property, which were not created by the applicant or landowner; and
  10. The exception will not permit any sign type or use that is not allowed in the zoning district where the affected land is located, nor will it allow any sign or sign feature prohibited under Section 17C.240.070.
- F. First Amendment Exception. Where an applicant can demonstrate that the strict application of the regulations in this Chapter would violate his/her First Amendment rights, the City may grant an exception that does not conform to all of the exception criteria in subsection E above. However, the applicant shall submit an application which provides his/her response to each of the exception criteria in subsection E. The City need not make findings that all of the exception criteria have been satisfied, but if not all criteria have not been satisfied, the exception may only be granted to the extent reasonably necessary to protect the applicant's First Amendment rights. If a First Amendment exception is granted, it shall be treated as an approval of an exception for purposes of this Chapter.
- G. Notice of Final Decision. A Notice of Decision incorporating the decision on the exception application shall issue not more than 120 days after issuance of the Determination of Complete Application.
- H. Expiration of Exception. If the exception is approved, the sign identified in the exception must be installed within 180 days or the exception will expire. No sign may be erected if there is no sign permit for the sign, or if the exception or the sign permit has expired, even if the applicant has received associated building permits or street Right-of-Way Use permits, and the latter have not expired.

**Section 32. Severability Clause.** If a section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, the decision shall not affect the validity of the remaining portions of this Ordinance.

**Passed by City Council January 29, 2018**  
**Delivered to Mayor February 5, 2018.**

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# Job Opportunities

**We are an equal opportunity employer and value diversity within our organization. We do not discriminate on the basis of race, religion, color, national origin, gender identity, sexual orientation, age, marital status, familial status, genetic information, veteran/military status, or disability status.**

## **COMMUNITY PROGRAMS COORDINATOR SPN 058 OPEN ENTRY**

**DATE OPEN:** Monday, February 5, 2018      **DATE CLOSED:** Sunday, February 18, 2018 at 11:59 p.m.  
**SALARY:** \$56,856.24 annual salary, payable bi-weekly, to a maximum of \$74,061.36

### **DESCRIPTION:**

Performs community organization and outreach work in initiating and managing community based programs and policy development, within a division or department.

### **DUTIES:**

- Develops and implements from conception to conclusion, programs based in the community and/or utilizing community members. Manages programs, initiatives, and related grants in accordance with applicable laws, policies, and guidelines. Develops and implements research, modification and development of regulations and policies.
- Works with a wide range of community members, government and non-government representatives and officials, and other City departments, to develop and implement a wide variety of initiatives under City or other government programs. May be required to travel to various sites to conduct program elements.
- Develops and implements public education and outreach about City and government services. Meets with representatives of public and private agencies. May develop and provide training to community members participating in various programs. Designs, develops and disseminates informational and promotional materials relating to programs or utilized during meetings. Coordinates with others, both inside and outside of the City for additional dissemination of information.
- Negotiates contract awards subject to director review and approval, manages program documents and files, and prepares reports as required.
- Performs related work as required.

### **MINIMUM QUALIFICATIONS:**

**Open Entry Requirements:** All requirements must be met at the time of application.

**Education:** Bachelor's degree from an accredited four-year college or university in public administration or related field.

**Experience:** One year of professional work experience in planning and implementation of community programs and community involvement, including program planning, administration, and coordination.

**License:** A valid driver's license or evidence of equivalent mobility is required.

**REQUIRED ADDITIONAL DOCUMENTS:** Must be received in our office by the closing date, preferably attached to application.

- Copy of unofficial college transcripts, including name of institution, applicant name, courses/credits taken, and GPA. – if applicable.
- DD Form 214 (Member-4) or NGB Form 22, if applicable. (See RCW 41.04.010 as to how Veterans' Preference is applied.)

### **EXAMINATION DETAILS:**

You are required to meet the minimum qualifications above and to pass the examination for this position, in order to be eligible for hire.

- Your Civil Service examination is a Training and Experience (T&E) Evaluation in the form of a Supplemental Questionnaire.
- You will receive your Civil Service Eligibility List ranking after the position is closed for applications and scoring of T&E's is completed.

#### **T&E Details:**

The T&E Evaluation is used to examine the relevance, level, progression, and quality of the applicant's education and training, and to elicit sufficient job-related information to evaluate the amount and quality of the applicant's previous

experience, as well as any other information deemed important to performing the duties of the position.

**Important:** You will complete the T&E Supplemental Questionnaire online as a part of the application process. You may preview the instructions and questions online in the tab marked "QUESTIONS" near the top of the job announcement. Upon request, at time of application, the City will provide alternative accessible tests to individuals with disabilities that impair manual, sensory or speaking skills needed to take the test, unless the test is intended to measure those skills.

