



Official Gazette

City of Spokane, Washington

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

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Issue 48 PART I OF II



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Minutes

No Minutes – see notices placed in Part 2 of 2 of this week's Gazette (page1435)

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. C36470

((Note: The above referenced ordinance was incorrectly assigned as ORD C32457 on the City Council's Agenda [both the November 13 (First Reading) and November 20 (Final Reading) Agendas]. As this is an ordinance "amending" Ordinance C32457 (passed by City Council on October 2, 2000), the ordinance should have been assigned a new ordinance number. Following the November 20, 2023 City Council meeting the City Clerk's Office clerically corrected the assigned number to Ordinance C36470. Ordinance C36470 amends Ordinance C32457.)

An ordinance amending Ordinance C-32457 that vacated 6th Avenue from approximately 100 feet west of Audubon Street to Audubon Street and located in the Northeast Quarter of Section 23, Township 25 North, Range 42 East, Willamette Meridian.

WHEREAS, a petition for the vacation of 6th Avenue from the Railroad Right-of-way to Audubon street has been filed with the City Clerk representing 100% of the abutting property owners, and a hearing has been held on this petition before the City Council as provided by RCW 35.79; and

WHEREAS, the City Council has found that the public use, benefit and welfare will best be served by the vacation of said public way; -- NOW, THEREFORE,

The City of Spokane does ordain:

Section 1. That 6th Avenue from the Railroad Right-of-Way to Audubon Street is hereby vacated.

~~Section 2. An easement is reserved and retained over and through the entire vacated area for the utility services of AT&T Cable Services of Washington to protect existing and future utilities, and no structures or other obstructions shall be erected or placed within the easement area without the prior written approval of the Director of Engineering Services.~~

Section 3. That this ordinance shall not become effective until the owners of property abutting upon the area to be vacated shall have compensated the City of Spokane in an amount equal to one-half the assessed value of the area herein vacated.

Section 4. Subject to Section 3 above, this ordinance shall take effect and be in force thirty days after its passing.

Passed by City Council November 20, 2023

Delivered to Mayor November 22, 2023

ORDINANCE NO. C36458

AN ORDINANCE relating to housing development regulations and extending an interim zoning ordinance; repealing Sections 17C.400.010, 17C.400.020, and 17C.400.030 of the Spokane Municipal Code; and amending Section 17C.400.040 of the Spokane Municipal Code to extend an additional six months.

WHEREAS, on July 18, 2022 the City Council adopted Ordinance No. C36232, an interim zoning ordinance, to implement actions specified in RCW 36.70A.600(1), and adopting Chapter 17C.400 SMC to increase residential building capacity; and

WHEREAS, on October 24, 2022 the City Council adopted Ordinance No. C36296, amending SMC 17C.400.010 and 17C.400.030 to clarify requirements for airport overlay zones and the siting of parking facilities in relation to streets and residential structures, and declaring an emergency; and

WHEREAS, Ordinance No. C36232, as amended, is currently effective until December 18, 2023; and

WHEREAS, pursuant to RCW 36.70A.390, a work plan was initiated to study the interim zoning ordinance and to provide time for public engagement and refinement of regulations before adopting permanent changes to Title 17C SMC; and

WHEREAS, on July 31, 2023, the City Council adopted Ordinance No. C36414 amending Chapter 3 (Land Use) of the City's Comprehensive Plan to align policy language in the Comprehensive Plan with the foregoing developments and to further implement the middle housing options that are now required under State law; and

WHEREAS, this ordinance is proposed to implement changes consistent with the work plan established by Ordinance No. C36232 and with the July 31, 2023 amendments to the Comprehensive Plan by Ordinance No. C36414; and

WHEREAS, RCW 36.70A.390 authorizes the City to renew interim zoning ordinances adopted for one or more six-month periods if subsequent public hearings are held and findings of fact are made prior to each renewal; and

WHEREAS, most of the items identified by the work plan established under Ordinance No. C36232 will be completed by the expected adoption of this ordinance; and

WHEREAS, work is underway to complete the remaining aspects of the work plan and more time is required to prepare proposed permanent amendments asked for by the work plan and interim zoning ordinance; Now, Therefore,

The City of Spokane does ordain:

Section 1. Findings of Fact. That the preambles to Ordinance No. C36232, Ordinance No. C36296, Ordinance C36388, and to this Ordinance are adopted as the City Council's findings of fact in support of the above-mentioned interim zoning regulations and the extension adopted herein.

Section 2. Repeal of Certain Sections. That SMC 17C.400.010 Pilot Low-Intensity Residential Development Standards, 17C.400.020 Pilot Density, and 17C.400.030 Pilot Low-Intensity Residential Design Standards of the Interim Housing Regulations Adopted to Implement RCW 36.70A.600(1) are repealed.

Section 3. Interim Zoning Ordinance Extension. That SMC 17C.400.040 Pilot Centers and Corridors Development Standards of the Interim Housing Regulations Adopted to Implement RCW 36.70A.600(1) is retained and extended an additional six (6) months to June 18, 2024.

Section 4. Severability. If any section, sentence, clause, or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this ordinance.

Section 5. Scrivener's Errors. Upon approval by the city attorney, the city clerk is authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

**Passed by City Council November 20, 2023
Delivered to Mayor November 22, 2023**

ORDINANCE NO. C36459

AN ORDINANCE relating to increasing housing options by permitting and encouraging the construction of middle housing in more residential zoning districts; adopting subdivision processes to encourage homeownership; implementing Section 3 of HB 1110; amending Spokane Municipal Code (SMC) chapters 17A.020.010, 17A.020.020, 17A.020.030, 17A.020.040, 17A.020.060, 17A.020.120, 17A.020.130, 17A.020.180, 17A.020.190, 17A.020.200, 17A.040.020, 17A.040.030, 17A.040.040, 17A.040.050, 17C.120.500, 17C.122.060, 17C.200.020, 17C.200.040, 17C.200.100, 17C.230.110, 17C.230.130, 17C.300.010, 17C.300.100, 17C.300.110, 17C.300.130, 17G.020.060, 17G.025.010, 17G.030.010, 17G.030.030, 17G.030.040, 17G.070.030, 17G.070.135, 17G.080.020, 17G.080.040, 17G.080.050, 17G.080.060, 17G.080.065; repealing SMC chapters 17C.110, 17G.060, and 17G.060T, and SMC sections 17G.080.010, and 17G.080.080; adopting SMC chapters 17C.111 and 17G.061, and SMC sections 17D.060.135, 17G.080.000, and 17G.080.025; and setting an effective date.

WHEREAS, RCW 36.70A.600(1) encourages the City to take a number of actions in order to increase its residential building capacity and authorized the City to adopt a housing action plan; and

WHEREAS, on July 26, 2021, the Mayor of the City of Spokane proclaimed a housing emergency and directed the City to pursue actions to expand housing types, reduce overall development costs to increase development of affordable housing, and streamline municipal procedures to support the development cycle; and

WHEREAS, as authorized by RCW 36.70A.600(2), Council Resolution 2021-0062 adopted the City of Spokane Housing Action Plan as a guide for future housing planning, policy development, and regulatory and programmatic implementation measures that increase housing options that are affordable and accessible for people and families of all incomes in the City; including the Implementation Plan, included as Appendix A within the Housing Action Plan, which outlines several strategies and policies to remedy the current housing crisis; and

WHEREAS, the 2020 Housing Needs Assessment completed for the Housing Action Plan indicates several facts about the housing supply and need, particularly the need to accommodate an estimated 6,000 additional housing units by 2037; and

WHEREAS, according to media reports, the median home price in Spokane is \$415,000.00, an increase of \$91,968 since April 2020; and

WHEREAS, a recent study by the Spokane Association of Realtors estimates a shortage of 32,000 housing units within the Spokane region needed to meet current levels of housing demand, and finds that less than 15 percent of employed residents can afford to buy a home; and

WHEREAS, the region's housing shortage is contributing to rapidly escalating home prices and rents which is a contributing factor in the worsening homelessness crisis in Spokane and the surrounding region; and

WHEREAS, in Resolution 2021-0062, the City Council outlined several code amendments and permit processes that the City should enact in support of the strategies and actions recommended in the Housing Action Plan and to encourage construction of more housing within Spokane; and

WHEREAS, in Resolution 2021-0062, the City Council specifically called for allowing attached houses, duplexes, and fourplexes in more areas of the city; and

WHEREAS, in Resolution 2021-0062, the City Council specifically called for the Plan Commission to consider reductions of minimum lot size and width, maximum building coverage, and floor area ratio in order to create more opportunities for housing; and

WHEREAS, on July 18, 2022, the City Council adopted Ordinance C36232, an Interim Zoning Ordinance known as Building Opportunity and Choices for All ("BOCA"); and

WHEREAS, BOCA established a work plan involving extensive public notice and participation, modifications to the City's Comprehensive Plan and Spokane Municipal Code to more clearly call for a greater variety of housing types, lot sizes, and living arrangements across all parts of Spokane; and

WHEREAS, following the City Council's adoption of BOCA, the Washington Legislature enacted Engrossed Second Substitute House Bill , Chapter 332, Laws of 2023 ("HB 1110") requiring Spokane to incorporate into its development and zoning regulations authorization to develop at least four residential dwelling units per lot on all lots in the City zoned predominantly for residential use and at least six units per lot on all lots zoned predominantly for residential use located within one-quarter mile walking distance of a major transit stop; and

WHEREAS, on July 31, 2023, the City Council adopted Ordinance No. C36414 amending Chapter 3 (Land Use) of the City's Comprehensive Plan to align policy language in the Comprehensive Plan with the foregoing developments and to further implement the middle housing options that are now required under State law; and

WHEREAS, this ordinance which is commonly referred to as "Building Opportunity for Housing, Phase 2 Code Amendments" permanently implements changes consistent with the July 31, 2023 amendments to the Comprehensive Plan, including certain provisions of BOCA as modified from community and stakeholder feedback, as well as implements the requirements of Section 3 of HB 1110; and

WHEREAS, this Ordinance and the housing it will allow are compatible with the City's residential neighborhoods and is consistent with and implements the City's Comprehensive Plan as updated by Ordinance C36414, which envisions a variety of housing types in the City's residential neighborhoods; and

WHEREAS, many areas in the City have failed to develop and/or have developed well below the densities envisioned and planned for in the City's Comprehensive Plan; and

WHEREAS, the City's existing housing regulations have not facilitated the development and densities envisioned and planned for in the Comprehensive Plan and needed in order to accommodate the City's projected growth; and

WHEREAS, the Ordinance will help the City achieve the residential densities envisioned and planned for in the Comprehensive Plan; and

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

WHEREAS, the Spokane Comprehensive Plan includes a Capital Improvement Plan, last updated in 2022 by Ordinance C36309, that anticipates the infrastructure needed to accommodate new growth and development; and

WHEREAS, pursuant to Chapter 17D.010 (Concurrency Certification), all development permit applications, with limited exceptions, are subject to a concurrency test to ensure that adequate available and planned facilities for water, sewer, transportation, and police and fire protection are available and/or planned to provide services to the new development consistent with the levels of service adopted in the Spokane Comprehensive Plan; and

WHEREAS, on August 21, 2013, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice of the City's intent to adopt updated development regulations; and

WHEREAS, a State Environmental Protection Act (SEPA) Determination of Nonsignificance and Checklist were issued by Planning Services on September 18, 2023 and the comment period ended on October 2, 2023; and

WHEREAS, the Spokane Plan Commission held public workshops on the provisions in this ordinance on June 28, July 12, July 26, August 23, September 13, and September 27 of this year; and

WHEREAS, on October 4, 2023, the Planning Department staff finalized their Staff Report to the Spokane Plan Commission recommending approval of the provisions of this ordinance; and

WHEREAS, on October 11, 2023, the Spokane Plan Commission held a public hearing on the provisions of this ordinance and unanimously voted to recommend approval with conditions, as outlined in the Findings of Fact, Conclusions, and Recommendation signed October 13, 2023; and

WHEREAS, prior to the City Council public hearing, a legal notice of public hearing was published in the *Spokesman-Review* on October 30, 2023 and the notice of the proposed amendment was distributed to the City's agency/interested party list; and

WHEREAS, the City Council adopts the recitals set forth herein as its findings and conclusions in support of its adoption of this ordinance, and further adopts and incorporates the following for the same purpose: the Staff Report, the Plan Commission Findings and Recommendation, and the entire record relating to the adoption of BOCA.

NOW, THEREFORE, the City of Spokane does ordain:

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

17A.020.010 "A" Definitions

A. Abandoned Sign Structure.

See SMC 17C.240.015.

B. Aboveground Storage Tank or AST.

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

C. Accepted.

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

D. Accessory Dwelling Unit (ADU).

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

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

E. Accessory Structure.

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

1. Accessory structures may be attached or detached from the primary structure.
2. Examples of accessory structures include:
 - a. Garages,
 - b. Decks,
 - c. Fences,
 - d. Trellises,
 - e. Flagpoles,
 - f. Stairways,
 - g. Heat pumps,
 - h. Awnings, and
 - i. Other structures.

3. See also SMC 17A.020.160 ("Primary Structure").

F. Accessory Use.

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

G. Activity.

See Regulated Activity.

H. Administrative Decision.

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

I. Adult Bookstore or Adult Video Store.

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

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

2. For purposes of this definition, the term "floor space" means the space inside an establishment that is visible or accessible to patrons, excluding restrooms.

J. Adult Business.

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

K. Adult Entertainment Establishment.

1. An "adult entertainment establishment" is an enclosed building, or any portion thereof, used for presenting performances, activities, or material relating to "specified sexual activities" as defined in SMC 17A.020.190 or "specified anatomical areas" as defined in SMC 17A.020.190 for observation by patrons therein.
2. A motion picture theater is considered an adult entertainment establishment if the preponderance of the films presented is distinguished or characterized by an emphasis on the depicting or describing of "specified sexual activities" or "specified anatomical areas."
3. A hotel or motel providing overnight accommodations is not considered an adult entertainment establishment merely because it provides adult closed circuit television programming in its rooms for its registered overnight guests.

L. Adult Family Home.

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

M. Affordable Housing.

Affordable housing means residential housing whose monthly costs, including utilities other than telephone, do not exceed thirty percent of the monthly income for a single person, family, or unrelated persons living together whose adjusted incomes meet the following income brackets:

1. Extremely low-income (RCW 36.70A.030(11)) – 30% of the median household income adjusted for household size, for the county where the household is located, as reported by the United States Department of Housing and Urban Development.
2. Very low-income (RCW 36.70A.030(30)) – 50% of the median household income adjusted for household size, for the county where the household is located, as reported by the United States Department of Housing and Urban Development.
3. Low-income (RCW 36.70A.030(16)) – 80% of the median household income adjusted for household size, for the county where the household is located, as reported by the United States Department of Housing and Urban Development.
4. Moderate-income (RCW 36.70A.030(18)) – 120% of the median household income adjusted for household size, for the county where the household is located, as reported by the United States Department of Housing and Urban Development.

~~((M-))~~ N. Agency or Agencies.

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

~~((N-))~~ O. 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-))~~ P. 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-))~~ Q. 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-))~~ R. 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-))~~ S. All Weather Surface.

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

~~((S-))~~ T. Alley.

See “Public Way” (SMC 17A.020.160).

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

~~((U-))~~ V. 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](#).

~~((V-))~~ W. Alteration of Watercourse.

Any action that will change the location of the channel occupied by water within the banks of any portion of a riverine waterbody.

~~((W-))~~ X. Alternative or Post-incarceration Facility.

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

~~((X-))~~ Y. [Deleted]

~~((Y-))~~ Z. [Deleted]

~~((Z-))~~ AA. [Deleted]

~~((AA-))~~ AB. API 653.

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

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

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

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

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

~~((AE-))~~ AF. Application – Complete.

An application that is both counter-complete and determined to be substantially complete as set forth in SMC ~~((17G.060.090))~~ 17G.061.120.

~~((AF-))~~ AG. 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.

~~((AG-))~~ AH. Aquatic Life.

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

~~((AH-))~~ AI. 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.

~~((AI-))~~ AJ. 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](#).

~~((AJ-))~~ AK. 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.

~~((AK-))~~ AL. 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.

~~((AL-))~~ AM. 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.

~~((AM-))~~ AN. 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.

~~((AN-))~~ AO. 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.

~~((AO-))~~ AP. 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.

~~((AP-))~~ AQ. Arterial.

See:

1. "Principal Arterials" – [SMC 17A.020.160](#).
2. "Minor Arterials" – [SMC 17A.020.130](#), or
3. "Collector Arterial" – [SMC 17A.020.030](#).

~~((AQ-))~~ AR. 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.

~~((AR-))~~ AS. 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.

~~((AS-))~~ AT. Attached Housing.

Two or more dwelling units that are ~~((single family))~~ single-unit residences on individual lots attached by a common wall at a shared property line. Attached housing is also known as townhouses, townhomes, or row houses. ~~((These include:~~

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

~~((AT-))~~ AU. Attached Structure.

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

The common wall must be shared for at least fifty percent of the length of the side of the principal dwelling.

A breezeway is not considered a common wall.

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.

~~((AU-))~~ AV. Available Capacity.

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

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

~~((AW-))~~ AX. Awning

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

Section 2. That Section 17A.020.020 SMC is amended to read as follows:

17A.020.020 “B” Definitions

A. Backed Sign.

See SMC 17C.240.015.

B. Balloon Sign.

See SMC 17C.240.015.

C. Bank Carving.

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

D. Bank Erosion.

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

E. Bankfull Width.

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

F. Banner.

See SMC 17C.240.015.

G. Bas-relief.

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

H. Base Flood.

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.”

I. Base Flood Elevation (BFE)

The elevation to which floodwater is anticipated to rise during the base flood.

J. Basement.

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

K. 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.

L. Bee.

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

M. Beekeeper.

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

N. 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.

O. 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.

P. Bicycle Facilities

Facilities designated for use by bicyclists and sometimes by other non-motorized users. The following types of bikeway facilities are identified and further defined in the Comprehensive Plan:

1. Bike-Friendly Route.
2. Shared lane.
3. Neighborhood Greenway.
4. Bicycle lane, both striped and physically protected.
5. Shared-use pathway.

Q. 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.

R. 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.

S. 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.

T. 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.

U. Board.

The board of county commissioners of Spokane County.

V. 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.

W. 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.

X. 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.

Y. Breezeway.

A breezeway is a roofed passageway joining two separate structures.

Z. 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.

AA. 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.

BB. 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.

CC. Building Envelope.

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

DD. 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

EE. Building Official.

The officer or other designated authority charged with the administration and enforcement of the Building Code.

~~((EE.))~~ AF. 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.

~~((AF.))~~ AG. Bulkhead.

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

Section 3. That Section 17A.020.030 SMC 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 and economic development 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:

- a. site conditions and construction activities that could impact the quality of stormwater, and
- b. effectiveness of erosion and sediment control measures used to control the quality of stormwater discharges.
- c. 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. City Engineer.

The Director of the Engineering Services department, or their designee for approval authority.

~~((L.))~~ M. Clear Street Width.

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

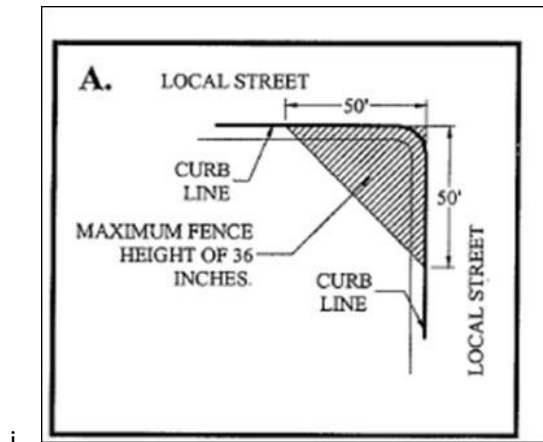
~~((M.))~~ N. Clear Pedestrian Zone.

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

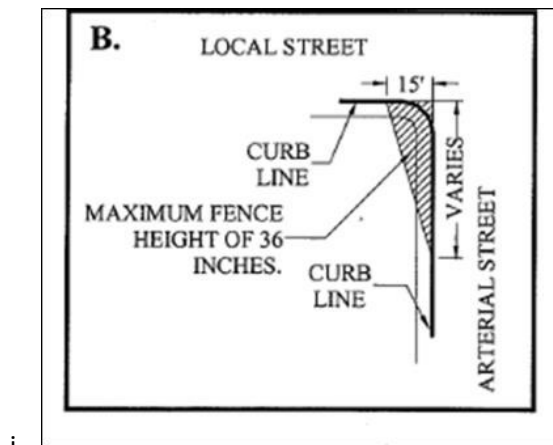
((A-)) Q. Clear View Triangle.

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.

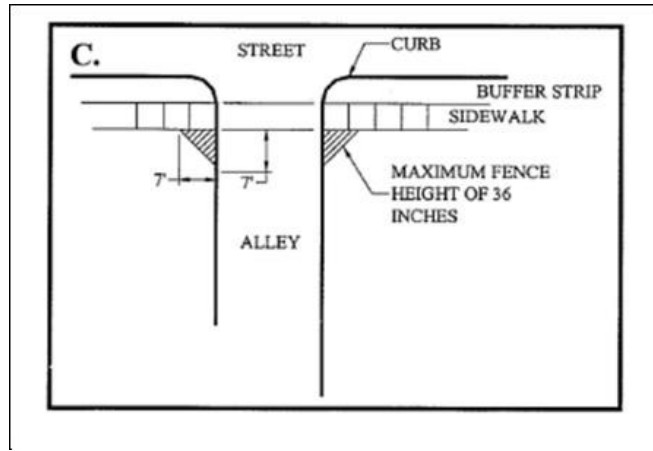
- a. Intersection of two local streets: A right isosceles triangle having sides of fifty feet measured along the curb line of each intersecting residential street.



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



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



~~((Q-))~~ P. Clear Zone.

The roadside area free of obstacles, starting at the edge of the traveled way.

~~((P-))~~ Q. 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-))~~ R. Cliffs.

- a. 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.
- b. 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-))~~ S. 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-))~~ T. Collector Arterial.

- a. Collector arterials (consisting of Major and Minor Collectors) collect and distribute traffic from local streets to principal and minor arterials. They serve both land access and traffic circulation.

~~((T-))~~ U. Co-location.

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

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

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

~~((V-))~~ W. Commercial Driveway.

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

~~((W-))~~ X. Commercial Vehicle.

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

~~((X-))~~ Y. Commission – Historic Landmarks.

The City/County historic landmarks commission.

~~((Y-))~~ Z. Community Banner.

See SMC 17C.240.015.

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

- a. 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.
- b. A community meeting does not constitute an open record hearing.
- c. The proceedings at a community meeting may be recorded and a report or recommendation shall be included in the permit application file.

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

~~((AG-))~~ AD. 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-))~~ AE. 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-))~~ AF. 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-))~~ AG. 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-))~~ AH. 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-))~~ AI. 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-))~~ AJ. 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-))~~ AK. 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-))~~ AL. 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-))~~ AM. Container.

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

~~((AM-))~~ AN. 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-))~~ AO. Contributing Resource

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

~~((AQ.))~~ AP. Conveyance.

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

~~((AP.))~~ AQ. Conveyance System.

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

~~((AQ.))~~ AR. Copy.

See SMC 17C.240.015.

~~((AP.))~~ AS. Cottage Housing.

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

~~((a. Cottage. A detached, single-family residential building.))~~



[NOTE: Delete graphic above]

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



[NOTE: Delete graphic above]

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



[NOTE: Delete graphic above]

~~((AS-))~~ AT. Council.

The city council of the City of Spokane.

~~((AT-))~~ AU. 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.

AV. Courtyard apartments.

Three or more attached dwelling units arranged on two or three sides of a yard or court.

~~((AU-))~~ AW. 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.

~~((AX-))~~ AX. Creep.

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

~~((AW-))~~ AY. Critical Amount.

The quantity component of the definition of critical material.

~~((AX-))~~ AZ. Critical Aquifer Recharge Areas (CARA).

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

~~((AY-))~~ BA. 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 7E.070.SMC.

~~((AZ-))~~ BB. 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.

~~((BA-))~~ BC. 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.
 - e. 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.

~~((BB-))~~ BD. 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.

~~((BC-))~~ BE. 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.

~~((BD-))~~ BF. 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.

~~((BE-))~~ BG. Critical Review Action.

- a. 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)))~~) (SMC 17G.061.070(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)))~~) SMC 17G.061.110.
 - e. Application for rezoning (~~((SMC 17G.060.070(A)))~~) SMC 17G.061.110.
 - f. Application for conditional permit (~~((SMC 17G.060.070(A)))~~) SMC 17G.061.110.
 - 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.

~~((BF-))~~ BH. Critical Review Applicant.

A person or entity seeking a critical review action.

~~((BG-))~~ BI. 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

~~((B+))~~ BJ. 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.

~~((B+))~~ BK. 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.

~~((B+))~~ BL. Curb Ramp.

A ramp constructed in the sidewalk to provide an accessible route from the sidewalk to the street.

~~((BK-))~~ BM. Cutbank.

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

Section 4. That Section 17A.020.040 SMC 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 Criteria.

A set of design parameters for development which apply within a design district, sub-district, or overlay zone. The provisions 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 criteria 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, binding site plan, 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 – Shoreline.

"Development" for shoreline regulations shall be defined by WAC 173-27-030(6) as amended to read "Development" means a use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or minerals; bulkheading; driving of piling; placing of obstructions; or any project of a permanent or temporary nature which interferes

with the normal public use of the surface of the waters overlying lands subject to the act at any stage of water level. "Development" does not include dismantling or removing structures if there is no other associated development or redevelopment.

T. Development – 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.

U. Development Approval.

Any recommendation or approval for development required or permitted by this code.

V. 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.

W. 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.

X. 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.

Y. 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.

Z. Direct Impact.

An impact upon public facilities that has been identified as a direct consequence or result of a proposed development.

AA. 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.

BB. Directional Sign.

See SMC 17C.240.015.

CC. 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))~~ Building Official, the City Engineer, and the Planning Director.

DD. Director, Planning.

The Director of the Planning and Economic Development department.

~~((DD-))~~ AE. 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.

~~((AE-))~~ AF. 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.

~~((AF-))~~ AG. 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.

~~((AG-))~~ AH. 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.

~~((AH-))~~ AI. 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.

~~((AI-))~~ AJ. 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.

~~((AJ-))~~ AK. 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.

~~((AK-))~~ AL. 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.

~~((AL-))~~ AM. 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.

~~((AM-))~~ AN. Dredge Spoil.

The material removed by dredging.

~~((AN-))~~ AO. 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.

~~((AQ-))~~ AP. 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.

~~((AP-))~~ AQ. Driveway.

An all-weather surface driveway structure as shown in the standard plans.

AR. Driveway Approach.

The edge of a driveway where it abuts a public right-of-way.

~~((AQ-))~~ AS. Duplex.

A building that contains two primary dwelling units on ((one lot. The units must)) the same lot that share a common wall or common floor/ceiling.

~~((AR-))~~ AT. 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. A dwelling unit shall not contain more than one kitchen. 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 5. That Section 17A.020.060 SMC is amended to read as follows:

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.

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. Fiveplex.

A building that contains five dwelling units on the same lot that share a common wall or common floor/ceiling.

~~((M-))~~ N. Flag.

See SMC 17C.240.015.

~~((N-))~~ O. Float.

A floating platform similar to a dock that is anchored or attached to pilings.

~~((Q-))~~ P. 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-))~~ Q. 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-))~~ R. Flood or Flooding.

1. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - a. The overflow of inland waters; ~~((or))~~
 - b. The unusual and rapid accumulation of runoff of surface waters from any source; or
 - c. Mudslides or mudflows, which are proximately caused by flooding as defined in section (1)(b) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in section (1)(a) of this definition.

~~((R-))~~ S. Flood Elevation Study.

An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide or mudflow, and/or flood-related erosion hazards. Also known as a Flood Insurance Study (FIS).

~~((S-))~~ T. Flood Insurance Rate Map (FIRM).

The official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

~~((T-))~~ U. Floodplain or Flood Prone Area.

Any land area susceptible to being inundated by water from any source. See "Flood or Flooding."

~~((U-))~~ V. Floodplain administrator.

The community official designated by title to administer and enforce the floodplain management regulations.

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

1. As identified in the Shoreline Master Program:, the area that either:
 - a. The floodway is the area that either
 - i. has been established in federal emergency management agency flood insurance rate maps or floodway maps; or
 - ii. consists of those portions of a river valley lying streamward from the outer limits of a watercourse upon which flood waters are carried during periods of flooding that occur with reasonable regularity, although not necessarily annually, said floodway being identified, under normal condition, by changes in surface soil conditions or changes in types or quality of vegetative ground cover condition, topography, or other indicators of flooding that occurs with reasonable regularity, although not necessarily annually.
 - b. Regardless of the method used to identify the floodway, the floodway shall not include those lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or maintained under license from the federal government, the state, or a political subdivision of the state.
2. For floodplain management purposes, the floodway is 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 a designated height. Also referred to as "Regulatory Floodway."

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

~~((X-))~~ Y. Flood Proofing.

Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. Flood proofed structures are those that have the structural integrity and design to be impervious to floodwater below the Base Flood Elevation.

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

~~((Z-))~~ AA. Focused Growth Area.

Includes mixed-use district centers, neighborhood centers, and employment centers.

AB. Fourplex.

A building that contains four dwelling units on the same lot that share a common wall or common floor/ceiling.

~~((AA-))~~ AC. 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.

~~((AB-))~~ AD. Freestanding Sign.

See SMC 17C.240.015.

~~((AC-))~~ AE. 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.

~~((AD-))~~ AF. Functionally Dependent Water-Use.

A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long term storage or related manufacturing facilities.

Section 6. That Section 17A.020.120 SMC is amended to read as follows:

17A.020.120 "L" Definitions

A. Land Surveyor.

An individual licensed as a land surveyor pursuant to chapter 18.43 RCW.

B. Land Use Codes.

Those provisions of this code that relate to:

1. zoning,
2. subdivision,
3. shorelines management,
4. stormwater control,

5. flood zones,
6. critical areas,
7. signs,
8. skywalks, and

include chapter 17D.020 SMC, chapter 17D.050A SMC, chapter 17D.060 SMC, chapter 17D.090 SMC, chapter 17E.010 SMC, chapter 17E.020 SMC, chapter 17E.030 SMC, chapter 17E.040 SMC, chapter 17E.060 SMC, chapter 17E.070 SMC, and chapter 17G.080 SMC.

C. Landscape Plan.

A scale drawing showing site improvements and landscaping required under chapter 17C.200 SMC the following elements:

1. Footprint of all structures.
2. Final site grading.
3. All parking areas and driveways.
4. All sidewalks, pedestrian walkways, and other pedestrian areas.
5. Location, height, and materials for all fences and walls.
6. Common and scientific names of all plant materials used, along with their size at planting and location of all plant materials on the site.

D. Landslide.

Rapid sliding of large masses of rock, soil, or material on steep mountain slopes or from high cliffs.

E. Latah Formation.

Sedimentary layer of claystone to fine-grained sandstone in which very finely laminated siltstone is predominant. The fresh rock ranges in color from various shades of gray to almost white, tan and rust. Much of the finer grained layers contain leaf imprints and other plant debris. Because of its generally poorly consolidated state, the Latah rarely outcrops. It erodes rapidly and therefore is usually covered with later deposits or in steeper terrain hidden under the rubble of overlying basaltic rocks.

F. Launch Ramp.

An inclined slab, set of pads, rails, planks, or graded slope used for launching boats with trailers or by hand.

G. "Ldn" means a day-night average sound level and serves as a basic measure for quantifying noise exposure, namely, the A-weighted sound level averaged over a twenty-four hour time period, with a ten decibel penalty applied to nighttime (ten p.m. to seven a.m.) sound levels.

H. Leak Detection.

A procedure for determining if the material in a primary container has escaped into the outside environment or has invaded an interstitial space in a multiple containment system.

I. Levee.

A natural or artificial embankment on the bank of a stream for the purpose of keeping floodwaters from inundating adjacent land. Some levees have revetments on their sides.

J. Level of Service Standard.

The number of units of capacity per unit of demand. The level of service standards used on concurrency tests are those standards specified in the adopted City of Spokane comprehensive plan.

K. Lighting Methods.

1. Direct.

Exposed lighting or neon tubes on the sign face. Direct lighting also includes signs whose message or image is created by light projected onto a surface.

2. Indirect.

The light source is separate from the sign face or cabinet and is directed to shine onto the sign.

3. Internal.

The light source is concealed within the sign.

L. Lighting Plan.

A general site plan that includes:

1. location of all lighting fixtures on the site;
2. manufacturer's model identification of each lighting fixture;
3. manufacturer's performance specifications of each fixture;
4. a photometric plan of the installed fixtures, which demonstrates that all illumination is confined within the boundaries of the site.

M. Limited Industrial.

Establishments primarily engaged in on-site production or assembly of goods by hand manufacturing involving the use of hand tools and small-scale equipment and may have the incidental direct sale to consumers of those goods produced on-site. Typical uses include:

1. on-site production of goods by hand or artistic endeavor;
2. placement of digital or analog information on a physical or electronic medium;
3. manufacture, predominantly from previously prepared materials, of finished products or parts, provided the noise, light, smell, or vibration does not extend beyond the site; and
4. research of an industrial or biotechnical nature.

All activity must be conducted totally within the structure with no outdoor storage.

N. Listed Species.

A fish or wildlife species on a state or federal species of concern list. Possible designations could include endangered, threatened and sensitive.

O. Littoral Drift.

The natural movement of sediment, particularly sand and gravel, along shorelines by wave action in response to prevailing winds or by stream currents.

P. Living groundcover (or "living ground cover").

Living plant species which reach a height of less than three feet at maturity, planted in such a manner so as to form a continuous cover over the ground. Areas that meet Spokanescape guidelines with drought tolerant plants covering at least half of the project area at maturity and bark or rock mulch covering all exposed soil are considered to meet this definition.

~~((P-))~~ Q. Local Access Street.

A street that provides access from individual properties to collector and minor arterials.

~~((Q-))~~ R. Lot.

1. "Lot" is a parcel or tract of land so designated on a recorded plat or assessors plat, or:
 - a. in an unplatted area, a tract having frontage on a public street or private street within a planned unit development or binding site plan and having the minimum size and dimensions required for a building site by the zoning code; or
 - b. a building site designated as such on an approved planned development plan; or
 - c. an unplatted area, legally created, and having the minimum size and dimensions required for a building site by the zoning code, but that does not have frontage on a public street.
2. A tract consisting of more than one contiguous lot may be considered as one lot for development purposes, subject to interpretation of the location of the front and rear yards.
3. A "corner lot" is a lot bounded on two adjacent sides by intersecting public streets.
4. An "inside lot" is a lot other than a corner lot.

5. A “through lot” is a lot bounded on opposite sides by parallel or approximately parallel public streets.

~~((R-))~~ S. Lot Depth.

The depth of a lot is the horizontal distance between the front lot line and the rear lot line measured in the mean direction of the side lot lines.

~~((S-))~~ T. Lot Lines.

The property lines along the edge of a lot or site.

1. “Front lot line” means a lot line, or segment of a lot line, that abuts a street.
 - a. On a corner lot, the front lot line is the shortest of the lot lines that abut a street. If two or more street lot lines are of equal length, then the applicant or property owner can choose which lot line is to be the front.
 - b. However, a through lot has two front lot lines regardless of whether the street lot lines are of equal or unequal length.
2. “Rear lot line” means a lot line that is opposite a front lot line.
 - a. A triangular lot has two side lot lines but no rear lot line.
 - b. For other irregularly shaped lots, the rear lot line is all lot lines that are most nearly opposite the front lot line.
3. “Side lot line” means a lot line that is neither a front nor rear lot line.
 - a. On a corner lot, the longer lot line, which abuts a street, is a side lot line.
4. “Side street lot line” means a lot line that is both a side lot line and a street lot line.
5. “Street lot line” means a lot line, or segment of a lot line, that abuts a street.
 - a. “Street lot line” does not include lot lines that abut an alley.
 - b. On a corner lot, there are two (or more) street lot lines.
 - c. Street lot lines can include front lot lines and side lot lines.

~~((T-))~~ U. Lot Width.

The width of a lot is the horizontal distance between the side lot lines measured on a line intersecting at right angles the line of the lot depth thirty feet from the front lot line.

~~((U-))~~ V. Low Impact Development (LID).

1. LID is a stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, filtration, storage, evaporation and transpiration by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater management practices that are integrated into a project design.

~~((V-))~~ W. Low Visual Impact Facility.

For the purposes of administration of this code, a low visual impact facility includes a small diameter (three feet or less) antenna or antenna array located on top of an existing pole or on a replacement pole. (See also SMC 17A.020.010, Alternative Tower Structure.)

~~((W-))~~ X. Lowest Floor.

The lowest floor of the lowest enclosed area (including the basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of SMC 17E.030.140.

Section 7. That Section 17A.020.130 SMC 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. Major Transit Stop.

1. A stop on a high-capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW;
2. A stop on bus rapid transit routes or routes that run on high occupancy vehicle lanes.
3. A stop for a bus or other transit mode providing actual fixed route service at intervals of at least fifteen minutes for at least five hours during the peak hours of operation on weekdays.

~~((C-))~~ D. 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-))~~ E. Manufactured Home Park.

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

~~((E-))~~ F. Marquee Sign.

See SMC 17C.240.015.

~~((F-))~~ G. 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-))~~ H. 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-))~~ I. Mean Sea Level.

For purposes of the National Flood Insurance Program, the vertical datum to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

J. Middle Housing.

A residential development that contains two or more attached, stacked, or clustered dwelling units. Middle housing is compatible in scale, form, and characteristics with individual detached single-unit houses and may include any combination of the housing types listed below. (A middle housing development could meet more than one building type definition – e.g., it could be both a stacked flat and a triplex.)

1. Single-Unit Residential Building
2. Duplex
3. Triplex
4. Fourplex
5. Fiveplex
6. Sixplex
7. Attached housing
8. Cottage housing
9. Accessory Dwelling Unit
10. Stacked flat

11. Courtyard apartments~~((K-))~~ K. Mining.

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

~~((J-))~~ L. Minor Arterials

A street providing service for trips of moderate length, connecting the principal arterial system to local streets, generally prioritizing mobility over access, and providing intra-community circulation.

~~((K-))~~ M. Mitigation – Mitigate.

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

~~((L-))~~ N. 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.

~~((M-))~~ O. Mobile Home.

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

~~((N-))~~ P. 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.

~~((O-))~~ Q. 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.

~~((P-))~~ R. 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.

~~((Q-))~~ S. 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.

~~((R-))~~ T. 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.

~~((S-))~~ U. Monument.

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

~~((F.))~~ V. Monument Sign.

See SMC 17C.240.015.

~~((U.))~~ W. ~~((Multi-family))~~ Multi Unit Residential Building (or "Multi-unit Residential").

A common wall dwelling or apartment house that consists of three or more dwelling units on the same lot.

~~((V.))~~ X. 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.

~~((W.))~~ Y. 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.

~~((X.))~~ Z. MUTCD.

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

Section 8. That Section 17A.020.180 SMC is amended to read as follows:

17A.020.180 "R" Definitions

A. RCW.

The Revised Code of Washington, as amended.

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.

C. Reconsideration – Request For.

A request to the appeal body to consider again or reverse the decision on the permit application.

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.

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.
4. Use by commercial or industrial establishments is not included.
5. Unattended drop-off stations for single materials, such as newsprint, are also not included.

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.

G. Redivision.

The redivision of a lot located within a previously recorded plat or short plat.

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.

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.

J. Regularly.

Occurring consistently and repeatedly on an ongoing basis.

K. Regulated Substance.

A critical material as referred to in 42 U.S.C. 6991(2).

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.

M. Religious Organization (or “Faith Based Organization”)

A federally protected practice of a recognized religious assembly, school, or institution that owns or controls real property (see RCW 36.01.290).

~~((M.))~~ N. 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.

~~((N-))~~ O. Reservoir.

A body of water collected and stored in an artificial pool that is intended for future use.

~~((O-))~~ P. Residential Zone.

Those zones from RA through RHD.

~~((P-))~~ Q. 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.

~~((Q-))~~ R. Restoration.

See "Compensatory Mitigation" (SMC 17A.020.030).

~~((R-))~~ S. 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.

~~((S-))~~ T. 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.

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

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

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

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

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

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

Situated alongside or associated with a river.

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

~~((AA-))~~ AB. Roadway Name.

Roadway names consist of three parts:

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

~~((AB-))~~ AC. Rock Shore.

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

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

The falling of rocks from near vertical cliffs.

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

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

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

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

~~((AF-))~~ AG. 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.

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

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

Section 9. That Section 17A.020.190 SMC 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.

See SMC 17C.240.015.

C. Scrub-shrub Wetland.

An area of vegetated wetland with at least thirty percent of its surface area covered by woody vegetation less than twenty feet in height at the uppermost strata.

D. Secondary Building Walls.

Exterior building walls that are not classified as primary building walls.

E. Secondary Containment.

A means of spill or leak containment involving a second barrier or tank constructed outside the primary container and capable of holding the contents of the primary container.

F. Sediment.

Mineral or organic matter deposited as a result of erosion.

G. Sedimentation.

The settling and accumulation of particles such as soil, sand, and gravel, suspended in water or in the air.

H. SEPA Rules.

Chapter 197-11 WAC adopted by the department of ecology.

I. Service Area.

A geographic area defined by the City, which encompasses public facilities that are part of a plan.

J. Serviceable.

Means presently useable.

K. Setback.

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

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

L. Sex Paraphernalia Store.

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

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

M. Sexual Device.

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

N. Shall.

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

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

O. Shallow Groundwater.

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

P. Shared Use Pathway.

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

Q. Shorelands.

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

R. Shoreline and Ecosystems Enhancement Plan and Program.

See SMC 17E.020.090, Habitat Management Plans.

S. Shoreline Buffer.

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

T. Shoreline Enhancement.

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

U. Shoreline Environment Designations.

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

V. Shoreline Habitat and Natural Systems Enhancement Projects.

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

W. Shoreline Jurisdiction.

See "Shorelands."

X. Shoreline Letter of Exemption.

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

Y. Shoreline Master Program.

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

Z. Shoreline Mixed Use.

Combination of water-oriented and non-water oriented uses within the same structure or development area.

AA. Shoreline Modifications.

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

BB. 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.

CC. 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

DD. 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.

EE. 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.

FF. 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.

GG. 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.

HH. 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.

II. 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.

JJ. 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)).

KK. Sign.

See SMC 17C.240.015.

LL. Sign – Animated Sign.

See SMC 17C.240.015.

MM. Sign – Electronic Message Center Sign.

See SMC 17C.240.015.

NN. Sign Face.

See SMC 17C.240.015.

OO. Sign – Flashing Sign.

See SMC 17C.240.015.

PP. Sign Maintenance.

See SMC 17C.240.015.

QQ. Sign – Off-premises.

See SMC 17C.240.015.

RR. Sign Repair.

See SMC 17C.240.015.

SS. Sign Structure.

See SMC 17C.240.015.

TT. 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.

UU. ((Single family)) Single Unit Residential Building (or "Single-unit Residential").

A dwelling containing only one dwelling unit.

VV. 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.

WW. Site.

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

XX. 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.

YY. 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)).

ZZ. Sixplex.

A building that contains six dwelling units on the same lot that share a common wall or common floor/ceiling.

~~((AZ.))~~ BA. Slump.

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

~~((BA.))~~ BB. SMC.

The Spokane Municipal Code, as amended.

~~((BB.))~~ BC. Soil.

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

~~((BC.))~~ BD. 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.

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

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

~~((BE.))~~ BF. 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.

~~((BF.))~~ BG. Special Event Sign.

See SMC 17C.240.015.

~~((BG.))~~ BH. 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.

~~((BH.))~~ BI. 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.

~~((BL-))~~ BJ. 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.

~~((BL-))~~ BK. 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.

~~((BK-))~~ BL. Spokane Register of Historic Places.

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

~~((BL-))~~ BM. 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.

~~((BM-))~~ BN. 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.

BO. Stacked flat.

Dwelling units in a residential building of no more than three stories in which each floor may be separately rented or owned.

~~((BN-))~~ BP. Standard Plans.

Refers to the City of Spokane's standard plans.

~~((BO-))~~ BQ. Standard References

Standard engineering and design references identified in SMC 17D.060.030.

~~((BP-))~~ BR. Start of Construction

Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

~~((BQ-))~~ BS. State Candidate Species.

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

~~((BR-))~~ BT. 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.

~~((BS-))~~ BU. State Register.

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

~~((BT-))~~ BV. 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.

~~((BU-))~~ BW. 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.

~~((BV-))~~ BX. 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.

~~((BW-))~~ BY. Stewardship.

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

~~((BX-))~~ BZ. 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.

~~((BY-))~~ CA. 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.

~~((BZ-))~~ CB. 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.

~~((CA-))~~ CC. 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)).

~~((CB-))~~ CD. Street.

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

~~((CG-))~~ CE. 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.

~~((CD-))~~ CF. Street Frontage.

The lot line abutting a street.

~~((CE-))~~ CG. Strobe Light.

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

~~((CF-))~~ CH. Structural Alteration.

See SMC 17C.240.015.

~~((CG-))~~ CI. 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.
3. For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

~~((CH-))~~ CJ. 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.

~~((C+-))~~ CK. 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).

~~((G+-))~~ CL. Subject Property.

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

~~((CK-))~~ CM. Sublevel Construction Controls.

Design and construction requirements provided in SMC 17F.100.090.

~~((CL-))~~ CN. 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.

~~((CM-))~~ CO. 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 market value of the structure before the damage occurred.

~~((CN-))~~ CP. 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.

~~((CO-))~~ CQ. Substantial Improvement – Floodplain.

1. This definition includes structures that have incurred “substantial damage,” regardless of the actual work performed.
2. 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.
3. 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.
4. The term does not, however, include either any:
 - a. Project for improvement of a structure to correct previously identified 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 “historic structure” provided the alteration will not preclude the structure’s continued designation as a “historic structure.”

~~((CP-))~~ CR. 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 10. That Section 17A.020.200 SMC is amended to read as follows:

17A.020.200 “T” Definitions

A. Temporary Erosion and Sediment Control Measures.

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

B. Temporary Sign.

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

C. Temporary Structure.

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

D. Tenant Space.

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

E. Through Pedestrian Zone.

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

F. Tideland.

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

G. Total Maximum Daily Load (TMDL).

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

H. [Deleted].

I. [Deleted].

J. [Deleted].

K. Tracking.

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

L. Tract.

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

M. Traveled Way.

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

N. Triplex.

A building that contains three dwelling units on the same lot that share a common wall or common floor/ceiling.

~~((N-))~~ O. Type I Application.

An application for a project permit that is subject to an administrative approval and is not categorically exempt from environmental review under chapter 43.21C RCW (SEPA) and the City of Spokane Environmental Ordinance chapter 17E.050 SMC, and does not require a public hearing. Type I applications are identified in [Table \(\(47G.060-4\)\) 17G.061.010-1](#) in chapter ~~((47G.060))~~ [17G.061 SMC](#). These applications may include, but are not limited to, building permits and grading permits.

~~((O-))~~ P. Type II Application.

An application for a project permit that is subject to an administrative decision of a department director, that may or may not be categorically exempt from chapter 43.21C RCW (SEPA), and does not require a public hearing. The Type II applications are identified in [Table \(\(47G.060-4\)\) 17G.061.010-1](#) in chapter ~~((47G.060))~~ [17G.061 SMC](#). These applications may include, but are not limited to, short plats, binding site plans, shoreline substantial development permits, and some conditional use permits; provided, the planning director may require conditional use permits which are otherwise characterized as Type II applications under this title to be submitted and processed as Type III applications when the director issues written findings that the Type III process is in the public interest.

~~((P-))~~ Q. Type III Application.

An application for a project permit that is subject to a quasi-judicial decision of the hearing examiner that may or may not be categorically exempt from chapter 43.21C RCW (SEPA) and the City of Spokane Environmental Ordinance chapter 17E.050 SMC and requires a public hearing. Type III applications are identified in [Table \(\(47G.060-4\)\) 17G.061.010-1](#) in chapter ~~((47G.060))~~ [17G.061 SMC](#). These applications may include, but are not limited to, rezones, conditional use permits, preliminary long plats, or shoreline conditional use permits.

Section 11. That Section 17A.040.020 SMC is amended to read as follows:

17A.040.020 Establishment of Map and Text

To accomplish the intent and purpose outlined in SMC 17A.010.002, this development code includes both a map, by which the City of Spokane is divided into various zones, and a text, by which the uses, development standards, and other regulations for each zoning district are set forth. The map and text are found to provide proper zoning for the City and to meet all criteria of this development code. The location and boundaries of all zoning districts designated in this title are as shown on the map entitled zoning map of the City of Spokane, dated with the effective date of adoption of new development code and signed by the mayor and the clerk of the City, and as amended, is hereinafter referred to as the ~~((zoning map))~~ Zoning Map or Official Zoning Map.

Section 12. That Section 17A.040.030 SMC is amended to read as follows:

17A.040.030 Maintenance of the Map

The original signed copy of the zoning map containing the zoning districts designated at the time of adoption of this title shall be filed in the office of the city clerk and a duplicate shall be filed in the ~~((planning services))~~ Planning and Economic Development Services department to keep the maps up to date at all times. Copies of all zoning maps and amendments shall be dated with the effective date of the document adopting the map and amendments and shall be maintained without change, together with the adopting documents, on file in the ~~((planning services))~~ Planning and Economic Development Services department.

Section 13. That Section 17A.040.040 SMC is amended to read as follows:

17A.040.040 Amendments to Map and Text

A. Amendments.

Amendments may be proposed by the city council on its own motion or may be proposed by the plan commission on its own motion, or the amendment may be proposed by an applicant or City staff pursuant to chapter ~~((47G.060))~~ 17G.061 SMC. A correct copy of each amendment to the text or to the map established by this title shall be maintained on file in the offices of the city clerk and the ~~((planning services))~~ Planning and Economic Development Services department.

B. Timing and Responsibility for Updating Official Zoning Map.

All amendments hereafter made to the zoning map by ordinance shall be shown on the map(s). It shall be the responsibility of the planning services director to keep the maps up to date at all times. Any amendments to the zoning map shall be made in accordance with the comprehensive plan land use map, as amended.

Section 14. That Section 17A.040.050 SMC is amended to read as follows:

17A.040.050 Interpretation of the Zoning Map

Where, due to the scale, lack of detail, or illegibility of the zoning map, there is uncertainty, contradiction or conflict as to the intended location of any zoning district boundary as shown thereon, the ~~((planning and economic development services director))~~ Planning Director shall make an interpretation in writing of said map upon request of any person pursuant to chapter 17A.050 SMC. Any person aggrieved by any such interpretation may appeal such interpretation to the hearings examiner under SMC ~~((47G.060.240))~~ 17G.061.340. The director, in interpreting the zoning map or the hearings examiner in deciding any appeal, shall apply the following standards:

A. General Rules for Drawing Boundaries.

Zoning district boundary lines are intended to follow lot lines or be parallel or perpendicular thereto, or along the centerline of alleys, streets, rights-of-way or watercourses, unless such boundary lines are fixed by dimensions shown on the zoning map. Boundaries indicated as approximately following river, stream and/or drainage channels shall be construed as following river, stream and/or drainage channels. If a zoning district boundary divides a lot into two or more zoning districts, the location of the boundary, unless indicated by dimensions shown on the zoning map, shall be determined by the use of the map scale shown thereon.

B. When Rights-of-way Are Vacated.

When zoning districts are separated by a public street, alley or other public way, the boundary between the districts shall be construed as being the centerline of the right-of-way. Whenever any street, alley, or other public way is vacated in the manner authorized by law, the zoning district adjoining each side of the street, alley, or public way shall extend to the center of the former street, alley, or public way.

Section 15. That Chapter 17C.110 SMC is repealed.

Section 16. That there is adopted Chapter 17C.111 SMC to read as follows:

Chapter 17C.111 Residential Zones

17C.111.010 Purpose

The residential zones implement the residential goals and policies and land use plan map designations of the comprehensive plan. They are intended to preserve land for housing and to provide housing opportunities for individual households. The zones are distinguished by the permitted uses, the housing types, and intensity of development allowed. The differences in the zoning categories reflect the diversity of residential areas in the City. The limits on the intensity of uses and the development standards promote the desired form for the residential area. The standards are intended to provide certainty to property owners, developers, and neighbors of what is allowed in the various categories.

A. Use Standards.

The use standards are intended to create and maintain residential neighborhoods. They allow for some nonhousehold living uses but not to such an extent as to sacrifice the overall residential neighborhood form and function.

B. Development Standards.

The development standards preserve the characteristics of neighborhoods by providing six different zones with different intensities and development standards. The development standards work together to promote desirable residential areas by addressing aesthetically pleasing environments, safety, privacy and recreational opportunities. The site development standards allow for flexibility of development while ensuring new development complements existing development and maintaining compatibility within the City's various neighborhoods. The development standards are generally written for houses on flat, regularly shaped lots. Other situations are addressed through special standards or exceptions.

17C.111.015 Design Standards Administration

All projects must address the pertinent design standards and guidelines. A determination of consistency with the standards and guidelines will be made by the Planning Director following an administrative design review process. Design standards are in the form of Requirements (R), Presumptions (P), and Considerations (C). Regardless of which term is used, an applicant must address each guideline. The City will expect to see how the design of a project has responded to every one of the guidelines. An applicant may seek to deviate from eligible standards and guidelines through the design departure process; see chapter 17G.030 SMC, Design Departures.

A. Requirements (R).

1. Requirements are objective standards that involve no discretion by the reviewer, using language such as "shall," "must," and "will." Requirements must be satisfied by any plan prior to building permit approval. Requirements are listed with an (R) after the standard.
2. Design departures from Requirements.
 - a. An applicant may seek a deviation from certain Requirements through the design departure process, chapter 17G.030 SMC, Design Departures.
 - b. A design departure to a Requirement may only be approved if the proposed design is found to be an improvement over the non-discretionary standards – so long as the purpose of the Requirement is satisfied.
 - c. Design departures for Requirements are typically reviewed by the City's Urban Design staff. At the discretion of the applicant, a request to deviate from a Requirement may be referred to the Design Review Board pursuant to the procedures set forth in chapter 17G.030 SMC. In cases of involving projects of unusual complexity and/or situations where it is not clear whether or not the proposal satisfies the intent of the design standards, City staff may refer the project application to the Design Review Board.

B. Presumptions (P).

1. Presumptions are objective standards that involve no discretion by the reviewer but may include some flexibility for how the standards may be met. For example, some Presumptions offer a list or menu of options for meeting the standard. Presumptions must be satisfied by any plan prior to building permit approval. Presumptions are listed with an (P) after the standard.
2. Design departures and waivers from Presumptions.

An applicant may seek a waiver of a Presumption, as provided in subsections (a) and (b), or may request a design departure pursuant to subsection (c) and chapter 17G.030 SMC, Design Departures.

a. Waiving a Presumption.

A Presumption that may be unsuitable for a given project may be waived if an applicant can demonstrate that there is a good reason why the Presumption is inappropriate. An alternative may be approved that achieves the intent of the Presumption.

b. Appropriate reasons for waiving a Presumption include:

- i. demonstrating that in this instance the underlying design principles will not be furthered by the application of the Presumption;
- ii. showing that another design principle is enhanced by not applying the Presumption;
- iii. demonstrating an alternative method for achieving the intent of the Presumption;
- iv. explaining the unique site factors that make the Presumption unworkable such as lot size and shape, slope, natural vegetation, drainage, and characteristics of adjacent development, which are identified through their use of materials, colors, building mass and form, and landscaping.

Note: Increases in the cost of development and/or compliance with applicable standards generally will not be an acceptable reason to waive a Presumption or determine that a Presumption is inappropriate.

- c. A design departure to a Presumption may only be approved if the proposed design is found to be either equal to or better than the non-discretionary standards – so long as the purpose of the Presumption is satisfied.

- d. Waivers and design departures for Presumptions are typically reviewed by the Planning Director through an administrative review. At the discretion of the applicant, a request to waive or deviate from a Presumption may be referred to the Design Review Board pursuant to the procedures set forth in chapter 17G.030 SMC. In cases involving projects of unusual complexity and/or situations where it is not clear to the Planning Director whether or not the proposal satisfies the intent of the Presumption, the Director may also refer the project application to the design review board.

C. Considerations (C).

Design standards listed as Considerations are features and concepts that an applicant should consider in preparing a plan. Considerations are only reviewed as part of the design departure process, pursuant to chapter 17G.030 SMC. In reviewing a design departure request, the Design Review Board, Urban Design staff, or Planning Director (as applicable) will review an applicant's response to a consideration, which may assist in gaining acceptance for a plan. Outside of a design departure, Considerations are encouraged, but not required or enforceable. Considerations are listed with an (C) after the standard.

17C.111.020 List of the Residential Zones

The full names, short names and map symbols of the residential zones are listed below. When this chapter refers to the low-intensity residential zones, it is referring to the RA, R1, and R2 zones listed herein. When this chapter refers to the residential zones, it is referring to the low-intensity residential and higher-intensity residential zones in this chapter.

Full Name	Short Name/ Map Symbol
Residential Agricultural	RA
Residential 1	R1
Residential 2	R2
Residential Multifamily	RMF
Residential High Density	RHD

17C.111.030 Characteristics of Residential Zones

A. Residential Agriculture (RA).

The RA zone is a low-intensity 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-unit residences and minor structures used for sales of agricultural products produced on the premises.

B. Residential 1 (R1).

The R1 zone is a low-intensity residential zone. The zone allows a range of housing choices built at the general scale and height of detached houses. This includes both detached and attached homes and middle housing types.

C. Residential 2 (R2).

The R2 zone is a low-intensity residential zone. It allows a range of housing choices built at the general scale and height of detached houses—including both detached and attached homes and middle housing types—but at a slightly larger development intensity than the R1 zone.

D. Residential Multifamily (RMF).

The RMF zone is a medium-intensity residential zone. Allowed housing includes larger multi-unit structures while also including a mix of lower intensity middle housing and detached housing. The RMF zone allows higher development intensity as compared to the R2 zone.

E. Residential High Density (RHD).

The RHD is a high-intensity residential zone that allows the highest intensity and scale of housing in the residential zones. The allowed housing developments including those found in the RMF zone but also including taller and more intense apartment complexes.

17C.111.040 Other Zoning Standards

The standards in this chapter state the allowed uses and development standards for the base zones. Sites with overlay zones, neighborhood plans, plan districts or designated historical landmarks are subject to additional standards. The official zoning maps indicate which sites are subject to these additional standards. Specific uses or development types may also be subject to standards in Part 3, Special Use Standards, of this division.

17C.111.100 Residential Zone Primary Uses**A. Permitted Uses (P).**

Uses permitted in the residential zones are listed in Table 17C.111.100-1 with a "P." These uses are allowed if they comply with the development standards and other standards of this chapter.

B. Limited Uses (L).

Uses permitted that are subject to limitations are listed in Table 17C.111.100-1 with an "L." These uses are allowed if they comply with the limitations as listed in the footnotes following the table and the development standards and other standards of this chapter. In addition, a use or development listed in SMC 17C.320.080, Decision Criteria, is also subject to the standards of this chapter. The paragraphs listed below contain the limitations and correspond with the bracketed [] footnote numbers from Table 17C.111.100-1.

C. Conditional Uses (CU).

Uses that are allowed if approved through the conditional use review process are listed in Table 17C.111.100-1 with a "CU." These uses are allowed provided they comply with the conditional use approval criteria for that use, the development standards and other standards of this chapter. Uses listed with a "CU" that also have a footnote number in the table are subject to the standards cited in the footnote. In addition, a use or development listed in SMC 17C.320.080, Decision Criteria, is also subject to the standards of this chapter. The conditional use review process and approval criteria are stated in SMC 17C.320, Conditional Uses.

D. Uses Not Permitted (N).

Uses listed in Table 17C.111.105-1 with an "N" are not permitted. Existing uses in categories listed as not permitted are subject to the standards chapter 17C.210 SMC, Nonconforming Situations.

TABLE 17C.111.100-1 RESIDENTIAL ZONE PRIMARY USES (Click here to view PDF)					
Use is: P - Permitted N - Not Permitted L - Allowed, but special limitations CU - Conditional Use review required	RA	R1	R2	RMF	RHD
RESIDENTIAL CATEGORIES					
Group Living [1]	L/CU	L/CU	L/CU	L/CU	L/CU
Residential Household Living	P	P	P	P	P
COMMERCIAL CATEGORIES					
Adult Business	N	N	N	N	N
Commercial Outdoor Recreation	N	CU	CU	CU	CU
Commercial Parking	N	N	N	N	N
Drive-through Facility	N	N	N	N	N
Major Event Entertainment	N	N	CU	CU	CU
Office	N	N	N	CU[2]	CU[2]
Quick Vehicle Servicing	N	N	N	N	N
Retail Sales and Service	N	N	N	N	N
Mini-storage Facilities	N	N	N	N	N
Vehicle Repair	N	N	N	N	N
INDUSTRIAL CATEGORIES					
High Impact Uses	N	N	N	N	N
Industrial Service	N	N	N	N	N
Manufacturing and Production	N	N	N	N	N
Railroad Yards	N	N	N	N	N
Warehouse and Freight Movement	N	N	N	N	N
Waste-related	N	N	N	N	N
Wholesale Sales	N	N	N	N	N
INSTITUTIONAL CATEGORIES					
Basic Utilities [3]	L	L	L	L	L
Colleges	CU	CU	CU	P	P
Community Service	L[4]/CU	L[4]/CU	C[4]/CU	P	P
Daycare [5]	L	L	L	P	P
Medical Center	CU	CU	CU	CU	CU
Parks and Open Areas	P	P	P	P	P
Religious Institutions	L[6]/CU	L[6]/CU	L[6]/CU	P	P
Schools	L[7]/CU	L[7]/CU	L[7]/CU	P	P

OTHER CATEGORIES					
Agriculture	L[8]	N	N	N	N
Aviation and Surface Passenger Terminals	N	N	N	N	N
Detention Facilities	N	N	N	CU	CU
Essential Public Facilities	CU	CU	CU	CU	CU
Mining	N	N	N	N	N
Rail Lines and Utility Corridors	CU	CU	CU	CU	CU
Notes: * The use categories are described in chapter 17C.190 SMC. * Standards that correspond to the bracketed numbers [] are stated in SMC 17C.111.110. * Specific uses and development may be subject to the standards in SMC 17C.320.080.					

17C.111.110 Limited Use Standards

The uses listed below contain the limitations and correspond with the bracketed [] footnote numbers from Table 17C.111.100-1.

A. Group Living.

This regulation applies to all parts of Table 17C.111.100-1 that have a note [1]. Group living uses are also subject to the standards of chapter 17C.330 SMC, Group Living.

1. General Standards.

All group living uses in RA, R1, R2, RMF and RHD zones, except for alternative or post incarceration facilities, are regulated as follows:

- a. All group living uses are subject to the requirements of chapter 17C.330 SMC, Group Living, including the maximum residential density provisions of Table 17C.330-1.
- b. Group living uses for more than six residents are a conditional use in the RA and R1 zones, subject to the standards of chapter 17C.320 SMC, Conditional Uses, and the spacing requirements of SMC 17C.330.120(B)(2).
- c. Group living uses for more than twelve residents are a conditional use in the R2 and RMF zones, subject to the standards of chapter 17C.320 SMC, Conditional Uses, and the spacing requirements of SMC 17C.330.120(B)(2).
- d. Exception.

Normally all residents of a structure are counted to determine whether the use is allowed or a conditional use as stated in subsections (A)(1)(a), (b) and (c) of this section. The only exception is residential facilities licensed by or under the authority of the state of Washington. In these cases, staff persons are not counted as residents to determine whether the facility meets the twelve-resident cut-off above, for which a conditional use permit is required.

2. Alternative or Post Incarceration Facilities.

Group living uses which consist of alternative or post incarceration facilities are conditional uses regardless of size and are subject to the provisions of chapter 17C.320 SMC, Conditional Uses. They are also subject to the standards of chapter 17C.330 SMC, Group Living.

B. Office.

1. This regulation applies to all parts of Table 17C.111.100-1 that have a note [2]. Offices in the RMF and RHD zones and are subject to the provisions of chapter 17C.320 SMC, Conditional Uses and are processed as a Type III application.

C. Basic Utilities.

This regulation applies to all parts of Table 17C.111.100-1 that have a note [3]. Basic utilities that serve a development site are accessory uses to the primary use being served. In the RA, R1, and R2 zones, a one-time addition to an existing base utility use is permitted, provided the addition is less than fifteen hundred square feet and five or less parking stalls located on the same site as the primary use. The addition and parking are subject to the development standards of the base zone and the design standards for institutional uses. New buildings or larger additions require a conditional use permit and are processed as a Type III application. New buildings or additions to existing base utilities uses are permitted in the RMF and RHD zones.

D. Community Service Facilities.

This regulation applies to all parts of Table 17C.111.100-1 that have a note [4]. In the RA, R1, and R2 zones, a one-time addition to an existing community services use is permitted, provided the addition is less than fifteen hundred square feet and three or less parking stalls located on the same site as the primary use. The addition and parking are subject to the development standards of the base zone and the design standards for institutional uses. New buildings or larger additions require a conditional use permit and are processed as a Type III application. New buildings or additions to existing community services uses are permitted in the RMF and RHD zones.

E. Daycare.

This regulation applies to all parts of Table 17C.111.100-1 that have a note [5]. Daycare uses are allowed by right if locating within a building or residence and providing services to no more than twelve (children or clients). Daycare facilities for more than twelve children are a conditional use and are processed as a Type II application in the RA, R1, and R2 zones. However, in the R1 zone, daycare centers up to forty children are permitted if locating within a building that currently contains or did contain a college, medical center, school, religious institution, or a community service facility.

F. Religious Institutions.

This regulation applies to all parts of Table 17C.111.100-1 that have a note [6]. In the RA, R1, and R2 zones, a one-time addition to religious institutions is permitted, provided the addition is less than one thousand five hundred square feet and fifteen or less parking stalls located on the same site as the primary use. The addition and parking are subject to the development standards of the base zone and the design standards for institutional uses. New buildings or larger additions require a conditional use permit and are processed as a Type II application. 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.

Applicants must comply with the community meeting requirements set forth in SMC 17G.061.110 prior to submitting an application. New buildings or additions to existing religious institutions uses are permitted in the RMF and RHD zones.

G. Schools.

This regulation applies to all parts of the Table 17C.111.100-1 that have a note [7]. In the RA, R1, and R2 zones, a one-time addition to schools is permitted, provided the addition is less than five thousand square feet and five or less parking stalls located on the same site as the primary use. The addition and parking are subject to the development standards of the base zone and the design standards for institutional uses. New buildings or larger additions require a conditional use permit and are processed as a Type II application. 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. Applicants must comply with the community meeting requirements set forth in SMC 17G.061.110 prior to submitting an application.

H. Agriculture.

This regulation applies to all parts of Table 17C.111.100-1 that have a note [8]. The keeping of large and small domestic animals, including bees, is permitted in the RA zone. See chapter 17C.310 SMC, Animal Keeping, for specific standards.

17C.111.115 Housing Types Allowed

A. Purpose.

Housing types allowed in each zone are consistent with the intended intensity and scale of the zone, as described in section 17C.111.030. The standards allow options to increase housing variety and opportunities, and to promote affordable and energy-efficient housing. Other housing types, including large multifamily buildings, are allowed in the higher intensity zones under the RMF and RHD categories.

B. The kinds of housing types allowed in the residential zones are stated in Table 17C.111.115-1.

TABLE 17C.111.115-1 RESIDENTIAL ZONE HOUSING TYPES ALLOWED					
P – Permitted N – Not Permitted CU – Conditional Use review required	RA	R1	R2	RMF	RHD
Single-Unit Residential Building	P	P	P	P	P
Middle housing [1]	N	P	P	P	P
Accessory Dwelling Unit (ADU) [2]	P	P	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				
Multi-Unit Residential Building [1]	N	P	P	P	P
Short Term Rentals [4]	P/CU	P/CU	P/CU	P/CU	P/CU
Notes: [1] See SMC 17A.020.130 for definitions of middle housing and multi-unit residential building. [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.					

17C.111.120 Accessory Uses

Accessory uses to a primary use are allowed if they comply with specific standards for the accessory uses and all development standards. See chapter 17C.190 SMC, Use Category Descriptions. Accessory buildings such as garages are included in SMC 17C.111.240. Accessory dwelling units, bed and breakfast facilities, short-term rentals, and home occupations have specific standards in chapter 17C.300 SMC, chapter 17C.315 SMC, chapter 17C.316 SMC, and chapter 17C.340 SMC, respectively.

17C.111.125 Nuisance-related Impacts

A. Off-site Impacts

All institutional uses including their accessory uses must comply with the standards of chapter 17C.220 SMC, Off-site Impacts.

B. Other Nuisances.

The Spokane Municipal Code under Title 10 SMC, Regulation of Activities, and Title 17 SMC, Unified Development Code, regulates other nuisances.

C. Agricultural Activities.

1. Agricultural activities are an important part of the character of the Latah Creek valley and the City as a whole. The conduct of agricultural activities in an urbanizing area may lead to zoning and nuisance complaints and force the premature removal of lands from agricultural use. It is the intent of the City to protect agricultural activities in this area from zoning and nuisance complaints.
2. Agricultural activities, when conducted consistent with good agricultural practices, are a permitted activity within the RA zone, and are not to be found to constitute a nuisance unless the activity has a substantial adverse effect upon the public health and safety. Agricultural activities undertaken in conformity with all applicable laws and rules are presumed to be good agricultural practices not adversely affecting the public health and safety. An agricultural activity conducted in conformity with all applicable rules and laws is not restricted as to the hours of the day or day(s) of the week during which it may be conducted.
3. Any property offered for sale within the agricultural overlay zone will include notice on subdivisions, development permits and building permits within three hundred feet of lands designated as agriculture that agricultural activities may be conducted and that such activities are legal and permitted by zoning regulations. Failure to do so does not negate the right to engage in agricultural activities on any property located within the agricultural overlay zone.

17C.111.200 Lot Size and Dimensions

A. Purpose.

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.

The lot dimension standards further ensure that:

- a. Each lot has enough room for a reasonably-sized house;
- b. Lots are of a size and shape that development on each lot can meet the development standards of the zoning code;
- c. Housing units have access to private or shared open space;
- d. Lots don't narrow to an unbuildable width close to the street;
- e. Lots have access from public rights-of-way;
- f. Each lot has access for utilities and services;
- g. Lots are an appropriate size and shape so that development can be oriented toward the street;
- h. Housing goals for the City are met; and
- i. To avoid having the garage door as the dominant feature of the front of a house on narrow lots.

B. Existing Lot Size.

1. 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 follows:
 - a. Through a Planned Unit Development as described in chapter 17G.070 SMC.
 - b. Through a unit lot subdivision pursuant to SMC 17G.080.065.
2. 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.

B. Land Division.

1. All new lots created through subdivision must comply with the standards for the base zone listed in Table 17C.111.205-1.
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 R1 zones pursuant to SMC 17G.070.030(C)(1).

C. 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).

D. 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 in Table 17C.111.205-2.

E. Lot Frontage.

All residential lots shall front onto a public street and meet the minimum lot frontage requirements of Table 17C.111.205-1 except as follows:

1. For lots created through unit lot subdivisions approved under SMC 17G.080.065.
2. For lots approved in a planned unit development approved under chapter 17G.070 SMC.
3. For lots in a manufactured home park approved under SMC 17H.010.090.

17C.111.205 Development Standards Tables

Development standards that apply within the residential zones are provided in Tables 17C.111.205-1 through 17C.111.205-3.

17C.111.210 Density

A. Purpose.

The number of dwellings per unit of land, the density, is controlled so that housing can match the availability of public services. The use of density minimums ensures that in areas with the highest level of public services, that the service capacity is not wasted and that the City's housing goals are met.

B. Calculating Density.

The calculation of density for a subdivision or residential development is net area and is based on the total area of the subject property, less the area set aside for right-of-way and tracts of land dedicated for stormwater facilities. Land within a critical area (see definitions under chapter 17A.020 SMC) may be subtracted from the calculation of density. When the calculation of density results in a fraction, the density allowed is rounded up to the next whole number. For example, a calculation in which lot area, divided by minimum unit area equals 4.35 units, the number is rounded up to five units.

C. Maximum Density Applicability and Calculation.

1. The maximum density standards in Table 17C.111.205-1 shall be met only when the development site exceeds 2 acres in area. In such cases, the following apply:

TABLE 17C.111.205-1 LOT DEVELOPMENT STANDARDS [1]					
	RA	R1	R2	RMF	RHD
DENSITY STANDARDS					
Maximum density on sites 2 acres or less [2][3]	No maximum	No maximum	No maximum	No maximum	No maximum
Maximum density on sites larger than 2 acres [2]	10 units/acre	10 units/acre	20 units/acre	No maximum	No maximum
Minimum density [2]	4 units/acre	4 units/acre	10 units/acre	15 units/acre	15 units/acre
LOT DIMENSIONS FOR SUBDIVISIONS AND SHORT SUBDIVISIONS					
Minimum lot area	7,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.
Minimum lot width with no driveway approach [4]	40 ft.	15 ft.	15 ft.	15 ft.	15 ft.
Minimum lot width with driveway approach [4]	40 ft.	36 ft.	36 ft.	25 ft.	25 ft.
Minimum lot width within Airfield Overlay Zone	40 ft.	40 ft.	36 ft.	25 ft.	25 ft.

Minimum lot depth	80 ft.	80 ft.	40 ft.	N/A	N/A
Minimum lot frontage	40 ft.	Same as minimum lot width	Same as minimum lot width	Same as minimum lot width	Same as minimum lot width
MINIMUM LOT DIMENSIONS FOR UNIT LOT SUBDIVISIONS					
Minimum parent lot area	No minimum	No minimum	No minimum	No minimum	No minimum
Maximum parent lot area	2 acres	2 acres	2 acres	2 acres	2 acres
Minimum child lot area	No minimum	No minimum	No minimum	No minimum	No minimum
Minimum child lot depth	No minimum	No minimum	No minimum	No minimum	No minimum
LOT COVERAGE					
Maximum total building coverage [5][6][7]	50%	65%	80%	100%	100%
Maximum lot impervious coverage without engineer's stormwater drainage plan - not in ADC [5][8]	50%	60%	60%	N/A	N/A
Maximum lot impervious coverage without engineer's stormwater drainage plan - inside ADC [5][8]	40%	40%	40%	N/A	N/A
Notes:					
[1] Plan district, overlay zone, or other development standards contained in Title 17C SMC may supersede these standards.					
[2] See SMC 17C.111.210 for applicability of minimum and maximum density standards in the residential zones.					
[3] Development within Airfield Overlay Zones is further regulated as described in SMC 17C.180.090, Limited Use Standards.					
[4] Lots with vehicle access only from an alley are not considered to have a "driveway approach" for the purposes of this standard.					
[5] Lot and building coverage calculation includes all primary and accessory structures.					
[6] Building coverage for attached housing is calculated based on the overall development site, rather than individual lots.					
[7] Developments meeting certain criteria relating to transit, Centers & Corridors, or housing affordability are given a bonus for building coverage. See SMC 17C.111.225 for detailed eligibility criteria.					
[8] Projects may exceed impervious coverage requirements by including an engineer's drainage plan in submittals, subject to review by the City Engineer as described in SMC 17D.060.135. "ADC" means Area of Drainage Concern.					

TABLE 17C.111.205-2 BUILDING AND SITING STANDARDS [1]					
	RA	R1	R2	RMF	RHD
PRIMARY BUILDINGS					
Floor area ratio	N/A	N/A	N/A	N/A	N/A
Maximum building footprint per primary building - lot area 7,000 sq. ft. or less	N/A	2,450 sq. ft.	2,450 sq. ft.	N/A	N/A
Maximum building footprint per primary building - lot area more than 7,000 sq. ft.	N/A	35%	35%	N/A	N/A
Maximum building height [2]	35 ft.	40 ft.	40 ft.	40 ft.	40 ft.
Minimum Setbacks					
Front [3]	15 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Interior side lot line - lot width 40 ft or less [4]	3 ft.	3 ft.	3 ft.	3 ft.	3 ft.
Interior side lot line - lot width more than 40 ft [4]	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
Street side lot line – all lot widths	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
Attached garage or carport entrance from street	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Rear	25 ft.	15 ft.	15 ft.	10 ft.	10 ft.
ACCESSORY DWELLING UNITS					
Maximum building footprint for accessory dwelling unit - lot area 5,500 sq. ft. or less	1,100 sq. ft.	1,100 sq. ft.	1,100 sq. ft.	1,100 sq. ft.	1,100 sq. ft.
Maximum building footprint for accessory dwelling unit - lots larger than 5,500 sq. ft.	15%	15%	15%	15%	15%
Maximum building height	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.
Minimum side lot line setbacks [4] [5]	Same as Primary Structure				
Minimum rear setback with alley	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
Minimum rear setback no alley [5]	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
OTHER ACCESSORY STRUCTURES					
Maximum lot coverage for accessory structures – lots 5,500 sq. ft. or less	20%	20%	20%	See Primary Structure	See Primary Structure
Maximum lot coverage for accessory structures – lots larger than 5,500 sq. ft.	20%	15%	15%	See Primary Structure	See Primary Structure

- a. If a land division is proposed, the applicant must demonstrate how the proposed lots can meet maximum density once construction is completed.

Maximum building height	30 ft.	20 ft.	20 ft.	35 ft.	35 ft.
Minimum side lot line setbacks [4] [5] [6]	Same as Primary Structure				
Minimum rear setback with alley	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
Minimum rear setback no alley [5]	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.
OPEN SPACE					
Minimum outdoor area per unit [7]	250 sq. ft.	250 sq. ft.	250 sq. ft.	200 sq. ft.	48 sq. ft.
Minimum common outdoor area per unit as a substitute for private area - first six units	200 sq. ft.	200 sq. ft.	200 sq. ft.	150 sq. ft.	48 sq. ft.
Minimum common outdoor area per unit as a substitute for private area - all units after six	150 sq. ft.	150 sq. ft.	150 sq. ft.	100 sq. ft.	48 sq. ft.
Notes: [1] Plan district, overlay zone, or other development standards contained in Title 17C SMC may supersede these standards. [2] Base zone height may be modified according to SMC 17C.111.230, Height. [3] Certain elements such as covered porches may extend into the front setback. See SMC 17C.111.235, Setbacks. [4] There is an additional angled setback from the interior side lot line. Refer to SMC 17C.111.230(C) and 17C.111.235(E) for more detail. [5] Setbacks 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 as specified in SMC 17C.111.240(C). [6] Accessory structures may be subject to an additional side setback adjacent to streets as specified in 17C.111.240(C)(5). [7] Common outdoor area may be substituted for private outdoor area according to SMC 17C.111.310.					

TABLE 17C.111.205-3 DEVELOPMENT STANDARDS FOR PROPERTIES QUALIFYING FOR DEVELOPMENT BONUS [1] [2]					
	RA	R1	R2	RMF	RHD
LOT COVERAGE					
Maximum total building coverage	N/A	80%	90%	100%	100%
PRIMARY BUILDINGS					
Floor area ratio	N/A	N/A	N/A	N/A	N/A
Maximum building footprint per primary building - lot area 7,000 sq. ft. or less	N/A	2,450 sq. ft.	2,450 sq. ft.	N/A	N/A
Maximum building footprint per primary building - lot area more than 7,000 sq. ft.	N/A	35%	35%	N/A	N/A
Notes: [1] Standards not addressed in this table are consistent with the general standards in Tables 17C.111.205-1 and 17C.111.205-2. [2] Criteria to qualify for Development Bonuses is outlined in SMC 17C.111.225.					

- b. If no land division is proposed, maximum density must be met at the time of development.
- c. Maximum density is based on the zone and size of the site. 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 stormwater facilities;
 Divided by maximum density from Table 17C.111.205-1;
 Equals maximum number of units allowed. If this formula results in a decimal fraction, the resulting maximum number of units allowed is rounded up to the next whole number. Decimal fractions of five tenths or greater are rounded up. Fractions less than five tenths are rounded down.

2. If the development site is 2 acres or less in area, the maximum density standards do not apply.

3. The number of units allowed on a site is based on the presumption that all site development standards will be met.

D. Minimum Density Applicability and Calculation.

1. The minimum density standards in Table 17C.111.205-1 shall be met under the following circumstances:

- a. A land division is proposed.
- b. In such cases, the applicant must demonstrate how the proposed lots can meet minimum density once construction is completed.
- c. Minimum density standards can be modified by a PUD under SMC 17G.070.030(B)(2).
- d. Development is proposed in the RMF or RHD zones. In such cases, minimum density must be met at the time of development.

2. Except as provided in subsection (3), when development is proposed on an existing legal lot in the RA, R1, or R2 zones, minimum density standards do not apply.
3. A site with pre-existing development may not move out of conformance or further out of conformance with the minimum density standard, including sites in the RA, R1, and R2 zones (regardless of whether a land division is proposed).
4. Minimum density is based on the zone and size of the site, and whether there are critical areas (see definitions under chapter 17A.020 SMC). Land within a critical area may be subtracted from the calculation of density. The following formula is used to determine the minimum number of lots required on the site.

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

Divided by minimum density from Table 17C.111.205-1;

Equals minimum number of units required.

E. Transfer of Density.

Density may be transferred from one site to another subject to the provisions of chapter 17G.070 SMC, Planned Unit Developments.

17C.111.220 Building Coverage and Impervious Coverage

A. Purpose.

The building coverage standards, together with the floor area ratio (FAR), height and setback standards control the overall bulk of structures. They are intended to assure that taller buildings will not have such a large footprint that their total bulk will overwhelm adjacent houses. The standards also help define the form of the different zones by limiting the amount of building area allowed on a site. Additionally, the impervious coverage standards ensure that there is adequate space on a site for stormwater infiltration.

B. Building Coverage and Impervious Coverage Standards.

The maximum combined building coverage allowed on a site for all covered structures is stated in Table 17C.111.205-1.

1. "Impervious surface" is defined in SMC 17A.020.090.
2. For development applications that submit an engineer's stormwater drainage plan pursuant to SMC 17C.060.140, total impervious coverage on a lot is not limited by this chapter, and the building coverage standards control.
3. For development applications that do not submit an engineer's stormwater drainage plan, the maximum impervious coverage standards in Table 17C.111.205-1 must be met. The impervious coverage standards vary depending on whether or not the subject site is located in an Area of Drainage Concern pursuant to SMC 17D.060.135.

C. How to Use FAR with Building Coverage.

The FAR determines the total amount of living space within a residential structure while the maximum building site coverage determines the maximum building footprint for all structures, including garages and the primary residence(s). The FAR is defined under chapter 17A.020 SMC, Definitions. FAR does not apply to Residentially zoned areas.

17C.111.225 Development Bonuses

A. Purpose.

This section implements development bonuses on property that meets certain criteria. The provisions for Religious Organizations are given to meet the requirements of RCW 36.70A.545 for bonuses on property owned by a Religious Organization.

B. Bonus.

For lots qualifying for the standards of this section, development standards listed in Table 17C.111.205-3 shall apply.

C. Requirements.

Any one of the following conditions shall qualify a property for the bonuses in this section:

1. Transit.

The property is within one half mile of a major transit stop, as defined in SMC 17A.020.130.

2. Center & Corridor.

The property is within one half mile of a Center & Corridor Zone.

3. Religious Organization.

The property is owned by a Religious Organization as defined in SMC 17A.020.180 and the property meets the affordability requirements in subsection (D) of this section.

4. Affordable Units.

The property meets the affordability requirements in subsection (D) of this section.

D. Affordability.

A development shall satisfy the affordability standards of this section if it meets the requirements of one of the following programs for affordable housing:

1. State or Federal Funding.

A development receiving funding through state or federal programs for affordable housing shall meet the affordability standards of this section.

2. Multiple-Family Housing Property Tax Exemption.

A development that qualifies for the twenty (20) year exemption under the Multiple-Family Housing Property Tax Exemption pursuant to SMC 08.15.090 shall meet the affordability standards of this section.

3. Sales and Use Tax Deferral Program for Affordable Housing.

A development that qualifies for the Sales and Use Tax Deferral Program for Affordable Housing under SMC 08.07D shall meet the affordability standards of this section.

4. Other Affordability Programs.

A development that doesn't match the above programs shall satisfy the affordability standards of this section if it includes the following characteristics:

a. Percentage of Affordable Units.

At least 25 percent of the units shall be dedicated as affordable for low-income households, as defined in SMC 17A.020.010. When the calculation results in a fraction the number of units shall be rounded up to the next whole number.

b. Rental.

Designated affordable units made available for rent shall be rented at a rate that is affordable to low-income households.

c. Sale.

The initial sale of an affordable unit upon completion of construction shall not exceed a purchase price that is affordable to a low-income household. Upon completion of an affordable unit and prior to the initial sale, the property owner shall file with the City a report indicating the unit will be purchased by a qualifying low-income household. The Planning Director shall establish a standard form for this purpose and include such information as is deemed necessary or useful.

d. Deed Restriction.

The applicant must record a covenant or deed restriction with the county auditor's office identifying the units subject to these affordability requirements. The deed restriction shall include a definition for low-income household consistent with the definition in SMC 17A.020.010. The deed restriction shall make provision for the following:

i. These affordability requirements shall be in effect for at least forty (40) years from the time of filing; and

ii. Rental rates for affordable units shall not exceed levels that are affordable to a low-income household; and

iii. The initial sale of units from a developer to an owner-occupant shall not exceed a purchase price that is affordable to a low-income household. Subsequent purchases are not subject to a price restriction.

e. Size.

The units dedicated as affordable shall be no smaller in size than the smallest market rate unit in the development.

f. Number of Bedrooms.

The number of bedrooms in affordable units shall be in the same proportion as the number of bedrooms in units within the entire development.

g. Distribution.

The affordable units shall be distributed throughout the development.

h. Functionality.

The affordable units shall have the same functionality as the other units in the development.

17C.111.230 Height

A. Purpose.

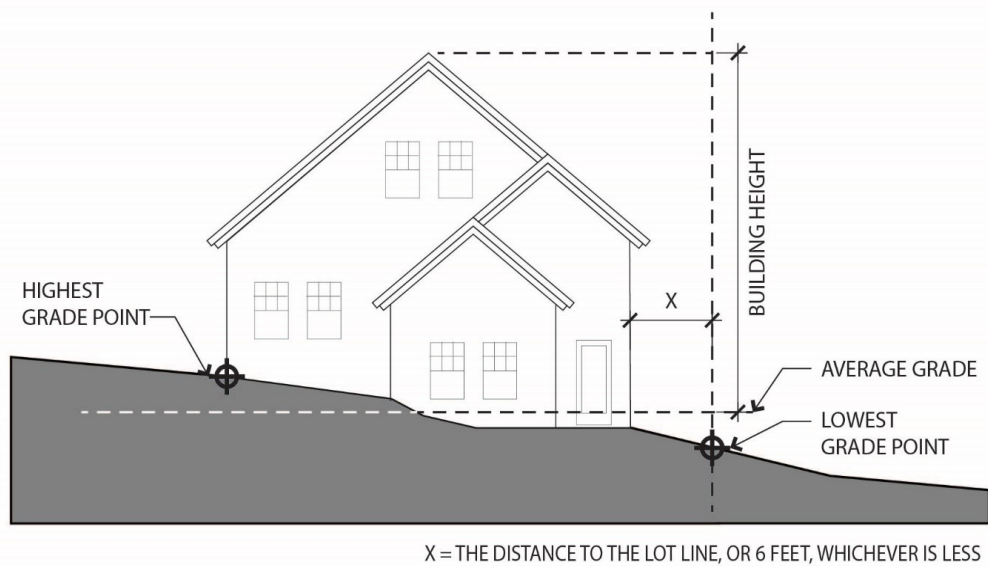
The height standards promote a reasonable building scale and relationship of one residence to another and they promote privacy for neighboring properties. The standards contained in this section reflect the general building scale and placement of houses in the City's neighborhoods.

B. Height Standards.

The maximum height standards for all structures are stated in Table 17C.111.205-2. The building height shall be measured using the following method (see Figure 17C.111.230-A):

1. Building height is the vertical distance from the average grade to the highest point of the roof or structure that is not listed as an exception to the maximum building height limits as listed in Section 17C.111.230(C).
2. Underground portions of the structure are not included in height calculations. The height of the structure shall be calculated from the point at which the sides meet the surface of the ground.
3. "Average grade" means the average of the ground level adjoining the building at all exterior walls. Where the ground level slopes away from the exterior walls, the reference point shall be established by the lowest points within the area between the building and the lot line or where the lot line is more than 6 feet from the building, use the reference point between the structure and a point 6 feet from the building.
4. Measurements shall be taken at the existing grade or finished grade, whichever is lower.
5. Depressions such as window wells, stairwells for exits required by other codes, "barrier free" ramps on grade, and vehicle access driveways into garages shall be disregarded in determining structure height when in combination they comprise less than fifty percent of the facade on which they are located. In such cases, the grade for height measurement purposes shall be a line between the grades on either side of the depression.