**TO APPLY:**

Applications must be completed online at: <http://my.spokanecity.org/job> by 11:59 p.m. on the filing cut-off date. Qualified applicants are encouraged to apply immediately. Copies of required additional documents may be attached to your application or submitted via any of the following:

- Email: [civilservice@spokanecity.or](mailto:civilservice@spokanecity.or) with Job Title – Applicant Name in the subject line of the email
- In person or mail to: Civil Service Commission, 4<sup>th</sup> Floor-City Hall, 808 W. Spokane Falls Blvd., Spokane, WA 99201
- Fax: (509) 625-6077

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 1st day of February 2018.

CRAIG HULT  
Chair

JERRI BJORK  
Acting Chief Examiner

**AMENDMENT**

**AMENDMENT**

**AMENDMENT**

**WTE ASH OPERATOR**

SPN 576

(Announcement of 1/22/2018)

The above titled announcement is hereby amended to read:

**EXAMINATION DETAILS:** Closing Date/Time Sun. 02/11/18 11:59 PM Pacific Time

# Notice for Bids

## Paving, Sidewalks, Sewer, etc.

### CALL FOR BIDS

**Monroe Street 1  
Indiana Ave to Chelan Ave  
Engineering Services File No. 2015054**

This project consists of the construction of approximately 8,200 cubic yards of excavation and embankment, 2,300 linear feet of ductile iron water main, 46 drainage structures, 6,000 square yards of sidewalk, 13,000 square yards of 9-inch thick HMA pavement, illumination system, landscaping and sundry utility adjustments, and other related miscellaneous items.

The City of Spokane Purchasing Department, Fourth floor, City Hall, 808 West Spokane Falls Boulevard, Spokane WA 99201–3316, will receive sealed bids until 1:00 p.m., February 19, 2018 for the above project located in Spokane, Washington, in accordance with the Contract Documents on file at the Department, Engineering Services. The bids will be publicly opened and read at 1:15 p.m. in the City Council Chambers.

**Copies of the Contract Documents are available at [www.cityofspokaneplans.com](http://www.cityofspokaneplans.com).** The Planholders list is also available at this website. Additional project information including the Engineer's estimated cost range for the project, bid results (after bid opening), as well as information about other City projects are available by following the appropriate links at the following website: [www.spokaneengineering.org/bid-information](http://www.spokaneengineering.org/bid-information).

The City of Spokane, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulation, Department of Transportation, subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 26 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color or national origin, or sex in consideration for an award.

Bids shall be submitted on the forms provided in accordance with the provisions of the Specifications. Irregular bid proposals will be rejected in accordance with the specifications.

Cash, cashier's check, a certified check or surety bond in the sum of five percent (5%) of the Total Project Bid must accompany the copy of the bid filed with the City Clerk. Successful bidder shall execute the Contract within TEN (10) calendar days after receiving the Contract. Should the successful bidder fail to enter into such contract and furnish satisfactory performance bond within the time stated herein, the bid proposal deposit shall be forfeited to the City of Spokane.

The City of Spokane will normally award this Contract or reject bids within FORTY FIVE (45) calendar days after the time set for the bid opening. If the lowest responsible Bidder and the City of Spokane agree, this deadline may be extended. If they cannot agree on an extension by the 45-calendar day deadline, the City of Spokane reserves the right to Award the Contract to the next lowest responsible Bidder or reject all Bids.

**\*\*This project and Monroe 2 are being bid separately with the intent that they will be managed separately and as such there are special requirements in section 1-05.13.\*\***

**\*\*\*\*It is anticipated that this project will be funded in part by the Washington State Department of Ecology. Neither the State of Washington nor any of its departments or employees are, or shall be, a party to any contract or any subcontract resulting from this solicitation for bids.\*\*\*\***

Publish January 31, February 7 and 14, 2017

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## CALL FOR BIDS

### **GREENE & ERMINA INTERSECTION SIGNALIZATION Engineering Services File No. 2015132**

This project consists of the construction of approximately one traffic signal, 170 linear feet of curb, 180 square yards of sidewalk, 670 linear feet of concrete traffic island, sundry utility adjustments, and other related miscellaneous items.

The City of Spokane Purchasing Department, Fourth floor, City Hall, 808 West Spokane Falls Boulevard, Spokane WA 99201-3316, will receive sealed bids until 1:00 p.m., February 26, 2018, for the above project located in Spokane, Washington, in accordance with the Contract Documents on file at the Department, Engineering Services. The bids will be publicly opened and read at 1:15 p.m. in the City Council Chambers.