Figure 17C.111.230-A Height Measurement

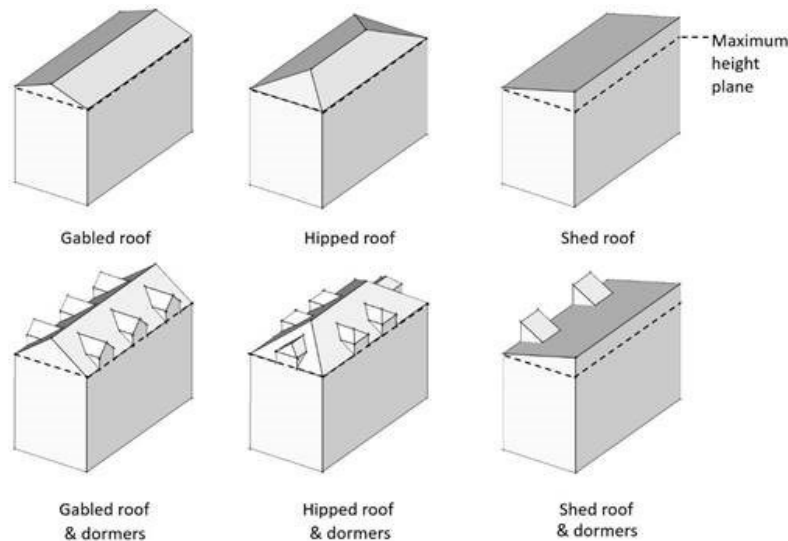


6. For purposes of measuring building height in residential zones, the following terms shall be interpreted as follows:
 - a. "Grade" means the ground surface contour (see also "existing grade" and "finished grade").
 - b. "Fill" means material deposited, placed, pushed, pulled or transported to a place other than the place from which it originated.
 - c. "Finished grade" means the grade upon completion of the fill or excavation.
 - d. "Excavation" means the mechanical removal of earth material.
 - e. "Existing grade" means the natural surface contour of a site, including minor adjustments to the surface of the site in preparation for construction.

C. Exceptions to the maximum height standard are stated below:

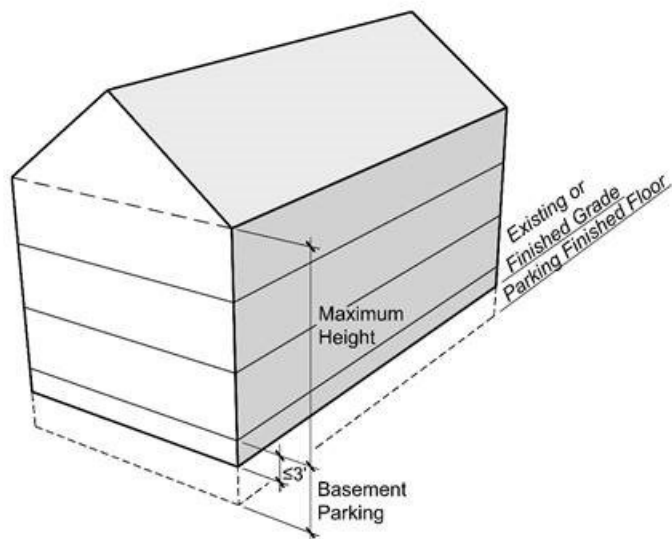
1. Exceptions to the maximum structure height in the RMF and RHD zones are designated on the official zoning map by a dash and a height listed after the zone map symbol (i.e., RHD-150). Changes to the height limits in the RMF and RHD zones require a rezone. Height limits are forty feet, fifty-five feet, seventy feet, or one hundred fifty feet depending on location.
2. In RMF and RHD zones where the maximum structure height is forty feet, pitched roof structures are allowed an additional fifteen feet above the maximum height standard stated in Table 17C.111.205-2, provided that the roof incorporates all of the following:

- a. pitched roof forms having slopes between 4:12 and 12:12; and
- b. a minimum of one roof plane that intersects the maximum height plane (see Figure 17C.111.230-B for eligible examples); and establishes sense of "top" per SMC 17C.111.455.
- c. Figure 17C.111.230-B: Roof Type Examples for Height Exception



3. In the RMF and RHD zones, height does not include up to three feet of the above-grade portions of basement parking, where the elevation of the first residential finished floor is three feet or less above the lowest elevation of the existing grade or finished grade, whichever is lower. See Figure 17C.111.230-C.

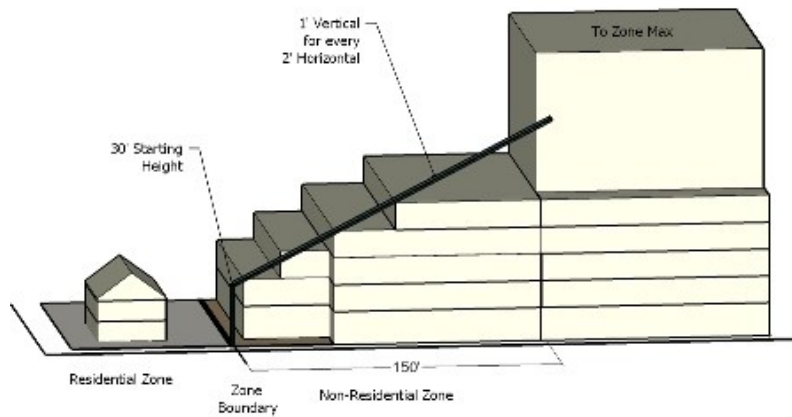
Figure 17C.111.230-C: Basement Parking Excluded from Height



4. Buildings and structures over fifty feet in height must follow the design, setback and dimensional standards found in chapter 17C.250 SMC, Tall Building Standards
5. Adjacent to R1 and R2 Zones.

To provide a gradual transition and enhance the compatibility between the more intensive commercial zones and adjacent R1 and R2 residential zones:

- a. For all development within one hundred fifty feet of any R1 or R2 residential zone the maximum building height is as follows:
 - i. Starting at a height of thirty feet the residential zone boundary additional building height may be added at a ratio of one to two (one foot of additional building height for every two feet of additional horizontal distance from the closest single-family or two-family residential zone). The building height transition requirement ends one hundred fifty feet from the R1 or R2 residential zone and then full building height allowed in the zone applies.



6. In the RMF zone within forty feet of a common boundary with a R1 zone, the maximum height is forty feet.

7. Projections Allowed.

Chimneys, flagpoles, satellite receiving dishes and other similar items with a width, depth or diameter of three feet or less may extend above the height limit, as long as they do not exceed three feet above the top of the highest point of the roof. If they are greater than three feet in width, depth or diameter, they are subject to the height limit.

8. In addition to the projections allowed under subsection (7) above, in the RMF and RHD zones, the following projections above the roof height are allowed:

- Parapets and rooftop railings may extend four feet above the height limit.
- Walls or fences located between individual rooftop decks may extend six feet above the height limit if the wall or fence is set back at least four feet from the edges of the roof.
- Stairway enclosures that provide rooftop access and cumulatively cover no more than ten percent of the roof area may extend up to ten feet above the height limit, provided that the enclosures are setback at least fifteen feet from all roof edges on street facing facades.

9. Farm Buildings.

Farm buildings such as silos, elevators and barns are exempt from the height limit as long as they are set back from all lot lines at least one foot for every foot in height.

10. Utility power poles and public safety facilities are exempt from the height limit.

11. Radio and television antennas are subject to the height limit of the applicable zoning category.

12. Wireless communication support towers are subject to the height requirements of chapter 17C.355A SMC, Wireless Communication Facilities.

13. Uses approved as a conditional use may have building features such as a steeple or tower which extends above the height limit of the underlying zone. Such building features must set back from the side property line adjoining a lot in a residential zone a distance equal to the height of the building feature or one hundred fifty percent of the height limit of the underlying zone, whichever is lower.

D. Special Height Districts.

Special height districts are established to control structure heights under particular circumstances such as preservation of public view or airport approaches. See chapter 17C.170 SMC, Special Height Overlay Districts.

E. Accessory Structures.

The height of any accessory structure located in the rear yard, including those attached to the primary residence, is limited to twenty feet in height, except a detached ADU above a detached accessory structure may be built to twenty-five (25) feet in height.

17C.111.235 Setbacks

A. Purpose.

The setback standards for primary and accessory structures serve several purposes. They maintain light, air, separation for fire protection, and access for fire fighting. They reflect the general building scale and placement of houses in the City's

neighborhoods. They promote options for privacy for neighboring properties. They provide adequate flexibility to site a building so that it may be complementary to the neighborhood, fit the topography of the site, allow for required outdoor areas, and allow for architectural diversity. They provide room for a car to park in front of a garage door without overhanging the street or sidewalk, and they enhance driver visibility when backing onto the street.

B. Applicability.

1. Setbacks are applied to all primary and accessory structures, including Accessory Dwelling Units. Setbacks for structures are applied relative to property lines. Separation between multiple structures on a lot is governed by the requirements of Title 17F SMC. Child lots created via Unit Lot Subdivision under Section 17G.080.065 SMC are only subject to the standards of this section inasmuch as they are applied to the parent lot.
2. Additional setback requirements may be applied through other sections of Title 17C SMC, including but not limited to:
 - a. Parking areas under Chapter 17C.230 SMC
 - b. Fences under Section 17C.111.230 SMC
 - c. Signs under Chapter 17C.240 SMC

C. Front, Side, and Rear Setbacks.

The required Front, Side, and Rear Setbacks for primary and accessory structures are stated in Table 17C.111.205-2. Angled setback standards are described in SMC 17C.111.235(E) and listed in Table 17C.111.235-1.

1. Extensions into Front, Side, and Rear Building Setbacks.
 - a. Minor features of a structure such as eaves, awnings, chimneys, fire escapes, bay windows and uncovered balconies may extend into a Front, Side, Rear Setback up to twenty-four (24) inches.
 - b. Bays, bay windows, and uncovered balconies may extend into the Front, Side, and Rear Setback up to twenty-four (24) inches, subject to the following requirements:
 - i. Each bay, bay window, and uncovered balcony may be up to twelve (12) feet long.
 - ii. The total area of all bays and bay windows on a building facade shall not be more than thirty percent (30%) of the area of the facade.
 - iii. Bays and bay windows that project into the setback must cantilever beyond the foundation of the building; and
 - iv. The bay shall not include any doors.

D. Exceptions to the Front, Side, and Rear Setbacks.

1. The rear yard of a lot established as of May 27, 1929, may be reduced to provide a building depth of thirty (30) feet.

E. Angled Setbacks.

1. Purpose.

To help new development respond to the scale and form of existing residential areas and to limit the perceived bulk and scale of buildings from adjoining properties.

2. Applicability.

Angled setbacks apply in the R1 and R2 zones.

3. Angled Setback Implementation.

Buildings are subject to an angled setback plane as follows:

- a. Starting at a height of 25 feet, the setback plane increases along a slope of 2:1 (a rate of 2 feet vertically for every 1 foot horizontally) away from the interior side setback, up to the maximum building height in Table 17C.111.205-2. The minimum setbacks that are paired with each height measurement are provided in Table 17C.111.235-1. See Figure 17C.111.235-A for examples.
- b. No portion of the building shall project beyond the Angled Setback plane described in this subsection, except as follows:
 - i. Minor extensions allowed by SMC 17C.111.235(C)(1) may project into the Angled Setback.
 - ii. Elements of the roof structure such as joists, rafters, flashing, and shingles may project into the Angled Setback.
 - iii. Dormer windows may project into the Angled Setback if the cumulative length of dormer windows is no more than fifty percent (50%) of the length of the roof line.

Figure 17C.111.235-A. Angled Setback Plane Examples

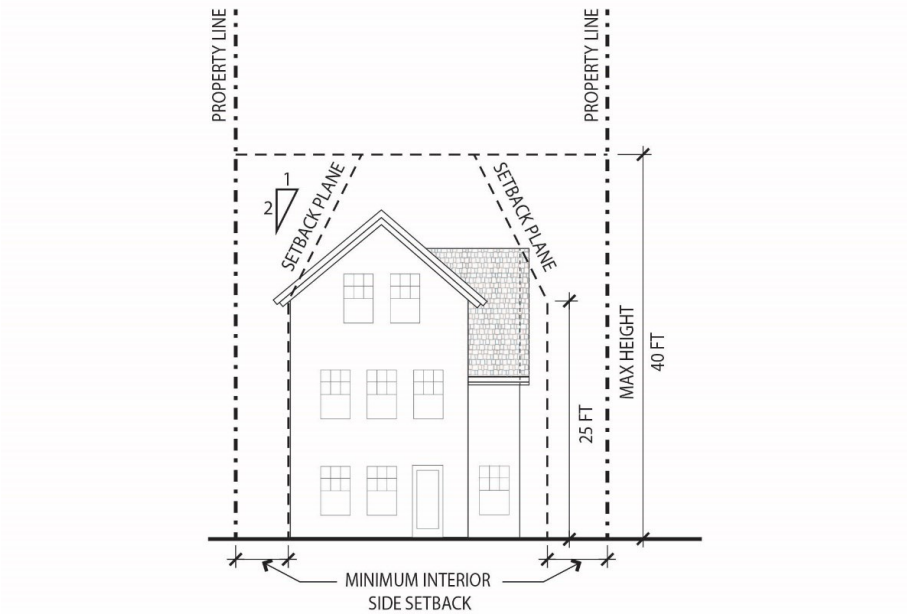


TABLE 17C.111.235-1 ROOF SETBACK FROM SIDE LOT LINE ON LOTS IN R1 and R2 ZONES	
LOT WIDTHS 40 FT. OR LESS	
Height	Setback
25 ft.	3 ft.
27 ft.	4 ft.
29 ft.	5 ft.
31 ft.	6 ft.
33 ft.	7 ft.
35 ft.	8 ft.
40 ft.	10.5 ft.
LOT WIDTHS MORE THAN 40 FT.	
Height	Setback
25 ft.	5 ft.
27 ft.	6 ft.
29 ft.	7 ft.
31 ft.	8 ft.
33 ft.	9 ft.
35 ft.	10 ft.
40 ft.	12.5 ft.

17C.111.240 Accessory Structures

- A. Purpose.
 This section regulates structures that are incidental to primary buildings to prevent them from becoming the predominant element of the site. The standards provide for necessary access around structures, help maintain privacy to adjoining lots and maintain open front setbacks. This section does not apply to accessory dwelling units (ADUs).
- B. General Standards.
 - 1. Accessory structures are allowed on a lot only in conjunction with a primary building and may not exist on a lot prior to the construction of the primary structure, except as allowed by subsection (B)(2) of this section.
 - 2. An accessory structure that becomes the only structure on a lot as the result of a land division may remain on the lot if the owner has submitted a financial guarantee to the City for the cost of demolition and removal of the structure. The financial guarantee will be used by the City if the owner has not removed the accessory structure if, within one year of final plat

approval or boundary line adjustment (BLA), a primary structure has not been built and received final inspection. The financial guarantee must be accepted by the City prior to approval of the final plat or boundary line adjustment.

3. An accessory structure shall not contain a kitchen or space for living, sleeping, eating, or cooking unless it is approved as an accessory dwelling unit under chapter 17C.300 SMC.

C. Setbacks.

1. Mechanical Structures.

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

- a. Front Setback Standard.
Mechanical structures are not allowed in required front building setbacks.
- b. Side and Rear Setback Standard.
Mechanical structures are allowed inside and rear building setbacks if the structure is no more than forty-eight inches high.

2. Vertical Structures.

Vertical structures are items such as flagpoles, trellises and other garden structures, radio antennas, satellite receiving dishes and lampposts. Fences are addressed in SMC 17C.111.230. Sign standards are in chapter 17C.240 SMC, Signs.

- a. Setback Standard.
Vertical structures are allowed in required side and rear building setbacks if they are no larger than four feet in width, depth or diameter and no taller than seven feet. If they are larger or taller, they are not allowed in required building setbacks. Trellises and other gate features are allowed in front yard if they are no larger than four feet in width, depth or diameter and no taller than seven feet and do not conflict with the clear view triangle provisions under SMC 17C.111.230, Fences.

3. Uncovered Horizontal Structures.

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

Setback Standard.

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

4. Covered Accessory Structures.

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

- a. Setback Standard.
 - i. Front Setback.
Covered accessory structures are not allowed in the required front building setbacks.
 - ii. Side Setback.
Covered detached accessory structures are not allowed in the required side building setback without a signed waiver from the neighboring property owner.
Covered attached accessory structures are not allowed in the required side building setback.

5. Detached Accessory Structures.

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

- a. Setback Standard.
A detached accessory structure is not allowed in the front building setback. A detached accessory structure is not allowed in the required side building setback without a signed waiver from the neighboring property owner. A detached accessory structure that has an entrance facing a street side lot line shall be set back twenty (20) feet from the sidewalk. In the event there is no sidewalk, the setback shall be twenty-seven (27) feet from the back of curb.

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

6. Attached Accessory Structures.

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

a. Setback Standard.

An attached accessory structure is not allowed in the front building setback. An attached accessory structure that has an entrance facing a street side lot line shall be set back twenty (20) feet from the sidewalk. In the event there is no sidewalk, the setback shall be twenty-seven (27) feet from the back of curb.

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

D. Building Coverage.

1. Except as provided in subsection (2) of this subsection (D), the combined building coverage of all detached accessory structures and covered accessory structures may not exceed fifteen percent of the total area of the site, and when combined with all other structures on-site shall not exceed the maximum building coverage of the base zone.
2. On lots smaller than five thousand five hundred square feet with an accessory dwelling unit, combined building coverage of all detached accessory structures and covered accessory structures may not exceed twenty percent of the total area of the site, and when combined with all other structures on-site shall not exceed the maximum building coverage of the base zone.

E. Building Height.

The building height of detached accessory structures and covered accessory structures is listed in Table 17C.111.205-2. Accessory structures, which contain an ADU over a garage, are subject to the height limitations in chapter 17C.300 SMC, Accessory Dwelling Units.

17C.111.245 Fences

A. Purpose.

The fence standards promote the positive benefits of fences without negatively affecting the community or endangering public or vehicle safety. Fences can create a sense of privacy, protect children and pets, provide separation from busy streets, and enhance the appearance of property by providing attractive landscape materials. The negative effects of fences can include the creation of street walls that inhibit police and community surveillance, decrease the sense of community, hinder emergency access and the safe movement of pedestrians and vehicles, and create an unattractive appearance.

B. Types of Fences.

The standards apply to walls, fences, trellises, arbors, and screens of all types whether open, solid, wood, metal, wire, masonry, or other material.

C. Location.

1. Front Lot Line.
Fences up to forty-two inches high are allowed in required front lot line setbacks.
2. Sides and Rear Lot Line.
Fences up to six feet high are allowed in required sides or rear lot line setbacks. Except in an instance where a rear lot line joins the front lot line of another lot, the fence must be either:
 - a. forty-two inches high or less, or
 - b. right isosceles triangle having sides of seven feet measured along the right-of-way line of a side yard and the front property line.
3. Other.
The height for fences that are not in required building setbacks is the same as the height limits of the zone for detached accessory structures in Table 17C.111.205-2.
4. Alleys.
Fences shall not obstruct the clear width required in SMC 17H.010.130(G).

D. Reference to Other Standards.

Building permits are required by the building services department for all fences including the replacement of existing fences. A permit is not required to repair an existing fence.

E. Prohibited Fences.

1. No person may erect or maintain a fence or barrier consisting of or containing barbed, concertina, or razor wire in the R1, R2, RMF, or RHD zones. In the RA zone, up to three strands of barbed wire are allowed for agricultural, farming or animal uses.
2. No person may construct or maintain a fence or barrier charged with electricity in the R1, R2, RMF, or RHD zones. In the RA zone, the use is permitted for the containment of livestock only.
3. A fence, wall, or other structure shall not be placed within the public right-of-way without an approved covenant as provided in SMC 17G.010.160 and any such structure is subject to the height requirement for the adjoining setback.
4. Fence Setbacks.
 - a. Arterial Street.
No fence may be closer than twelve feet to the curb of an arterial street.
 - b. Local Access Street.

No fence may be closer than the back of the sidewalk on a local access street. If there is no sidewalk, the fence shall be setback seven feet behind the face of the curb of a local access street.

F. Enclosures for Pools, Hot Tubs, and Impoundments of Water.

1. To protect against potential drowning and near drowning by restricting access to pools, spas, and other impoundments of water, a person maintaining a swimming pool, hot tub, or other impoundment of water exceeding eighteen inches or more in depth and located on private property is required to construct and maintain an approved fence or other barrier as described in the currently adopted edition of the International Swimming Pool and Spa Code.
2. When a fence is elected as the preferred barrier, the following applies:
 - a. The required pool enclosure must be at least fifty-four inches high and may be a fence, wall, building or other structure approved by the building services department.
 - b. If the enclosure is a woven wire fence, it is required to be built to discourage climbing.
 - c. No opening, except a door or gate, may exceed four inches in any dimension.
 - d. Any door or gate in the pool enclosure, except when part of the occupied dwelling unit, must have self-closing and self-locking equipment by which the door or gate is kept secure when not in use. A latch or lock release on the outside of the door or gate must be at least fifty-four inches above the ground.

G. Visibility at Intersections.

A fence, wall, hedge, or other improvement may not be erected or maintained at the corner of a lot so as to obstruct the view of travelers upon the streets.

1. Subject to the authority of the traffic engineer to make adjustments and special requirements in particular cases, all fences, vegetation, and other 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 eight feet from ground level

17C.111.250 Exterior Storage – Residential Zones

A. Purpose.

It is the intent and purpose of the City to regulate exterior storage of materials on residential land in a manner to promote the health, safety and general welfare of the community including regulating the type and location of materials. The negative effects of unregulated exterior storage can endanger the health, safety and welfare of the community.

B. Regulated Materials.

1. The following list of items shall not be stored outside of structures. Exterior storage means the physical presence of items not fully enclosed within a structure. Exterior storage means and includes, but shall not be limited to, the following:
 - a. vehicle parts including but not limited to, alternators, engines, transmissions, wheels, tires, body panels, auto glass, interior panels, front and/or rear seats, taillights, head lights, and other vehicle parts thereof;
 - b. household furniture including, but not limited to, mattresses, couches, recliners, tables, desks, bed frames, chairs, other furniture items, and parts thereof;
 - c. appliances including but not limited to dishwashers, stoves, televisions, computers, kitchen accessories, electronic equipment and parts thereof;
 - d. construction materials including but not limited to plaster, lumber, sheetrock, carpet, shelving, cement, bathtubs, toilets, pipe, and other such items that are not exempted under SMC 17C.111.250(B)(2);
 - e. metal including but not limited to iron, steel, aluminum, and other such metals; and
 - f. any other items similar in nature.
2. Materials that may be stored outside of structures include:

- a. construction materials that are maintained in a safe manner and in such a way that the materials do not create a hazard to the general public, or an attraction to children, and that are designated for projects on the parcel for which a building permit has been issued through the City of Spokane;
 - i. Construction materials used for a public works project may be temporarily stored on residential zones up to one year after construction begins.
 - b. construction equipment including ladders, scaffolding, and other such items may be stored outside of structures as long as the equipment is maintained in a safe manner and in such a way that the materials do not create a hazard to the general public, or an attraction to children, and
 - c. items that are manufactured for exterior usage and are being maintained including but not limited to: lawn/patio furniture and décor, benches, play equipment; sandboxes, barbecues, and bicycles.
3. Any items that are considered to be "litter" as according to SMC 10.08.010 including refuse, rubbish, garbage, discarded items and all waste material of every kind and description shall be regulated under Chapter 10.08 Offense Against Public Health.

C. Location.

1. Exterior storage of any of the items listed in SMC 17C.111.250(B)(2)(a) and SMC 17C.111.250(B)(2)(b) shall take place from the rear of the main dwelling unit to the rear of the property line,
 - a. except permitted construction materials which may be stored up to thirty days in either side or front yard areas and are exempt from the fencing and screening requirements designated in subsection (C)(2) below.
2. Exterior storage areas shall be screened from view of the public right-of-way as defined in SMC 17A.020.180(R) through the use of sight-obscuring fencing that meets height requirements set in SMC 17C.111.245 or through the use of screening pursuant to SMC 17C.200.070(A)(1)

D. Violation—Enforcement and Penalty

Violation of SMC 17C.111.250 shall constitute a class 2 civil infraction per SMC 1.05.160.

17C.111.255 Parking, Demolitions, Signs, and Other Applicable Standards

The following additional standards also apply to development in residential zones:

A. Demolitions.

The demolition of historic structures is regulated by chapter 17D.040 SMC, Landmarks Commission.

B. Nonconforming Situations.

Existing developments that do not conform to the development standards of this chapter are subject to the standards of chapter 17C.210 SMC, Nonconforming Situations.

C. Parking and Loading.

The standards pertaining to the minimum required and maximum allowed number of auto parking spaces, minimum required number of bicycle parking spaces, parking lot placement, parking lot setbacks and internal parking lot pedestrian connections are stated in chapter 17C.230 SMC, Parking and Loading.

D. Signs.

The sign standards are stated in SMC 17C.240, Signs.

E. Landscaping and Screening.

The landscaping and screening standards are stated in chapter 17C.200 SMC, Landscaping and Screening.

17C.111.300 Single-Unit Residential and Middle Housing Design Standards

Except as specified in this section, all new development of single-unit residential and middle housing must address the following design standards, administered pursuant to SMC 17C.111.015, Design Standards Administration. When existing single-unit residential or middle housing development is expanded or additional dwelling units are added, only those portions of the development that are new or renovated must meet the standards in this section.

17C.111.305 Landscaping

A. Purpose.

The standards for landscaped areas are intended to enhance the overall appearance of residential developments. Landscaping improves the residential characteristics of the area, breaks up large expanses of paved areas and structures, provides privacy for residents, and provides separation from streets. Landscaped areas also reduce stormwater run-off by providing a pervious surface.

B. Landscaping Implementation.

1. Fifty percent of the area between the front lot line and the front building line must be planted with living ground cover or landscaped to the L3 standard, per SMC 17C.200.030 and 17C.200.040. A patio or porch may be included in the calculation of ground cover area. ®
2. The front landscaped area may be counted towards required outdoor areas, pursuant to Section 17C.111.310. (R)
3. Landscaping is encouraged to follow the Spokanescape guidelines for design, soil and compost, drip irrigation, planting & mulch, raised beds, maintenance, and plant list. (C)
4. Use of landscape structures such as trellises, raised beds and fencing to unify the overall site design is encouraged. (C)

17C.111.310 Outdoor Areas

A. Purpose.

To create usable areas through the use of engaging outdoor spaces for the enjoyment and health of the residents.

B. Outdoor Areas Implementation.

1. Developments shall provide outdoor areas in the quantity required by Table 17C.111.205-2. ®
2. The outdoor area may be configured as either:
 - a. A private outdoor area, such as a balcony or patio directly accessible from the unit;
 - b. A common outdoor area accessible by all units in the building.
3. If a common outdoor area is provided, it shall meet the following:
 - a. Connected to each unit by pedestrian paths. (R)
 - b. At least 50 percent of units shall have windows or doors that face the common outdoor area. (R)
 - c. Common outdoor areas shall provide at least three of the following amenities to accommodate a variety of ages and activities. Amenities may include, but are not limited to: (P)
 - i. Site furnishings (benches, tables, bike racks when not required for the development type, etc.);
 - ii. Picnic areas;
 - iii. Patios, plazas or courtyards;
 - iv. Shaded playgrounds;
 - v. Rooftop gardens, planter boxes, or garden plots; or
 - vi. Fenced pet area.
4. Outdoor spaces shall not be located adjacent to dumpster enclosures, loading/service, areas or other incompatible uses that are known to cause smell or noise nuisances. (P)

17C.111.315 Entrances

A. Purpose.

To ensure that entrances are easily identifiable, clearly visible, and accessible from streets, sidewalks, and common areas, to encourage pedestrian activity and enliven the street.

B. Applicability.

The following standards apply to all building facades that face a public or private street, except those that are separated from the street by another building.

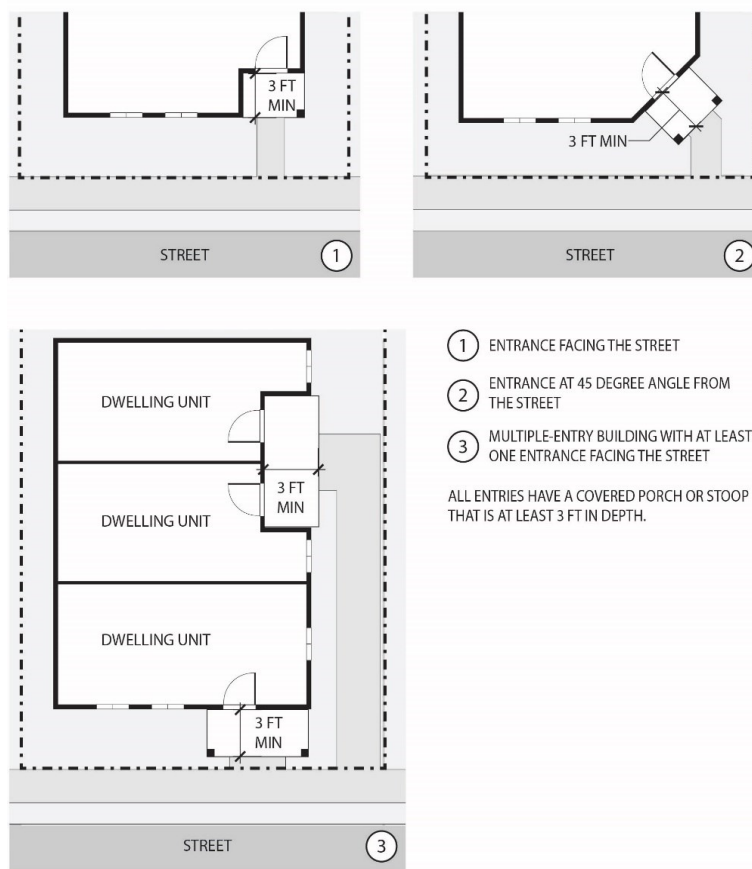
C. Entrances Implementation.

See Figure 17C.111.315-A.

1. Each residential structure fronting a public or private street must have at least one address and main entrance facing or within a 45 degree angle of a street frontage. Buildings with multiple units may have shared entries. ®
2. Each unit with individual ground-floor entry and all shared entries must have a porch or stoop cover that is at least 3-feet deep. (P)

3. On corner lots, buildings with multiple units must have at least one entrance facing or within a 45 degree angle on each street frontage. (C)

Figure 17C.111.315-A. Building Entrances



17C.111.320 Windows

A. Purpose.

To maintain a lively and active street face while increasing safety and general visibility to the public realm.

B. Applicability.

The following standards apply to all building facades that face a public or private street, except those that are separated from the street by another building.

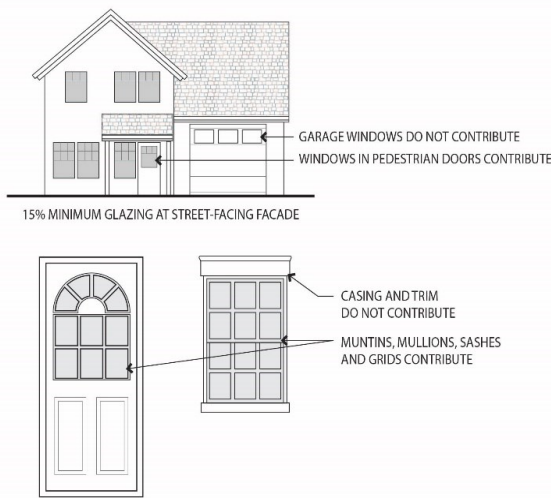
C. Windows Implementation.

See Figure 17C.111.320-A.

1. Windows shall be provided in façades facing public or private streets, comprising at least fifteen percent of the façade area (R).
2. Window area is considered the entire area within, but not including, the window casing, including any interior window grid.
3. Windows in pedestrian doors may be counted toward this standard. Windows in garage doors may not be counted toward this standard.
4. At least one of the following decorative window features must be included on all of the windows on street facing facades: (P)
 - a. Arched or transom windows.
 - b. Mullions.
 - c. Awnings or bracketed overhangs.
 - d. Flower boxes.
 - e. Shutters.
 - f. Window trim with a minimum width of three inches.
 - g. Pop-outs or recesses greater than three inches.

- h. Bay windows.
- i. Dormers.

Figure 17C.111.320-A. Window Coverage



17C.111.325 Building Articulation

A. Purpose.

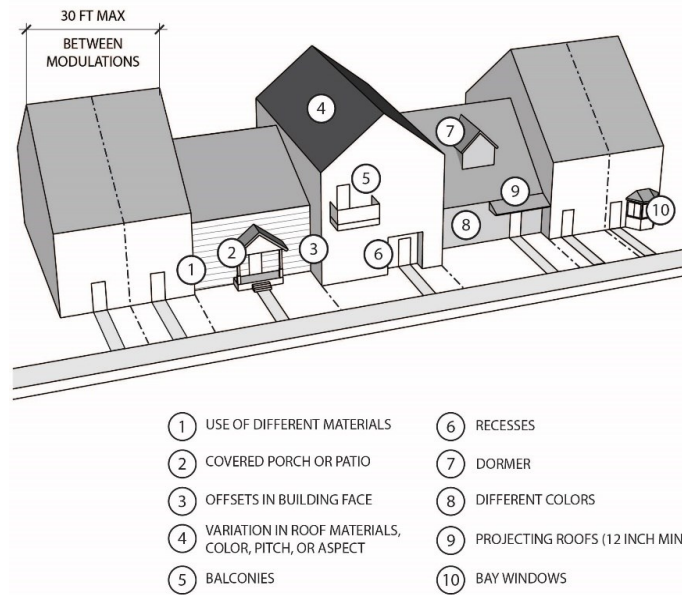
To ensure that buildings along any public or private street display the greatest amount of visual interest and reinforce the residential scale of the streetscape and neighborhood.

B. Applicability.

The following standards apply to all building facades that face a public or private street, except those that are separated from the street by another building. The standards apply to facades of attached housing irrespective of underlying lot lines.

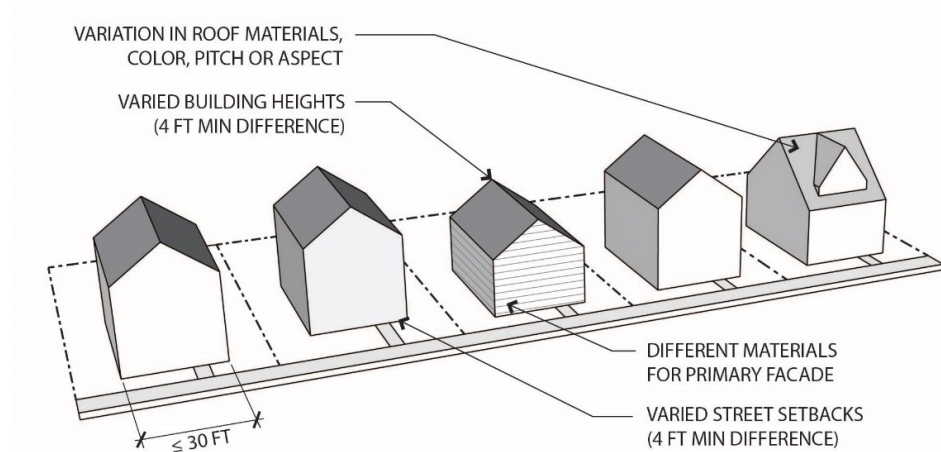
C. Building Articulation Implementation.

1. Buildings must be modulated along the street at least every thirty feet. Building modulations must step the building wall back or forward at least four feet. See Figure 17C.111.325-A. (R)
2. The scale of buildings must be moderated to create a human scale streetscape by including vertical and horizontal delineation as expressed by bays, belt lines, doors, or windows. (P)
3. Horizontal street-facing facades longer than thirty feet must include at least four of the following design features per façade. At least one of these features must be used every thirty feet. (P)
 - a. Varied building heights.
 - b. Use of different materials.
 - c. Different colors.
 - d. Offsets.
 - e. Projecting roofs (minimum of twelve inches).
 - f. Recesses.
 - g. Bay windows.
 - h. Variation in roof materials, color, pitch, or aspect.
 - i. Balconies
 - j. Covered porch or patio.
 - k. Dormers

Figure 17C.111.325-A. Building Articulation for Long Facades

4. The following standard applies when detached housing units or individual units of attached housing have street-facing facades that are thirty feet or less in width. Each such unit shall provide variation from adjacent units by using one or more of the following design features (see Figure 17C.111.325-B):

- Street setbacks that differ by at least four feet.
- Building heights that differ by at least four feet.
- Use of different materials for the primary façade.
- Variation in roof materials, color, pitch, or aspect.

Figure 17C.111.325-B. Building Variation for Narrow Facades

5. Development should reduce the potential impact of new housing 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. (C)

17C.111.330 Screening**A. Purpose.**

The screening standards address specific unsightly features, which detract from the appearance of residential areas, such as garbage and recycling areas, mechanical equipment, and exterior storage.

B. Screening shall comply with the clear view triangle requirements defined in SMC 17C.111.245(G).**C. Screening Implementation.**

1. Except as provided below, fire escapes, or exterior stairs that provide access to an upper level shall be located behind the front façade of the building and screened or enclosed so that they are not visible from a public or private street. (R)
 - a. Exception: The initial half flight of stairs on the ground floor is not required to be screened from view of a street provided it is under the roof of the building and located behind the front façade.
2. Garbage and Recycling Areas. All exterior garbage cans, garbage collection areas, and recycling collection areas must be screened from the street and any adjacent properties. (R)
3. Exterior storage shall take place from the rear of the main dwelling unit to the rear of the property line and meet the standards of SMC 17C.111.250. (R)
4. Screening must comply with at least one of the following criteria: (R)
 - a. L1 Visual Screen meeting SMC 17C.200.030(A).
 - b. A sight-obscuring fence that meets height requirements set forth in SMC 17C.111.245 or through the use of screening pursuant to SMC 17C.200.070(A)(1).
 - c. Be located inside a storage shed or garage that meets all applicable setback standards and provides full sight obstruction.
5. Storage areas are not allowed within fifteen feet of a street lot line. (R)
6. Mechanical Equipment. Mechanical equipment located on the ground, such as heating or cooling equipment, pumps, or generators must be screened from the street and any adjoining residential uses by walls, fences or vegetation that is at least as tall as the equipment. Mechanical equipment on roofs must be screened from the ground level of any adjoining residentially zoned properties. (R)

17C.111.335 Parking Facilities

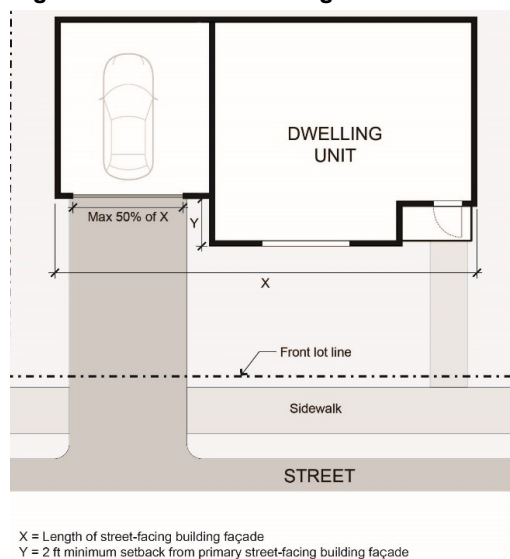
A. Purpose.

To integrate parking facilities with the building and surrounding residential context, promote pedestrian-oriented environments along streets, reduce impervious surfaces, and preserve on-street parking and street tree opportunities.

B. Parking Facilities Implementation.

1. The combined width of all garage doors facing the street may be up to fifty percent of the length of the street-facing building façade. For attached housing, this standard applies to the combined length of the street-facing façades of all units. For all other lots and structures, the standards apply to the street-facing façade of each individual building. See Figure 17C.111.335-A. (R)

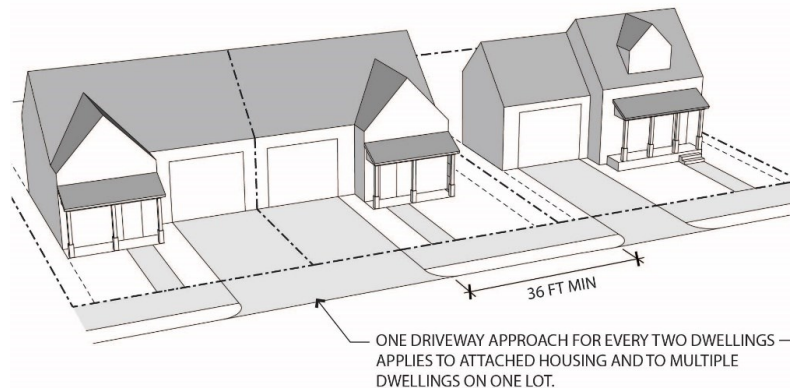
Figure 17C.111.335-A. Garage Door Standard



2. Street-facing garage walls must be set back at least two feet from the primary street-facing building façade. (R)
3. Access to Parking.
 - a. Vehicular access to parking from an alley, improved street, or easement is required if parking is required pursuant to chapter 17C.230 SMC Parking and Loading. (R)

- b. If the lot abuts a public alley, then vehicle access shall be from the alley unless the applicant requests a waiver of the requirement and the Planning Director determines that one of the following conditions exists: (R)
 - i. Existing topography does not permit alley access; or
 - ii. A portion of the alley abuts a nonresidential zone; or
 - iii. The alley is used for loading or unloading by an existing nonresidential use; or
 - iv. Due to the relationship of the alley to the street system, use of the alley for parking access would create a significant safety hazard.
 - c. For lots with vehicle access through an alley, garages shall not be accessed from the street. (R)
 - d. Where off-street parking is provided for attached housing or for two or more units on one lot, only one driveway approach and sidewalk crossing for each two dwellings may be permitted. See Figure 17C.111.335-B. (R)
 - e. Driveway approaches shall be separated by a minimum distance of 36 feet. The Planning Director will grant an exception to this standard if the 36-foot separation from existing driveways on adjacent lots would preclude vehicular access to the subject lot. See Figure 17C.111.335-B. (R)
4. Parking structures, garages, carports, and parking areas other than driveways shall not be located between the principal structure and streets. (P)

Figure 17C.111.335-B. Paired Driveways and Minimum Spacing



17C.111.340 Pedestrian Connectivity

A. Purpose.

To ensure that all buildings within a development have adequate access to public rights of way and municipal services.

B. Applicability.

The following standards apply to all buildings within a development.

C. Pedestrian Connectivity Implementation.

1. Public Right-of-Way Access.

At least one walking connection is required between each building and the sidewalk. For each ground-floor unit with a separate entry, separate walking connections are required for each ground-floor unit. Driveways may be used to meet this requirement. (R)

2. Garbage and Recycling Areas.

At least one walking connection is required between each unit and its designated garbage and recycling area. Driveways and parking access aisles may be used to meet this requirement. (R)

17C.111.400 Multi-Unit Design Standards

A. Purpose.

Multi-unit housing at intensities above Middle Housing types is often more intensive than single-unit or Middle Housing development and can have different design considerations. These standards are intended to address the specific needs of multi-unit housing; mitigate impacts to light, air, visual intrusions, and noise; and assist these buildings in complementing surrounding development. These standards may also be used to make higher density housing more livable communities.

B. Applicability.

These standards apply to multi-unit development in the RMF and RHD zones where permitted unless otherwise noted.

17C.111.405 Design Standards Implementation

The design standards and guidelines found in this article follow the design standards administration section of SMC 17C.111.015. All projects must address the pertinent design standards and guidelines. Design standards are in the form of requirements (R), presumptions (P), and considerations (C). Regardless of which term is used, an applicant must address each guideline. The City will expect to see how the design of a project has responded to every one of the guidelines. An applicant may seek relief through the chapter 17G.030 SMC, Design Departures, for those eligible standards and guidelines contained in the zoning code.

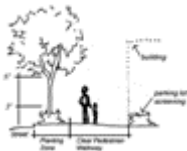
17C.111.410 Sidewalks

A. Purpose.

To provide continuous, safe, and consistent pedestrian system with connectivity to the street right-of-way and the neighborhood.

B. Sidewalk Implementation.

1. Sidewalks shall have the minimum dimension of five feet, even if part of the width is located on private property. This dimension shall be applied to the clear, unobstructed pathway between the planting zone for street trees per SMC 17C.200.050 and building facades or parking lot screening.

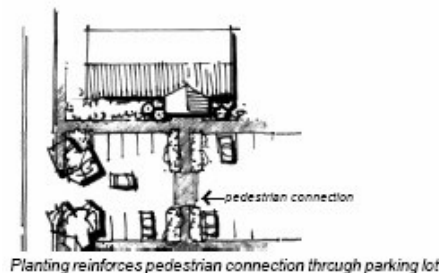


2. Sidewalks shall be continuous, without gaps between developments. (R)
3. Unless otherwise required or where larger plaza areas are provided, sidewalk paving materials shall be consistent with the street frontage improvements of adjacent developments. (P)
4. Sidewalks within the public right-of-way shall be concrete, two-foot grid, standard sidewalk color and float finish. (R)
5. Pervious concrete may be used in the design and construction of sidewalks, where feasible.

17C.111.415 Pedestrian Connections

A. Purpose.

To create a network of safe, consistent, and convenient linkages for pedestrians, including locating building entrances adjacent to public sidewalks.



B. Pedestrian Connections Implementation.

1. A comprehensive system of pedestrian walkways shall link all site entrances, building entries, parking facilities, and common outdoors spaces with the public sidewalk. (P)
2. Clearly defined pedestrian connections shall be provided between public sidewalks and building entrances when buildings are not located directly adjacent to the sidewalk. (R)



3. Clearly defined pedestrian connections between public sidewalks and internal pedestrian systems shall occur at intervals of one hundred fifty feet or less (P).
4. Pedestrian connections shall be reinforced with pedestrian scale lighting, bollard lighting, landscaping, accent lighting, signage or a combination thereof to aid in pedestrian way finding. (P)
5. The type and nature of all materials used for pedestrian walkways shall be consistent within a development. (P)
6. Where transit stops occur in the public right-of-way, pedestrian walkways shall provide a clear and direct connection from the main building entrances to the transit stop. (R)
7. Pedestrian connections shall occur between adjacent developments where feasible. (P)



8. Pedestrian walkways within parking areas may be included as part of the minimum requirements for interior parking lot landscaping, if landscaping is provided on one side. (C)
9. For parking lots that contain greater than fifteen parking spaces, pedestrian connections through the parking lot shall be clearly defined in a combination of two or more of the following ways (except as walkways cross vehicular travel lanes): (P)
 - a. A raised walkway.
 - b. Special railing, bollards and/or other architectural features to accent the walkway between parking bays.
 - c. Special paving, such as concrete or unit pavers in an asphalt area.
 - d. A continuous landscape area, a minimum of three feet wide along at least one side of the walkway.



- C. Pedestrian walkways within parking areas shall have a minimum of five feet in width of clear, unobstructed passage. (R)
- D. Chain link fencing may not be used to separate pedestrians from vehicular traffic. (C)

17C.111.420 Outdoor Spaces**A. Purpose.**

To create pedestrian friendly, usable areas through the use of plazas, courtyards and other outdoors spaces for the enjoyment and health of the residents.

B. Outdoor Spaces Implementation.

1. Each multifamily development shall set provide a minimum of forty-eight square feet of outdoor open space area for each living unit in the complex, including those units occupied by the owner or building management personnel. Private outdoor spaces can count towards this outdoor common space provision. (R)



Trellis and special landscape defines private courtyard area

2. Ground Level Units.

The outdoor area for ground level units is a type of private outdoor space and must be directly accessible from the unit. The area must be surfaced with lawn, pavers, decking or sport court paving which allows the area to be used for recreational purposes. User amenities, such as tables, benches, trees, planter boxes, garden plots, drinking fountains, spas or pools, may be placed in the outdoor area. It may be covered, such as a covered patio, but it may not be fully enclosed. (R)



3. Upper Level Units.

Upper level units are a type of private outdoor space. For upper level units, the required outdoor area may be provided individually, such as by balconies, or combined into a larger area. If combined into a larger area, it must comply with the following requirements.(R)

- a. The total amount of required outdoor area for upper level units is the cumulative amount of the required area per dwelling unit for individual areas, minus any upper level units that provide individual outdoor areas (if provided). However, a combined required outdoor area must comply with the minimum area and dimension requirements for combined outdoor areas.
- b. The combined outdoor area may be developed for active or passive recreational use. Examples include play areas, plazas, rooftop patios, picnic areas, fitness centers, pools, tennis courts and open recreational facilities. The area must be surfaced with lawn, pavers, decking or sport court paving, which allows the area to be used for recreational purposes. User amenities, such as tables, benches, trees, planter boxes, garden plots, drinking fountains, spas or pools may be placed in the outdoor area. It may be covered, such as a covered patio, but it may not be fully enclosed.
4. Common outdoor spaces shall provide at least three of the following amenities to accommodate a variety of ages and activities. Amenities include: (P)
 - a. Site furnishings (benches, tables, bike racks).
 - b. Picnic areas.
 - c. Patios, plazas or courtyards.

- d. Tot lots.
- e. Gardens.
- f. Open lawn.
- g. Play fields.
- h. Sports courts, such as tennis or basketball courts (no more than fifty percent of required outdoor common space), equipped interior fitness areas, or pools.



Basketball court provided in common outdoor area

- 5. Common outdoor spaces shall be easily visible and accessible to multifamily residents. (P)
- 6. Berms, low walls, fences, hedges and/or landscaping shall be used to define private outdoor spaces such as yards, decks, terraces and patios from each other and from the street right-of-way. (P)
- 7. Walls, hedges and fences shall be used to define and ensure a sense of privacy in outdoor private spaces. The material or plantings should be a maximum of four feet (high and visually permeable, such as open rails, ironwork or trellis treatment to encourage interaction between neighbors.) (P)
- 8. Lighting shall be provided within outdoor spaces to provide visual interest, as well as an additional security function. Lighting should not cause off-site glare. (R)
- 9. If outdoor spaces are located adjacent to a street right-of-way, landscaping should be used to provide a buffer between outdoor spaces and the street right-of-way. (C)



Screening by wall and planting

- 10. Common outdoor spaces with active uses used to meet these guidelines shall not be located within required buffer areas, if prohibited by critical area or shoreline regulations. ®
- 11. Outdoor spaces should not be located adjacent to dumpster enclosures, loading/service areas or other incompatible uses. (C)

17C.111.425 Screening

A. Purpose.

The screening standards address specific unsightly features, which detract from the appearance of multi-dwelling residential areas.

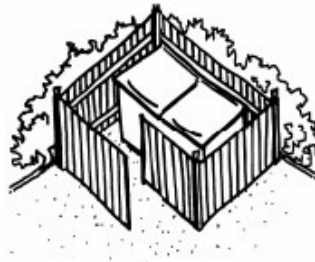


B. Garbage and Recycling Collection Areas.

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. Screening must comply with at least the standards of chapter 17C.200 SMC, Landscaping and Screening. (R)

C. Mechanical Equipment.

Mechanical equipment located on the ground, such as heating or cooling equipment, pumps, or generators must be screened from the street and any adjoining residential uses by walls, fences or vegetation tall enough to screen the equipment. Mechanical equipment on roofs must be screened from the ground level of any adjoining R-zoned lands. ®



D. Other Screening Requirements.

The screening requirements for parking, exterior storage, and exterior display areas are stated with the standards for those types of development. (R)

17C.111.430 Landscaped Areas

A. Purpose.

The standards for landscaped areas are intended to enhance the overall appearance of residential developments and institutional campuses in multi-dwelling zones. The landscaping improves the residential character of the area, breaks up large expanses of paved areas and structures, provides privacy to the residents, and provides separation from streets. It also helps in reducing stormwater run-off by providing a pervious surface.

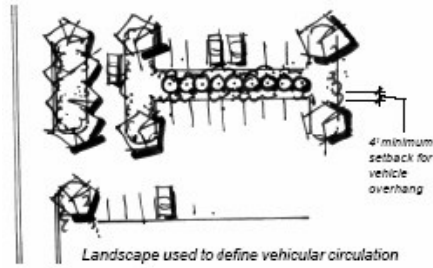
B. Landscaping Standards.

1. Building Setbacks.

The required building setbacks must be landscaped to at least the L3 standard of chapter 17C.200 SMC, Landscaping and Screening. Parking, access, maneuvering areas, detached accessory structures and other allowed developments are exempt from this standard. Sites developed with a detached house, attached house or duplex are also exempt from this standard. (R)

2. Parking Areas.

Perimeter and internal parking area landscaping standards are stated in chapter 17C.200 SMC, Landscaping and Screening. (R)



17C.111.435 Street Trees

See chapter 17C.200 SMC, Landscaping and Screening.

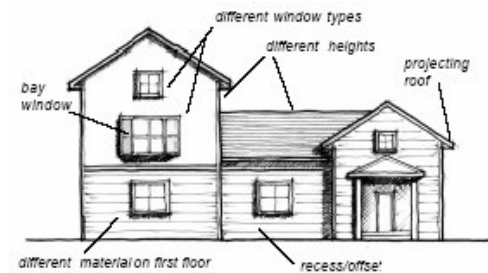
17C.111.440 Articulation and Details

A. Purpose.

To avoid massive building forms that seems bulky and institutional.

B. Articulation and Details Implementation.

1. Buildings shall include articulation along the facades that face streets. Flat blank walls are not permitted. (R)
2. Horizontal facades longer than thirty feet shall be articulated into smaller units, reminiscent of the residential scale of the neighborhood. At least four of the following methods should be used: (P)
 - a. Varied building heights.
 - b. Different materials used on first floor.
 - c. Different window types.
 - d. Different colors.
 - e. Offsets.
 - f. Projecting roofs (minimum of twelve inches).
 - g. Recesses.
 - h. Bay windows.
 - i. Varied roof forms or orientation.



Articulation with massing and roof form



Articulation with varied roof forms, recesses and stoops

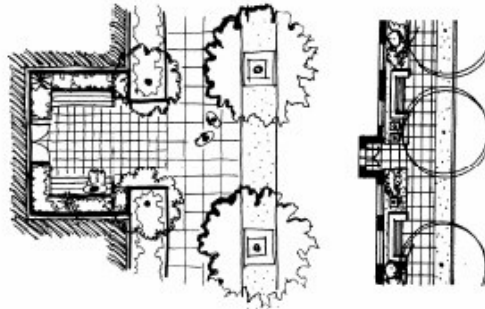


Building units with different color and building heights

17C.111.445 Front Yards and Entrances

A. Purpose.

To provide separation between buildings and the public pedestrian realm where the front yard functions as usable outdoor space and provides a clear, welcoming and safe entry for pedestrians from the sidewalk into the building.



Multi-family buildings utilizing enhancements to define main entries

B. Front Yards/Entrances Implementation.

1. Primary building entries shall be clearly identifiable and visible from the street, with well-defined walkways from pedestrian routes to building entries. (R)
2. Four or more of the following elements shall be used to highlight the main entrance to multifamily buildings: (P)
 - a. Open space, plaza or courtyard.
 - b. Special paving.
 - c. Ornamental gate and/or fence.
 - d. Seating.
 - e. Water features.
 - f. Planter boxes or pots.
 - g. Functional, accent lighting.
 - h. Art work near the entry.
 - i. Porches.





3. Front yards shall include an entrance sequence between the sidewalk and the building including elements such as trellises, site furnishings, low hedges, landscaped borders and special paving. Landscaping shall screen undesirable elements such as views to adjacent commercial or industrial development, utility boxes, outdoor storage areas and dumpsters. (P)
4. Pedestrian scale lighting and/or bollards shall be provided to create a safe and defensible walkway to the entry. (R)
5. Signage identifying building address shall be visible from the street and public pedestrian walkway. (P)
6. Landscape planting should consider the use of native shrubs and groundcovers. (C)
7. Accent lighting should be used to highlight special focal points, building/site entrances, public art and special landscape features. (C)



Pathway lighting

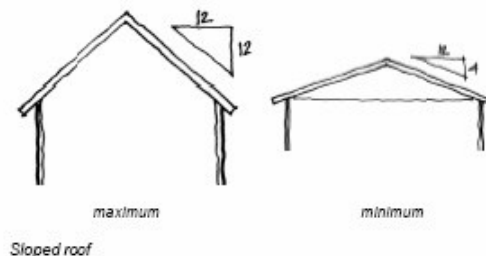
17C.111.450 Pitched Roofs

A. Purpose.

To maintain the residential scale and character of neighborhoods in transition from single-family to multifamily residences.

B. Pitched Roof Forms Implementation.

1. For the first sixty feet adjoining a single-family use, structures shall incorporate pitched roof forms having slopes between 4:12 and 12:12. (R)



2. Gables facing the street are encouraged. (C)
3. Dormers should be used to break up long lengths of roof. (C)



17C.111.455 Base, Middle, Top Standards

A. Purpose.

To reduce the apparent bulk of the buildings by providing a sense of “base” and “top.”



B. Base/Middle/Top.

1. Buildings should have a distinct “base” at the ground level, using articulation and materials such as stone, masonry or decorative concrete. (P)
2. The “top” of the building should be treated with a distinct outline with elements such as a projecting parapet, cornice or projection. (P)



Different material at ground level to define a “base”

**17C.111.460 Windows****A. Purpose.**

To maintain a lively and active street face.

B. Windows Implementation.

1. Windows shall be provided in facades facing streets, comprising at least fifteen percent of the facade area. (R)



2. Windows shall have visually prominent trim. (C)
3. Other decorative window features are encouraged. For example: (P)
 - a. Arched window.
 - b. Mullions.
 - c. Awnings.
 - d. Flower box.
 - e. Bracketed overhang.



Examples of decorative window features:



Bracketed overhangs



Multiple panes, half-round windows, flower box

17C.111.465 Parking Structures

A. Purpose.

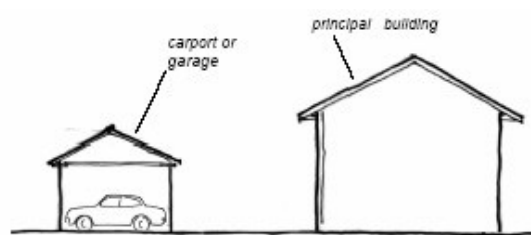
To integrate parking structure with the building and with surrounding character.

B. Parking Structures Implementation.

1. Carports and detached garages shall incorporate roofs of a design similar to the principal structure on the site. (R)
2. Ground level parking structures should be screened from view by one or more of the following: (R)
 - a. Walls containing architectural details, such as banding.
 - b. Trees and shrubs.
 - c. Grillwork incorporating decorative metal artwork or panels.
3. Parking structures, garages and carports shall not be located between primary use and public streets. (P)



Parking structure at ground level with architectural banding and shrubs



Parking structure consistent with the main building

17C.111.500 Institutional Design Standards

A. Purpose.

The base zone development standards are designed for residential buildings. Different development standards are needed for institutional uses that may be allowed in residential zones. The intent is to maintain compatibility with, and limit the negative impacts on, surrounding residential areas.

B. Use Categories to Which These Standards Apply.

The standards of this section apply to uses in the institutional group of use categories, whether allowed by right, allowed with limitations, or subject to a conditional use review. The standards apply to new development, building or parking additions, exterior alterations and conversions to institutional uses.

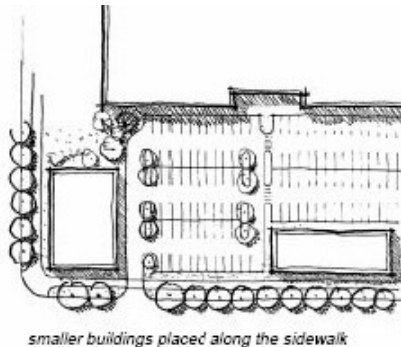
17C.111.510 Design Standards Implementation

The design standards and guidelines found in this article follow the design standards administration section of SMC 17C.111.015. All projects must address the pertinent design standards and guidelines. Design standards are in the form of requirements (R), presumptions (P) and considerations (C). Regardless of which term is used, an applicant must address each guideline. The City will expect to see how the design of a project has responded to every one of the guidelines. An applicant may seek relief through chapter 17G.030 SMC, Design Departures, for those eligible standards and guidelines contained in the zoning code.

17C.111.515 Buildings Along the Street

A. Purpose.

To ensure that some part of the development of a site contributes to the liveliness of sidewalks.



B. Design Standards.

1. New development shall not have only parking between buildings and the street. (P)
2. Buildings placed along sidewalks shall have windows and doors facing the street and shall incorporate other architectural features (see "Treatment of Blank Walls"). (P)
3. Gardens, plazas or other open space shall meet the L3 landscape standards of chapter 17C.200 SMC, Landscaping and Screening.

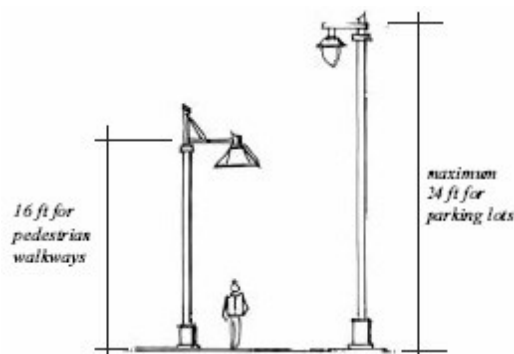
17C.111.520 Lighting

A. Purpose.

To ensure that site lighting contributes to the character of the site and does not disturb adjacent development.

B. Design Standards.

1. Lighting shall be provided within parking lots, along pedestrian walkways and accessible routes of travel. (R)
2. Lighting fixtures shall be limited to heights of twenty-four feet for parking lots and sixteen feet for pedestrian walkways. (P)
3. All lighting shall be shielded from producing off-site glare, either through exterior shields or through optical design inside the fixture, so that the direction of light is downward. (R)



17C.111.525 Landscaped Areas**A. Purpose.**

The standards for landscaped areas are intended to enhance the overall appearance of institutional uses in residential zones. The landscaping improves the residential character of the area, breaks up large expanses of paved areas and structures, provides privacy to the residents and provides separation from streets. It also helps in reducing stormwater runoff by providing a pervious surface.



lot lighting

B. Landscaping Standards.**1. Building Setbacks.**

The required building setbacks must be landscaped to at least the L3 standard of chapter 17C.200 SMC, Landscaping and Screening. Parking, access, and maneuvering areas, plazas, detached accessory structures and other allowed development are exempt from this standard. Sites developed with a detached house, attached house or duplex are also exempt from this standard. (R)



variety of plant materials

2. Parking Areas.

Perimeter and internal parking area landscaping standards are stated in chapter 17C.200 SMC, Landscaping and Screening. (R)

3. Utility Substations.

The entire perimeter, including the street lot line (except for the access point), must be landscaped to the L2 standards of chapter 17C.200 SMC, Landscaping and Screening. This landscaping must be planted on the outside of any security fence. Utility substations that are in a fully enclosed building are exempt from this requirement. (R)



plant materials to enhance corners and intersections

17C.111.530 Street Trees

See chapter 17C.200 SMC, Landscaping and Screening.

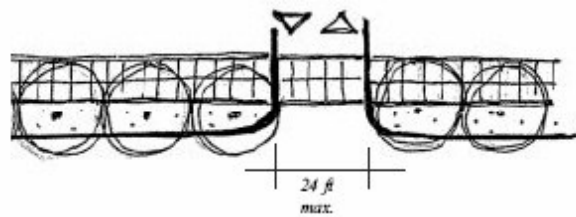
17C.111.535 Curb Cut Limitations

A. Purpose.

To provide safe, convenient vehicular access without diminishing pedestrian safety.

B. Design Standards.

1. A curb cut for a nonresidential use shall not exceed thirty feet for combined entry/exits. Driveway width where the sidewalk crosses the driveway shall not exceed twenty-four feet in width. (R)



2. The sidewalk pattern shall carry across the driveway. (R)

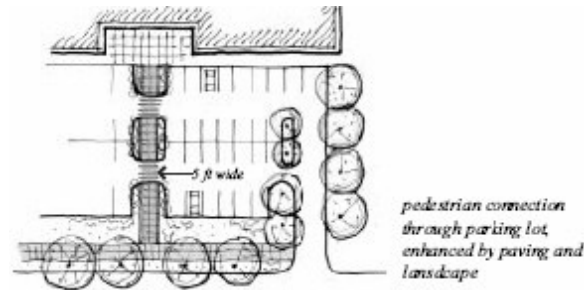


3. Adjacent developments shall share driveways, to the greatest extent possible. (P)
4. Vehicular access shall be designated so that traffic is not directed through an adjoining residential zone. (P)

17C.111.540 Pedestrian Connections in Parking Lots

A. Purpose.

To create a network of safe and attractive linkages for pedestrians.



B. Design Standards.

1. Within parking lots containing more than thirty stalls, clearly defined pedestrian connections shall be provided: (R)
 - a. between a public right-of-way and building entrances;
 - b. between parking lots and building entrances pedestrian connections can be counted toward the amount of required landscaping.
2. Pedestrian connections shall not be less than five feet wide. (R)
3. Pedestrian connections shall be clearly defined by at least two of the following: (R)
 - a. Six-inch vertical curb.
 - b. Textured paving, including across vehicular lanes.
 - c. A continuous landscape area at a minimum of three feet wide on at least one side of the walkway.



17C.111.545 Transition Between Institutional and Residential Development

A. Purpose.

To ensure compatibility between the more intensive uses in and lower intensity uses of adjacent residential zones.

B. Design Standards.

Code provisions require lower heights for portions of buildings that are close to single-family residential zones. In addition, any side of the building visible from the ground level of an adjacent single-family residential zone shall be given architectural treatment using two or more of the following: (P)

1. Architectural details such as:
 - a. projecting sills;
 - b. canopies;
 - c. plinths;
 - d. containers for season plantings;
 - e. tilework;
 - f. medallions.
2. Pitched roof form.

3. Windows.
4. Balconies.



17C.111.550 Treatment of Blank Walls

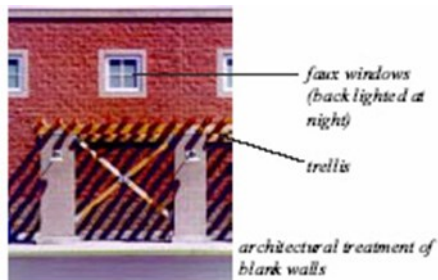
A. Purpose.

To ensure that buildings do not display blank, unattractive walls to the adjacent street or residential areas.

B. Design Standards.

Walls or portions of walls where windows are not provided shall have architectural treatment wherever they face adjacent streets or adjacent residential areas. At least four of the following elements shall be incorporated into these walls: (P)

1. Masonry (but not flat concrete block).
2. Concrete or masonry plinth at the base of the wall.
3. Belt courses of a different texture and color.
4. Projecting cornice.
5. Projecting metal canopy.
6. Decorative tilework.
7. Trellis containing planting.
8. Medallions.
9. Opaque or translucent glass.
10. Artwork.
11. Vertical articulation.
12. Lighting fixtures.
13. An architectural element not listed above, as approved, that meets the intent.



e-foot wide planting strip, adjacent property owners could

17C.111.555 Prominent Entrances

A. Purpose.

To ensure that building entrances are easily identifiable and clearly visible from streets and sidewalks.



B. Design Standards.

1. The principal entry to a store/building shall be marked by: (P)
 - a. ornamentation around the door; and
 - b. at least one of the following:
 - i. Recessed entrance (recessed at least three feet).
 - ii. Protruding entrance (protruding at least three feet) .
 - iii. Canopy (extending at least five feet).
 - iv. Portico (extending at least five feet).
 - v. Overhang (extending at least five feet).



17C.111.560 Massing

A. Purpose.

To reduce the apparent bulk of the buildings by providing a sense of “base” and “top.”



B. Design Standards.

1. Buildings shall have a distinct “base” at the ground level, using articulation and materials such as stone, masonry or decorative concrete. (P)
2. The “top” of the building shall be treated with a distinct outline with elements such as a projecting parapet, cornice, or projection. (P)

17C.111.565 Roof Form

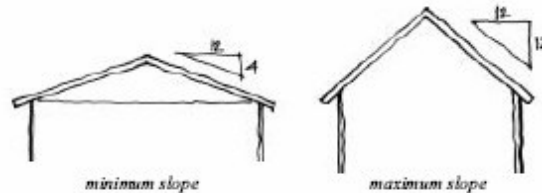
A. Purpose.

To ensure that rooflines present a distinct profile and appearance for the building and expresses the neighborhood character.

B. Design Standards.

Buildings shall incorporate one of the following roof forms: (P)

1. Pitched roofs with a minimum slope of 4:12 and maximum slope of 12:12, especially to highlight major entrances.
2. Projecting cornices to create a prominent edge when viewed against the sky.
3. Terraced roof forms that complement adjoining development.



17C.111.570 Historic Context Considerations

A. Purpose.

To ensure that infill and rehabilitation, when it is adjacent to existing buildings having historic architectural character, is compatible with the historic context.



B. Design Standards.

1. The new development of public structures shall incorporate historic architectural elements that reinforce the established character of a center or corridor. New semi-public structures should consider this design standard. The following elements constitute potential existing features that could be reflected in new buildings: (P)
 - a. Materials.
 - b. Window proportions.
 - c. Cornice or canopy lines.
 - d. Roof treatment.
 - e. Colors.
2. When rehabilitating existing historic buildings, property owners are encouraged to follow the Secretary of the Interior's Standards for Rehabilitation. (P)
 - a. If original details and ornamentation are intact, they shall be retained and preserved.
 - b. If original details are presently covered, they shall be exposed or repaired.
 - c. If original details are missing, missing parts shall be replaced to match the original in appearance. Remaining pieces or old photos shall be used as a guide.



3. If a proposed building is not adjacent to other buildings having a desirable architectural character, it may be necessary to look at contextual elements found elsewhere within the area. (C)

17C.111.575 Screening

A. Purpose.

The screening standards address specific unsightly features that detract from the appearance of multi-dwelling residential areas.

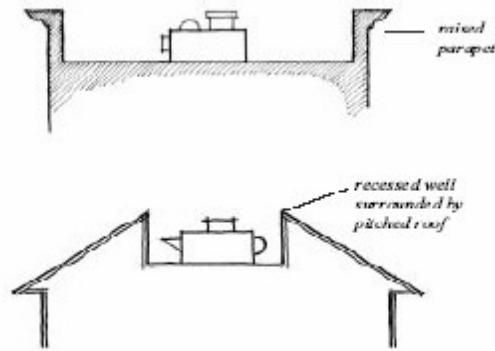


B. Garbage and Recycling Collection Areas.

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. Screening must comply with at least the standards of chapter 17C.200 SMC, Landscaping and Screening. ®

C. Mechanical Equipment.

Mechanical equipment located on the ground, such as heating or cooling equipment, pumps or generators must be screened from the street and any adjoining residential zones by walls, fences or vegetation tall enough to screen the equipment. Mechanical equipment on roofs must be screened from the ground level of any adjoining R-zoned lands. (P)



D. Cell Phone Transmission Equipment.

Cell phone equipment should be blended in with the design of the roofs, rather than being merely attached to the roof-deck. (C)

E. Other Screening Requirements.

The screening requirements for parking, exterior storage, and exterior display areas are stated with the standards for those types of development.

17C.111.600 Residential Visitability Standards

A. Purpose.

The purpose of the following section is to encourage the development of housing units for people with disabilities by providing allowances for accessible design and design considerations.

B. Applicability.

The provisions of this section apply to residential development in all zones where permitted. These guidelines encourage residential developments to incorporate visitable designs into at least a portion of the provided units. Any development seeking a reasonable deviation pursuant to 17C.111.600(C) must comply with all standards of 17C.111.600(D) for the unit(s) intended to benefit from the accessibility features requiring the deviation, and clearly note on submitted plans how the project meets each visitable design element. Director may waive full compliance with 17C.111.600(D) in cases of retrofits, commensurate with the significance of changes being made.

C. To encourage the development of housing units for people with disabilities, the Planning Director may allow reasonable deviation from height, setback, and footprint coverage standards to install features that facilitate accessibility. Such facilities shall be in conformance with the city adopted Building Code.

D. Visitable designs are encouraged for residential development, whether or not such accessible design considerations are required by the city adopted Building Code due to unit count. Elements of a visitable dwelling design include:

1. Visitable entrance. At least one entrance that is accessible via a route that does not have any stairs between it and the street lot line or an on-site parking space. The slope of the route does not exceed 1:8 (one foot in height for every 8 feet in length).
2. Visitable bathroom. At least one bathroom with a sink and toilet is designed to accommodate an unobstructed circle that is at least 60-inches in diameter. As an alternative, the bathroom may be designed to accommodate an unobstructed area that is comprised of two rectangles that are at least 36 inches by 60 inches, and oriented at right angles to each other. The visitable bathroom is on the same floor as the visitable entrance or is accessible from the visitable entrance via a ramp, elevator, or lift.
3. Visitable living area. There is at least 200 square feet of living area on the same floor as the visitable entrance or 200 square feet of living area is accessible from the visitable entrance via a ramp, elevator, or lift.
4. Visitable doors. All door openings between and including the visitable entrance, visitable living area, and the visitable bathroom is at least 34 inches wide.

5. Visitable light switches and environmental controls. The first floor contains light switches and environmental controls that are no higher than 48 inches above the interior floor level and outlets.

Section 17. That Section 17C.120.500 SMC is amended to read as follows:

17C.120.500 Design Standards and Implementation

- A. The design standards and guidelines found in SMC 17C.120.500 through 17C.120.580 follow SMC 17C.120.015, Design Standards Administration. ~~((All))~~ Except as provided in subsection (B) of this section, all projects must address the pertinent design standards and guidelines. Design standards are in the form of Requirements (R), Presumptions (P), and Considerations (C). Regardless of which term is used, an applicant must address each guideline. An applicant may seek relief through ((SMC)) chapter 17G.030 SMC, Design Departures, for those eligible standards and guidelines contained in the zoning code.
- B. Residential development in Commercial Zones is subject to the residential design standards of SMC 17C.111.300-.465 that are applicable to the proposed housing type.

Section 18. That Section 17C.122.060 SMC is amended to read as follows:

17C.122.060 Design Standards and Guidelines for Centers and Corridors

- A. The document titled "Design Standards and Guidelines for Centers and Corridors" is adopted by reference as a part of the land use code for centers and corridors and incorporated as Attachment "A" to the land use code for centers and corridors. ~~((All))~~ Except as provided in subsection (C) of this section, all projects must address these standards and guidelines. The applicant assumes the burden of proof to demonstrate how a proposed design addresses these standards and guidelines. For design standards and guidelines in "Attachment A" that are designated Requirement (R), an applicant may apply to the Design Review Board pursuant to the procedures set forth in chapter 17G.040 SMC, and the board may recommend approval of alternatives to strict compliance, upon a finding that the alternative satisfies the decision criteria for a design departure in SMC 17G.030.040.
- B. The design standards and guidelines for all centers and corridors are also applicable to the sites located in the Type 4 mixed use transition zone. In addition, the design standards and guidelines for Type 1 centers and corridors are also applicable to the sites located in the Type 4 mixed use transition zone.
- C. Residential development in Centers and Corridor Zones is subject to the residential design standards of SMC 17C.111.300-.465 that are applicable to the proposed housing type.

Section 19. That Section 17C.200.020 SMC is amended to read as follows:

17C.200.020 Plan Submittal Requirements

Landscape plans are ~~((not))~~ required for ~~((a house, an attached houses or a duplex on a lot. For all other types of development on sites, including planned unit developments,))~~ all development of more than seven thousand square feet of lot area ~~((landscape plans shall:))~~.

- A. ~~((be prepared and stamped by a licensed landscape architect, registered in the state of Washington;))~~ For all development types, landscape plans shall:

~~((B-))~~ 1. be submitted at the time of application for a development permit; and

~~((C-))~~ 2. include the following elements:

- ~~((1-))~~ a. The footprint of all structures.
~~((b. The final site grading-))~~
~~((3-))~~ b. All parking areas and driveways.
~~((4-))~~ c. All sidewalks, pedestrian walkways and other pedestrian areas.
~~((5-))~~ d. The location, height and materials for all fences and walls.
~~((6-))~~ e. The common and scientific names of all plant materials used, along with their size at time of planting.
~~((7-))~~ f. The location of all existing and proposed plant materials on the site((.)) ; and
~~((8-))~~ g. A proposed irrigation plan ((; and))
~~((9. Location of all overhead utility and communication lines, location of all driveways and street signs-))~~

B. In addition, for development except residential construction of six or fewer dwelling units on a lot, landscape plane shall:

1. be prepared and stamped by a licensed landscape architect, registered in the state of Washington;
2. include the following elements:
 - a. the final site grading;
 - b. location of all overhead utility and community lines; and
 - c. location of all driveways and street signs.

Section 20. That Section 17C.200.040 SMC is amended to read as follows:

17C.200.040 Site Planting Standards

Sites shall be planted in accordance with the following standards:

A. **Street Frontages.**

1. The type of plantings as specified below shall be provided inside the property lines:
 - a. along all commercial, light industrial, and planned industrial zoned properties except where buildings are built with no setback from the property line: a six-foot wide planting area of L2 see-through buffer, including street trees as prescribed in SMC 17C.200.050. Remaining setback areas shall be planted in L3.
 - b. along all downtown, CC1, CC2, CC4, and FBC zoned properties except where buildings are built with no setback from the property line, or along a Type 1 Street of the FBC: a five-foot wide planting area of L2 see-through buffer, including street trees as prescribed in SMC 17C.200.050. Remaining setback areas shall be planted in L3. Living ground cover shall be used, with non-living materials (gravel, river rock, etc.) as accent only. In addition, earthen berms, trellises, low decorative masonry walls, or raised masonry planters (overall height including any plantings shall not exceed three feet) may be used to screen parking lots from adjacent streets and walkways.
 - c. in the heavy industrial zone, along a parking lot, outdoor sales, or outdoor display area that is across from a residential zone: a six-foot wide planting area of L2 see-through buffer, including street trees as prescribed in SMC 17C.200.050. Remaining setback areas shall be planted in L3.
 - d. in industrial zones, all uses in the commercial categories (see chapter 17C.190 SMC, Use Category Descriptions, Article III, Commercial Categories) are subject to the standards for uses in the general commercial (GC) zone.
 - e. along all RA, ((RSF)) R1, ((RTF)) R2, RMF, and RHD zones: six feet of L3 open area landscaping and street trees as prescribed in SMC 17C.200.050 are required, except that for ((single-family residences and duplexes)) single-unit residential and middle housing development, only street trees are required in addition to the landscape design standards of SMC 17C.111.305. For residential development along principal and minor arterials, a six-foot high fence with shrubs and trees may be used for screening along street frontages. The fence and landscaping shall comply with the standards of SMC 17C.120.310 for the clear view triangle and must be placed no closer than twelve feet from the curb line. A minimum of fifty percent of the fence line shall include shrubs and trees. The landscaping is required to be placed on the exterior (street side) of the fence.
2. Within the clear view triangle (defined at SMC 17A.020.030) at street intersections on corner lots and at driveway entries to public streets, plantings may not exceed thirty-six inches in height or hang lower than ninety-six inches. The City Engineer may further limit the height of plantings, landscaping structures, and other site development features within a particular clear view triangle or may expand the size of the clear view triangle as conditions warrant in a particular case.



Note: For the remainder of ORD C36459, other Ordinances, City Council Minutes, Hearing Notices, Job Opportunities and Notices for Bids, see Volume 113, Issue 48, Part II of the *Official Gazette*.



Official Gazette

City of Spokane, Washington

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

Volume 113

NOVEMBER 29, 2023

Issue 48 Part II of II



MAYOR AND CITY COUNCIL

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Ordinances Cont.

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*.

B. Other Property Perimeters.

A planting strip of five feet in width shall be provided along all other property lines except where buildings are built with no setback from the property line or where a parking lot adjoins another parking lot. In CC zoned properties, the planting strip shall be eight feet in width to enhance the screening between CC and Residential zoned properties. The type of planting in this strip varies depending upon the zone designation of the properties sharing the property line (with or without an intervening alley) as indicated in the matrix below. Where properties with dissimilar zones share a common boundary, the property with the more intense zone shall determine the required type of planting and the planting width. The owners of adjacent properties may agree to consolidate their perimeter plantings along shared boundaries. For example, instead of each property providing a five-foot wide planting strip, adjacent property owners could provide a single, shared five-foot wide planting strip, so long as the required planting type, as indicated in the matrix below, is provided. Types of landscaping to be provided in planting strips alongside and rear property lines:

SUBJECT PROPERTY ZONE (vertical)	ADJACENT PROPERTY ZONE (horizontal)												
	RA	((RSF)) <u>R1</u>	((RTF)) <u>R2</u>	RMF	RHD	O, OR	NR, NMU	CB	GC	CC, <u>FBC</u>	LI, PI	HI	DT
RA	--	--	--	--	--	--	--	--	--	--	--	--	--
((RSF)) <u>R1</u>	--	--	--	--	--	--	--	--	--	--	--	--	--
((RTF)) <u>R2</u>	--	--	--	--	--	--	--	--	--	--	--	--	--
RMF	L2	L2	L2	L3	L2	L2	L2	L1	L1	L1	--	--	L1
RHD	L2	L2	L2	L2	L3	L2	L2	L2	L2	L2	--	--	L2
O, OR	L2	L2	L2	L2	L2	L3	L2	L2	L2	--	--	--	L2
NR, NMU	L2	L1	L2	L2	L2	L2	L3	L3	L2	--	--	--	L3
CB	L1	L1	L1	L1	L2	L2	L3	L3	L3	--	--	--	L3
GC	L1	L1	L1	L1	L2	L2	L2	L3	L3	--	--	--	L3
CC, <u>FBC</u>	L1	L1	L1	L1	L2	--	--	--	--	--	--	--	--
LI, PI [3]	L1	L1	L1	L1	L1	L1	L2	--	--	--	--	--	--
HI [3]	L1	L1	L1	L1	L1	L1	L1	--	--	--	--	--	--
DT	L1	L1	L1	L1	L1	L2	L2	L3	L3	--	--	--	--

Notes:

[1] In the industrial zones, all uses in the commercial categories (see chapter 17C.190 SMC, Use Category Descriptions, Article III, Commercial Categories) are subject to the standards for uses in the general commercial (GC) zone.

C. Planning Director Discretion.

The planning director shall have the discretion to waive or reduce the requirements of subsections (A)(1) and (B) of this section based on the following factors:

1. No useable space for landscaping exists between the proposed new structure and existing structures on adjoining lots or alleys because of inadequate sunlight or inadequate width.
2. The building setback provided in front of the new structure is less than six feet or is developed as a plaza with decorative paving/pavers, trees, planters, or other amenities.
3. Xeriscape landscaping is utilized in designated stormwater control areas.
4. When existing trees and other vegetation serves the same or similar function as the required landscaping, they may be substituted for the required landscaping if they are healthy and appropriate for the site at mature size. When existing trees are eight inches or more in diameter, they shall be equivalent to three required landscape trees. If necessary, supplemental landscaping shall be provided in areas where existing vegetation is utilized to accomplish the intent of this chapter.

D. Other Areas.

All other portions of a site not covered by structures, hard surfaces, or other prescribed landscaping shall be planted in L3 open area landscaping until the maximum landscape requirement threshold is reached (see SMC 17C.200.080).

E. Parking Lot Landscaping Design.

1. Purpose.

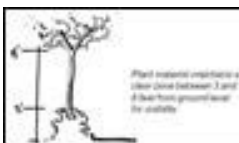
To reduce the visual impact of parking lots through landscaped areas, trellises, and/or other architectural features that complement the overall design and character of developments.



2. Parking Lot Landscaping Design Implementation.

This section is subject to the provisions of SMC 17C.120.015, Design Standards Administration.

3. The parking lot landscape shall reinforce pedestrian and vehicle circulation, especially parking lot entrances, ends of driving aisles, and pedestrian walkways leading through parking lots. (P)
4. Planted areas next to a pedestrian walkways and sidewalks shall be maintained or plant material chosen to maintain a clear zone between three and eight feet from ground level. (R)

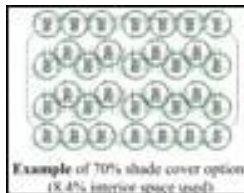


5. Low walls and raised planters (a maximum height of three feet), trellises with vines, architectural features, or special interest landscape features shall be used to define entrances to parking areas. Where signs are placed on walls, they shall be integrated into the design and complement the architecture or character of other site features. (P)
6. Landscape plant material size, variety, color, and texture within parking lots should be integrated with the overall site landscape design. (C)

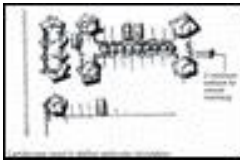
F. Parking, Outdoor Sales, and Outdoor Display Areas.

1. In residential, commercial, center and corridor, and FBC zones, a six-foot wide planting area of L2 see-through buffer landscaping shall be provided between any parking lot, outdoor sales, outdoor display area, and a street right-of-way. Living ground cover shall be used, with non-living materials (gravel, river rock, etc.) as accent only. In addition, earthen berms, trellises, low decorative masonry walls, raised masonry planters, or L1 visual screen landscaping shall be used to screen parking lots from adjacent streets and walkways (overall height including any plantings or structures shall not exceed three feet). Trees required as a part of the L2 landscape strip shall be located according to the standards for street trees in SMC 17C.200.050, Street Tree Requirements.

2. In residential, commercial, center and corridor, and FBC zones all parking stalls shall be within sixty feet of a planted area with L3 open area landscaping. All individual planting areas within parking lots shall be at least one hundred fifty square feet in size.
3. In residential, commercial, center and corridor, and FBC zones all paved parking areas on a site with more than fifty cumulative parking spaces shall have plantings that satisfies one of the following options:
 - a. Option 1.
Interior landscaping consisting of L3 open area landscaping, including trees amounting to at least ten percent of the total area of the paved parking area, excluding required perimeter and street frontage strips. A minimum of one interior tree shall be planted for every six parking spaces.
 - b. Option 2.
Tree plantings shall be spaced in order that tree canopies cover a minimum of seventy percent of the entire paved area of the parking lot within fifteen years of project completion. Canopy coverage shall be measured in plan view, and be based on projected mature size of the selected tree species. All individual planting areas within parking lots shall be a minimum of eight feet in width, be at least one hundred fifty square feet in size, and in addition to the required trees, shall be planted with a living groundcover. See the "Landscape Plants for the Inland Northwest" issued by the Washington State University cooperative extension and the U.S. department of agriculture, available from the City planning services department, for acceptable mature tree size to be used when calculating canopy size.



4. Where parking lots are located between the building and a street, the amount of required interior landscaped area shall be increased by fifty percent and the minimum amount of tree shade cover shall increase to eighty percent. Where parking lots are behind buildings, the amount of interior landscaping may be decreased by fifty percent of what the code requires and the minimum amount of tree shade cover shall decrease to fifty percent.
5. A planting strip of five feet in depth with L1 visual screen landscaping or site-obscuring decorative wood, iron, etc. fences or masonry walls at least six feet in height shall be installed along property lines where any adjacent single-family residential zone would have views of parking or service areas.
6. A minimum of two-foot setback shall be provided for all trees and shrubs where vehicles overhang into planted areas.



7. In industrial zones, parking lots, outdoor sales, and outdoor display areas that are abutting or across the street from residential zones are subject to all of the requirements of subsections (E) and (F) of this section.
8. In industrial zones, all uses in the commercial categories (see chapter 17C.190 SMC, Use Category Descriptions, Article III, Commercial Categories) are subject to the standards for uses in the general commercial (GC) zones.
9. In downtown zones an applicant must demonstrate to the director that the following required elements meet the intent of the Downtown Design Guidelines. Key design elements for these features include integrating storm water facilities, improving the pedestrian environment, and adding public amenities next to surface parking; outdoor sales and outdoor display areas so that they help to define space and contribute to a more active street environment.
 - a. Surface Parking Lot Liner Walls in the Downtown Zones.
Surface parking lots must have a solid, decorative concrete or masonry wall adjacent to a complete street and behind a sidewalk. The wall must have a minimum height above the surface of the parking lot of two and one-half feet and a maximum height of three feet. The wall shall screen automobile headlights from surrounding properties. A wrought iron fence may be constructed on top of the wall for a combined wall and fence height of six feet. An area with a minimum width of two feet, measured from the property line, must be provided, landscaped and maintained on the exterior of the required wall. Such walls, fences, and landscaping shall not interfere with the clear view triangle. Pedestrian access through the perimeter wall shall be spaced to provide convenient access between the parking lot and the sidewalk. There shall be a pedestrian access break in the perimeter wall at least every one hundred fifty feet and a minimum of one for every street frontage. Any paving or repaving of a parking lot over one thousand square feet triggers these requirements.



Parking liner walls with plantings contribute to an interesting pedestrian environment. The parking liner wall and screen pictured above is enhanced by larger wall sections near automobile crossing points and a change in sidewalk scoring pattern. Both give cues to pedestrians and drivers.

- b. Surface parking lots in the Downtown zones are subject to the interior parking lot landscaping standard sections (F)(2) through (F)(6).
- c. The exterior boundary of all surface parking lots adjacent to any public right-of-way must include trees spaced no more than twenty-five feet apart. The leaves of the trees or any other landscaping features at maturity shall not obscure vision into the parking lot from a height of between three and eight feet from the ground. The species of trees shall be selected from the city's street tree list. If street trees exist or are provided consistent with SMC 17C.200.050 then this landscaping strip may be omitted.
- d. Outdoor sales and display areas shall contribute to an interesting streetscape by providing the following:

- i. Monument Features or Artistic Elements along the Street Edge between the Outdoor Display Area and the Sidewalk.

These shall be integrated with display area lighting and pedestrian amenities.

- ii. Additional Streetscape Features in the Sidewalk Environment.

Items may include elements that improve the health of street trees and plantings, improve storm water management, or artistic features that improve the pedestrian environment. This may include items such as permeable pavers in the pedestrian buffer strip, increased soil volumes for street trees, suspended sidewalks around the street tree to increase the amount of un-compacted soils, and engineered soils to support larger and healthier trees.

Section 21. That Section 17C.200.100 SMC is amended to read as follows:

17C.200.100 Irrigation Requirements

The owners of the adjacent property shall keep and maintain all required planting areas and street trees in a healthy condition. For development of ~~((new single family and duplex homes on individual))~~ six or fewer dwelling units on an infill ((lots)) lot and modification of non-conforming development that fall below thresholds found in 17C.210.090, the Planning ~~((and Economic Development Services))~~ Director, in consultation with the Urban Forester, may approve the use of species-specific alternative methods of irrigation. For all other forms of new construction and modification of non-conforming development that meet thresholds found in 17C.210.090 the installation and maintenance of an automatic irrigation system is required.