**Copies of the Contract Documents are available at [www.cityofspokaneplans.com](http://www.cityofspokaneplans.com).** The Planholders list is also available at this website. Additional project information including the Engineer's estimated cost range for the project, bid results (after bid opening), as well as information about other City projects are available by following the appropriate links at the following website: [www.spokaneengineering.org/bid-information](http://www.spokaneengineering.org/bid-information).

The City of Spokane, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulation, Department of Transportation, subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 26 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color or national origin, or sex in consideration for an award.

Bids shall be submitted on the forms provided in accordance with the provisions of the Specifications. Irregular bid proposals will be rejected in accordance with the specifications.



Cash, cashier's check, a certified check or surety bond in the sum of five percent (5%) of the Total Project Bid must accompany the copy of the bid filed with the City Clerk. Successful bidder shall execute the Contract within TEN (10) calendar days after receiving the Contract. Should the successful bidder fail to enter into such contract and furnish satisfactory performance bond within the time stated herein, the bid proposal deposit shall be forfeited to the City of Spokane.

The City of Spokane will normally award this Contract or reject bids within FORTY FIVE (45) calendar days after the time set for the bid opening. If the lowest responsible Bidder and the City of Spokane agree, this deadline may be extended. If they cannot agree on an extension by the 45-calendar day deadline, the City of Spokane reserves the right to Award the Contract to the next lowest responsible Bidder or reject all Bids.

In accordance with SMC 7.06.500 and RCW 39.04.350(1), the low bidder shall complete the Supplemental Bidder Responsibility Criteria form located in Appendix C. Failure to promptly submit the form including supporting documentation if required may delay award of the Contract.

Publish February 7, 14, and 21, 2018

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### CALL FOR BIDS

#### **Monroe Street 2 Grace Avenue to Kiernan Avenue Engineering Services File No. 2017145**

This project consists of the construction of approximately 12,400 cubic yards of excavation and embankment, 580 linear feet of storm sewer main, 60 drainage structures, 5,800 square yards of sidewalk, 16,600 square yards of 11-inch thick HMA pavement, illumination system, landscaping, swale construction and sundry utility adjustments, and other related miscellaneous items.

The City of Spokane Purchasing Department, Fourth floor, City Hall, 808 West Spokane Falls Boulevard, Spokane WA 99201-3316, will receive sealed bids until 1:00 p.m., February 12, 2018 for the above project located in Spokane, Washington, in accordance with the Contract Documents on file at the Department, Engineering Services. The bids will be publicly opened and read at 1:15 p.m. in the City Council Chambers.

**Copies of the Contract Documents are available at [www.cityofspokaneplans.com](http://www.cityofspokaneplans.com).** The Planholders list is also available at this website. Additional project information including the Engineer's estimated cost range for the project, bid results (after bid opening), as well as information about other City projects are available by following the appropriate links at the following website: [www.spokaneengineering.org/bid-information](http://www.spokaneengineering.org/bid-information).

The City of Spokane, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulation, Department of Transportation, subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 26 will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color or national origin, or sex in consideration for an award.

Bids shall be submitted on the forms provided in accordance with the provisions of the Specifications. Irregular bid proposals will be rejected in accordance with the specifications.

Cash, cashier's check, a certified check or surety bond in the sum of five percent (5%) of the Total Project Bid must accompany the copy of the bid filed with the City Clerk. Successful bidder shall execute the Contract within TEN (10) calendar days after receiving the Contract. Should the successful bidder fail to enter into such contract and furnish satisfactory performance bond within the time stated herein, the bid proposal deposit shall be forfeited to the City of Spokane.

The City of Spokane will normally award this Contract or reject bids within FORTY FIVE (45) calendar days after the time set for the bid opening. If the lowest responsible Bidder and the City of Spokane agree, this deadline may be extended. If they cannot agree on an extension by the 45-calendar day deadline, the City of Spokane reserves the right to Award the Contract to the next lowest responsible Bidder or reject all Bids.

**\*\*This project and Monroe 1 are being bid separately with the intent that they will be managed separately and as such there are special requirements in section 1-05.13.\*\***

\*\*\*"It is anticipated that this project will be funded in part by the Washington State Department of Ecology. Neither the State of Washington nor any of its departments or employees are, or shall be, a party to any contract or any subcontract resulting from this solicitation for bids."\*\*\*

Publish: January 24, 31 and February 7, 2018

# Notice for Bids

## Supplies, Equipment, Maintenance, etc.

### REQUEST FOR BIDS

### LIQUID ALUMINUM SULFATE

### City of Spokane Riverside Park Water Reclamation Facility

### BID #4442-18

Sealed Bids will be opened at the 1:15 p.m. public bid opening on **MONDAY, FEBRUARY 12, 2018**, in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **LIQUID ALUMINUM SULFATE** for the City of Spokane Riverside Park Water Reclamation Facility.