Section 22. That Section 17C.230.110 SMC is amended to read as follows:

17C.230.120 Minimum Required Parking Spaces

A. Purpose.

Limiting the number of spaces allowed promotes efficient use of land, enhances urban form, encourages use of alternative modes of transportation, provides for better pedestrian movement, and protects air and water quality. The maximum ratios in this section vary with the use the parking it is accessory to. These maximums will accommodate most auto trips to a site based on typical peak parking demand for each use.

B. Maximum Number of Parking Spaces Allowed.

Standards in a plan district or overlay zone may supersede the standards in this subsection.

1. Surface Parking.
The maximum number of parking spaces allowed is stated in Table 17C.230-1 and Table 17C.230-2, except as specified in subsection (B)(2) of this section.
2. Structure Parking.

Parking provided within a building or parking structure is not counted when calculating the maximum parking allowed

TABLE 17C.230-1 PARKING SPACES BY ZONE [1] (Refer to Table 17C.230-2 for Parking Spaces Standards by Use)		
ZONE	SPECIFIC USES	REQUIREMENT
RA, ((RSF)) <u>R1</u> , ((RTF)) <u>R2</u> , RMF, RHD	All Land Uses	Minimum and maximum standards are shown in Table 17C.230-2 .
O, OR, NR, NMU, CB, GC, Industrial		
CC1, CC2, CC3 [2]	Nonresidential	Minimum ratio is 1 stall per 1,000 gross square feet of floor area. Maximum ratio is 4 stalls per 1,000 gross square feet of floor area.
	Residential	Minimum ratio is 1 stall per 1,000 gross square feet of floor area or a minimum of 1 stall per dwelling unit plus one per bedroom after 3 bedrooms. Maximum ratio is the same as for nonresidential uses.
CC4 [2]	Nonresidential	Minimum ratio is 2 stalls per 1,000 gross square feet of floor area. Maximum ratio is 4 stalls per 1,000 gross square feet of floor area.
	Residential	Minimum ratio is 1 stall per 1,000 gross square feet of floor area or a minimum of 1 stall per dwelling unit, whichever is less. Maximum ratio is the same as for nonresidential uses.
Downtown [2]	All Land Uses	See the Downtown Parking Requirement Map 17C.230-M1 to determine if parking is required. Minimum ratio for areas shown on the map that require parking is 1 stall per 1,000 gross square feet of floor area or a minimum of 1 stall per dwelling unit, whichever is less. Maximum ratio is 3 stalls per 1,000 gross square feet of floor area.
FBC [2]	All Land Uses	See SMC 17C.123.040 , Hamilton Form Based Code for off-street parking requirements.
Overlay	All Land Uses	No off-street parking is required. See the No Off-Street Parking Required Overlay Zone Map 17C.230-M2 and No Off-Street Parking Required Overlay Zone Map 17C.230-M3 .
[1] Standards in a plan district or overlay zone may supersede the standards of this table.		
[2] See exceptions in SMC 17C.230.130 , CC and Downtown Zone Parking Exceptions.		

Section 23. That Section 17C.230.130 SMC 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)) Planning 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)) 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)) form of the proposed use.
- D. If property owners and businesses establish a parking management area program with shared parking agreements, the ((director)) Planning Director may reduce or waive parking requirements.
- E. ((Except in the residential single family and residential two-family zones, existing)) 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.
- F. Attached Housing.

The following exceptions apply only to attached housing (defined in SMC 17A.020.010) in the RMF and RHD zones. Distances are measured in a straight line between the zone/overlay boundary to the lot line of the site containing the development.

1. On a lot at least partially within one thousand three hundred twenty feet of CC, CA, or DT zone or CC3 zoning overlay, the minimum number of off-street vehicle parking spaces required is fifty percent less than the minimum required for Residential Household Living in Table 17C.230-2.
2. On a lot farther than one thousand three hundred twenty feet of a CC, CA, or DT zone or CC3 zoning overlay, the minimum number of off-street vehicle parking spaces required is thirty percent less than the minimum required for Residential Household Living in Table 17C.230-2.

G. Parking is not required for residential development on sites located within one-half mile of a transit stop.

TABLE 17C.230-2 PARKING SPACES BY USE [1] (Refer to Table 17C.230-1 for Parking Space Standards by Zone) CU = Conditional Use			
RESIDENTIAL CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
Group Living		1 per 4 residents	None
Residential Household Living [2]		1 per unit plus 1 per bedroom after 3 bedrooms [3]; ((1-per)) Accessory Dwelling Unit (ADU) – see Note [4]; Single Resident Occupancy (SRO) are exempt	None
COMMERCIAL CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
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

INDUSTRIAL CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
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
INSTITUTIONAL CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
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
OTHER CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
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
<p>[1] The ((director)) <u>Planning Director</u> may approve different amounts of parking spaces under the exceptions listed in SMC 17C.230.130.</p> <p>[2] <u>Parking is not required for residential development on sites located within one-half mile of a transit stop.</u></p> <p>[3] <u>For middle housing developed in the R1 and R2 zones, the following standards apply:</u></p> <ul style="list-style-type: none"> • <u>On lots smaller than 6,000 square feet, only one parking space per unit is required regardless of bedroom count.</u> <u>On lots 6,000 square feet or larger, each unit with 4 or more bedrooms must provide a minimum of two parking spaces.</u> <p>[4] <u>Parking requirements for ADUs are provided in SMC 17C.300.130(A)(4).</u></p>			

Section 24. That Section 17C.300.010 SMC is amended to read as follows:

17C.300.010 Purpose

This chapter establishes the standards for the location and development of accessory dwelling units in residential zones. The purpose of accessory dwelling units is to create new housing units ~~((while respecting the look and scale of single dwelling development)) that complement the principal dwellings on the properties on which they are located.~~ They can increase the housing stock of existing neighborhoods in a manner that is less intense than alternatives. Accessory dwelling units allow more efficient use of existing housing stock and infrastructure and provide a mix of housing that responds to changing family needs and smaller households. They provide a means for residents, particularly seniors, single parents, and families with grown children, to remain in their homes and neighborhoods, and obtain extra income, security, companionship and services; and provide a broader range of accessible and more affordable housing.

Section 25. That Section 17C.300.100 SMC is amended to read as follows:

17C.300.100 General Regulations**A. Where the Regulations Apply.**

Attached and detached accessory dwelling units are permitted in the RA through RHD zones, including planned unit developments, subject to the limitations of subsection (B) of this section.

B. Limitation.

One accessory dwelling unit is allowed per lot in the RA, ~~((RSF))~~ R1, ~~((RTF))~~ R2, RMF, and RHD zones subject to the development standards of the underlying zoning district.

C. ADU versus principal dwelling.

Section 17C.300.130(A)(1) establishes the methods by which an ADU may be created. In cases where a proposed dwelling unit meets the definition and criteria of both an ADU and an additional principal dwelling (e.g., the second unit of a duplex or a second single-unit residential building on a lot), applicants may choose whether the proposed dwelling unit is permitted as an ADU or a principal dwelling.

Section 26. That Section 17C.300.110 SMC is amended to read as follows:

17C.300.110 Criteria**A. Maximum Size.****1. Internal ADU.**

Before the establishment of an internal ADU the floor area of the principal structure, excluding an attached garage, must be not less than eight hundred square feet.

- a. The internal ADU shall contain no more than two bedrooms and the floor area of the internal ADU must be not more than eight hundred square feet, excluding any related garage area.
- b. The conversion of an existing interior basement or attic space of a principal structure into an ADU may exceed the maximum floor area for an internal ADU specified in subsection (1)(a) of this subsection.

2. Detached ADU.

- a. The maximum detached ADU size is subject to building coverage per SMC 17C.300.130(B)(3) and floor area ratio per subsection (3) of this subsection (A); and
- b. A detached ADU shall not exceed seventy-five percent of the floor area of the principal structure, or nine hundred seventy-five square feet of floor area, whichever is greater.
- c. The maximum detached ADU size is subject to the maximum building footprint standards for ADUs in Table 17C.111.205-2.

~~((3. FAR.~~

- a. ~~The floor area of an ADU, excluding any garage, is counted as part of the floor area ratio (FAR).~~
- b. ~~To offer greater flexibility in integrating an ADU on smaller lots, the maximum allowable FAR may be increased to 0.6 on lots smaller than seven thousand two hundred square feet in area, with an ADU, and to 0.7 on lots smaller than five thousand square feet in area with an ADU.)~~

B. Occupancy for Short-Term Rentals.

Where a lot with an ADU also has a Short-Term Rental under chapter 17C.316 SMC, one of the dwelling units on the lot shall be occupied by one or more owners of the property as the owner's permanent and principal residence. The owner-occupant must

occupy the owner-occupied dwelling unit for more than six months of each calendar year. The owner-occupant may not receive rent for the owner-occupied dwelling unit. If a complaint that an owner has violated these requirements is filed, the owner shall:

1. submit evidence to the director showing good cause, such as a job dislocation, sabbatical leave, education or illness, for waiver of this requirement for up to one year absence from the property. Upon such showing the director may waive the requirement;
2. re-occupy the structure; or
3. remove the accessory dwelling unit.

Section 27. That Section 17C.300.130 SMC is amended to read as follows:

17C.300.130 Development Standards

A. Development Standards – Requirements for All Accessory Dwelling Units.

All accessory dwelling units must meet the following:

1. Creation.

An accessory dwelling unit may only be created through the following methods:

- a. Converting existing living area, attic, basement or garage.
- b. Adding floor area.
- c. Constructing a detached accessory dwelling unit on a site with an existing ~~((house, attached house, duplex, or manufactured home))~~ residential use.
- d. Constructing a ~~((new house, attached house or manufactured home))~~ residential use with an internal or detached accessory dwelling unit.
- e. In the ~~((RSF))~~ R1, ~~((RTF))~~ R2, RMF, or RHD zone, constructing an attached or detached accessory dwelling unit on a site with any existing or new principal structure (including non-residential uses or structures). Any structure shall comply with all applicable building, fire, and engineering standards.

2. Number of Residents.

The total number of individuals that reside in ~~((both))~~ all units on the site may not exceed any lawful limits on occupant load per square foot or generally applicable health and safety provisions as established by applicable building or fire code, as provided in RCW 35.21.682.

3. Location of Entrances for Internal ADUs.

Only one entrance may be located on the facade of the structure facing the street, unless the principal structure contained additional entrances before the accessory dwelling unit was created. An exception to this regulation is entrances that do not have access from the ground such as entrances from balconies or decks.

4. Parking.

- a. Studio and one-bedroom ADUs require no additional parking. One additional off-street parking space is required for the accessory dwelling unit with more than one bedroom, plus one per bedroom after two bedrooms. Existing required parking for the principal structure must be maintained.
- b. As an exception to subsection (a), no additional off-street parking space is required for the ADU within one-quarter-mile of stops for a bus or other transit mode providing actual fixed route service at intervals of no less frequently than fifteen minutes for at least five hours during the peak hours of operation on weekdays, defined as a major transit stop under RCW 36.70A.696.

B. Additional Development Standards for Detached ADUs.

1. Setbacks.

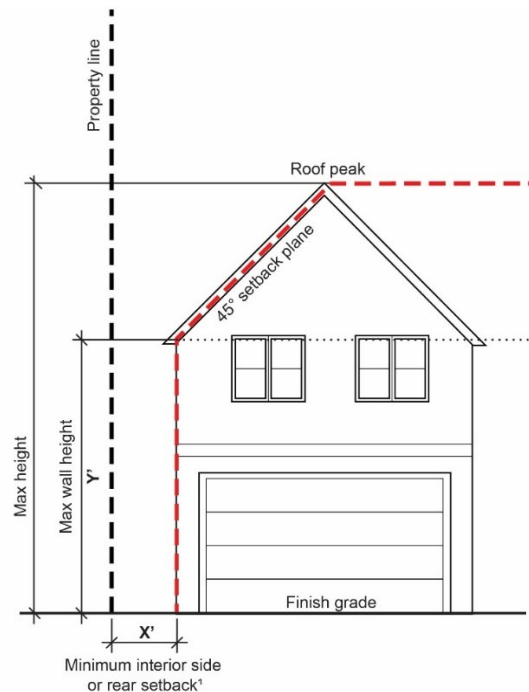
Except for conversion of existing accessory structures, the accessory dwelling unit must be:

- a. as specified for setbacks in Table 17C.111-3 for accessory structures and

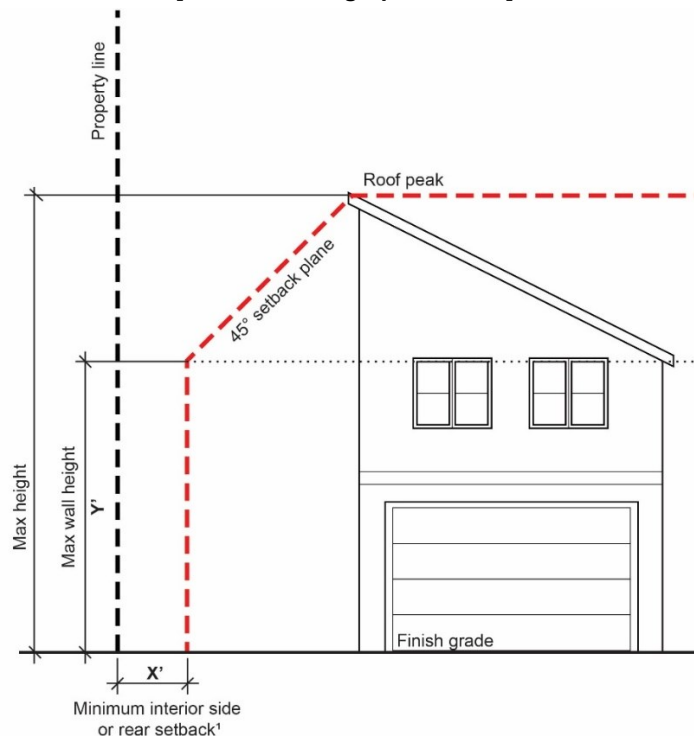
~~((b. in conformance with the forty-five degree setback plane:~~

- i. ~~The forty five degree setback plane is measured at the maximum wall height listed in Table 17C.300-1, from the interior side lot line setback, or rear setback without an alley, as listed in Table 17C.110-3 for accessory structures. The setback plane does not apply on side or rear setbacks measured from alley or street lot lines.~~
- ii. ~~The setback plane increases at a forty five degree angle away from the interior side and rear lot lines without an alley, up to the maximum roof height in Table 17C.300-1. See Figure 17C.300-A for examples.~~
- iii. ~~No portion of the accessory dwelling unit may project beyond the forty five degree setback plane described in this subsection, except for the roof structure and minor extensions allowed by SMC 17C.110.220(C)(1).~~
- iv. ~~The setback may be reduced to zero feet with a signed waiver from the neighboring property owner. In that case, the forty five degree setback plane would be measured from the maximum wall height and the property line.))~~

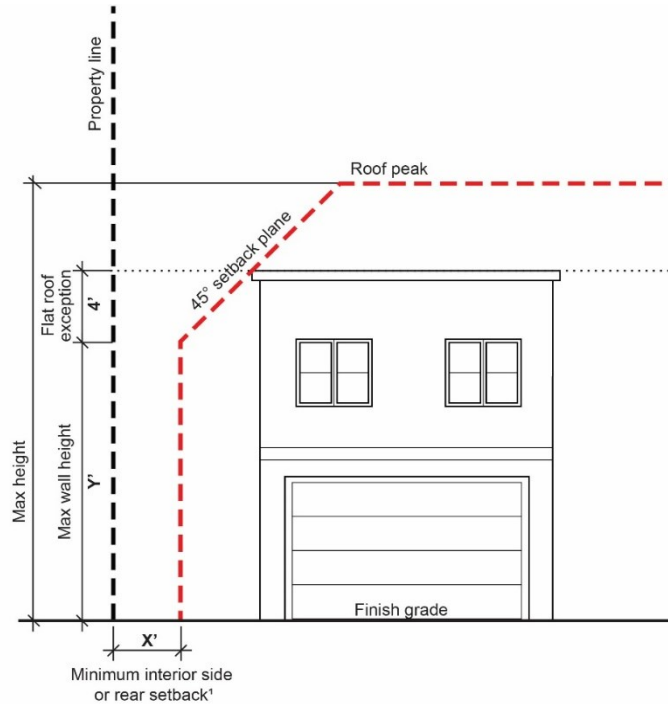
((Figure 17C.300-A. Setback Plane {1}))



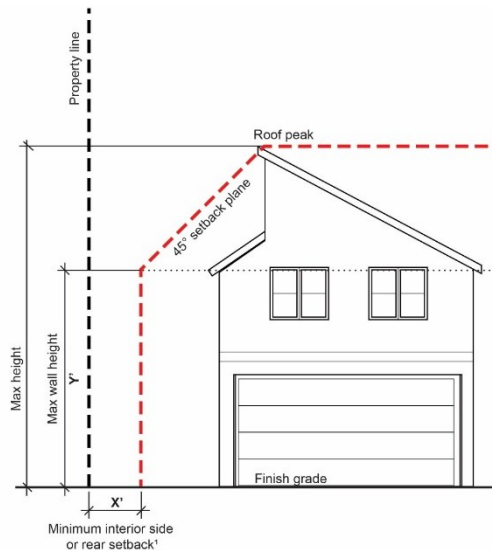
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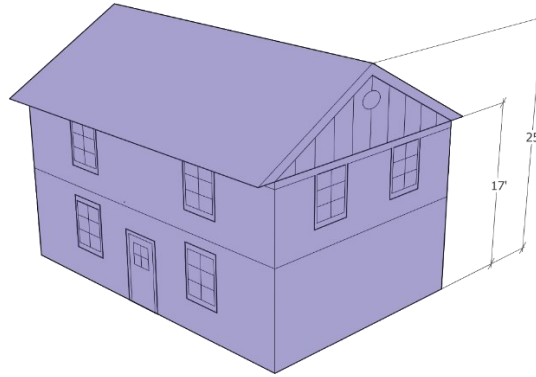
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2. Height.

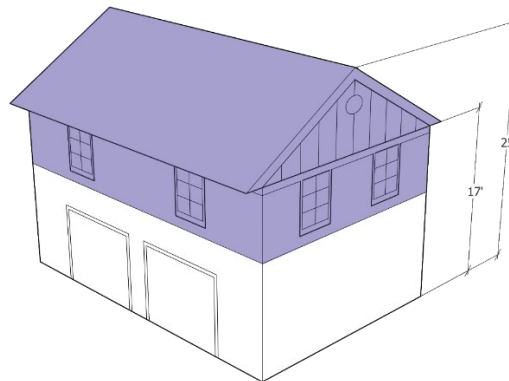
The maximum height allowed for a detached accessory dwelling unit is ~~((shown))~~ provided in Table ~~((17C.300-4))~~ 17C.111.205-2. ~~((A detached ADU over a detached accessory structure with flat or terraced roof forms with slopes of less than 3:12 that conform to the forty five degree setback plane in subsection (B)(1)(b) of this section may be granted a wall height exception up to four feet.))~~

((TABLE 17C.300-1 MAXIMUM ROOF AND WALL HEIGHT		
	Maximum Height — Detached Accessory Building Attached to an ADU or Detached ADU [1]	Maximum Height — Detached ADU Over a Detached Accessory Structure
Maximum Wall Height [2]	17 ft.	17 ft.
Maximum Roof Height [3]	25 ft.	25 ft.
[1] Detached accessory structures cannot include living area, nor any storage areas with a ceiling height of six feet eight inches or greater. [2] The height of the lowest point of the roof structure intersects with the outside plane of the wall. [3] The height of the ridge of the roof. See "Figure 17C.300-B" below.))		

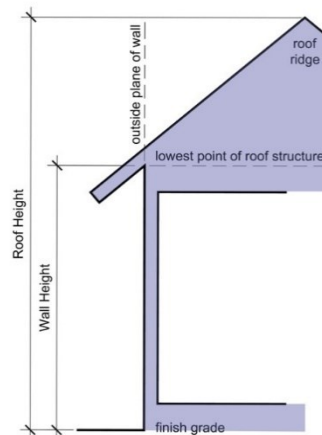
((~~Figure 17C.300-B~~))



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3. Bulk Limitation.

The building coverage for the detached accessory dwelling unit may not be larger than the building coverage of the principal structure.

- a. On lots five thousand five hundred square feet or larger, the combined building coverage of all detached accessory structures may not exceed fifteen percent of the total area of the site.
- b. On lots smaller than five thousand five hundred square feet, the combined building coverage of all detached accessory structures may not exceed twenty percent of the total area of the site.

4. Conversion of Existing Detached Accessory Structures.

- a. ~~((In RA through RTF zones, conversion))~~ Conversion of an existing detached accessory structure that is in a front building setback required by ~~((Table 17C.110-3))~~ Table 17C.111.205-2 is not allowed. Conversion of an existing detached accessory structure that is in a rear or side building setback is allowed as provided by SMC ~~((17C.110.220))~~ 17C.111.235, Setbacks, and SMC ~~((17C.110.225))~~ 17C.111.240, Accessory Structures.
- ~~((b. In RMF through RHD zones, conversion of an existing detached accessory structure that is in a front building setback required by Table 17C.110-3 is not allowed. Conversion of an existing detached accessory structure that is in a rear or side building setback is allowed as provided by SMC 17C.110.220, Setbacks, and SMC 17C.110.225, Accessory Structures.))~~
- ~~((e.))~~ b. If the accessory dwelling unit is proposed for an existing detached accessory structure that meets any of the standards of subsections (B)(2) and (3) of this section, alterations that will move the structure out of conformance with the standards that are met are not allowed.
- ~~((d.))~~ c. If the accessory dwelling unit is proposed as a conversion of an existing detached accessory structure or a portion of the building, and any floor area is added to the existing detached accessory structure to accommodate an ADU, then the entire structure must meet the underlying zoning development standards.

C. Utilities and Addressing.

The ADU must utilize those municipal utilities and address established for the principal dwelling unit.

D. Code Compliance.

The ADU must meet all technical code standards of this title including building, electrical, fire, and plumbing code requirements and permits.

Section 28. That there is adopted a new Section 17D.060.135 to Chapter 17D.060 SMC to read as follows:

17D.060.135 Areas of Drainage Concern

A. Purpose.

Areas of Drainage Concern are identified due to special geographic considerations that increase the likelihood of harmful impacts resulting from stormwater events. These impacts may include flooding, direct drainage to waterways, or capacity limitations in the combined sewer overflow system.

B. Identification, Designation, and Mapping of Areas of Drainage Concern.

Data sources are available from the City of Spokane that are used in identifying Areas of Drainage Concern. Public mapping related to Areas of Drainage Concern is not guaranteed to pinpoint a drainage issue that may require submittal of an engineer's drainage plan. Use of maps of Areas of Drainage Concern shall be for informational purposes only. In the event of a conflict between the map and the criteria set forth in this section, the criteria shall prevail.

C. Characteristics.

Areas of Drainage Concern generally have at least one of the following characteristics:

1. Poorly draining soils;
2. Historic overflows of the wastewater system during rainfall events;
3. Direct drainage to waterways;
4. Topography

D. The City Engineer shall determine whether a lot is considered an Area of Drainage Concern and whether an engineer's drainage plan is required.

Section 29. That Section 17G.020 SMC is amended to read as follows:

17G.020.060 Comprehensive Plan Amendment Procedure

A. Threshold Review

1. Pre-application Conference.

A pre-application conference is required in order to give the applicant and staff an opportunity to explore options for addressing the applicant's proposed amendment. During the pre-application conference, staff will work with the applicant to consider which aspect of the planning department's work program would be the most appropriate arena for addressing their proposal. Staff and the applicant will also explore approaches to the amendment proposal that would help to make it consistent with the comprehensive plan. In addition, staff will do its best to advise the applicant on the extent of justification and documentation needed to support the application (depending on the degree the proposal varies from the comprehensive plan).

2. Map Amendments.

In the case of a map amendment, the applicant shall make reasonable efforts to schedule a meeting with the impacted neighborhood council(s) and document any support or concerns by said neighborhood councils(s).

3. Threshold Review Application Deadline.

Applications for threshold review initiated by the public must be submitted between September 1 and October 31 in order to be considered for inclusion in that cycle's Annual Comprehensive Plan Amendment Work Program. Planning staff shall have 30 days following application submittal to request additional information in order to make sure the application is counter complete.

4. Determination of Completeness.

Following determination of completeness, staff will notify the applicant in writing that it is counter complete. In the case of a map amendment, staff will notify the neighborhood council(s) in which they are located.

B. Final Review.

1. Final Review Application. An application shall not move ahead for final review unless it is added to the Annual Comprehensive Plan Amendment Work Program by the City Council pursuant to SMC 17G.020.025, and a final review application fee has been submitted as provided in SMC 17G.020.050(D). Final review applications and fees must be submitted no later than fifteen (15) days following the City Council's decision to place an amendment proposal on the Annual Comprehensive Plan Amendment Work Program.

2. Review by City Staff and Agencies.

Once the Comprehensive Plan Amendment Work Program is set by City Council and staff have received the full application (s) and fee(s), full review of proposals may begin. City staff shall notify interested city departments and agencies of all proposals on the docket and request review and comments. SEPA review and in-depth staff analysis of the proposals may require additional information and studies (such as a traffic study) which the applicant may be required to provide. Timely review is dependent on the applicant's timely response to requests for information and studies and compliance with notice requirements. Related proposals are reviewed in groups according to 17G.020.030(H)(2) and (I)(1). Based on findings from the SEPA review and staff and agency analysis, the applicant may be required to conduct additional studies. If required studies are not completed sufficiently in advance of the end of the comment period to allow for adequate staff and public review, the Planning (~~and Economic Development Services~~) Director may defer consideration of those applications will be postponed until the next applicable amendment cycle.

3. Notice of Application/SEPA.

When the review described in subsection (C) above is complete, staff sends a form of notice of application to the applicant. Applicants must complete all notice requirements 17G.020.070(D) or 17G.020.070(E) within thirty days of the date the notice of application is provided by staff. This is a combined notice, also announcing that the proposal will be reviewed under the State Environmental Policy Act (SEPA) and comments will be accepted on environmental issues and any documents related to the proposal. If the (~~planning and economic development services director~~) Planning Director or his/her designee decides an amendment proposal could potentially affect multiple sites, staff may require that the notice of application reference all potentially affected sites.

4. Public Comment Period.

The public comment period initiated by the notice of application may last up to sixty days or longer and may not be less than thirty days, depending on the complexity and number of applications. During this time period each applicant must present their proposal to representatives of all neighborhood councils related to each potentially affected site. As public comment letters are received, the planning department will input contact information into a database for later use in notifying interested parties regarding specific stages of the process.

5. Plan Commission Consideration.

Plan commission consideration of each amendment proposal will be conducted at public workshops held during the public comment period. Applicants will be afforded the opportunity to address the plan commission during the workshop regarding their application. In order to stay abreast of public sentiment regarding each amendment proposal, the plan commission and staff will also review public comment correspondence during this time.

6. SEPA Determination.

Following the end of the public comment period, staff will complete the SEPA threshold determination pursuant to (~~SMC~~) chapter 17E.050 SMC and set a hearing date with the Plan Commission. Applicants must complete all notice requirements in SMC 17G.020.070 within thirty days of the date of the applicant's receipt of the notice of Plan Commission Hearing and SEPA Determination provided by staff. If a determination of significance (DS) is made, those applications will be deferred for further consideration until the next applicable review cycle in order to allow adequate time for generating and processing the required environmental impact statement (EIS).

7. Notice of SEPA and Hearing.

The combined notice of SEPA determination and notice of plan commission hearing must be published fourteen days prior to the plan commission's hearing on the amendment proposals. If the SEPA determination on an application is appealed, the plan commission and hearing examiner hearings on the file both proceed ahead on parallel tracks. If the hearing examiner's reversal of a ~~((planning and economic development services director's))~~ Planning Director's decision regarding SEPA imposes requirements that would delay further consideration of the proposal, that application is then deferred for further plan commission consideration until the next applicable amendment cycle.

8. Staff Report.

Prior to the Plan Commission hearing, staff prepares its final report, which address SEPA and provide an analysis regarding the merits of the amendment proposal. Copies of the report are provided to the applicant as well as plan commission members, and made available to any interested person for the cost of reproduction. In addition, a copy of the proposed amendment application and the staff report is sent to the Washington state department of commerce and other state agencies for their sixty-day review, per RCW 36.70A106, WAC 365-195-620.

9. Plan Commission Hearing.

The plan commission's public hearing takes place after the SEPA decision has been issued. The hearing will usually occur within thirty days of the end of the public comment period.

10. Plan Commission Recommendation.

The plan commission bases its recommendation on the guiding principles, final review criteria, public input, conclusions from any required studies, the staff report, and the SEPA determination. The plan commission's findings, conclusions and recommendations are forwarded to the city council within thirty days of their decision on their recommendation. The plan commission's recommendation may take the form of one of the following:

- a. Approval based on support for the proposal and recognition that it is consistent with the comprehensive plan applicable guiding principles, and amendment review criteria.
 - i. The plan commission may also decide to condition their approval recommendation upon modification of the proposal. If the proposal is modified substantially, an additional hearing is required. One possible modification might be to expand the geographic scope of a privately initiated amendment in order to allow for consideration of nearby property, similarly situated property or area-wide impacts.
- b. Denial for the following reason(s):
 - i. The proposal is not consistent with applicable guiding principles and/or amendment review criteria.
 - ii. A majority of the plan commission believes the proposal would be more appropriately and effectively addressed through another aspect of the planning department's work program (neighborhood planning, writing new regulations, etc.).
 - iii. The plan commission did not receive enough information from the applicant to be able to reach a decision based on the merits of the proposal.

11. City Council.

The city council considers the amendment proposals, public comments and testimony, staff report, and the plan commission's recommendations within the context of its budget discussions, and acts on the amendment proposals prior to or at the same time as it adopts the City budget. The council may decide to approve, modify, continue consideration of or deny an amendment proposal. The council may also remand the proposal back to the plan commission for further consideration, in which case the council shall specify the time within which the plan commission shall report back with its findings and recommendations on the matter referred to it. If the council wishes to substantially modify the proposal before adopting it, the council shall hold an additional hearing on the modified version following an opportunity for public input. The council's decision shall reflect the same decision criteria applied by the plan commission, as indicated by comments in the council's findings on each item that factors into its decision. Proposals adopted by ordinance after public hearings are official amendments to the comprehensive plan. Denied amendments shall have to wait one year before being resubmitted unless the proposed amendment is substantially modified.

12. Changes Made.

As soon as the adopted amendments become effective, the resulting text and map changes are made and reflected in information subsequently distributed to relevant parties, including the public, both in paper form and on the planning department's website. In addition, planning staff will maintain a running list of all comprehensive plan amendments over the years, and such list will be included as part of the comprehensive plan.

Section 30. That Section 17G.025.010 SMC is amended to read as follows:

17G.025.010 Text Amendments to the Unified Development Code

A. Purpose.

This section provides for orderly and transparent modifications to the Unified Development Code with significant opportunities for public review and participation.

B. Definitions.1. Construction Standards.

The following chapters of the Spokane Municipal Code are referred to herein as Construction Standards:

- a. Chapter 17F.040 SMC (International Building Code, International Residential Code, International Energy Conservation Code);
- b. Chapter 17F.050 SMC (National Electrical Code);
- c. Chapter 17F.080 SMC (International Fire Code)
- d. Chapter 17F.090 SMC (International Mechanical Code)
- e. Chapter 17F.100 SMC (Uniform Plumbing Code)

C. Applicability.

The requirements of this section apply to all proposed modifications to Title 17 SMC.

D. Amendments to Construction Standards.1. Adoption Process.

Amendments to Construction Standards do not follow the remainder of this section. Instead, they follow City Council's regular legislative process. When a proposal combines modifications to Construction Standards with other proposed amendments to Title 17 SMC, the portion pertaining to Construction Standards is not subject to the same approval process but should be clearly identified in public notices.

2. Application of State Code.

Adoption of changes to the Construction Standards is also subject to the following sections of state code:

- a. RCW 43.21C, if any;
- b. RCW 19.27.040; and
- c. RCW 19.27.060.

3. State Building Code Council.

Changes to Construction Standards that apply to single-dwelling or multi-dwelling residential buildings shall be submitted for the approval of the State Building Code Council pursuant to RCW 19.27.074(1)(b).

~~((A-))~~ E. Initiation.

Proposals to amend Title 17 SMC may be initiated by any of the following pursuant to the procedures set forth in this chapter:

- 1. Property owner(s) or their representatives;
- 2. Any citizen, agency, neighborhood council, or other party; or
- 3. A ~~((city))~~ City department, the ~~((plan commission))~~ Plan Commission, or the ~~((city council))~~ City Council.

~~((B. Applications. Amendment proposals shall be submitted on an application form(s) provided by the City. Application fees are specified in chapter 8.02 SMC.))~~

~~((C-))~~ F. ~~((Application Submittal for Amendment))~~ Proposals Initiated by Persons or Entities other than ~~((the))~~ a City department, the Plan Commission, or the City Council.

1. Applications.

Amendment proposals shall be submitted on an application form(s) provided by the City. Application fees are specific in chapter 8.02 SMC.

~~((4-))~~ 2. Privately-initiated amendment applications must be submitted no later than October 31 each year and shall be subject to the threshold review and docketing procedures set forth in ~~((chapter))~~ SMC 17G.020.025 ((SMC)), using the following criteria:

- a. The proposed amendment presents a matter appropriately addressed through an amendment to Title 17 SMC; and
- b. The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City Council or by a neighborhood/subarea planning process; and
- c. The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program; and

- d. The proposed amendment is consistent with the comprehensive plan. The proposed amendment must also be consistent with policy implementation in the Countywide Planning Policies, the GMA, and other state or federal law; and
- e. The proposed amendment is not the same as or substantially similar to a proposal that was considered in the previous year's threshold review process, but was not included in the Annual Comprehensive Plan Amendment Work Program, unless additional supporting information has been generated; or
- f. State law required, or a decision of a court or administrative agency has directed such a change.

~~((2-))~~ 3. If the proposed text amendment is included on the Annual Comprehensive Plan Amendment Work Program, the application should be placed on the next available plan commission agenda for a workshop.

~~((D-))~~ G. Notice of Intent to Adopt and SEPA Review

Proposals to amend Title 17 SMC may be subject to SEPA review, unless categorically exempt. When a draft of the amendment proposal and SEPA checklist are available for review by the public, a notice describing the amendment proposal should be published in the City Gazette at time of Plan Commission workshop review, or earlier if possible. Public participation, appropriate to the scope or potential impact of the proposal, should be undertaken as outlined in SMC 17G.020.080.

~~((E-))~~ H. Notice of Public Hearing.

Amendments to Title 17 SMC require a public hearing before the plan commission.

1. Contents of Notice.

A notice of public hearing shall include the following:

- a. The citation, if any, of the provision that would be changed by the proposal along with a brief description of that provision;
- b. A statement of how the proposal would change the affected provision;
- c. The date, time, and place of the public hearing;
- d. A statement of the availability of the official file; and
- e. Description of SEPA status; if the project is SEPA exempt, state the statutory basis for exemption; and
- f. A statement of the right of any person to submit written comments to the planning commission and to appear at the public hearing of the planning commission to give oral comments on the proposal.

2. Distribution of Notice.

The department shall distribute the notice to the applicant, newspaper, City Hall and the main branch of the library. The applicant is then responsible for following the public notice requirements outlined in SMC ~~((17G.060.120))~~ 17G.061.210 Public Notice – Types of Notice.

~~((F-))~~ I. Plan Commission Recommendation – Procedure.

Following the public hearing, the plan commission shall consider the proposal and shall prepare and forward a recommendation to the city council. The plan commission shall take one of the following actions:

- 1. If the plan commission determines that the proposal should be adopted, it may, by a majority vote, recommend that the city council adopt the proposal. The plan commission may make modifications to any proposal prior to recommending the proposal to city council for adoption. If the modifications proposed by the plan commission are significant, the plan commission shall accept testimony on the modifications before voting on the modified proposal, unless the proposed modifications are within the scope of alternatives available for public comment ahead of the hearing;
- 2. If the plan commission determines that the proposal should not be adopted, it may, by a majority vote, recommend that the city council not adopt the proposal; or
- 3. If the plan commission is unable to take either of the actions specified in ~~((subsection (E)))~~ (1) or (2) of this ~~((section))~~ subsection, the proposal will be sent to city council with the notation that the plan commission makes no recommendation.

~~((G-))~~ J. Approval Criteria.

The City may approve amendments to this code if it finds that:

- 1. The proposed amendment is consistent with the applicable provisions of the comprehensive plan; and
- 2. The proposed amendment bears a substantial relation to public health, safety, welfare, and protection of the environment.

~~((H-))~~ K. City Council Action.

Within sixty days of receipt of the plan commission's findings and recommendations, the city council shall consider the findings and recommendations of the commission concerning the application and shall hold a public hearing pursuant to council rules.

Notice of city council hearings must be published in the *Official Gazette*. The applicant shall also publish a legal notice in the newspaper at least two weeks prior to the hearing by the city council. The city council may:

1. Approve the application;
2. Disapprove the application;
3. Modify the application. If modification is substantial, the council must either conduct a new public hearing on the modified proposal (unless the modification is within the scope of alternatives available for public comment ahead of the hearing); or
4. Refer the proposal back to the plan commission for further consideration.

((+)) L. Transmittal to the State of Washington.

At least sixty days prior to final action being taken by the city council, the Washington ((department of commerce ("commerce"))) Department of Commerce ("Commerce") shall be provided with a copy of the amendments in order to initiate the sixty-day comment period. No later than ten days after adoption of the proposal, a copy of the final decision shall be forwarded to ((commerce)) Commerce.

((J. Inapplicability to certain chapters.

~~This section does not apply to the following chapters of the Spokane Municipal Code: 17F.040 (International Building Code, International Residential Code, International Energy Conservation Code), 17F.050 (National Electrical Code), 17F.080 (International Fire Code), 17F.090 (International Mechanical Code), and 17F.100 (Uniform Plumbing Code) (collectively referred to as the "construction standards"). The construction standards specified in this subsection may be amended, after notice to the Plan Commission, pursuant to the City Council's regular legislative process, subject to the requirements of Chapter 43.21C RCW, if any, and further subject to RCW 19.27.040 and 19.27.060, and shall, to the extent they apply to single family or multifamily residential buildings, be submitted for the approval of the State Building Code Council pursuant to RCW 19.27.074(1)(b).))~~

Section 31. That Section 17G.030.030 SMC is amended to read as follows:

17G.030.030 Review Process

Procedures for the review of design departures vary with the type of proposal being reviewed.

A. Type III Procedure.

The following proposals are processed through a Type III procedure:

1. A permit for a development seeking a design departure, which also requires a discretionary decision of the hearing examiner after a public hearing such as a conditional use permit, zone change, or a variance shall follow the Type III application process.
2. Role of Design Review Board.

The design review board reviews the design departure request and makes a recommendation to the hearing examiner. The review of the design review board may occur either before or during the public comment period on the underlying permit application.

3. Notice of Application.

The notice for the design departure shall be included as part of the notice required for the discretionary decision permit application.

4. Hearings and Decision.

The hearing examiner considers the recommendation of the design review board regarding the design departure during the public hearing on the permit application. A decision is made on the design departure as a part of the decision on the Type III application. The decision criteria for design departures are provided in SMC 17G.030.040, Decision Criteria.

5. Appeals.

Follows appeal process of the underlying permit application.

B. Type II Procedure.

The following proposals are processed through a Type II procedure:

1. A permit for a development seeking a design departure, which does not require a discretionary decision of the hearing examiner, shall follow the Type II application process.
2. Role of Design Review Board.

The design review board reviews the application and makes a recommendation to the ~~((planning and economic development services director))~~ Planning Director. The review of the design review board may occur either before or during the public comment period on the underlying permit application.

3. Role of Staff.

In instances of minimal complexity and cumulative impact, the urban design or planning staff can review and make recommendations on requests for design departures on behalf of the ~~((design review board))~~ Design Review Board. However, at the discretion of the applicant, any request for design departures can be forwarded for review by the design review board.

4. Notice of Application.

The notice for the design departure shall be included as part of the notice required for the Type II permit application.

5. Hearings and Decisions.

No hearing is required. A decision is made on the design departure as a part of the decision on the Type II application. The decision criteria for a design departure are provided in SMC 17G.030.040.

6. Appeals.

Follows appeal process of the permit application. The decision on a Type II application may be appealed to the hearing examiner.

Section 32. That Section 17G.030.040 SMC is amended to read as follows:

17G.030.040 Decision Criteria

The decision criteria for a design departure are provided below.

- A. Has the applicant's design team thoroughly examined how the Requirement (R) and/or Presumption (P) could be applied as written?
- B. Does the proposal meet the intent and the general direction set forth by the Requirement (R) and/or Presumption (P) as written?
- C. ~~((Is))~~ For a Requirement (R), is the specific change superior in design quality to that potentially achieved by the Requirement ((R) and/or Presumption (P)) as written?
- D. For a Presumption (P) is the specific change equal to or superior in design quality to that potentially achieved by the Presumption as written?
- ~~((D-))~~ E. Is the departure necessary to better address aspects of the site or its surroundings?
- ~~((E-))~~ F. Is the proposed departure part of an overall, thoughtful and comprehensive approach to the design of the project as a whole?
- ~~((F-))~~ G. Has the applicant responded to the optional Considerations (C), if any, found within the design guideline? Including Considerations may assist in gaining acceptance for the plan.

Section 33. That Chapter 17G.060 SMC is repealed.

Section 34. That Chapter 17G.060T SMC is repealed.

Section 35. That there is adopted Chapter 17G.061 SMC to read as follows:

17G.061 Land Use Application Procedures

17G.061.000 Purpose and Administration

A. Purpose.

The purpose of this chapter is to establish standard procedures for the review and processing of land use applications through the establishment of complete application standards, review procedures, notice requirements, hearing processes, decision criteria and appeal procedures for all applications.

B. Administration.

1. Responsibility for the administration, application and interpretation of these procedures pursuant to this ordinance is as is set forth below.
 - a. The director of building services or his designee is responsible for chapter 17E.050 SMC, Division F; chapter 17G.010 SMC, Division I; and the development codes.

- b. The director of engineering services or his designee is responsible for chapter 17D.020 SMC, chapter 17D.070 SMC, chapter 17E.010 SMC, chapter 17E.050 SMC, chapter 17G.080 SMC, Division H and the development codes.
 - c. The Planning Director or his designee is responsible for Title 17B SMC and Title 17C SMC and chapter 17D.010 SMC, chapter 17D.060 SMC, chapter 17D.080 SMC, chapter 17D.090 SMC, chapter 17E.020 SMC, chapter 17E.030 SMC, chapter 17E.040 SMC, chapter 17E.050 SMC, chapter 17E.060 SMC, chapter 17E.070 SMC, chapter 17G.020 SMC, chapter 17G.030 SMC, chapter 17G.040 SMC, chapter 17G.061 SMC, chapter 17G.070 SMC, and chapter 17G.080 SMC.
2. The procedures for requesting interpretations of the land use codes and development codes shall be made by the department and may be contained under the specific codes.
- C. Exclusions per RCW 36.70B.140.
- 1. The following are excluded from the project permit review process, associated time frames, and other provisions of these procedures:
 - a. Landmark designations;
 - b. street vacations;
 - c. approvals related to the use of public areas or facilities;
 - d. project permits that, by ordinance or resolution, have been determined to present special circumstances warranting a review process different from that provided in this chapter.
 - e. Lot line or boundary adjustments;
 - f. final short subdivisions;
 - g. final binding site plans;
 - h. final plats; and
 - i. building or other construction permits, or similar administrative approvals categorically exempt from environmental review under RCW 43.21C, or for which environmental review has been completed in conjunction with other project permits and are judged by the director to adequately address the current application.
 - 2. Applications for interior alterations are excluded, provided they do not result in the following:
 - a. Additional sleeping quarters or bedrooms;
 - b. Nonconformity with federal emergency management agency substantial improvement thresholds; or
 - c. Increase the total square footage or valuation of the structure thereby requiring upgraded fire access or fire suppression systems.

D. Conflicting Ordinances.

If any provision of the ordinance codified in this title or its application to any person or circumstance is held invalid, the remainder of the ordinance codified in this title or the application of its provisions to other persons or circumstances shall not be affected.

E. Severability.

To the extent there is a conflict between this chapter and other ordinances or resolutions for the City of Spokane regulating project permits, this chapter shall govern.

17G.061.010 Summary of Land Use Application Procedures

Table 17G.061.010-1 summarizes the applications subject to this chapter. For any application type that is referenced in the land use codes, but not represented in Table 17G.061.010-1, the process shall be as identified in the application most closely associated with the application process definitions in SMC 17G.061.100.

TABLE 17G.061.010-1 SUMMARY OF APPLICATION TYPES AND REQUIREMENTS								
	Application Type	Notice of Community Meeting	Notice of Application	Notice of Hearing	Notice Content	Review Official	City Council Review	Expiration of Permit
BUILDING AND CODE ENFORCEMENT								
Building Permit without SEPA	Type I	-	-	-	-	Building Official	-	180 days
Building Permit with SEPA (Commercial /Industrial/ Other)	Type I	-	Sign Posted Legal	-	-	Building Official	-	180 days
Demolition Permit without SEPA	Type I	-	- [2]	- [1]	-	Building Official	-	180 days

Demolition Permit with SEPA [2]	Type I	-	Sign Posted Legal Newspaper	- [1]	-	Building Official	-	180 days
Fence Permit	Excluded	-	-	-	-	Building Official	-	180 days
Grading Permit without SEPA	Type I	-	Sign Posted Legal	-	-	Building Official	-	180 days
Grading Permit with SEPA	Type I	-	-	-	-	Building Official	-	180 days
Manufactured Home Permit	Excluded	-	-	-	-	Building Official	-	180 days
Sign Permit	Excluded	-	-	-	-	Building Official	-	180 days
Residential Building Permit	Excluded	-	-	-	-	Building Official	-	180 days
Remodel Permit	Excluded	-	-	-	-	Building Official	-	180 days
ENGINEERING SERVICES								
Address Permit	Excluded	-	-	-	-	Engineering Director	-	180 days
Approach Permit	Excluded	-	-	-	-	Engineering Director	-	180 days
Design Deviation – Street Design	Excluded	-	-	-	-	Engineering Director	-	180 days
Encroachment Permit	Excluded	-	-	-	-	Engineering Director	-	180 days
LID Formation	Excluded	-	-	-	-	Engineering Director	-	180 days
Obstruction Permit	Excluded	-	-	-	-	Engineering Director	-	180 days
Road Closure	Excluded	-	-	-	-	Engineering Director	-	180 days
Sidewalk Permit	Excluded	-	-	-	-	Engineering Director	-	180 days
Stormwater Design Acceptance	Excluded	-	-	-	-	Engineering Director	-	180 days
Street Vacation	Excluded	-	-	-	-	Engineering Director	-	180 days
PLANNING AND ECONOMIC DEVELOPMENT SERVICES								
Accessory Dwelling Unit (ADU)	Excluded	-	-	-	-	Planning Director	-	180 days
Administrative Exemptions	Excluded	-	-	-	-	Planning Director	-	180 days
Administrative Interpretations/ Determinations	Excluded	-	-	-	-	Planning Director	-	180 days
Binding Site Plan (BSP) – Preliminary	Type II	-	Individual Sign Posted	-	Project name Proposed use Acreage # of lots	Planning Director	-	5 years
Binding Site Plan (BSP) – Final	Excluded	-	-	-	-	Planning Director	-	N/A
Boundary Line Adjustment (BLA)	Excluded	-	-	-	-	Planning Director	-	N/A
Certificate of Compliance (CC) – Hearing Examiner	Type III	Individual Sign Posted	Individual Sign Posted	Individual Sign Posted	Project name Proposed use	Hearing Examiner	-	N/A
Certificate of Compliance (CC) – Planning Director	Type II	-	Individual Sign Posted	-	Project name Proposed use	Planning Director	-	N/A

Conditional Use Permit (CUP) – Hearing Examiner	Type III	Individual Sign Posted	Individual Sign Posted	Individual Sign Posted	Project name Proposed use	Hearing Examiner	-	3 years
Conditional Use Permit (CUP) – Planning Director [3]	Type II	-	Individual Sign Posted	-	Project name Proposed use	Planning Director	-	3 years
Floodplain Development with SEPA	Type I	Individual Sign Posted	Individual Sign Posted	-	Proposed use	Planning Director	-	180 days
Floodplain Variance	Type III	Individual Sign Posted	Individual Sign Posted	Individual Sign Posted	Project name Proposed use	Hearing Examiner	-	3 years
Home Occupation	Excluded	-	-	-	-	Planning Director	-	N/A
Long Plat – Preliminary	Type III	Individual Sign Posted	Individual Sign Posted	Individual Sign Posted Newspaper	Project name Proposed use Acreage # of lots	Hearing Examiner	-	5 years
Long Plat – Final	Excluded	-	-	-	-	Planning Director	-	N/A
Planned Unit Development (PUD) – Preliminary	Type III	Individual Sign Posted	Individual Sign Posted	Individual Sign Posted	Project name Proposed use Acreage # of lots	Hearing Examiner	-	5 years [5]
Planned Unit Development (PUD) – Final	Excluded	-	-	-	-	Planning Director	Yes	N/A
Shoreline Exemption/ Determination/ Interpretation	Excluded	-	-	-	-	Planning Director	-	Must comply with WAC 173-27-90
Shoreline Substantial Development Permit (SDP)	Type II	Individual Sign Posted	-	-	Project name Proposed use	Planning Director	-	Must comply with WAC 173-27-90
Shoreline Variance	Type III	Individual Sign Posted	Individual Sign Posted	Individual Sign Posted	Project name Proposed use	Hearing Examiner	-	Must comply with WAC 173-27-90
Shoreline Conditional Use Permit (CUP)	Type III	Individual Sign Posted	Individual Sign Posted	Individual Sign Posted	Project name Proposed use	Hearing Examiner	-	Must comply with WAC 173-27-90
Short Plat – Preliminary with Standard Review and SEPA	Type II	-	Individual Sign Posted	-	Project name Proposed use Acreage # of lots	Planning Director	-	5 years
Short Plat – Preliminary with Standard Review and No SEPA	Type II	-	Individual Sign [4] Posted [4]	-	Project name Proposed use Acreage # of lots	Planning Director	-	5 years
Short Plat – Preliminary with Minor Review	Type II	-	-	-	-	Planning Director	-	5 years
Short Plat – Final	Excluded	-	-	-	-	Planning Director	-	N/A
Skywalk	Type III	Individual Sign Posted	Individual Sign Posted	Individual Sign Posted	-	Hearing Examiner	Yes	Up to 25 year agreement
Variance	Type III	Individual Sign Posted	Individual Sign Posted	Individual Sign Posted	Project name Proposed use Proposed standard	Hearing Examiner	-	3 years

Rezone	Type III	Individual Sign Posted	Individual Sign Posted	Individual Sign Posted	Project name Propose d use Propose d zone	Hearing Examiner	-	3 years
<p>Footnotes</p> <p>[1] Public Hearing is required if the structure is on the National Historic Register.</p> <p>[2] Applications for demolition permits for the demolition of an entire building or structure shall, in addition to any applicable requirements under chapter 43.21C RCW, be subject to a ten-day review and comment period. This review and comment period shall run concurrently with any other applicable notice and comment period. Following receipt of such applications, copies shall be forwarded to the individual(s) designated pursuant to SMC 4.27.010(D) to receive written notice on behalf of the neighborhood council in which the building or structure is located, at the address for such neighborhood council designee(s) that is on file with the department. Any comments submitted to the department by the neighborhood council during this review and comment period shall be provided to the applicant prior to issuing the demolition permit.</p> <p>[3] Conditional Use Permits required under SMC 17C.111.110, Limited Use Standards for Religious Institutions and Schools, will complete posted/individual notification requirements for a Community Meeting.</p> <p>[4] Sign and posted notice not required for 2-4 lots per SMC 17G.080.040(D)</p> <p>[5] If a PUD is approved together with a preliminary plat, the expiration date for the PUD shall be the same as the expiration date of the preliminary plat.</p>								

17G.061.100 Application Types

A. Purpose.

Applications are consolidated into application types to simplify the permitting process for applicants and ensure appropriate opportunity for public comment on proposals.

B. Excluded Application.

Excluded applications are not subject to the requirements of this chapter. Exclusions are listed in SMC 17G.061.000(C).

C. Type I Application.

1. A Type I application is subject to administrative approval.
2. A Type I application must be categorically exempt from environmental review under RCW 43.21C (SEPA) and chapter 17E.050 SMC.
3. Type I applications do not require a public hearing.

D. Type II Application.

1. A Type II application is subject to administrative approval by a department director.
2. A Type II application may or may not be categorically exempt from RCW 43.21C (SEPA) and chapter 17E.050 SMC.
3. Type II applications do not require a public hearing.

E. Type III Application.

1. A Type III application is subject to a quasi-judicial decision of the Hearing Examiner.
2. A Type III application may or may not be categorically exempt from RCW 43.21C (SEPA) and chapter 17E.050 SMC.
3. Type III applications require a public hearing before the Hearing Examiner.

17G.061.110 Application Requirements

A. Predevelopment Meeting.

1. Purpose.

Predevelopment meetings are not intended to be an exhaustive review of all regulations or potential issues for a given application. Predevelopment meetings have two purposes:

- a. acquaint City staff and other agencies with a proposed development and to generally advise the applicant of applicable regulations, design guidelines and design review processes, and policies impacting the proposal; and
- b. acquaint the applicant with the applicable provisions of these procedures, minimum submission requirements and other plans or regulations which may impact the proposal.

2. The City may, when applicable, apply additional relevant laws to the application subsequent to a predevelopment meeting.

3. Predevelopment meetings are required for any development proposal in the central business district. The Planning Director or Building Official, as appropriate, may waive this requirement.
4. Predevelopment meetings are recommended for Type II and III applications, and Type I project permit applications in the centers and corridors (CC) zones.

B. Community Meeting.

All Type III applications and Type II applications where indicated in Table 17G.061.010-1 are required to hold a community meeting regarding the proposed application. The applicant or their representative shall conduct the community meeting.

1. Timing.

The meeting shall occur no more than one hundred twenty days prior to application and before the application is accepted by the City.

2. Notice.

Notice for the community meeting shall be posted fourteen days prior to the meeting. Public notice of a community meeting shall be provided as required in SMC 17G.061.210.

3. Combining with Traffic Study.

When a traffic study is required as a part of an application, the scoping meeting for a traffic study may be combined with the community meeting.

4. Meeting Summary.

The applicant shall provide a summary of the meeting at the time of submission of the application. Other attendees of the community meeting may also submit a summary of the meeting issues to the decision-maker. The meeting summary shall consist of the following:

- a. A digital recording of the meeting proceedings; and
- b. List of attendees; and
- c. A copy of the notice of community meeting; and
- d. Affidavits of posting/mailling the notice.

C. General Requirements.

Applications shall include the following:

1. Predevelopment meeting summary, if required under subsection (A).
2. Filing fees as required under chapter 8.02 SMC.
3. Application documents supplied by the City, including but not limited to:
 - a. General application form;
 - b. Supplemental application form;
 - c. Environmental checklist, if required under chapter 17E.050 SMC;
4. A site plan drawn to scale showing:
 - a. Property dimensions;
 - b. location and dimensions of all existing and proposed physical improvements;
 - c. location and type of landscaping;
 - d. walkways and pedestrian areas;
 - e. off-street parking areas and access drives;
 - f. refuse facilities; and
 - g. significant natural features, such as slopes, trees, rock outcrops, and critical areas.
5. Required copies of documents, plans, or maps (as set forth in the application checklist).
6. Written narrative identifying consistency with the applicable policies, regulations, and criteria for approval of the permit requested.
7. Other plans, such as building elevations, landscaping plans, or sign plans, which are determined by the permitting department to be necessary to support the application.
8. Additional application information as requested by the permitting department, which may include, but is not limited to, the following:

- a. geotechnical studies;
- b. hydrologic studies;
- c. critical area studies;
- d. noise studies;
- e. air quality studies;
- f. visual analysis; and
- g. transportation impact studies.

D. Additional Requirements.

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

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

- a. Name, address, and phone number of the applicant.
The applicant should be the owner of the property or the primary proponent of the project and not the representative of the owner or primary proponent.
- b. Name, address, and phone number of the applicant's representative if other than the applicant.
- c. Name, address, and phone number of the property owner, if other than the applicant.
- d. Location of the property.
This shall, at a minimum, include the property address and identification of the section, township and range to the nearest quarter, quarter section or latitude and longitude to the nearest minute.
- e. Identification of the name of the shoreline (water body) with which the site of the proposal is associated.
- f. General description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project.
- g. General description of the property as it now exists, including its physical characteristics and improvements and structures.
- h. General description of the vicinity of the proposed project, including identification of the adjacent uses, structures and improvements, intensity of development and physical characteristics.
- i. A site development plan consisting of maps and elevation drawings, drawn to an appropriate scale to depict clearly all required information, photographs and text which shall include:
 - i. the boundary of the parcels(s) of land upon which the development is proposed;
 - ii. the ordinary high-water mark of all water bodies located adjacent to or within the boundary of the project. This may be an approximate location, provided that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high-water mark, the mark shall be located precisely and the biological and hydrological basis for the location as indicated on the plans shall be included in the development plan. Where the ordinary high-water mark is neither adjacent to or within the boundary of the project, the plan shall indicate the distance and direction to the nearest ordinary high-water mark of a shoreline;
 - iii. existing and proposed land contours. The contours shall be at intervals sufficient to accurately determine the existing character of the property and the extent of proposed change to the land that is necessary for the development. Areas within the boundary that will not be altered by the development may be indicated as such and contours approximated for that area;
 - iv. a delineation of all wetland areas that will be altered or used as a part of the development;
 - v. the dimensions and locations of all existing and proposed structures and improvements, including but not limited to: buildings, paved or graveled areas, roads, utilities, material stockpiles or surcharge, and stormwater management facilities;
 - vi. an inventory of the existing vegetation on the proposed project site, including the location, type, size, and condition, pursuant to SMC 17E.060.240, Shoreline Vegetation Inventory;
 - vii. a landscape plan prepared and stamped by a licensed landscape architect, registered in the state of Washington;
 - viii. where applicable, plans for development of areas on or off the site as mitigation for impacts associated with the proposed project shall be included;
 - ix. quality, source and composition of any fill material that is placed on the site, whether temporary or permanent;
 - x. quantity, composition and destination of any excavated or dredged material;
 - xi. vicinity map showing the relationship of the property and proposed development or use to roads, utilities, existing developments, and uses on adjacent properties;
 - xii. where applicable, a depiction of the impacts to views from existing residential uses;
 - xiii. on all variance applications, the plans shall clearly indicate where development could occur without the approval of a variance, the physical features and circumstances of the property that provide a basis for the request, and the location of adjacent structures and uses.

2. Certificate of Compliance.

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

3. Plans-in-lieu of Compliance.

- a. Alternative development plan designed in conformance with the applicable development regulations; and

- b. A written narrative of how the proposed development plan is superior, or more innovative, or provides greater public benefit.
4. Preliminary Plat, Short Plat, and Binding Site Plan.
As provided in chapter 17G.080 SMC.
5. PUD.
 - a. Profiles of any structures more than one story, shown in relation to finished grade.
 - b. Location, dimension, and boundary of proposed open space.
 - c. Site plan demonstrating compliance with Title 17C SMC including signs, off-street parking, structure height, building coverage, yards, density, screening, buffering, and lighting.
6. Skywalk.
 - a. A legal description of airspace to be occupied.
 - b. Architectural and engineering plans.
 - c. Artist's rendering of the proposed skywalk; and
 - d. Written narrative of the access for the public from the street, other buildings, and other skywalks.
 - e. Acceptance of the final design review recommendations.
 - f. Location and design of all wayfinding signage to be placed to ensure public access.
7. Floodplain – Floodplain Development Permit and Variance.
As provided in chapter 17E.030 SMC.

17G.061.120 Determination of a Complete Application

A. Determination of Completeness.

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

B. Procedures for Determination of Completeness.

The following steps outline the process for the department to determine that an application is complete.

1. Counter Complete.

The department shall conduct a preliminary, immediate review to determine if the application contains the documents and information required by SMC 17G.061.110. If the department determines the application does not contain the required documents and information, the application including fees shall be returned to the applicant.

2. Component Screening.

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

3. Review by Interested Agencies.

If the application, after the detailed review, is found to contain the required components and supporting documents, the application and supporting documents shall be forwarded to (i) interested City departments, (ii) agencies of local, state, or federal governments that may have jurisdiction over some aspect of the application, and (iii) the individual(s) designated pursuant to SMC 4.27.010(D) to receive written notice on behalf of the neighborhood council in which the project is located and to any neighborhood council whose geographic boundaries are located within a 600-foot radius of the project, at the address for such departments, agencies, and neighborhood council designee(s) on file with the department, for review to ensure compliance with state laws, ordinances and concurrency requirements. Interested departments, agencies, and the neighborhood council shall be given fourteen days to provide comments on a permit application. All written comments will be forwarded to the applicant at the end of the fourteen day comment period. Comments submitted after the fourteen day comment period will be forwarded to the applicant, subject to RCW 36.70B.070.

- a. If review agencies require additional information to continue processing the application, the applicant shall be notified in writing.
- b. Required information must be provided within sixty days from the notification by the department. The applicant may submit a written request for additional time to the director; any time extensions shall be in writing. If the information is not received within the sixty days (or as otherwise agreed to), the application and a portion of the fees shall be returned to the applicant, pursuant to chapter 8.02 SMC.
- c. Within fourteen days of the submission of the additional information identified by the review agency, the department shall notify the applicant whether the studies are adequate or what additional information is necessary.

- d. If the neighborhood council submits written comments on an application, the department shall provide a written response to the chairperson, with copy to the applicant, no later than the date on which the application is certified complete pursuant to paragraph D herein below.
4. **Application Certified Complete.**
Within seven days of the expiration of the interested agency comment period, if no additional information was required, or the information required under subsection (3) is acceptable, the department shall certify the application complete. Applications requiring review by the hearing examiner are forwarded to the hearing examiner upon being certified as complete.
5. **Notice of Application.**
Within fourteen days of the issuance of a determination of a complete application, a notice of application shall be provided for Type I, II and III project permit applications in accordance with this section (RCW 36.70B.110.2), except that notice of application is not required for short subdivision applications involving minor engineering review as defined in SMC 17G.080.040(C)(2). The notice of application shall follow the public notice requirements contained in SMC 17G.061.210. The notice of application may be combined with the notice of public hearing, if a hearing has been scheduled by notice of application. The date, time, place and type of hearing, SEPA determination and SEPA appeal deadline (using the optional DNS process) are required to be added to the notice of application if this provision is used (RCW 36.70B.110(2)(f)).
6. **Vesting.**
Applications shall be considered vested at the time the application is certified complete, the vesting date shall be the date of application submission. If the application is not complete when filed or information is not timely provided as set forth in subsection (2) or (3), the application shall not be considered complete for purposes of vesting or other statutory compliance dates.

17G.061.130 Application Time Limits

- A. A decision on permit applications subject to this chapter shall be made within one hundred twenty days of submission of a complete application as set forth in SMC 17G.061.130.
- B. The following shall be excluded when calculating this time period:
 1. Any period during which the applicant has been requested by the department to correct plans, perform required studies, or provide additional required information due to the applicant's inaccurate or insufficient information.
 2. Any period during which an environmental impact statement is being prepared.
 3. Any period for administrative appeals of land use permits.
 4. Any extension for any reasonable period mutually agreed upon in writing between the applicant and the department (RCW 36.70B.080(1)).
 5. If the permit requires approval of a new fully contained community as provided in RCW 36.70A.350, or a master planned resort as provided in RCW 36.70A.360, or the siting of an essential public facility as provided in RCW 36.70A.200.

17G.061.140 Expiration of Application

- A. Any application which has been determined to be counter complete, and for which the applicant fails to complete the next application step for a period of one hundred eighty days after issuance of the determination of completeness, or for a period of one hundred eighty days after the City of Spokane has requested additional information or studies, will expire by limitation and become null and void. The department may grant a one-hundred-eighty-day extension on a one-time basis per application. In no event shall an application be pending for more than three hundred sixty days from the date the application is deemed counter complete; provided, once an applicant provides notice of application pursuant to SMC 17G.061.120, the application shall no longer be considered pending for purposes of this time limitation. For purposes of this section, all time during which the City is reviewing materials submitted by an applicant will be excluded. This subsection shall apply to applications regardless whether the applications were submitted prior to the effective date of this section, as amended.
- B. Applications which have been certified complete by the effective date of the ordinance codified in this title shall have one hundred twenty days to complete the project review, receive a decision, and complete any appeal provisions of this chapter. The department will notify any applicants in writing that are subject to this provision within thirty days of the effective date of the ordinance codified in this title.

17G.061.150 Modification of Applications and Permits

- A. **Modification of Complete Application.**
 1. Proposed modifications to an application, which the department has previously found to be complete, will be treated as follows:
 - a. Modifications proposed by the department to an application shall not be considered a new application.
 - b. If the applicant proposes substantial modifications to an application, as determined by the department, the application may be considered a new application. The new application shall conform to the requirements of all statutes and

ordinances in effect at the time the new application is submitted. A substantial modification may include but is not limited to the following:

- i. change in use;
- ii. increase in density;
- iii. increase in site area; or
- iv. changes that increase or significantly modify the traffic pattern for the proposed development.

B. Limitations on Refiling of Application.

1. Applications for a land use permit pursuant to Title 17 SMC on a specific site shall not be accepted if a similar permit has been denied on the site within the twelve months prior to the date of submittal of the application. The date of denial shall be considered the date the decision was made on an appeal, if an appeal was filed or the date of the original decision if no appeal was filed.
2. The twelve-month time period may be waived or modified if the director finds that special circumstances warrant earlier reapplication. The director shall consider the following in determining whether an application for permit is similar to, or substantially the same as, a previously denied application:
 - a. An application for a permit shall be deemed similar if the proposed use of the property is the same, or substantially the same, as that which was considered and disallowed in the earlier decision.
 - b. An application for a permit shall be deemed similar if the proposed application form and site plan (i.e., building layout, lot configuration, dimensions) are the same, or substantially the same, as that which was considered and disallowed in the earlier decision; and
 - c. An application for a variance, exception, or waiver shall be deemed similar if the special circumstances which the applicant alleges as a basis for the request are the same, or substantially the same, as those considered and rejected in the earlier decision. In every instance, the burden of proving that an application is not similar shall be upon the applicant.

C. Modifications or Revisions to Shoreline Permits.

1. A permit revision is required whenever the applicant proposes substantive changes to the design, terms, or conditions of a project from that which is approved in the permit. Changes are substantive if they materially alter the project in a manner that relates to its conformance to the terms and conditions of the permit, the shoreline master program and/or the policies and provisions of chapter 90.58 RCW.
2. Changes which are not substantive in effect do not require approval of a revision. When an applicant seeks to revise a permit, the director shall request from the applicant detailed plans and text describing the proposed changes in the permit.
3. If the director determines that the proposed changes are within the scope and intent of the original permit as defined in WAC 173-27-100(2) and are consistent with the shoreline master program and the Shoreline Management Act, the director may approve a revision.
4. If the proposed changes are not within the scope and intent of the original permit, the applicant shall apply for a new permit in the manner provided for in this chapter.
5. Revisions to permits may be authorized after original permit authorization has expired under RCW 90.58.143. The purpose of such revisions shall be limited to authorization of changes which are consistent with WAC 173-27 and which would not require a permit for the development or change proposed under the terms of the Shoreline Management Act, this section and the shoreline master program. If the proposed change constitutes substantial development then a new permit is required. This shall not be used to extend the time requirements or to authorize substantial development beyond the time limits of the original permit.
6. If the sum of the revision and any previously approved revisions under former WAC 173-14-064 or WAC 173-27-100 violate the provisions that they are "within the scope and intent of the original permit," the director shall require that the applicant apply for a new permit.
7. The revision approval, including the revised site plans and text consistent with the provisions of WAC 173-27-180 as necessary to clearly indicate the authorized changes, and the final ruling on consistency with this section shall be filed with the department of ecology. In addition, the director shall notify parties of record of their action.
8. If the revision to the original permit was a conditional use or variance, which was conditioned by the department of ecology, the director shall submit the revision to the department of ecology for its approval, approval with conditions, or denial, indicating that the revision is being submitted under the requirements of this section. Ecology shall render and transmit to the City and the applicant its final decision within fifteen days of the date of the department of ecology's receipt of the submittal from the director. The director shall notify parties of record of the department of ecology's final decision.
9. The revised permit is effective immediately upon final decision by the director, or when reviewed by the department of ecology, pursuant to subsection (7), then upon final action by the department of ecology.
10. Appeals shall be in accordance with RCW 90.58.180 and shall be filed with the shorelines hearings board within twenty-one days from the date of receipt of the revision approved by the director, or when appropriate under subsection (7), the date

ecology's final decision is transmitted to the City and the applicant. Appeals shall be based only upon contentions of noncompliance with the provisions of subsection (2). Construction undertaken pursuant to that portion of a revised permit not authorized under the original permit is at the applicant's own risk until the expiration of the appeals deadline. If an appeal is successful in proving that a revision is not within the scope and intent of the original permit, the decision shall have no bearing on the original permit.

D. Modification to a Building Permit Subject to a Type II or III Approval.

In issuing building permits for construction under an approved site plan, the building official may, with concurrence of the Planning Director, permit minor adjustments of the location and/or dimensions of buildings, parking areas, and roadways as long as such adjustments do not change any points of ingress or egress to the site unless approved by the director of engineering services, change any perimeter setbacks, or exceed the density authorized in the permit. No modification of an approved application may be considered approved unless specifically provided in writing.

1. The Planning Director may, without public notice, modify an approved site plan, if all the following criteria are met:
 - a. The use will remain the same.
 - b. The total site coverage or total area covered by buildings will not increase.
 - c. The use will continue to comply with all conditions of approval imposed by the original decision.
 - d. The use will comply with all of the requirements of the land use regulations applicable to it and the property on which it is or will be located.
2. Any modification of an approved site plan not consistent with the standards of subsection (B)(1) of this section may be approved only pursuant to the procedures for granting the original Type II or III approval.

E. Modification of Shoreline Permit.

1. Recision and Remanding of Shoreline Permit.
 - a. After providing notice to the permittee and the public and also holding a public meeting, the Planning Director may rescind or suspend a permit if any of the conditions in RCW 90.58.140(8) exist.
 - b. Under the conditions listed in RCW 90.58.180, shoreline permits may be remanded back to the City by the Shorelines Hearings Board.
2. Other Modification of Shoreline Permit.
 - a. A permit revision is required whenever the applicant proposes substantive changes to the design, terms, or conditions of a project from that which is approved in the permit. Changes are substantive if they materially alter the project in a manner that relates to its conformance to the terms and conditions of the permit, the shoreline master program and/or the policies and provisions of chapter 90.58 RCW.
 - b. Changes which are not substantive in effect do not require approval of a revision. When an applicant seeks to revise a permit, the director shall request from the applicant detailed plans and text describing the proposed changes in the permit.
 - c. If the director determines that the proposed changes are within the scope and intent of the original permit as defined in WAC 173-27-100(2) and are consistent with the shoreline master program and the Shoreline Management Act, the director may approve a revision.
 - d. If the proposed changes are not within the scope and intent of the original permit, the applicant shall apply for a new permit in the manner provided for in this chapter.
 - e. Revisions to permits may be authorized after original permit authorization has expired under RCW 90.58.143. The purpose of such revisions shall be limited to authorization of changes which are consistent with WAC 173-27 and which would not require a permit for the development or change proposed under the terms of the Shoreline Management Act, this section and the shoreline master program. If the proposed change constitutes substantial development then a new permit is required. This shall not be used to extend the time requirements or to authorize substantial development beyond the time limits of the original permit.
 - f. If the sum of the revision and any previously approved revisions under former WAC 173-14-064 or WAC 173-27-100 violate the provisions that they are "within the scope and intent of the original permit," the director shall require that the applicant apply for a new permit.
 - g. The revision approval, including the revised site plans and text consistent with the provisions of WAC 173-27-180 as necessary to clearly indicate the authorized changes, and the final ruling on consistency with this section shall be filed with the department of ecology. In addition, the director shall notify parties of record of their action.
 - h. If the revision to the original permit was a conditional use or variance, which was conditioned by the department of ecology, the director shall submit the revision to the department of ecology for its approval, approval with conditions, or denial, indicating that the revision is being submitted under the requirements of this section. Ecology shall render and transmit to the City and the applicant its final decision within fifteen days of the date of the department of ecology's receipt of the submittal from the director. The director shall notify parties of record of the department of ecology's final decision.
 - i. The revised permit is effective immediately upon final decision by the director, or when reviewed by the department of ecology, pursuant to subsection (7), then upon final action by the department of ecology.
 - j. Appeals shall be in accordance with RCW 90.58.180 and shall be filed with the shorelines hearings board within twenty-one days from the date of receipt of the revision approved by the director, or when appropriate under subsection (7), the date ecology's final decision is transmitted to the City and the applicant. Appeals shall be based only upon contentions of noncompliance with the provisions of subsection (2). Construction undertaken pursuant to that portion of a revised permit not authorized under the original permit is at the applicant's own risk until the expiration of the appeals deadline. If an appeal is successful in proving that a revision is not within the scope and intent of the original permit, the decision shall have no bearing on the original permit.

17G.061.210 Public Notice**A. Purpose.**

Public notice informs interested parties of the application at proper stages of the approval process and ensures opportunity for appropriate comment. Notice occurs through various means depending on the type of application and proposed action.

B. General.

1. The types of notice for various categories of permit applications and actions are listed in Table 17G.061.010-1. The specified types of notice are used for community meetings, notice of application, notice of public hearing, notice of decision, and notice of appeals, as applicable.
2. It is the responsibility of the applicant to provide public notice and file a statutory declaration as evidence of compliance.

C. Types of Notice.**1. Individual Notice.**

Individual notice is given in writing by regular U.S. mail or by personal service. Notice shall be given to the following parties:

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

2. Sign Notice.

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

a. The notice sign must meet the following specifications:

- i. It measures a minimum of four feet by four feet, but sign size may be increased in order to contain all of the required information.
- ii. It is constructed of material of sufficient weight and strength to withstand normal weather conditions.
- iii. It is white with red lettering.

3. Posted Notice.

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

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

4. Newspaper Notice.

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

5. Other Notice.

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

D. Contents of Notice.**1. Individual, Newspaper, and Posted Notice.**

The following information shall be included:

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

Sign notices must contain the following information:

- a. The first line of text on the sign in four-inch letters reads: "NOTICE OF COMMUNITY MEETING" or the applicable notice type.
- b. The second line of text on the sign in three-inch letters reads: "PROPOSED CONDITIONAL USE PERMIT, File #Z----- - CUP" or some other appropriate description of the proposed action.
- c. The third line of text on the sign in three-inch letters reads: "COMMUNITY MEETING ON/PUBLIC HEARING ON/ COMMENTS DUE BY (date, time, and location)."
- d. The subsequent line(s) of text, in three-inch letters, contain additional details as indicated for the project type in Table 17G.061.010-1.
- e. The applicant (or agent) name and phone number, the SEPA status, and the deadline for appeal of the SEPA determination.
- f. The last line of text on the sign in three-inch letters reads: "FOR INFORMATION: (City contact telephone number and web page address where additional project information may be found)."
- g. The following figures illustrate posted notice signs:

Example "A"	
NOTICE OF PUBLIC HEARING PROPOSED ZONE CHANGE, FILE #Z2003-01-ZC PUBLIC HEARING ON : 1/1/2004 AT 9:00 A.M. LOCATED: COUNCIL BRIEFING RM., CITY HALL Proposed Zone: C1 Proposed Use: Warehouse Applicant/Agent: John Doe, Phone (509) 999-0001 SEPA: DNS, appeal deadline 12/24/03 FOR INFORMATION: (509) 625-6300 https://my.spokanecity.org/projects/example/	
Example "B"	
NOTICE OF SEPA/APPLICATION BUILDING PERMIT, FILE #B0300001 PUBLIC COMMENT DUE : 1/1/2004 AT 9:00 A.M. LOCATED: COUNCIL BRIEFING RM., CITY HALL Proposed Use: Commercial Applicant/Agent: John Doe, Phone (509) 999-0001 SEPA: DNS, appeal deadline 12/24/03 FOR INFORMATION: (509) 625-6300 https://my.spokanecity.org/projects/example/	

E. Removal of Public Notice.

1. Posted notices shall be removed within seven days after the close of the public hearing or by the due date of the decision on a ministerial permit.
2. If a posted notice remains on a site more than fourteen days after the time limitation stated above, the City shall remove and dispose of the sign and charge the applicant or other person responsible for the notice.

17G.061.220 Public Comment Period

- A. The public comment period for Type I, II, and III applications is fifteen days, except short subdivision applications with minor engineering review as provided in SMC 17G.080.040(C)(2) shall have no public comment period.
- B. The public comment period for a shoreline substantial development permit, shoreline conditional use, or shoreline variance shall be thirty days.
- C. The public comment period for a shoreline substantial development permit for limited utility extensions and bulkheads shall be twenty days (WAC 173-27-120).
- D. In case of conflicting time periods, the longest public comment period shall prevail.

17G.061.230 Public Hearing

- A. Notice of Public Hearing.
 - 1. A notice of public hearing is required for Type III applications. At the close of the public comment period initiated by the notice of application, the director consults with the hearing examiner regarding a date and time for the public hearing. No less than fifteen days prior to the public hearing, the director causes the notice of public hearing to be provided, unless notice of public hearing has been provided with the notice of application pursuant to SMC 17G.061.120(B)(5). The notice shall contain the information required under SMC 17G.061.210 and Table 17G.061.010-1.
 - 2. The director makes a written report regarding the application to the hearing examiner. The report of the director is filed with the hearing examiner ten days prior to the scheduled public hearing and copies are mailed to the applicant and applicant's representative. Copies of the report are made available to any interested person for the cost of reproduction. If a report is not made available as provided in this subsection, the hearing examiner may reschedule or continue the hearing, or make a decision without regard to any report.
 - 3. The written report of the director contains a description of the proposal, a summary of the comprehensive plan policies and provisions, a summary of the applicable provisions of the land use codes, the environmental threshold determination, findings and conclusions relating to the proposal to the prescribed decision criteria and a recommendation.

17G.061.240 SEPA Threshold Determination

All permit applications are subject to environmental review pursuant to SMC 17E.050.070 and 17E.050.230. An environmental checklist, along with any supplemental documents needed to fully disclose potential environmental impacts and measures to mitigate those impacts, is submitted as part of the application, if applicable. Review of those environmental documents is conducted concurrent with the other application material.

A. DNS Process for Type I, II and III Permit Applications.

- 1. The administrative official makes a SEPA threshold decision within ten days of the end of the public comment period initiated by the notice of application.
 - 2. For Type I and II permit applications, the administrative official may issue the permit decision and the SEPA threshold determination simultaneously. However, the department shall not issue a decision on the permit application for fourteen days after the issuance of a determination of nonsignificance (DNS) if the proposal involves:
 - a. another agency with jurisdiction;
 - b. demolition of any structure or facility not exempted by SMC 17E.050.070;
 - c. issuance of clearing or grading permits not exempted by SMC 17E.050.070; or
 - d. a mitigated DNS or determination of significance (DS).
 - 3. The public notice of the DNS shall be integrated with the notice requirements of the underlying project permit application, as prescribed in SMC 17G.061.210.
 - 4. The issuance of a DNS shall follow the process under WAC 197-11-340 and for a mitigated DNS under WAC 197-11-350.
- B. Optional DNS process for Type I, II or III permit applications may be used with the following requirements if the administrative official has a reasonable basis for determining that significant adverse impacts are unlikely as a result of the project:
- 1. A single integrated comment period to obtain comments on the notice of application and the likely threshold determination for the proposal may be used. The time limits of this subsection (B) do not apply when the optional DNS process is utilized for SEPA.
 - 2. Provide notice of application as prescribed in SMC 17G.061.210 as set forth for the underlying project permit application. The notice shall include the following:
 - a. The notice of application shall state that the responsible official expects to issue a DNS for the proposal, and that:
 - i. the optional DNS process is being used;
 - ii. this may be the only opportunity to comment on the environmental impacts of the proposal;

- iii. the proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an EIS is prepared; and
 - iv. a copy of the subsequent threshold determination for the specific proposal may be obtained upon request.
3. List in the notice of application the conditions being considered to mitigate environmental impacts, if a mitigated DNS is expected.
 4. Send the notice of application and environmental checklist to:
 - a. agencies with jurisdiction, the department of ecology, affected tribes, and each local agency or political subdivision whose public services would be changed as a result of implementation of the proposal; and
 - b. anyone requesting a copy of the environmental checklist for the specific proposal.

17G.061.310 Decision Criteria

- A. The purpose of the following sections is to establish the decision criteria for all permit types regardless of whether the decision is made by the director, hearing examiner, or city council, as applicable.
- B. The burden is upon the applicant to present sufficient evidence relevant to the appropriate criteria in support of the application. The decision-maker must make affirmative findings of fact relative to each criterion or the application must be denied.
- C. The following decision criteria shall be used for Type II and III permit applications, with the exception of plats, short plats, and binding site plans, which have separate decision criteria provided in 17G.080.025:
 1. The proposal is allowed under the provisions of the land use codes.
 2. The proposal is consistent with the comprehensive plan designation and goals, objectives and policies for the property.
 3. The proposal meets the concurrency requirements of chapter 17D.010 SMC.
 4. If approval of a site plan is required, the property is suitable for the proposed use and site plan considering the physical characteristics of the property, including but not limited to size, shape, location, topography, soils, slope, drainage characteristics, the existence of ground or surface water and the existence of natural, historic, or cultural features.
 5. The proposal will not have a significant adverse impact on the environment or the surrounding properties, and if necessary conditions can be placed on the proposal to avoid significant effects or interference with the use of neighboring property or the surrounding area, considering the design and intensity of the proposed use.
- D. The following Type II and III applications have decision criteria listed in this subsection that are required to be met in addition to the provisions of subsection I of this section:
 1. Shoreline Substantial Development Permit.
 - a. Consistency with the map, goals, and policies of the shoreline master program; and
 - b. Consistency with RCW 90.58 (Shoreline Management Act) and WAC 173-27 (Permits for Development on Shorelines of the State).
 2. Shoreline Conditional Use Permit.

The purpose of a shoreline conditional use permit is to provide a system within the shoreline master program which allows flexibility in the application of use regulations in a manner consistent with the policies of RCW 90.58.020. In authorizing a conditional use, special conditions may be attached to the permit by local government or the department to prevent undesirable effects of the proposed use and/or to assure consistency of the project with the act and the shoreline master program.

- a. Uses classified or set forth in these shoreline regulations in Table 17E.060-4 as conditional uses, as well as unlisted uses, may be authorized provided the applicant can demonstrate all of the following:
 - i. The proposed use is consistent with the policies of RCW 90.58.020 and the shoreline master program.
 - ii. The proposed use will not unreasonably interfere with the normal public use of public shorelines.
 - iii. The cumulative impact of several additional conditional use permits on the shoreline in the area will not preclude achieving the goals of the shoreline master program.
 - iv. The proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and the shoreline master program.
 - v. The proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located, and the public interest in enjoying physical and visual access suffers no substantial detrimental effect.
- b. Consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example, if conditional use permits were to be granted for other developments in the area where similar circumstances exist, the total of the conditional and shall not produce substantial adverse effects to the shoreline environment.

- c. Other uses which are not classified or set forth in the shoreline master program may be authorized as conditional uses provided the applicant can demonstrate consistency with the requirements of this section and the requirements for conditional uses contained in the shoreline master program.
- d. Uses which are specifically prohibited by the shoreline master program shall not be authorized by conditional use.

3. Shoreline Variance Permit.

The purpose of a variance permit is strictly limited to granting relief from specific bulk, dimensional or performance standards set forth in shoreline master program where there are extraordinary circumstances relating to the physical character or configuration of property such that the strict implementation of the shoreline master program will impose unnecessary hardships on the applicant or thwart the policies set forth in RCW 90.58.020.

- a. Variance permits should be granted in circumstances where denial of the permit would result in a thwarting of RCW 90.58.020. In all instances, the applicant must demonstrate that extraordinary circumstances exist and demonstrate that the public interest in enjoying physical and visual access to the shorelines shall suffer no substantial detrimental effect.
- b. Variance permits for development and/or uses that will be located landward of the ordinary high-water mark, as defined in RCW 90.58.030(2)(b), and/or landward of any wetland as defined in RCW 90.58.030(2)(h), may be authorized provided the applicant can demonstrate all of the following:
 - i. That the strict application of the bulk, dimensional, or performance standards set forth in the shoreline master program regulations precludes, or significantly interferes with, reasonable use of the property.
 - ii. That the hardship described in (i) of this subsection is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the shoreline master program regulations, and not, for example, from deed restrictions or the applicant's own actions.
 - iii. That the design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and SMP regulations and will not cause adverse impacts to the shoreline environment.
 - iv. That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area.
 - iv. That the variance requested is the minimum necessary to afford relief.
 - vi. That the public interest in enjoying physical and visual access to the shorelines will suffer no substantial detrimental effect.
- c. Variance permits for development and/or uses that will be located waterward of the ordinary high-water mark (OHWM), as defined in RCW 90.58.030(2)(b), or within any wetland as defined in RCW 90.58.030(2)(h), may be authorized provided the applicant can demonstrate all of the following:
 - i. That the strict application of the bulk, dimensional, or performance standards set forth in the shoreline master program precludes all reasonable use of the property.
 - ii. That the proposal is consistent with the criteria established under WAC 173-27-170(2)(b) through (f); and
 - iii. That the public rights of navigation and use of the shorelines will not be adversely affected.
- d. In the granting of variance permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example, if variances were to be granted to other developments and/or uses in the area where similar circumstances exist the total of the variances shall also remain consistent with the policies of RCW 90.58.020 and shall not cause substantial adverse effects to the shoreline environment.
- e. Variances from the use regulations of the shoreline master program are prohibited.

4. PUD and Plans-in-lieu.

All of the following criteria are met:

- a. Compliance with All Applicable Standards.
The proposed development and uses comply with all applicable standards of the title, except where adjustments are being approved as part of the concept plan application, pursuant to the provisions of SMC 17G.070.200(F)(2).
- b. Architectural and Site Design.
The proposed development demonstrates the use of innovative, aesthetic, and energy-efficient architectural and site design.
- c. Transportation System Capacity.
There is either sufficient capacity in the transportation system to safely support the development proposed in all future phases or there will be adequate capacity by the time each phase of development is completed.
- d. Availability of Public Services.
There is either sufficient capacity within public services such as water supply, police and fire services, and sanitary waste and stormwater disposal to adequately serve the development proposed in all future phases, or there will be adequate capacity available by the time each phase of development is completed.
- e. Protection of Designated Resources.
City-designated resources such as historic landmarks, view sheds, street trees, urban forests, critical areas, or agricultural lands are protected in compliance with the standards in this and other titles of the Spokane Municipal Code.
- f. Compatibility with Adjacent Uses.
The concept plan contains design, landscaping, parking/traffic management and multi-modal transportation elements that limit conflicts between the planned unit development and adjacent uses. There shall be a demonstration that the

reconfiguration of uses is compatible with surrounding uses by means of appropriate setbacks, design features, or other techniques.

g. Mitigation of Off-site Impacts.

All potential off-site impacts including litter, noise, shading, glare, and traffic will be identified and mitigated to the extent practicable.

E. The following Type II and III applications are not subject to subsections I and (D) of this section; they shall comply with the following decision criteria:

1. Variance.

- a. A variance or modification of the standard or requirement is not prohibited by the land use codes.
- b. No other procedure is provided in this chapter to vary or modify the standard or requirement, or compliance with such other procedure would be unduly burdensome.
- c. Strict application of the standard or requirement would create an unnecessary hardship due to one or more of the reasons listed below. Mere economic hardship or self-created hardship are not considered for the purposes of this section.
 - i. The property cannot be developed to the extent similarly zoned property in the area can be developed because the physical characteristics of the land, the improvements or uses located on the land do not allow such development; or
 - ii. Compliance with the requirement or standard would eliminate or substantially impair a natural, historic, or cultural feature of area-wide significance.
- d. In addition, the following objectives shall be reasonably satisfied:
 - i. Surrounding properties will not suffer significant adverse effects.
 - ii. The appearance of the property or use will not be inconsistent with the development patterns of the surrounding property; and
 - iii. The ability to develop the property in compliance with other standards will not be adversely affected.
- e. No variance may be granted to allow or establish a use that is not allowed in the underlying districts as a permitted use; or to modify or vary a standard or requirement of an overlay zone, unless specific provision allow a variance.
- f. Floodplain variance is subject the additional criteria of SMC 17E.030.090 and SMC 17E.030.100.

2. Certificate of Compliance.

- a. Written documentation establishes that all necessary permits were issued and inspections conducted, or the current owner of the property is not the same party responsible for the creation of the violation, but is an innocent purchaser for value.
- b. Approval of the certificate of compliance is necessary to relieve the applicant of a substantial practical or economic hardship; and
- c. Approval of the certificate of compliance will not adversely affect the neighboring property or the area.

3. Skywalk Permit and Air Rights Use Permit.

- a. The proposed skywalk or air rights use is consistent with the comprehensive plan.
- b. The proposed air rights use conforms to the standards contained in chapter 12.02 SMC Article III and the skywalk conforms to the standards contained in SMC 17C.255.500 through SMC 17C.255.530, unless the design review board has approved design deviations.
- c. The proposed skywalk or air rights use conforms to the standards contained in the development codes.
- d. The City is compensated for the fair market value of public air space used for any activity other than public pedestrian circulation.
- e. An agreement, satisfactory to the city attorney, indemnifies and holds the City harmless against all loss or liability, and the applicant obtained approved public liability insurance, naming the City as an additional named insured, with combined limits of five hundred thousand dollars.