The Request for Bids document is available by contacting Connie Wahl, City of Spokane Purchasing, 4<sup>th</sup> Floor, City Hall, 808 West Spokane Falls Blvd, Spokane, WA 99201 at [purchasinghelp@spokanecity.org](mailto:purchasinghelp@spokanecity.org).

Bid Proposal documents should be submitted to City of Spokane Purchasing **no later than 1:00 p.m. on Monday, February 12, 2018**. Proposals must be sent sufficiently ahead of time to be received by the required date and time. The City of Spokane is not responsible for Proposals delivered late. **Only firm Proposals with signatures will be tabulated.**

**Submit one (1) paper original, one (1) paper copy, and one (1) reproducible digital copy (CD or thumb drive) to:**

**City of Spokane - Purchasing  
4<sup>th</sup> Floor – City Hall  
808 W. Spokane Falls Blvd.  
Spokane, Washington 99201**

The right is reserved to reject any and all bids and to waive any informalities in the bidding. Special attention will be directed to the qualifications of the Proposer when considering this contract.

All response packages are to be clearly marked with:

**"BID #4442-18, LIQUID ALUMINUM SULFATE, DUE: MONDAY, 2/12/2018."**

Connie Wahl, C.P.M., CPPB  
City of Spokane Purchasing

Publish: January 31 & February 7, 2018

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**PROVIDE & INSTALL WTEF BRIDGE CRANES****City of Spokane Solid Waste Disposal Department – Waste to Energy Facility****BID #4443-18**

Sealed bids will be opened at 1:15 p.m., **MONDAY, FEBRUARY 19, 2018** in the Council Chambers, 808 West Spokane Falls Boulevard, Spokane, Washington 99201, for **Provide and Install WTEF Cranes** for the City of Spokane Solid Waste Disposal Department – Waste to Energy Facility.

Detailed specifications and proposal forms are available from City Purchasing, by contacting Thea Prince at [purchasinghelp@spokanecity.org](mailto:purchasinghelp@spokanecity.org)

**A MANDATORY pre-proposal conference will be held on Thursday, February 8, 2018 at 9:00 am at the Waste to Energy Facility, 2900 S Geiger Blvd – Meet at the Administration Bldg.**

**Submittal Instructions:**

Bid proposal forms may be submitted to the Purchasing Department **until 1:00 P.M. on the date of opening**. Bids must be sent sufficiently ahead of time to be received by the opening date and time. City of Spokane is not responsible for proposals delivered late.

**Submit one (1) paper original of the bid response to:**

**Division of Purchasing  
City of Spokane  
4<sup>th</sup> Floor – City Hall  
808 W. Spokane Falls Blvd.  
Spokane WA 99201**

The right is reserved to reject any and all proposals and to waive any informalities in the bidding. Special attention will be directed to the qualifications of the proposer when considering this contract. **Only firm proposals with signatures will be tabulated.**

Envelopes containing bids are to be marked:

**“PROVIDE & INSTALL WTEF BRIDGE CRANES, BID #4443-18, DUE 2/19/18”.**

Thea Prince  
Purchasing Department

Publish: January 31 & February 7, 2018

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**MISCELLANEOUS STOCK STEEL****City of Spokane Departments****BID #4444-18**

Sealed bids will be opened at 1:15 p.m., **MONDAY, FEBRUARY 26, 2018**, in the Council Chambers, 808 West Spokane Falls Boulevard, for **MISCELLANEOUS STOCK STEEL** for City of Spokane Departments.

Detailed specifications and proposal forms are available from City Purchasing, by contacting Thea Prince at [purchasinghelp@spokanecity.org](mailto:purchasinghelp@spokanecity.org).

Bid proposal forms must be submitted to City Purchasing **no later than 1:00 p.m. on the date of opening**. Proposals must be sent sufficiently ahead of time to be received by the opening date and time. City of Spokane is not responsible for proposals delivered late.

**Submit bid response as follows:**

**One (1) original and one (1) copy to: Purchasing  
City of Spokane  
4<sup>th</sup> Floor – City Hall  
808 W. Spokane Falls Blvd.  
Spokane WA 99201-3316**

The right is reserved to reject any and all proposals and to waive any informalities in the bidding. Special attention will be directed to the qualifications of the proposer when considering this contract. **Only firm proposals with signatures will be tabulated.**

Envelopes containing proposals are to be marked:  
**“MISCELLANEOUS STOCK STEEL, BID #4444-18, DUE 2/26/18”.**

Thea Prince  
Purchasing Division

Publish: February 7 & 14, 2018

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