17G.061.320 Notice of Decision

- A. Decisions on Type I, II, and III project permit applications are made by the hearing examiner or director within ten days of the date the record is closed. The time for decision may be extended if the applicant agrees in writing. Subject to chapter 36.70B RCW, the time for decision may also be extended to allow time for additional public comment if the hearing examiner or director determines that notice was not properly mailed or posted; provided, a person is deemed to have received notice if that person appears at the hearing or submits timely written comments, even if notice was not properly mailed or posted. In making the decision, the hearing examiner or director may approve, approve with conditions, or deny the permit application. The decision is made in writing.
- B. Within seven days of making the decision, the hearing examiner or director causes notice of decision to be provided as follows:
1. Written notice of decision is provided by the decision-maker concurrent to the decision.

2. Notice of a decision denying a permit application is given to the applicant. A full copy of the decision and any conditions of approval accompanies the notice of the decision to the applicant.
3. Notice of all other decisions is given to the applicant, all parties of record, and all persons who have requested to be given notice.
4. Notice of decision for Type I permit applications shall be the permit. For Type II and III permit applications the decision includes the following information:
 - a. Location of the property.
 - b. Description of the proposed action.
 - c. Name, address, and office telephone number of the City official from whom additional information may be obtained.
 - d. Applicant name and number.
 - e. The decision made, including the environmental threshold determination.
 - f. A list of persons who testified in person or in writing, or a summary of such a list.
 - g. A list of exhibits or a summary of such a list.
 - h. A statement of the decision criteria governing the application.
 - i. A statement of the comprehensive plan policies governing the application.
 - j. Findings of fact and conclusions relating the proposal to the decision criteria governing the application and which form the basis for the decision.
 - k. A statement that a full copy of the decision may be obtained from the designated official for the cost of reproduction.
 - l. The last date the decision may be appealed.
 - m. The place the appeal must be filed.
 - n. A statement of the fee to be charged for an appeal and the approximate cost to prepare any required transcripts.
 - o. A statement that the decision will be final unless appealed; and
 - p. The signature of the person making the decision.
- C. If the decision on a Type II or III project permit includes conditions of approval, a covenant must be recorded in the Spokane County auditor's office identifying the restrictions to use and development of the property exist. The covenant must be filed within the approval time limits of the permit or the approval becomes void. For rezones, the hearing examiner does not forward the rezone to the city council until the covenant has been filed.
- D. The decision for a shoreline substantial development permit, shoreline conditional use permit, or shoreline variance must contain a statement that construction pursuant to the permit shall not begin and is not authorized until twenty-one days from the "date of filing" by department of ecology as defined in RCW 90.58.140(6) and WAC 173-27-130, or until all review proceedings initiated within twenty-one days from the date of such filing have been terminated; except as provided in RCW 90.58.149(5)(a) and (b).
- E. Notice of decision for a shoreline substantial development permit, shoreline conditional use permit, or shoreline variance shall be submitted to the department of ecology along with a permit data sheet (Appendix A, WAC Chapter 173-27). For a shoreline conditional use permit or a shoreline variance, there is a thirty-day review by department of ecology. After this period, the department of ecology shall render and transmit to the City of Spokane and the applicant a final decision approving, approving with conditions, or disapproving the permit. The Planning Director shall provide notification within seven days of the department of ecology's final decision to those interested persons having requested notification.

17G.061.330 Decision – When Final

A decision is considered final at the termination of an appeal period if no appeal is filed, or when a final decision on appeal has been made pursuant to SMC 17G.061.340.

17G.061.340 Appeals

- A. The provisions of this section shall apply to any written order, requirement, permit, decision, or determination made under the land use codes.
- B. Appeal of a director's decision on a project permit application is to the hearing examiner as an open record appeal, except appeals of building permits that are not related to the land use codes shall go before the building construction review board pursuant to chapter 4.06 SMC. The hearing examiner shall consider the appeal in accordance with procedures set forth in chapter 17G.050 SMC and the hearing examiner's rules of procedure.
- C. Appeal of a hearing examiner's decisions is to superior court, except rezones, PUDs, preliminary long plats, and skywalk permits are appealable to city council as a closed record appeal hearing and are subject to the procedures in chapter 17G.050 SMC.
- D. Shoreline substantial development permits decisions, after final decision by the City, may be appealed within twenty-one days from the "date of filing" or the date of actual receipt by the Department of Ecology; appeal is made to the shorelines hearings board.
- E. Shoreline conditional use permits and shoreline variance permits may be appealed to the shorelines hearings board within twenty-one days from the "date of filing" or the date the decision of the Department of Ecology is transmitted to the City of Spokane. If, as a result of the appeal process, the project has been modified, the director must reissue the permit according to WAC chapter 173-27-130 and submit a copy of the reissued permit to the department of ecology.
- F. Except as otherwise provided, appeals or requests for reconsideration from decisions shall be filed within fourteen calendar days of the date of the decision. If the last day for filing an appeal falls on a weekend day or a holiday, the last day for filing shall be the next working day. The appeal or request for reconsideration is filed in the department that is responsible for the permit

application, except an appeal to superior court must be filed as a land use petition to the court within twenty-one days of the date of the written decision is issued.

- G. An appeal or request for reconsideration shall take the form of a written statement of the alleged reason(s) the decision was in error, or specifying the grounds for appeal or reconsideration. The following information, accompanied by an appeal fee as specified in chapter 8.02 SMC, shall be submitted. All fees including transcript deposit fees must be paid by the appellant no later than the last day to file the appeal. The appellant shall pay the cost of a written transcript within five days of the receipt of the hearing examiner's statement for the cost. An appeal application is not considered complete until all required fees are paid. Failure to timely pay all fees results in dismissal of the appeal with prejudice. The appeal or request for reconsideration application shall contain:
1. file number of the decision;
 2. the names of the appellant(s) and an indication of facts that establish the appellant's right to the relief requested;
 3. an identification of exceptions and objections to the decision being appealed or reconsidered, or an identification of errors in fact or conclusion;
 4. the requested relief from the decision being appealed or reconsidered;
 5. any other information reasonably necessary to make a decision on the appeal or reconsideration;
 6. failure to set forth specific errors or grounds for appeal shall result in summary dismissal of the appeal or reconsideration request.
- H. The appeal or request for reconsideration is rejected if:
1. it is filed by a person without standing as specified in chapter 17A.020 SMC;
 2. an appeal decision is being sought from a decision-maker not authorized by this chapter to make such a decision;
 3. it is not timely filed;
 4. the appeal fees have not been paid; or
 5. it is not filed in accordance with the procedures of this chapter.
- I. An appeal or request for reconsideration stays the underlying decision pending final disposal of the appeal, unless the action ordered in the decision is necessary to protect the public health or safety, or unless the appeal is required to be filed in superior court. Filing a suit or action in court does not stay the final decision unless and until the court, pursuant to RCW 36.70C.100, issues an order.
- J. Notice of Appeal.

Notice of a hearing by the hearing examiner is given to the director, appellant, applicant, and any party of record. This notice is mailed through regular U.S. mail or personally served at least fourteen days prior to the hearing. The notice of appeal contains the following information:

1. Location of the property including a map sufficient to clearly locate the site.
2. Description of the proposed action.
3. Name of the applicant.
4. Application name and number.
5. Decision made on the application, including the environmental threshold determination.
6. Name of the appellant if other than the applicant.
7. Date, time, and place of hearing.
8. A statement of whether the appeal is on the record or if new information will be allowed; and
9. Name, address, and office telephone number of the City official from whom additional information may be obtained.

17G.061.350 Expiration of Permit

- A. Table 17G.061.010-1 indicates the expiration provisions for land use permits within the City of Spokane.
- B. The term for a permit shall commence on the date of the hearing examiner or director's decision, provided that in the event the decision is appealed, the effective date shall be the date of decision on appeal. The term for a shoreline permit shall commence on the effective date of the permit as defined in WAC 173-27-090.

- C. A permit under this chapter shall expire if, on the date the permit expires, the project sponsor has not submitted a complete application for building permit or the building permit has expired.
- D. In accordance with WAC 173-27-090, the director may authorize a single extension before the end of the time limit for up to one year if a request for extension has been filed before the expiration date and notice of the proposed extension is given to the parties of record and to the department of ecology. The extension must be based on reasonable factors. Extensions of time for plats, short plats and binding site plan are subject to the extension provisions of SMC 17G.080.020(M).

17G.061.400 Design Review

- A. Project permit applications that are subject to design review follow the procedures contained within chapter 17G.040 SMC, Design Review Board Administration and Procedures.
- B. Project permit applications that are subject to design review are listed in SMC 17G.040.020, Development and Applications Subject to Design Review.
- C. Prior to submitting a project permit application that is subject to design review under this title, a project permit applicant must have begun the design review process and may be required to participate in a design review collaborative workshop as defined in SMC 17G.040.050, Design Review Process, and outlined in the Design Review Application Handbook.
- D. Project permit applications that are subject to design review shall contain the information specified in chapter 17G.040 SMC. The design review process is completed prior to the end of the public comment period initiated by notice of application and a recommendation is made to the hearing examiner, Planning Director, Building Official, or other official as appropriate. The report of the design review board is made available to the action-approving authority by the close of the public comment period.

17G.061.510 Optional Consolidated Project Permit Review Process

- A. The optional process allows for the consideration of all discretionary land use, environmental, construction and building permits issued by the City, together with project permits requiring a public hearing as a single project, if requested in writing by the applicant. Permit decisions of other agencies are not included in the process but public meetings and hearings for other agencies may be coordinated with those of the City of Spokane.
- B. When multiple permits are required for a single project, the optional consolidated project permit review process is available as follows:
 - 1. A permit coordinator shall be designated.
 - 2. A single determination of complete application, notice of application and notice of final decision is made for all project permits being reviewed through the consolidated process, provide the time limits in this chapter can be met.
 - 3. Consolidated permit review may provide different procedures for different categories of project permits, but if a project action requires project permits from more than one category, the consolidated review process shall permit only a single open record hearing and one closed record appeal.
 - 4. A single open record hearing including appeals of the SEPA threshold determination shall be conducted by the hearing examiner, pursuant to the procedures in chapter 17G.050 SMC. The hearing examiner's decision shall be appealable to superior court except rezones and preliminary long plats that are appealable to the city council and shoreline permits are appealable to the shoreline hearing board. Appeals to the city council shall be conducted as a closed record appeal hearing pursuant to the procedures in chapter 17G.050 SMC.

17G.061.520 Shoreline Substantial Development Permit Letter of Exemption Procedure

- A. State law and the shoreline master program specifically exempt certain types of development from the requirement of obtaining a shoreline substantial development permit. The types of development that are exempted are listed in SMC 17E.060.300 and WAC 173-27-040. No exempt development, use or activity shall be undertaken within the jurisdiction of the Shoreline Management Act (chapter 90.58 RCW or its successor) and the shoreline master program unless a statement of exemption has been obtained from the director. Burden of proof that a development or use is exempt from the permit process is on the applicant.
- B. Application procedure for a letter of exemption from a shoreline substantial development permit is the same as for any shoreline permit as defined in SMC 17G.061.110 with these additional application materials:
 - 1. Written explanation of exemption type as defined in SMC 17E.060.300 and WAC 173-27-040.
 - 2. A contractor's bid to verify the total cost or fair market value of the proposal including labor and material, if the proposed exemption category is below the dollar threshold defined in WAC 173-27-040.
 - 3. A statement from a structural engineer licensed by the State of Washington to verify the need for immediate action, in order to address the imminent threat to public health and safety on the property, if proposed exemption category is for emergency construction as defined in WAC 173-27-040.
- C. All development within the shoreline, even when an exemption from the requirement of a substantial development permit is granted, must be consistent with the policies of the Shoreline Management Act and the shoreline master program. Conditions

may be attached to the approval of a shoreline exemption in order to assure consistency of the project with the Shoreline Management Act and the shoreline master program (WAC 173-27-040).

- D. A letter of exemption from a shoreline substantial development permit is not always an exemption from a shoreline conditional use permit or a shoreline variance. A development or use that is listed as a conditional use pursuant to the SMP regulations or is an unlisted use, must obtain a conditional use permit even though the development or use does not require a substantial development permit. When a development or use is proposed that does not comply with the bulk, dimensional and performance standards of the master program, such development or use can only be authorized by approval of a variance (WAC 173-27-040).
- E. In the case of shoreline projects with federal permit review and upon completion of a letter of exemption, the director must submit to ecology:
1. Letter of exemption.
 2. Site plan.
 3. What is being approved; and
 4. Conditions of approval.
- It must also state the specific exemption provision from WAC 173-27-040 and SMC 17E.060.300 and provide a summary of analysis of the consistency of the project with the SMP and the SMA. It shall contain any SEPA determination made and include the permit data sheet and transmittal letter form (WAC 173-27-990 Appendix A).
- F. The director shall review watershed restoration projects as defined in WAC 173-27-040 for consistency with the SMP and shall issue a decision along with any conditions within forty-five days of receiving from the applicant all materials necessary to review the request for exemption. No fee may be charged for accepting and processing requests for exemption for watershed restoration projects as defined in WAC 173-27-040.

Section 35. That Section 17G.070.030 SMC is amended to read as follows:

17G.070.030 Development Standards

A. Permitted Uses.

Any permitted or conditional use allowed in the base zoning districts of the subject property plus additional uses including the following:

1. In the RA, ~~((RSF))~~ R1, and ~~((RTF))~~ R2 zoning districts, an applicant with a planned unit development approval may develop the site to contain these additional uses:

~~((a. Single family attached residential units;~~
~~b. In the RTF zone, duplexes and attached duplexes;))~~

~~((e-))~~ a. Accessory uses directly serving the planned unit development only and which are customary or associated with, but clearly incidental to, the residential uses permitted in the zone including:

 - i. community building with indoor and/or outdoor recreation facilities;
 - ii. recreational vehicle and personal storage area;
 - iii. consolidated guest parking facilities.
2. In the RMF and RHD zoning districts, an applicant with a planned unit development approval may develop any uses permitted in the ~~((RSF))~~ R1, ~~((RTF))~~ R2, RMF and RHD zones together with these additional uses:
 - a. Retail sales and service uses and office uses are permitted subject to the following limitations:
 - i. The PUD site is larger than ten acres,
 - ii. Individual retail sales and service uses and office uses shall not exceed a floor area of three thousand square feet each and the site area developed with retail sales and service uses and office uses shall not exceed five percent of the total PUD site area.
 - iii. Sites developed with retail sales and service uses and office uses shall have frontage on a street that is designated as a collector or higher classified arterial.
 - iv. The retail sales and service uses and office uses in the PUD shall not be permitted until sixty percent of the approved residential units are completed.
 - v. An one hundred percent increase in the amount of retail sales and service uses and office uses is allowed when retail sales and service uses and office uses are physically built under residential uses in a mixed use building with ground floor retail sales and service uses and office uses.
 - vi. Outdoor sales and display and outdoor storage areas are not permitted except outdoor seating is allowed for restaurants and cafes.
3. Commercial Zones.

PUDs are permitted in the commercial zones including center and corridor (CC) and the downtown (DT) zones.

4. Industrial Zones.

In the PI zones, an applicant with a planned unit development approval may develop the site to contain all of the uses permitted by right in the underlying zone and, in addition, up to fifty percent of the total gross floor area may be devoted to housing units provided these are built above the ground floor.

5. More Than One Base Zone.

When a site contains land that is in more than one zoning district, the allowed residential and conditional uses at the required minimum and maximum densities, if applicable, shall be proportionate to the land within the development site devoted to each zoning district.

B. Density.

1. Densities Required.

An applicant with a planned unit development approval (~~(may)~~) shall develop the site subject to the minimum and maximum density provisions of the base zone, as contained in Title 17C SMC, except as provided in subsection (B)(2) of this section, plus a maximum of ten percent density bonus per the provisions below under SMC 17G.070.030(B)(5).

2. Density Exception.

For properties with a designated critical area or properties located in agricultural lands designation of the City's comprehensive plan, the minimum density requirement may be waived by the hearing examiner based on the following criteria:

- a. The development of the site with the critical area would not allow sufficient minimum lot size under the base zone requirements because critical area setbacks and buffers would reduce minimum lot sizes below those required by the base zone.
- b. The development of the site would require reducing buffers, setbacks or other dimensional modifications due to the location of designated critical areas; and
- c. The protection of the agricultural lands or critical area would be more effective by clustering the homes and structures to the minimum area necessary.

3. Calculating Density.

The calculation of density for a planned unit development is the net area based on the total area of subject property less the area set aside for right-of-way, tracts of land reserved for private streets and dedicated tracts reserved for stormwater facilities. The calculation of density is rounded up to the next whole number.

4. Transfer of Development Rights.

An applicant for a planned unit development may shift allowed residential densities to another site to protect and preserve designated critical areas and agricultural lands while providing the overall maximum density permitted by the underlying zoning district.

5. Density Bonuses.

- a. An applicant for a planned unit development may apply for a residential density bonus of ten percent above the maximum density allowed in the underlying base zone for developing affordable housing units that meet or exceed the HUD standards for affordable units.
- b. The density bonus may be granted based on a one percent ratio of bonus density for the project for each one percent of affordable housing that is provided.
- c. Affordable housing units are required to be dispersed throughout the project and shall not be congregated all in one building, when more than one building is proposed.

C. Dimensional Requirements of the Base Zone.

The dimensional requirements of the base zone standards apply to a PUD except as follows:

1. Lot Dimensional Standards.

- a. The minimum lot size, lot depth and lot width standards may be modified.
- b. The lot frontage requirements may be modified to allow the lots to be served by a private street or private access, rather than a public street as required under SMC (~~(17C.110.200(F))~~) 17C.111.200(F), provided that the director of engineering services has determined that private streets or private access can serve the subject lots in the planned unit development. A private street or private access that does not conform to chapter 17H.010 SMC, Street Development Standards, may be approved through a design variance request under SMC 17H.010.020.

2. Lot Coverage and FAR.

The lot coverage by buildings and the floor area ratio (FAR) provisions may be modified.

3. Setbacks.

a. Front and rear yard setbacks.

- i. Front and rear yard setbacks for structures located within eighty feet of the perimeter of the project shall be the same as required by the base zone.
- ii. Front and rear yard setbacks in the remainder of the project may be modified, except that a minimum front or rear yard setback of twenty feet is required for any garage or carport that opens facing a street or an alley.
- iii. Above and below ground parking structures used in conjunction with a mixed use or multifamily residential project may modify front yard setbacks, if sufficient queuing to enter the structure is provided on-site.

b. Side Yard Setbacks.

- i. Side yard setbacks may be modified, except that a side yard setback of twenty feet is required for any garage or carport that opens facing a street.
- ii. Above and below ground parking structures used in conjunction with a mixed use or multifamily residential project may modify side yard setbacks, if sufficient queuing to enter the structure is provided on-site.

4. Building Height.

Except as provided below, building height allowed in the base zone cannot be modified, waived or varied through the planned unit development process.

- a. Changes to the height limits in the underlying zone require a rezone processed concurrently with the planned unit development.
- b. In the RMF zone, the wall height for a mixed-use commercial building may be increased to thirty five feet. Such a building is exempt from the height transition requirements of SMC ~~((47C.110.215(C)(3)))~~ 17C.111.215(C)(3).

5. Off-street Parking.

The minimum number of off-street parking stalls may be modified based upon sufficient evidence that the occupancy of the project will not require the number of off-street parking stalls specified for that use under chapter 17C.230 SMC, Parking and Loading.

6. Signs.

The number, type and size of signs cannot be modified through a planned unit development.

7. Fencing.

Perimeter fencing for a planned unit development is permitted except the maximum height of fencing along a street frontage of the planned unit development may not exceed forty-two inches. When a fence is along a street frontage, usable pedestrian access shall be provided spaced a minimum of one every three hundred feet.

8. Gates.

If the director of engineering services approves of private streets in the planned unit development, based on the criteria of SMC 17H.010.090, gates may be permitted in a planned unit development.

9. Lot Access.

The ~~((lot))~~ alley access requirements of SMC ~~((47C.110.208(D)))~~ 17C.111.335(B) apply to lots in a PUD. If a lot abuts a public alley, then vehicle access shall be from the alley.

D. Infrastructure.

All public or private streets, paving, curbs, sidewalks, utilities, stormwater, lights and similar facilities shall be developed according to City standards, unless specifically modified by the city engineer. Waivers, variances, or modifications to the private or public street standards, utilities, and other infrastructure through a planned unit development shall be approved by the city engineer. An approved design variance request form shall be submitted with the PUD application.

E. Common Open Space.

In exchange for the approval of more intense residential development, higher densities, smaller lots and relaxed development standards, the developer of a planned unit development is required to provide common open space for the active and passive recreational activities of residents, employees, and visitors. Such space shall be aggregated wherever feasible and shall consist of a combination of landscaped and hard-scaped areas. Such common open space shall include some combination of the following: plazas, arbors, sitting areas, picnic areas, playing fields and trails to accommodate a variety of active and passive activities and promote visual interest.

1. In planned unit developments, the following requirements shall apply:

- a. At least ten percent of the gross area of the site must be devoted to such open space. Such space must be fully accessible to the residents, employees, visitors and/or other users of the site. Reduction of this standard in PUDs is prohibited and a variance cannot be sought to reduce this requirement.
 - b. Fenced yards associated with buildings immediately adjacent to designated open space, landscaping in parking lots, or fenced stormwater facilities shall not count toward the total open space requirement.
 - c. Environmentally-constrained land within the planned unit development, including wetlands, geologically hazardous areas, fish and wildlife habitats and frequently flooded areas may be used to meet up to fifty percent of the total requirement specified in subsection (E)(1)(a) above, provided that these areas are either accessible to pedestrians to the extent practical or are visually accessible from adjacent and adjoining common open space.
2. The common open space designated to meet this requirement shall be permanently maintained by and conveyed to one of the following:
- a. A homeowners' or property owners' association as regulated by state law.
 - b. A public agency that agrees to maintain the common open space and any buildings, structures or improvements placed within it.

F. Subdivision.

When a planned unit development is combined with a division of land including a short plat, long plat or binding site plan, the requirements of ((SMC)) chapter 17G.080 SMC are required to be met, including ((chapter 17C.110.200(C) SMC)) SMC 17C.111.200(C), along with the following:

1. Lot Size Transition.

Transition requirements for lot sizes in the RA and ((RSF)) R1 zones cannot be waived or modified through the planned unit development process.

2. Through lots.

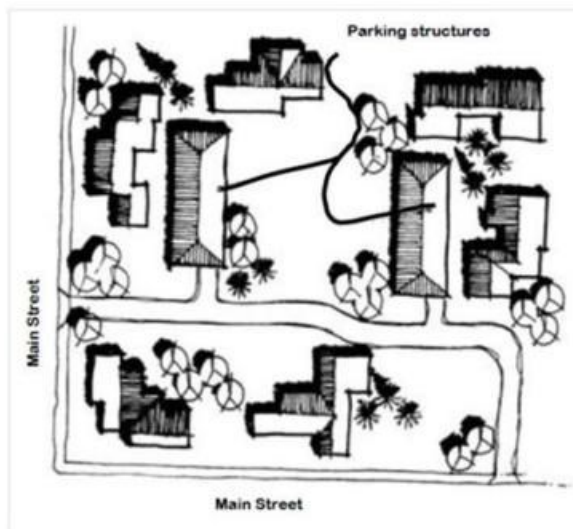
Lots shall be configured in a way that development can be oriented toward streets to increase the safety and enjoyment of pedestrians and bicyclists. A new PUD/subdivisions shall not "turn its back" on a collector, minor or principal arterial street. Through lots are allowed only where both front lot lines are on local access streets. The minimum front lot line and minimum width standards apply to one frontage of the through lot.

Section 36. That Section 17G.070.135 SMC is amended to read as follows:

17G.070.135 Compatibility with Surrounding Areas

A. Purpose.

For a PUD to be compatible with, and an integral part of the surrounding area. Although a completely homogeneous neighborhood is not necessary or desirable, a reasonable level of compatibility to the surroundings should be achieved. Diversity in style and density can help create an interesting and vibrant community. When combined with a respect for, and acknowledgment of, existing forms, siting and details, a new development can quickly "belong" in a particular community. A new development should be done in a manner that complements the existing area.



B. Design Standards.

1. The architectural style and detailing of any entrance monument, fencing materials and any structure, other than ~~((single-family))~~ single-unit detached ~~((homes))~~ dwellings, and ~~((duplexes))~~ middle housing, should incorporate significant elements and details of the architecture in the surrounding areas, particularly regarding form, size, color and materials. Chain link fencing is particularly discouraged. (P)
2. The design standards of SMC ~~((17C.110.400))~~ 17C.111.400 shall apply to any ~~((attached housing of three or more units and any multi-family))~~ multi-unit residential building within a PUD. (R)
3. The design standards of SMC ~~((17C.110.500))~~ 17C.111.500 shall apply to any common buildings within a PUD.
4. Driveways and open parking areas should be integrated into the overall design and should not be the dominant features along the street frontages. (P)
5. Parking structure entrances should preferably be accessed from streets within the development rather than from public streets and their appearance should be minimized and integrated into the overall design. (P)
6. Entrance signage shall be in character with the proposed and surrounding developments. (P)

Section 37. That there is adopted Section 17G.080.000 SMC to read as follows:

17G.080.000 Purpose and Administration**A. Purpose.**

This chapter is adopted pursuant to RCW 36.70A and RCW 58.17. It implements the provisions of chapter 36.70A RCW and serves the following purposes:

1. Ensures consistency with the City's comprehensive plan
2. Regulates the subdivision of land in a manner which promotes the public health, safety, and general welfare in accordance with the provisions of chapter 58.17 RCW.
3. Provides for the expeditious review and approval of proposed subdivisions, short subdivisions, and binding site plans which conform to the City's zoning and development regulations and the policies of the City's comprehensive plan.

B. Applicability.

This chapter shall apply to all divisions and redivisions of land for the purposes of sale, lease or transfer of ownership.

C. Administration.

The director administers, interprets, and enforces the requirements of this chapter. The director establishes administrative rules and requires the use of such forms as needed for the administration of subdivision under this chapter.

D. Exemptions.

The provisions of this chapter shall not apply to:

1. cemeteries and other burial plots while used for that purpose;
2. divisions made by testamentary provisions, or the laws of descent; provided, that newly created parcels are subject to all zoning and building code regulations in effect at the time of the application;
3. the actions of governmental agencies, such as acquiring land for the purpose of adding to existing public road rights-of-way, creation of new public road rights-of-way, or other public road construction purposes;
4. a division of land pursuant to the requirements of RCW 58.17.035 for the purpose of lease or rent when no residential structure other than mobile homes or travel trailers are permitted to be placed upon the land;
5. the creation of condominium units pursuant to chapters 64.32 or 64.34 RCW;
6. acquisition of land by the City for:
 - a. such public purposes as a park, reservoir or other public utility facility when the site is surveyed and recorded as provided in chapter 58.09 RCW; or
 - b. Additional street right-of-way;
7. an adjustment of boundary lines in accordance with the provisions of this chapter.

E. Severability.

If any provision of this chapter or its application to any person or circumstances is held invalid, the remainder of this chapter, or the application of the provision to other persons or circumstances shall not be affected.

Section 38. That Section 17G.080.010 SMC is repealed.

Section 39. That Section 17G.080.020 SMC is amended to read as follows:

17G.080.020 General Provisions

~~((A. Authority and Administration.~~

~~This chapter is adopted pursuant to chapters 36.70A and 58.17 RCW. The director is assigned the duty to administer, interpret and enforce the requirements of this chapter. The director establishes administrative rules and requires the use of such forms as needed for the administration of subdivision under this chapter.~~

~~B. Exemptions.~~

~~The provisions of this chapter shall not apply to:~~

- ~~1. cemeteries and other burial plots while used for that purpose;~~
- ~~2. divisions made by testamentary provisions, or the laws of descent; provided, that newly created parcels are subject to all zoning and building code regulations in effect at the time of the application;~~
- ~~3. the actions of governmental agencies, such as acquiring land for the purpose of adding to existing public road rights-of-way, creation of new public road rights-of-way, or other public road construction purposes;~~
- ~~4. a division of land pursuant to the requirements of RCW 58.17.035 for the purpose of lease or rent when no residential structure other than mobile homes or travel trailers are permitted to be placed upon the land;~~
- ~~5. the creation of condominium units pursuant to chapters 64.32 or 64.34 RCW;~~
- ~~6. acquisition of land by the City for:
 - ~~a. such public purposes as a park, reservoir or other public utility facility when the site is surveyed and recorded as provided in chapter 58.09 RCW; or~~
 - ~~b. Additional street right-of-way;~~~~
- ~~7. an adjustment of boundary lines in accordance with the provisions of this chapter.))~~

~~((C.))~~ A. Expiration of Approval.

A final plat, final short plat or final binding site plan meeting all requirements of Chapter 17G.080 Subdivisions shall be submitted to the director within the timelines of RCW 58.17.140. A time extension may be requested for a preliminary plat, preliminary short plat or preliminary binding site plan, as provided in subsection (L) of this section.

~~((D.))~~ B. Alteration, Vacation and Redivision of Final Plat, Short Plat or Binding Site Plan.

1. Alteration.

The alteration of any plat, short plat or binding site plan or portion thereof, except as provided in subsection (B)(7) of this section, is subject to the procedures set forth in RCW 58.17.215. The hearing examiner pursuant to chapter 17G.050 SMC shall conduct the public hearing required under this statute. When the application is for an alteration that substitutes private streets for City street/right-of-way the applicant shall:

- a. obtain approval from the director of engineering services prior to application for alteration;
- b. if the director of engineering services denies the request for private streets, the applicant may apply for a street vacation as set forth in chapter 35.79 RCW. The approval of the street vacation is required prior to a decision on the alteration by the hearing examiner.

2. Vacation.

- a. When the application is for the vacation of the City street/right-of-way, the procedures for street vacation set forth in chapter 35.79 RCW shall be utilized. The city council shall conduct the public hearing required under this statute.
- b. When the application is for the vacation of the plat together with the City streets/right-of-way the procedure for vacation set forth in RCW 58.17.212 shall be utilized. The hearing examiner pursuant to chapter 17G.050 SMC shall conduct the public hearing required under this statute.

3. Redivision of Platted Lots.

- a. The division of a lot located in a recorded plat, binding site plan or short plat shall be processed as a new application in accordance with the provisions of this chapter. Lot lines within an existing subdivision may be adjusted in accordance with the procedures for SMC 17G.080.030, Boundary line adjustment, without redivision providing that no new or substandard lots are created.
- b. When the application is for a redivision which replaces private streets with City street/right-of-way, the applicant shall:
 - i. obtain approval from the director of engineering services prior to application for redivision;
 - ii. if the director of engineering services denies the request for private streets, the applicant may apply for a street vacation as set forth in chapter 35.79 RCW. The approval of the street vacation is required prior to a decision on the redivision by the hearing examiner.

~~((E-))~~ C. Names of Plats, Short Plats and Binding Site Plans.

The name of a plat, short plat or binding site plan shall be approved by the director prior to the submittal of the final plat, short plat or binding site plan. A name that is similar to or the same as an existing recorded plat, short plat or binding site plan on file with the Spokane county auditor is not permitted. The following format shall be followed for naming plats, short plats and binding site plans:

4. Short plats: "_____ City Short Plat, File No.____."

5. Plats:

- a. City View Addition.
- b. City View 1st Addition.
- c. City View 2nd Addition.
- d. City View 3rd Addition.

6. Binding site plans: "_____ BSP, File No. _____."

~~((F-))~~ D. Street Names.

The names of all public and private streets shall be approved by the director of engineering services prior to recording of the plat, short plat or binding site plan and shall meet the requirements of chapter 17D.050 SMC.

~~((G-))~~ E. Modification to a Preliminary Plat, Short Plat or Binding Site Plan.

A request to modify a preliminary plat, short plat or binding site plan that has received preliminary approval shall be submitted to the director.

1. Substantial Modifications.

Revisions that result in a substantial change, as determined by the director, shall be treated as a new application for purposes of vesting and concurrency and shall be reviewed and approved under the same process required for a preliminary subdivision, short subdivision or binding site plan. For the purpose of this section, substantial change includes:

- a. the creation of additional lots or the inclusion of additional area; or
- b. a significant change in the proposal, including changes in points of ingress or egress; or alteration of conditions of approval that leads to significant built or natural environmental impacts that were not addressed in the original approval; or
- c. change of use ~~((-))~~ ; or
- d. modification of types or locations of Middle Housing that results in an increase in dwelling units on a lot.

2. Minor Modifications.

The following modifications are considered minor and may be approved administratively by the director:

- a. Engineering design that does not alter or eliminate features specifically required as a condition of preliminary subdivision approval;
- b. Changes in lot dimensions that are consistent with the underlying zone;
- c. A decrease in the number of lots to be created so long as the minimum lot size and minimum density of the underlying zone is maintained; or
- d. Changes in phasing plans that do not significantly impact the plat and are acceptable to the director of engineering services and non-City service providers.

~~((H-))~~ F. Monument/Survey Data Requirements for Plats, Short Plats and Binding Site Plans.

1. All final plats, short plats and binding site plans shall be surveyed and monuments installed.
2. Every final plat, short plat and binding site plan shall show the following:

- a. All monuments found, set, reset, replaced or removed, describing their kind, size and location and giving other data relating thereto.
 - b. Bearing trees, corner accessories or witness monuments, bearing and length of lines.
 - c. Any other data necessary for the intelligent interpretation of the various items and locations of the points, lines and areas shown.
 - d. Ties to adjoining surveys of record.
3. Every final plat, short plat and binding site plan shall conform to the following standards:
- a. The allowable error of mathematical closure for the final plat map shall not exceed one foot in eighty thousand feet or 0.04 feet, whichever is greater.
 - b. Bearings and lengths are to be shown for all lines; no ditto marks are to be used.
 - c. Arrows shall be used to show limits of bearings and distances whenever any chance of misinterpretation could exist.
 - d. Plat boundary and street monument lines having curves shall show radius, arc, central angle and tangent for each curve and radial bearings where curve is intersected by a non-tangent line. Spiral curves shall show chord bearing and length.
 - e. Lots along curves shall show arc length and include angle (delta) along curve and radial bearings at lot corners where the lot line is non-radial. If a curve table is provided, it shall show the included angle (delta), radius, and arc length for each segment of the curve along each lot. Radial bearings on non-radial lot lines are still required. Radial bearings shall be provided for all non-tangent curves.
4. All dimensions shall be shown in feet and hundredths of a foot. All bearings and angles shall be shown in degrees, minutes and seconds.
5. When elevations are required on the final plat, permanent bench mark(s) shall be shown on the final plat in a location and on a datum plane approved by the director of engineering services.
6. The final plat shall indicate the actual net area for each platted lot exclusive of the right-of-way. Lots one acre and over shall be shown to the closest hundredth of an acre, and all other lots shall be shown in square feet.

((+)) G. Fees.

All applications shall include the fees set forth in chapter 8.02 SMC.

((+)) H. Enforcement and Penalties.

Any person, firm, corporation or association or any agent of any person, firm, corporation or association who violates any provision of this chapter or chapter 58.17 RCW relating to the sale, offer for sale, lease or transfer of any lot, tract or parcel of land, shall be guilty of a gross misdemeanor and each sale, offer for sale, lease or transfer of each separate lot, tract or parcel of land in violation of any provision of this chapter or any local regulation adopted pursuant thereto, shall be deemed a separate and distinct offense.

((K-)) I. Appeals.

Appeals of this chapter shall be governed by chapters 17G.050 and 17G.061 SMC.

((L-)) J. Extensions of Time.

An approved preliminary subdivision, short plat and binding site plan may receive a one-time, one-year time extension.

1. The applicant shall comply with all of the following:
 - a. The extension request shall be filed with the director at least thirty days prior to the expiration of the approval.
 - b. The applicant must have finalized at least one phase.
 - c. The application shall demonstrate that construction plans have been submitted and are under review for acceptance by the City prior to submission for extension or that the applicant is in the process of installing infrastructure for the development.
 - d. The project shall be consistent with the comprehensive plan.
 - e. The applicant shall demonstrate that there are no significant changes in conditions that would render approval of the extension contrary to the public health, safety or general welfare; and
 - f. Valid concurrency certificate.
2. The director shall take one of the following actions upon receipt of a timely extension request:
 - a. Approve the extension request if no significant issues are presented under the criteria set forth in this section.
 - b. Conditionally approve the application if any significant issues presented are substantially mitigated by minor revisions to the original approval; or
 - c. Deny the extension request if any significant issues presented cannot be substantially mitigated by minor revisions to the approved plan.
3. A request for extension approval shall be processed as a Type I action under chapter ~~((17G.060))~~ 17G.061 SMC.

~~((M.))~~ K. Sunset Provision.

1. For subdivision applications with preliminary approval on or before the effective date of this ordinance, the time remaining to complete final plat approval for all lots is the remainder of the five years allowed by chapter 58.17 RCW. In this case, the applicant may receive a one-time extension of one year under the provisions of subsection (L) of this section.
2. For subdivision applications with final plat approval for one or more phases on or before the effective date of this ordinance, the time remaining to complete final plat approval for all lots is the greater of either the remainder of the five years allowed by chapter 58.17 RCW or three years from the effective date of the ordinance codified in this chapter.
3. Extensions of the Sunset Provision.

The director may grant five-year extensions to the time period under subsection (M)(2) of this section for preliminary subdivisions upon the following:

- a. An application with supporting data for a time extension request must be submitted to the director no less than thirty days prior to the expiration of the preliminary subdivision.
- b. The preliminary subdivision has a minimum of one hundred lots or dwelling units remaining to be finalized as of the effective date of the ordinance codified in this chapter.
- c. The applicant must have finalized at least one phase including the installation of infrastructure and recording of lots, by the end of the three years granted under subsection (M)(2) of this section or since the last time extension.
- d. The application shall demonstrate compliance with all of the following:
 - i. The project is consistent with the comprehensive plan.
 - ii. The project is consistent with current development standards; and
 - iii. The project has a valid concurrency certificate. This certificate may be based on a new review of the project or extension of an existing concurrency certificate.
- e. Provided all of the conditions in subsections (M)(3)(a) through (d) of this section are met, the director may include additional or altered conditions and requirements to the preliminary plat approval. A time extension granted as a result of administration delays are not subject to additional or altered conditions.
- f. The director shall issue a written decision approving or denying the time extension request and provide copies to affected agencies, the applicant and those parties requesting a copy of the decision. Appeals of the time extension shall be filed consistent with the provisions of chapter 17G.050 SMC.

Section 40. That there is adopted a new Section 17G.080.025 to Chapter 17G.080 SMC to read as follows:

17G.080.025 Decision Criteria

A. Purpose.

This section establishes conditions for approval or disapproval of land divisions.

B. Burden of Evidence.

The burden is upon the applicant to present sufficient evidence relevant to the appropriate criteria in support of the application. The decision-maker must make affirmative findings of fact relative to each criterion or the application must be denied.

C. Concurrency.

The proposed subdivision shall make appropriate (in terms of capacity and concurrency) provisions for:

1. public health, safety and welfare;
2. open spaces;
3. drainage ways;
4. streets, roads, alleys, and other public ways;
5. transit stops;
6. potable water supplies;
7. sanitary wastes;
8. parks, recreation, and playgrounds;
9. schools and school grounds; and
10. sidewalks, pathways, and other features that assure safe walking conditions.

Section 41. That Section 17G.080.040 SMC is amended to read as follows:

17G.080.040 Short Subdivisions

A. Predevelopment Meeting

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

B. Preliminary Short Plat Application and Map Requirements

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

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

2. Contents of Preliminary Short Plat Map

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

- a. Plat name and the name of any subdivision to be replatted.
- b. The name, mailing address and phone number of the owner and the person with whom official contact should be made regarding the application.
- c. Surveyor's name, mailing address, and phone number.
- d. Legal description.
- e. Section, township, and range.
- f. Vicinity map.
- g. North arrow, scale and date.
- h. Datum plane.
- i. Acreage.
- j. Number of lots ~~((and))~~, proposed density, and number of housing units.
- k. Zoning designation.
- l. The boundary lines of the proposed subdivision.
- m. City limits and section lines.
- n. Park or open space (if proposed).
- o. Existing topography at two-foot maximum interval.
- p. The boundaries and approximate dimensions of all blocks and lots, ~~((together with the numbers proposed to be assigned each lot and block, and the dimensions, square footage and acreage of all proposed lots and tracts.))~~ along with the following information:
 - i. the numbers proposed to be assigned each lot and block;
 - ii. the dimensions, square footage, and acreage of all proposed lots and tracts; and
 - iii. for residential lots zoned R1 or R2, the proposed Middle Housing types, included single-unit detached houses, and total number of proposed units on all proposed lots.
- q. Proposed names of streets.
- r. The location and widths of streets, alleys, rights-of-way, easements (both public and private), turn around and emergency access, parks and open spaces.
- s. Conditions of adjacent property, platted or unplatted, and if platted, giving the name of the subdivision. If the proposed short plat is the subdivision of a portion of an existing plat, the approximate lines of the existing plat are to be shown along with any and all recorded covenants and easements.
- t. The names and address of the record owners and taxpayers of each parcel adjoining the subdivision.
- u. Indicate any street grades in excess of eight percent.
- v. The location and, where ascertainable, sizes of all permanent buildings, wells, wellhead protection areas, sewage disposal systems, water courses, bodies of water, flood zones, culverts, bridges, structures, overhead and underground

utilities, railroad lines, and other features existing upon, over or under the land proposed to be subdivided, and identifying any which are to be retained or removed.

- w. Proposed one-foot strips for right-of-way conveyed to the City, in cases where a proposed public street or alley abuts unplatted land.
- x. If a body of water forms the boundary of the plat, the ordinary high water mark as defined in chapter 90.58 RCW.
- y. Critical areas as defined in chapters 17E.020, 17E.030, 17E.070 and 17G.030 SMC.
- z. Significant historic, cultural or archaeological resources; and
- aa. If the proposal is located in an irrigation district, the irrigation district name.

C. Review of Preliminary Short Plat

1. The application shall be reviewed in accordance with the procedures set forth in chapter ~~((17G.060))~~ 17G.061 SMC for a Type II application, except an application that meets the requirements for minor engineering review as provided in subsection (2) of this section shall be excluded from the public notice requirements contained in SMC ~~((17G.060.110))~~ 17G.061.210 ~~((through 17G.060.120))~~ and public comment period under SMC ~~((17G.060.130))~~ 17G.061.220.

2. Minor Engineering Review.

- a. A preliminary short plat application may qualify for a ~~((minor engineering review))~~ Minor Engineering Review if it meets all of the following conditions:

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

- b. The City Engineer is authorized to waive conditions ii through vi of the subsection (a) if the application substantially meets the intent of the Minor Engineering Review.

D. Public Notice And Public Comment.

All public notice of the application and opportunities for public comment shall be given in accordance with the procedures set forth in ~~((chapter 17G.060 SMC))~~ chapter 17G.061 SMC for a Type II application ~~((, except a short plat that meets the requirements for minor engineering review as provided in subsection (C)(2) of this section shall not require a notice of application)).~~

1. Exceptions.

- a. A short plat that meets the requirements of Minor Engineering Review as provided in subsection (C)(2) of this section shall not require a notice of application.
- b. A short plat that is categorically exempt from SEPA and results in four or fewer lots shall not require a posted or signed notice of application.

E. Preliminary Short Plat Approval Criteria.

Prior to approval of a short plat application, the director shall find the application to be in the public use and interest, conform to applicable land use controls and the comprehensive plan of the City, and the approval criteria set forth in ~~((chapter 17G.060 SMC))~~ chapter 17G.061 SMC. The director has the authority to approve or disapprove a proposed preliminary short plat under the provisions of this chapter, subject to appeal as provided in chapters 17F.050 and ~~((17G.060 SMC))~~ 17G.061 SMC.

F. Final Short Plat Review Procedure

1. The subdivider shall submit to the director for review the following:
 - a. A final short plat, prepared by a registered land surveyor licensed in the state of Washington, consistent with the approved preliminary short plat.
 - b. A title report less than thirty days old confirming that the title of the lands as described and shown on said plat is in the name of the owners signing the certificate or instrument of dedication.
 - c. Covenants, conditions and restrictions, if applicable; and
 - d. Fees pursuant to chapter 8.02 SMC.
2. Within thirty days, unless the applicant has consented to a longer period of time, of receipt of a proposed final short plat, the director shall review the plat for conformance with all conditions of the preliminary short plat approval, the requirements of this chapter and that arrangements have been made to insure the construction of required improvements. If all such conditions are met, the director shall approve the final short plat and authorize the recording of the plat. If all conditions are not met, the director shall provide the applicant in writing a statement of the necessary changes to bring the final short plat into conformance with the conditions.
 - a. If the final short plat is required to be resubmitted, the subdivider is required to provide the following:

- b. A cover letter addressing the corrections, additions or modifications required.
 - c. Title report no older than thirty days from issuance of a title company conforming that the title of the lands as described and shown on said plat is in the name of the owners signing the certificate or instrument of dedication; and
 - d. The required number of copies of the corrected final short plat map.
3. If the final short plat is approved, the surveyor causes the plat to be signed by the Spokane county treasurer and file of record with the Spokane county auditor. The surveyor is required to file the appropriate number of mylar and bond copies of the recorded short plat with the director.

G. Final Short Plat Map Requirements

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

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

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

Signed _____ (Seal)"
 - b. A certification by the city treasurer, as applicable:
 - i. "I hereby certify that the land described by this plat, as of the date of this certification, is not subject to any local improvement assessments. Examined and approved, this _____ day of _____, 20__.
 - _____
City of Spokane Treasurer"
 - ii. "I hereby certify that the land described by this plat, as of the date of this certificate, is not subject to any delinquent local improvement assessment. Future installments, if any, shall remain due and payable and it shall be the responsibility of the owners to initiate the segregation of the LID assessment. Examined and approved, this _____ day of _____, 20__.
 - _____
City of Spokane Treasurer"
 - iii. "A preliminary local improvement assessment exists against this property. It shall be the responsibility of the owner's to initiate the segregation of the LID assessment. After this assessment is finalized, it shall be due and payable. Examined and approved this _____ day of _____, 20__.
 - _____
City of Spokane Treasurer"
 - c. The certification by the planning director, as follows:

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

City of Spokane Planning Director"
 - d. The certification by the city engineer, as follows:

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

City of Spokane Engineer"
 - e. The certification by the Spokane county treasurer, as follows:

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

Spokane County Treasurer"
 - f. The certification by the Spokane county auditor on each page of the final short plat including the time, date, book and page number of the recording of the final mylar.
 - g. Signature of every owner certifying that:
 - i. the plat is made with the free consent and in accordance with the desires of the owners of the land;
 - ii. the owners are the owners of the property and the only parties having interest in the land and is not encumbered by any delinquent taxes or assessments;
 - iii. the owners adopt the plan of lots, blocks and streets shown;

- iv. owner dedicates to the City and the City's permittees the easements shown for utilities and cable television purposes;
- v. owner dedicates to the City the streets, alleys and other public places, including slope and construction easements and waives all claims for damages against any governmental authority including, without limitation, the City which may be occasioned to the adjacent land by the establishment, construction, drainage and maintenance of any public way so dedicated; and
- vi. owner conveys to the City as general City property the buffer strips adjoining unplatted property.

h. The drawing shall:

- i. be a legibly drawn, printed or reproduced permanent map;
- ii. if more than one sheet is required, each sheet shall show sheet numbers for the total sheets;
- iii. have margins that comply with the standards of the Spokane county auditor;
- iv. show in dashed lines the existing plat being replatted, if applicable;
- v. show monuments in accordance with SMC 17G.080.020(H)(1);
- vi. include any other information required by the conditions of approval; and
- vii. include any special statements of approval required from governmental agencies, including those pertaining to flood hazard areas, shorelines, critical areas and connections to adjacent state highways.

H. Filing.

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

I. Redivision.

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

Section 42. That Section 17G.080.050 SMC is amended to read as follows:

17G.080.050 Subdivisions

A. Predevelopment Meeting.

A predevelopment meeting is recommended for any preliminary subdivision proposal. The purpose of a predevelopment meeting is to acquaint the applicant with the applicable provision of this chapter, minimum submission requirements and other plans or regulations, which may impact the proposal.

B. Community Meeting and Public Notice.

Prior to submittal of the application, the applicant shall conduct a community meeting. The applicant shall hold the community meeting no more than one hundred twenty days prior to the submittal of the application. The notice and format of the meeting shall be in accordance with chapter ~~((17G.060))~~ 17G.061 SMC.

All public notice of the application shall be given in accordance with the procedures set forth in chapter ~~((17G.060))~~ 17G.061 SMC for a Type III application.

C. Preliminary Plat Application and Map Requirements

1. Application Requirements.

Applications for approval of a preliminary plat shall be filed with the director. All applications shall be submitted on forms provided for such purpose by the department. The director may waive specific submittal requirements determined to be unnecessary for review of the application. The application shall be same in form and content as a short plat as provided in SMC 17G.080.040(B)(1).

2. Contents of Preliminary Plat Map.

The preliminary plat shall be prepared by a land surveyor and shall be the same in form and content as a short plat as provided in SMC 17G.080.040(B)(2).

D. Review of Preliminary Plat.

The application shall be reviewed in accordance with the procedures set forth in chapter ~~((17G.060))~~ 17G.061 SMC for a Type III application.

E. Preliminary Plat Approval Criteria.

Prior to approval of a plat application, the hearing examiner shall find the application to be in the public use and interest, conform to applicable land use controls and the comprehensive plan of the City, and the approval criteria set forth in ~~((chapter 17G.060))~~

SMC 17G.080.025. The hearing examiner has the authority to approve or disapprove a proposed preliminary plat under the provisions of this chapter, subject to appeal as provided in chapter ~~((17G.060))~~ 17G.061 SMC.

F. Phasing

A subdivision may be developed in phases. A master phasing plan should be submitted with the preliminary plat for approval by the hearing examiner. A preliminary plat that has received preliminary approval may be subsequently modified to be developed in phases, subject to approval of the director. The master phasing plan may be approved provided:

1. the phasing plan includes all land identified within the boundary of the plat;
2. the sequence of the phased development is identified on the plan;
3. each phase has reasonable public or private infrastructure to support the number of lots contained in that phase;
4. each phase constitutes an independent planning unit with facilities, adequate circulation, and any requirements established for the entire plat;
5. any unfinalized portion meets the minimum lot size of the underlying zone for the proposed use; and the director of engineering services approves the necessary documents so that all road improvement requirements are assured for that phase; and
6. blocks are wholly contained within any individual phase.

G. Final Plat Review Procedure

The final plat procedures shall be the same in form as the short plat review procedure as provided in SMC 17G.080.040.

H. Final Plat Map Requirements

The subdivider shall submit to the director a final plat in the same form and with the same content as the preliminary plat, with the following exceptions or additional requirements:

1. A final plat shall contain all the information required of the preliminary plat, except the following:
 - a. Show existing buildings.
 - b. Show existing utility lines and underground structures.
 - c. Show the topographical elevations; or
 - d. Contain the names and addresses of adjoining landowners.
2. The final plat shall include the signatory statements as prescribed in SMC 17G.080.040(G)(2) including the following:
 - a. The certification of the hearing examiner, on behalf of the city council, as follows:

"This plat has been reviewed on this _____ day of _____, 20__ and is found to be in full compliance with all the conditions of approval stipulated in the Hearing Examiner's approval of preliminary plat # -PP/PUD.

Hearing Examiner"

I. Filing

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

Section 43. That Section 17G.080.060 SMC is amended to read as follows:

17G.080.060 Binding Site Plan

A. Purpose.

The purpose of this section is to allow for the more flexible creation of lots within an overall development site plan.

~~((A-))~~ B. Predevelopment Meeting.

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

~~((B-))~~ C. Preliminary Binding Site Plan Application and Map Requirements.

1. A binding site plan may ~~((only))~~ be used for divisions of land in ~~((commercial or industrial))~~ all zones. Applications for approval of a preliminary binding site plan shall be filed with the director. All applications shall be submitted on forms provided for such purpose by the department. The director may waive specific submittal requirements determined to be unnecessary for review of the application. The application shall be same in form and contents as a short plat as provided in SMC 17G.080.040(B)(1).
2. Contents of Preliminary Binding Site Plan.

The preliminary binding site plan shall be prepared by a land surveyor and shall be the same in form and content as a short plat as provided in SMC 17G.080.040(B)(2) with the following additions:

- a. Proposed building footprints;
- b. Proposed street accesses;
- c. Proposed parking and internal vehicle circulation;
- d. Proposed pedestrian pathways;
- e. Proposed landscaped areas; and
- f. Proposed stormwater facilities.

~~((G-))~~ D. Public Notice

All public notice of the application shall be given in accordance with the procedures set forth in chapter ~~((17G.060))~~ 17C.061 SMC for a Type II application.

~~((D-))~~ E. Departmental Review of Preliminary Binding Site Plan

The application shall be reviewed in accordance with the procedures set forth in chapter ~~((17G.060))~~ 17G.061 SMC for a Type II application.

~~((E-))~~ F. Preliminary Binding Site Plan Decision Criteria

Prior to approval of the application, the director shall find the application to be in the public use and interest, conform to applicable land use controls and the comprehensive plan of the City, and the decision criteria set forth in SMC ~~((17G.060.170(C) and (D) (4)))~~ 17G.080.025. The director has the authority to approve or disapprove a proposed preliminary binding site plan under the provisions of this chapter, subject to appeal as provided in chapter ~~((17G.060))~~ 17G.061 SMC.

~~((F-))~~ G. Final Binding Site Plan Review Procedure

The final binding site plan procedures shall be the same in form ~~((and))~~ as the short plat review procedure as provided in SMC 17G.080.040(G).

~~((F-))~~ G. Final Binding Site Plan Requirements.

The subdivider shall submit to the director a final binding site plan in the same form and with the same content as the preliminary binding site plan, with the following exceptions or additional requirements:

1. A final binding site plan shall contain all the information required of the preliminary plan, except the following:
 - a. Show existing buildings.
 - b. Show existing utility lines and underground structures.
 - c. Show the topographical elevations; or
 - d. Contain the names and addresses of adjoining landowners.
2. The final binding site plan shall include the signatory statements as provided in SMC 17G.080.040(G)(2).

~~((H-))~~ I. Filing

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

~~((I-))~~ J. Creation of Additional Lots in Final Binding Site Plan

A survey may be filed following the recording of a final binding site plan to create additional lots within the boundaries of the final binding site plan, consistent with the preliminary binding site plan approval, conditions and expiration provisions (SMC 17G.080.020(C)). The survey shall be reviewed and approved by the director pursuant to subsections (F) and (G) of this section. In addition, the survey shall conform to the following:

1. Title shall state: "Amendment to BSP-____-____."
2. The binding site plan file number shall be referenced.

3. A distinct wide boundary line shall delineate the boundary of the lot(s) being created. The boundary of the binding site plan shall be indicated and any lot(s) that have been created by filing of the final binding site plan and/or record of survey.
4. Each lot shall be numbered consecutively, and the size of each lot shall be indicated on the survey; and
5. A revision block listing all previously recorded surveys and the date of recording.

Section 44. That Section 17G.080.065 SMC is amended to read as follows:

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

A. Purpose.

The purpose of these provisions is to allow for the more flexible creation of lots (~~((for alternative residential development as described in SMC 17C.110.300))~~) of varying sizes and types, including for attached housing, cottage housing, 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 lots resulting from the subdivision.

B. Applicability.

~~((The types of development that may use the alternative residential subdivision are:))~~ A unit lot subdivision creates a relationship between the parent site and each lot created, referred to as a "child" lot.

~~((1. Cottage housing projects approved under SMC 17C.110.350;~~

~~2. Housing developed under SMC 17C.110.360 Pocket Residential Development; or~~

~~3. A similar existing development that consists of multiple dwelling units on a single parcel or site, provided that such existing structures shall comply with applicable building and fire code.))~~

1. Unit Lot Subdivisions are allowed for all residential development on parent sites of two acres or less. Subdivisions with a commercial or other non-residential use seeking similar flexibility must be approved through another platting action under chapter 17G.080 SMC.

2. A unit lot subdivision may be used in any development with two or more dwelling units meeting the standards of this section.

3. A unit lot subdivision may also be used to subdivide an accessory dwelling unit from the principal structure, subject to the additional standards in subsection F of this section.

4. A unit lot subdivision may be combined with a subdivision or short subdivision so long as the portion of the development utilizing this section meets the requirements of this section.

C. Application Procedure.

~~((Alternative residential))~~ Unit lot subdivisions ~~((ef))~~ resulting in 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))~~ chapter 17G.061 SMC.

D. General Regulations.

1. ((An alternative residential)) A unit lot subdivision 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, SMC 17C.110.360 Pocket Residential Development, or design standards of SMC 17C.110.400 through 17C.110.465 for attached housing in RMF and RHD zones, and the provisions of this section. As a result of the alternative residential subdivision, development on individual lots may be nonconforming as to some or all of the development standards based on analysis of the individual 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 existing dwelling units do not comply with development standards (i.e.: minimum building setbacks, maximum density, etc.), a 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)) parent lot's zoning, including but not limited to:

- a. Setbacks;
- b. Lot size;
- c. Building frontage; and
- d. Floor area ratio;

2. All buildings shall meet all applicable provisions of the building and fire code;

~~((2-))~~ 3. ((Alternative residential)) Lots created through a unit lot ((subdivisions)) subdivision shall be subject to all applicable requirements of Title 17 SMC, except as otherwise modified by this section;

~~((3-))~~ 4. Each child lot's area and width for purposes of subdivision may be as small as the footprint of the ((individual dwelling unit)) building situated upon it, subject to the requirements of the building and fire code;

- ~~((4-))~~ 5. Portions of the parent site not subdivided for ~~((individual))~~ child lots shall be identified as Tracts and owned in common by the owners of the ~~((individual))~~ child lots ~~((, or by))~~. For example, a homeowners association comprised of the owners of the ~~((individual))~~ child lots located within the parent site. This requirement shall be included in deed restrictions as required in ~~((paragraph 7))~~ subsection E of this section;
6. The parent site and each child lot shall make adequate provisions for ingress, egress, and utility access to and from each 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.
7. Separation requirements for utilities must be met.
8. Driveways providing vehicle access to lots shall not serve more than nine (9) units unless approved by the City Engineer.
- ~~((9- Maximum building coverage of the aggregate buildings located upon the parent site shall not exceed the maximum building coverage permitted by the underlying zone;~~

~~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 lot lines which are interior to the perimeter of the parent site; provided, however, that any structure located upon a lot created hereunder shall comply with the setbacks applicable to the underlying site development plan;~~

~~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; 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 alternative residential subdivision shall make adequate provisions for ingress, egress and utilities access to and from each 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.~~

~~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. Additional development of the individual 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.))~~

E. Recording.

1. The plat recorded with the county auditor's office shall include the following:

- a. 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 for use and maintenance of common garage, parking and vehicle access areas; on-site recreation; landscaping; utilities; common open space; exterior building facades and roofs; and other similar features.
- b. A note that approval of the subdivision was granted by the review of the site as a whole (stating the subject project file number if applicable);
- c. A note that 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;
- d. A note stating that 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;
- e. A note that additional development of the individual lots may be limited as a result of the application of development standards to the parent site.

2. The legal description of each lot shall identify it as part of a unit lot subdivision.

F. Accessory Dwelling Units.

A lot with an accessory dwelling unit may be subdivided under this section with the following additional requirements:

1. All utility lines for the accessory dwelling unit must branch from a common line on a portion of the parent site owned in common. A utility line for the accessory dwelling unit shall not cross another child parcel without approval of the City Engineer.
2. The plat recorded with the county auditor's office shall further specify the following:
 - a. The child lot that is associated with the accessory dwelling unit;
 - b. That the child lot associated with the accessory dwelling unit is subject to any and all additional regulations of an accessory dwelling unit under the Spokane Municipal Code.
3. The legal description of a lot for an accessory dwelling unit shall identify the lot as an accessory dwelling unit within a unit lot subdivision.

Section 45. That Section 17G.080.080 SMC is repealed.

Section 46. Effective Date. This ordinance shall take effect and be in force on January 1, 2024.

Section 47. That the City of Spokane Clerk is granted the authority to make clerical adjustments to SMC Title 17 to ensure internal consistency by updating items related to this ordinance, including:

- Replacing all instances of RSF (Residential Single-Family) with R1 (Residential 1)
- Replacing all instances of RTF (Residential Two Family) with R2 (Residential 2).
- Remove all references to RSF-C (Residential Single-Family Compact).
- Updating all references to sections of code affected by these changes to ensure they identify the correct code section and subsection.
- Updating all table numbers and table references to be consistent with the usage established in this ordinance, which is to number tables with the title, chapter, and section, followed by a dash and a sequential number.

Section 48. Savings Clause. Title 17C.110, which is repealed by this ordinance, shall remain in force and effect until the effective date of this ordinance.

Section 49. Savings Clause. Title 17C.110T, which is repealed by this ordinance, shall remain in force and effect until the effective date of this ordinance.

Section 50. Savings Clause. Title 17G.060, which is repealed by this ordinance, shall remain in force and effect until the effective date of this ordinance.

Section 51. Savings Clause. SMC 17G.080.080, which is repealed by this ordinance, shall remain in force and effect until the effective date of this ordinance.

Section 52. 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.

ORDINANCE NO. C36461

AN ORDINANCE relating to General Facilities Charges (GFCs) for public utilities and services; amending SMC sections 13.03.0730, 13.03.0732, and 13.03.0734 to chapter 13.03 of the Spokane Municipal Code; and 13.04.2040, 13.04.2042, and 13.04.2044 to chapter 13.04 of the Spokane Municipal Code; and setting an effective date.

WHEREAS, the Spokane City Council approved Ordinance C-36372 in March 2023 which updated GFC charges for both sewer and water, whereby GFC charges were phased in over a 2 year period; and

WHEREAS, Council requested that staff complete additional education and outreach to gather more feedback and include additional stakeholder groups on the changes that were approved to determine if additional changes were needed; and

WHEREAS, a Mayor's Review Committee was established in spring 2023 and consisted of representatives from a wide range of interests, including developers, non-governmental organizations and neighborhood representatives; and

WHEREAS, this Review Committee did an in depth review and focused on four (4) key topics: (1) Interest – whether interest should be included in the GFC calculations; (2) Zones – whether there should be 2 zones or one single zone for water GFC charges; (3) Methodology (Meter Capacity Equivalents-MCEs or Equivalent Residential Units-ERUs) for calculating GFC charges; and (4) Phase In – whether the newly adopted GFC charges should be phased in over time; and

WHEREAS, while it was not the intent of this Review Committee to reach consensus, the Review Committee did reach full consensus on two (2) topics. Consensus was (1) approval of a 5/8-inch meter option, so long as certain conditions were met, such as low water usage through Spokanescape and a small fixture count; and (2) providing incentives; and

WHEREAS, the Review Committee held six (6) separate meetings over five (5) months. Additional meetings were as follows:

Equity Subcommittee	August 1, 2023
Sustainability Action Subcommittee	June 6, 2023
Housing Action Subcommittee	June 15, 2023
Spokane Low Income Housing Consortium	August 16, 2023
Northeast Public Development Authority	April 14 & May 12, 2023
West Plains Public Development Authority	March 9, 2023
Associated General Contractors (AGC)	May 31, 2023
Council PIES Committee	Monthly starting in April 2023
Plan Commission Workshop 1	September 27, 2023
Plan Commission Workshop 2	October 11, 2023
Plan Commission Hearing	October 25, 2023

WHEREAS, the Spokane City Plan Commission provided another point of community input and feedback and held two (2) workshops and a public hearing as outlined above; and

WHEREAS, following all the stakeholder input, the staff recommendation to Council is to combine the Upper and Lower Zones for the Water GFC and create a city-wide Water GFC charge, which is reflected in SMC 13.04.2044, Appendix A- Water GFC; and

WHEREAS, as provided for in SMC 13.04.2042, a comprehensive review and update of GFC charges should be conducted at least every (5) years, but no more frequently than three (3) years. At that time, it is the intent for there to be a reevaluation of single zone versus two zones for the Water GFC; and

WHEREAS, Chapter 13.03 SMC and Chapter 13.04 SMC, as amended by this Ordinance, is consistent with the City's Comprehensive Plan, which recognizes GFC charges as a mechanism to fund growth-related capital improvements so new growth and development activity that has an impact upon utility facilities pays a proportionate share of the cost of facilities that reasonably benefit the development; and

WHEREAS, without appropriate GFCs, the cost of constructing new water and sewer capacity for growth would result in a higher burden on customers and ratepayers already connected to these utility systems; and

NOW, THEREFORE,

The City of Spokane does ordain:

Section 1: That SMC section 13.03.0730 is amended to read as follows:

13.03.0730 Wastewater General Facilities Charge General Provision – Long Connections

- A. There is hereby imposed a wastewater General Facilities Charge (GFC). The GFC is a utility rate surcharge assessed at the time of connection or service upgrade. Its purpose is to defray costs to the general utility system as a result of new system demand, such as costs of providing increased system capacity for new or increased demand and other capital costs. The GFC program is separate from local improvement districts, latecomer charges or other special connection charges.
- B. The GFC charge is collected at the time of connection, time of application for a building permit, or other time as deemed most administratively convenient by the director and shall be considered a contribution to capital and not a cost of providing service.
 1. The amount of the wastewater GFC for wastewater (sewer) utility connections will be based on water meter size for domestic water service to the premises, since water meter size provides a measure of domestic water use and, correspondingly, wastewater generated.
 2. In case of a planned unit development, binding site plan, or other circumstance where a new direct customer connection is not made to the sewer system, but where there is the effect of a new dwelling unit or customer demand increase, as where new dwelling units are added to a master meter account, a GFC shall be assessed in like manner as if the demand upgrade were through a direct new customer connection unless the applicable GFC charge was previously included in the purchase of the master meter. New dwelling units shall include without limitation, accessory dwelling units (ADU) and other residential units co-located on a property as these additions have a direct impact on the utility system. ((Any existing connection shall be counted toward the GFC such that the charge is only for the differential between existing and new meter sizes. A customer demand increase or addition of new units that does not require an increase in meter size does not incur a GFC.))

3. For water service connections not included in a master meter account, any existing connection should be counted toward the GFC such that the charge is only for the differential between existing and new meter sizes. A customer demand increase or addition of new units that does not require an increase in meter size does not incur a GFC.
4. For those situations where an existing customer requests an increase or larger meter size, the GFC will be assessed based on the current cost difference between the existing meter size and the new size requested.
5. If there is an existing water service or new water service installed to serve a parcel and more than one City meter is installed to serve units on the parcel, a GFC will be assessed for each additional City meter based on size and current GFC costs.

C. Long Connection Option.

1. When a customer near an area with existing utility service desires to connect to such utility service where lines have not yet been extended for direct service to the customer's area or property (a "long connection"), the director may allow a long connection to existing facilities. The decision to allow a long connection is discretionary, considering the needs of the existing customers, the limits of the current system or any other appropriate factors.
2. As a condition of a long connection, the customer must satisfy any conditions imposed by the director, including obtaining any necessary easements, payment of all costs of additional installations, and payment of a non-refundable charge determined by the director based on engineering principles estimated to be what the customer would be required to pay if connection were deferred until direct service became available.
 - a. Such charge may be accepted as a nonrefundable prepayment for the size of the connection furnished.
 - b. This option may also be applied to upgrades.

Section 2: That SMC section 13.03.0732 is amended to read as follows:

13.03.0732 Wastewater General Facilities Charge (GFC) –Schedule of Charges

A. Findings – General Facilities Charge.

The City Council finds:

1. General facilities charges are intended to defray costs created by new system demand, such as costs of providing increased system capacity for new or increased demand and other capital costs associated with new connections and equitable share of the cost of the system.
2. There is a system-wide benefit, served by a uniform, adjustable GFC, in encouraging system growth considering that expanding the overall customer rate base and customer densities will reduce fixed costs which must otherwise be spread over all classes of ratepayers.
3. It is in the public interest that those adding additional costs or burdens to the City sewer system by creating need and demand for new system growth and infill needs in the City sewer system should pay uniform GFC for all new or upgraded utility service.
- ~~((4. Furthermore, it is not in the public interest to ((continue to)) waive GFCs, because without adequate GFCs, the City's current utility customers bear the burden of paying for new capacity to serve growth and a fund should be established to cover the cost of all or a portion of GFCs for certain development projects, including permanent affordable housing.))~~
4. The City's policy is to not waive GFCs. However, offset of the developer's cost of the GFC will be identified from non-utility revenue sources, such as grant dollars or other general fund revenues. Such offset must be clearly identified and paid by the other source at time of application for connection, application for a building permit, or as otherwise ordered by the Director of Public Works.

B. Charge for new service or new upgrades

1. For new service or new upgrades to existing service from the City sewer system, a wastewater GFC is assessed as provided based on the schedules in [SMC 13.03.0734](#). The charge will be based on the water meter size that would otherwise be required for the facility without fire flow and/or irrigation flow.
 - a. Upgrades are charged at the current difference between the old and new connection size charges.
2. The GFC is to be used to finance improvements to address impacts to the system created by new system growth and infill needs created by new or upgraded customers.
3. Annual Increase: The GFC Charges in [SMC 13.03.0734](#) are generated from an analytical analysis, one copy which shall be kept on file with the office of the city clerk and which was adopted and incorporated herein by reference. GFC charges in [SMC 13.03.0734](#) will increase annually based on ((a five-year rolling average of)) the ~~((Engineering News-Record Construction Cost Index))~~ Engineering News-Record Index (ENR) calculated by City Staff, from October to October for the previous year. This annual increase will start ~~((January 1))~~ March 5, 2024, and occur each January 1 thereafter. The City will

publish a public rule update with the new GFC charge by January 1st of each year. Comprehensive review and update of GFC charges should be conducted at least every (5) years, but no more frequently than three (3) years.

4. Adjustments.

Prior Payment of Similar Charges: The charge for a wastewater connection can be adjusted for facilities with water tap sizes two inches and greater when the tap size also accounts for fire flow and/or irrigation flow upon a showing of prior payment of similar charges, or for other sound considerations of fairness, as determined by the Wastewater Management Director.

- a. To be eligible for such adjustment, a party required to pay a wastewater GFC must submit a written application to the Wastewater Management Director, together with any supporting materials and explanation. The Wastewater Management Director must receive such materials at the time of application for connection of the subject premises.
 - b. No adjustment may exceed the amount of the GFC applicable to the connection requested.
5. The wastewater GFC applies in addition to all other connection, permit or other fees required by this code or elsewhere, to parties seeking to connect premises who have not paid an equitable share of the cost of the City's sewer system as determined by the Wastewater Management Director.
6. The charge is due and payable in full at the time of application for connection or as otherwise ordered by the Director of Public Works.
7. The Wastewater Management Director may record appropriate notice with the county auditor concerning areas subject to the wastewater GFC in accord with RCW 65.08.170 and RCW 65.08.180, as applicable.
8. Any offset of GFC Charges shall be through non-utility revenue sources such as grant dollars or general fund dollars. The qualifications for such offset are established in ((In response to the ongoing local and national housing crisis, the City Council has decided to provide relief to residents and businesses by ((waiving)) offsetting all applicable fees within this section ((13.04.2042)) which are associated with the construction of ADUs on lots located at least partially within ½ mile of a Center or Corridor, Context Area, or Downtown zone or CC3 zoning overlay. Distances are measured in a straight line between the zone/overlay boundary to the lot line of the site containing the development)) Public Rule XXXXX.
9. ~~((In response to the ongoing local and national housing crisis, the City shall defer or waive all applicable fees in this section for the construction of affordable housing.~~
- a. ~~For a project that qualifies for the twelve year exemption under the Multiple family Housing Property Tax Exemption as described in SMC 08.15.090, fees under this section shall be deferred for the life of the property tax exemption. Projects that maintain qualifying status for the entire twelve year period shall have fees under this section waived at the end of the twelve year period.~~
 - b. ~~For a project that qualifies for the twenty year exemption under the Multiple family Housing Property Tax Exemption as described in SMC 08.15.090, fees under this section shall be deferred for the life of the property tax exemption. Projects that maintain qualifying status for the entire twenty year period shall have fees under this section waived at the end of the twenty year period.~~
 - c. ~~For a project that qualifies for the sales and use tax exemption under the Sales and Use Tax Deferral Program for Affordable Housing as described in SMC 08.07D, fees under this section shall be deferred for the life of the sales and use tax exemption. Projects that maintain qualifying status for the entire ten year period shall have fees under this section waived at the end of the ten year period.~~
 - d. ~~For projects receiving funding through state, or federal programs for affordable housing, fees under this section shall be offset with non-utility funds to pay for the projects GFC obligation waived.~~
 - e. ~~For projects on property with a covenant to limit sales to low income households earning no more than 80 percent of the area median income or deferrals as listed above, fees under this section shall be waived, so long as affordability is retained for a minimum of 50 years))~~
10. Any future incentives, waivers, offsets, or deferral of GFC charges ~~((should))~~ will be funded through payments from other funding sources. Incentives, waivers, and deferral ~~((should))~~ will not result in lost revenue to the Utility for new system capacity.

Section 3. That SMC section 13.03.0734 is amended to read as follows:

13.03.0734 Appendix A – General Facilities Charge Schedule

Appendix A – Wastewater General Facilities Charge Schedule

Section 4: That SMC section 13.04.2040 is amended to read as follows:

13.04.2040 Water General Facilities Charge General Provision – Long Connections

- A. There is hereby imposed a water general facilities charge (GFC). The GFC is a utility rate surcharge assessed at the time of connection or service upgrade. Its purpose is to defray costs to the general utility system created by new system demand, such

as costs of providing increased system capacity for new or increased demand and other capital costs. The GFC program is separate from local improvement districts, latecomer charges or other special connection charges.

B. The GFC is collected at the time of connection, application for a building permit or other time as deemed most administratively convenient by the director and shall be considered a contribution to capital and not a cost of providing service.

1. The amount of the GFC for water utility connections will be based on water meter size for domestic and irrigation water service to the premises, not including fire flow.
2. In case of a planned unit development, binding site plan, or other circumstance where a new direct customer connection is not made to the water system, but where there is the effect of a new dwelling unit or customer demand increase, as where new dwelling units are added to a master meter account, a GFC shall be assessed in like manner as if the demand upgrade were through a direct new customer connection unless the applicable GFC charge was previously included in the purchase of the master meter. New dwelling unit shall include without limitation accessory dwelling units (ADU) and other residential units co-located on a property as these additions have a direct impact on the utility system. ~~((Any existing connection shall be counted toward the GFC such that the charge is only for the differential between existing and new meter sizes. A customer demand increase or addition of new units that does not require an increase in meter size does not incur a GFC.))~~
3. For water service connections not included in a master meter account, any existing connection shall be counted toward the GFC such that the charge is only for the differential between existing and new meter sizes. A customer demand increase or addition of new units that does not require an increase in meter size does not incur a GFC.
- ~~((3))~~ 4. For those situations where an existing customer requests an increase or larger meter size, the GFC will be assessed based on the current cost difference between the existing meter size and the new size requested.
5. If there is an existing water service or new water service constructed to serve a parcel and more than one City meter is installed to serve units on the parcel, a GFC will be assessed for each additional City meter based on size and current GFC costs.

C. Long Connection Option.

1. Where a customer near an area with existing utility service desires to connect to such utility service where lines have not yet been extended for direct service to the customer's area or property (a "long connection"), the director may allow a long connection to existing facilities. The decision to allow a long connection is discretionary, considering the needs of the existing customers, the limits of the current system or any other appropriate factors.
2. As a condition of a long connection, the customer must satisfy any conditions imposed by the director, including obtaining any necessary easements, payment of all costs of additional installations and payment of a non-refundable charge determined by the director based on engineering principles estimated to be what the customer would be required to pay if connection were deferred until direct service became available. Such charge may be accepted as a nonrefundable prepayment for the size of the connection furnished. This option may also be applied to upgrades.

Section 5: That SMC section 13.04.2042 is amended to read as follows:

13.04.2042 Water General Facilities Charge – Schedule of Charges

A. Findings – General Facilities Charge (GFC).

The City Council finds:

1. The purpose of GFC charges is to defray costs created by new system demand, such as costs of providing increased system capacity for new or increased demand and other capital costs associated with new system ~~((connections to the water system such that the property owners bear their equitable share of the cost of the system))~~ capacity.
2. There is a system-wide benefit, served by a uniform, adjustable GFC, in encouraging system growth through infilling certain unserved areas and considering that expanding the overall customer rate base and customer densities will reduce fixed costs which must otherwise be spread over all classes of ratepayers.
3. It is in the public interest to provide for a GFC rate structure to cover costs associated with new or increased system demand. GFC charges ~~((have))~~ had not been updated in over 20 years and new growth proposals are stressing current system capacity and will require investment in infrastructure for water service.
4. It is further in the public interest that those adding ~~((additional))~~ costs or burdens to the City water system by creating need and demand for a new system growth and infill needs in the City water system should pay a GFC therefore. Furthermore, it is not in the public interest ~~((to continue))~~ to waive GFCs, because without adequate GFCs, the City's current utility customers bear the burden of paying for new capacity to serve growth and a fund ~~((should))~~ will be established to cover the cost of all or a portion of GFCs for certain development projects, including permanent affordable housing.

~~((5. Generally, there are increased costs associated with the needed booster stations, pipes and tanks which provide service to the Upper Zone. More facilities are needed to move water further out into the system. Evaluation analysis shows costs should be divided between two zones, an upper and lower zone, based on needed booster stations, pipes and tanks to deliver water outside the central pumping area. Furthermore, there are identified areas within the City's water system which~~

~~currently lack capacity and require new infrastructure prior to availability of future service and are included within the Upper Zone.))~~

5. The City's policy is to not waive GFCs. However, offset of the developer's cost of the GFC may be identified from non-utility revenue sources, such as grant dollars or other general fund revenues. Such offset must be clearly identified and paid by the other source at time of application for connection, application for a building permit, or as otherwise ordered by the Director of Public Works.

~~((6. There is an ongoing local and national housing crisis justifying a waiver of GFCs for permanent affordable housing as defined in [SMC 8.15.020.A](#).)~~

~~((B. Water GFCs shall be assessed based on location within either the Lower Zone or Upper Zone defined as follows:~~

- ~~1. The Lower Zone is generally defined as all parcels with water connection within the City of Spokane's water service area and have current capacity for water service. This definition includes the entire Intermediate Pressure Zone, the Low-Pressure Zone north of 16th Avenue, and the North Hill Pressure Zone, but excludes area and connections located north of West Excell Avenue and West Tiffany Avenue West.~~
- ~~2. The Upper Zone is defined as all parcels not included in the geographic area of the Lower Zone and/or require additional capacity to safely serve water.~~
- ~~3. The Director of Public Works shall maintain a copy of the map of the Lower and Upper Water Zones ([Attachment A to this ordinance](#)) for public inspection.)~~

~~((G.))~~ B. Charge for new service or new upgrades.

1. For new service or new upgrades of existing service to the City water system, a GFC is assessed as provided hereafter. The charge will be based upon the meter size(s) required for domestic and irrigation water service to the facility and location of the property within the Upper or Lower Zone. If the size of a previous connection is upgraded to a larger connection, upgrades are charged at the current difference between the old and new connection size charges.
2. The GFC is to be used to finance impacts to the system created by new system growth and infill needs created by new or upgraded customers.
3. Meters used solely for fire protection purposes would not incur GFC charges, unless needed flow rate exceeds the current largest fire flow rate in that pressure zone.
4. Annual Increase: The GFC Charges in [SMC 13.04.2044](#) are generated from an analytical analysis, one copy which shall be kept on file with the office of the city clerk and incorporated herein by reference. GFC charges in [SMC 13.04.2044](#) will increase annually based on ((a five-year rolling average of)) the ~~((Engineering News-Record Construction Cost Index))~~ Engineering News-Record Index (ENR) calculated by City Staff, from October to October for the previous year. This annual increase will start ~~((January 1))~~ March 5, 2024, and occur each January 1 thereafter. The City will publish a public rule update with the new GFC charge by January 1st of each year. Comprehensive review and update of GFC charges should be conducted at least every (5) years, but no more frequently than three (3) years.
5. Adjustments.

Prior Payment of Similar Charges: The charge for a water connection can be adjusted upon a showing of prior payment of similar charges, or for other sound considerations of fairness, as determined by the Director of Public Works.

- a. To be eligible for such adjustment, a party required to pay a water GFC must submit a written application to the Director of Public Works, together with any supporting materials and explanation.
- b. The Director of Public Works must receive such materials no later than the time of connection of the subject premises.
- c. No adjustment may exceed the amount of the water GFC applicable to the connection requested.
6. The water GFC applies, in addition to all other connection, permit or other fees required by this code or elsewhere.
7. The Director of Public Works may record appropriate notice with the county auditor concerning areas subject to the water GFC pursuant to the requirements of RCW 65.08.170 and RCW 65.08.180, as applicable, reserving the possibility of upgrade charges.
8. Any offset of applicable GFC charges shall be through non-utility revenue sources such as grant dollars or general fund dollars. The qualifications for such offset are established in Public Rule XXXXX. ((All applicable fees within this Section 13.04.2042 for the construction of ADUs on lots located at least partially within ½ mile of a Center or Corridor, Context Area, or Downtown zone or CC3 zoning overlay shall be waived. Distances are measured in a straight line between the zone/overlay boundary to the lot line of the site containing the development.))
9. ~~((GFCs under this section shall be deferred or waived for the construction of affordable housing.~~

- a. ~~For a project that qualifies for the twelve year exemption under the Multiple family Housing Property Tax Exemption as described in SMC 08.15.090, fees under this section shall be deferred for the life of the property tax exemption. Projects that maintain qualifying status for the entire twelve year period shall have fees under this section waived at the end of the twelve year period.~~
- b. ~~For a project that qualifies for the twenty year exemption under the Multiple family Housing Property Tax Exemption as described in SMC 08.15.090, fees under this section shall be deferred for the life of the property tax exemption. Projects that maintain qualifying status for the entire twenty year period shall have fees under this section waived at the end of the twenty year period.~~
- e. ~~For a project that qualifies for the sales and use tax exemption under the Sales and Use Tax Deferral Program for Affordable Housing as described in SMC 08.07D, fees under this section shall be deferred for the life of the sales and use tax exemption. Projects that maintain qualifying status for the entire ten year period shall have fees under this section waived at the end of the ten year period.~~
- d. ~~For projects receiving funding through state or federal programs for affordable housing, fees under this section shall be waived.~~
- e. ~~For projects on property with a covenant to limit sales to low income households earning no more than 80 percent of the area median income, fees under this section shall be waived, so long as affordability is retained for a minimum of 50 years.)~~
- ((D-)) C. Any future incentives, waivers, offsets, or deferral of GFC charges should be funded through payments from other funding sources. Incentives, ((waivers)) offsets, and deferrals should not result in lost revenue for new system capacity.

Section 6: That SMC section 13.04.2044 is amended to read as follows:

13.04.2044 Appendix A – General Facilities Charge Schedule

Appendix A – Water General Facilities Charge Schedule

Section 7: Effective Date.

This Ordinance shall take effect and be in force on March 5, 2024.

Section 13.03.0734

Appendix A Wastewater GFC Fee Schedule

Appendix A

Wastewater General Facility Charge Schedule

Meter Size			2023	2024
<u>5/8"</u>				
3/4"			\$3,984	(((\$7,461))
1"			\$3,984	(((\$12,435))
1.5"			\$11,266	(((\$24,870))
2"			\$11,266	(((\$39,792))
3"			\$20,697	(((\$87,046))
4"			\$31,862	(((\$149,221))
6"			\$58,540	(((\$335,747))
8"	Based flow rates that utilizes sewer capacity	Will be calculated		
10"				

((Each year after year 1, will be annually adjusted based on a five year rolling average of the Engineering News Record Construction Costs Index pursuant to SMC 13.03.0732-))

((Numbers above are representative of phase in only. Actual numbers will be based on the ENRCCI indexed for inflation-))

Wastewater General Facility Charge Schedule – EFFECTIVE MARCH 5, 2024

Meter Size		City-Wide Calculated Charge 2024	City-Wide Calculated Charge 2025	City-Wide Calculated Charge 2026
5/8"		\$1,144	\$2,288	\$4,575
3/4"		\$4,704	\$5,424	\$6,863
1"		\$5,848	\$7,711	\$11,438
1.5"		\$14,169	\$17,072	\$22,877
2"		\$17,600	\$23,935	\$36,603
3"		\$35,540	\$50,383	\$80,069
4"		\$58,212	\$84,562	\$137,262
6"		\$121,115	\$183,690	\$308,839
8"	Based flow rates that utilizes sewer capacity	To be calc.	To be calc.	To be calc.
10"		To be calc.	To be calc.	To be calc.

City-Wide Calculated Charge is in effect March 5, 2024.

Each subsequent year thereafter is effective January 1 through December 31.

Each year after year 1, will be annually adjusted based on the Engineering News-Record Index pursuant to SMC 13.03.0732.

Numbers above are representative only. Actual numbers will be based on the ENR indexed for inflation.

Section 13.04.2044

Appendix A
Water GFC Fee Schedule

Appendix A

Water General Facility Charge Schedule – Lower Zone Effective through 3-4-24

Meter Size			2023	2024
3/4"			\$2,045	(((\$2,823))
1"			\$2,045	(((\$4,705))
1.5"			\$5,785	(((\$9,409))
2"			\$5,786	(((\$15,055))
3"			\$10,627	(((\$32,932))
4"			\$16,363	(((\$56,455))
6"			\$30,059	(((\$127,025))
8"	Based on needed flow rates	Will be calculated		
10"				

~~((Each year after year 1, will be annually adjusted based on a five year rolling average of the Engineering News Record Construction Costs Index pursuant to SMC 13.04.2044.~~

~~Numbers above are representative of phase in only. Actual numbers will be based on the ENRCCI indexed for inflation.-))~~

Water General Facility Charge Schedule - Upper Zone Effective through 3-4-24

Meter Size			2023	((2024))
3/4"			\$3,320	(((\$10,407))
1"			\$4,150	(((\$17,345))
1.5"			\$7,470	(((\$34,690))
2"			\$8,300	(((\$55,503))
3"			\$16,600	(((\$121,413))
4"			\$33,200	(((\$208,137))
6"			\$66,400	(((\$468,309))
8"	Based on needed flow rates	Will be calculated		
10"				

((Each year after year 1, will be annually adjusted based on a five year rolling average of the Engineering News Record Construction Costs Index Engineering News Record Index pursuant to SMC 13.04.2044.

Numbers above are representative ((of phase in)) only. Actual numbers will be based on the ENRCCL indexed for inflation.))

Water General Facility Charge Schedule – EFFECTIVE MARCH 5, 2024

Meter Size	City-Wide Calculated Charge 2024	City-Wide Calculated Charge 2025	City-Wide Calculated Charge 2026
5/8"	\$814	\$1,627	\$3,254
3/4"	\$2,754	\$3,463	\$4,881
1"	\$3,568	\$5,090	\$8,135
1.5"	\$8,406	\$11,027	\$16,269
2"	\$10,847	\$15,909	\$26,031
3"	\$22,206	\$33,785	\$56,943
4"	\$36,677	\$56,990	\$97,617
6"	\$77,454	\$124,849	\$219,638
8"	To be calc.	To be calc.	To be calc.
10"	To be calc.	To be calc.	To be calc.

City-Wide Calculated Charge is in effect March 5, 2024. Each subsequent year thereafter is effective January 1 through December 31. Each year after year 1, will be annually adjusted based on the Engineering News-Record Index pursuant to SMC 13.04.2044.

Numbers above are representative only. Actual numbers will be based on the ENR indexed for inflation annually.

Passed by City Council November 20, 2023
Delivered to Mayor November 22, 2023

ORDINANCE NO C36462

An ordinance amending Ordinance No. C36345, passed by the City Council December 12, 2022, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2023, making appropriations in the various funds of the City of Spokane government for the year ending December 31, 2023, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2023 budget Ordinance No. C36345, as above entitled, and which passed the City Council December 12, 2022, it is necessary to make changes in the appropriations of the Public Safety & Judicial Grants Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

WHEREAS, this ordinance has been on file in the City Clerk's Office for five days; - Now, Therefore,

The City of Spokane does ordain:

Section 1. That in the budget of the Public Safety & Judicial Grants Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase revenue by \$96,850.
- A) Of the increased revenue, \$96,850 is provided by the Department of Justice, through Spokane County, as part of the JAG22 grant award program.
- 2) Increase appropriation by \$96,850.
- A) Of the increased appropriation, \$96,850 is provided solely for equipment.

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to accept Edward Byrne Memorial JAG22 grant funding from the Department of Justice, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed by City Council November 20, 2023
Delivered to Mayor November 22, 2023

ORDINANCE NO C36463

An ordinance amending Ordinance No. C36345, passed by the City Council December 12, 2022, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2023, making appropriations in the various funds of the City of Spokane government for the year ending December 31, 2023, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2023 budget Ordinance No. C36345, as above entitled, and which passed the City Council December 12, 2022, it is necessary to make changes in the appropriations of the Public Safety & Judicial Grants Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

WHEREAS, this ordinance has been on file in the City Clerk's Office for five days; - Now, Therefore,

The City of Spokane does ordain:

Section 1. That in the budget of the Public Safety & Judicial Grants Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase revenue by \$214,815.
- A) Of the increased revenue, \$214,815 is provided by the Department of Justice as part of the JAG23 grant award program.
- 2) Increase appropriation by \$214,815.
- A) Of the increased appropriation, \$42,678 is provided solely for personal protective equipment.
- B) Of the increased appropriation, \$75,470 is provided solely for a vehicle.
- C) Of the increased appropriation, \$96,667 is provided solely for contractual services.

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to accept Edward Byrne Memorial JAG23 grant funding from the Department of Justice, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed by City Council November 20, 2023
Delivered to Mayor November 22, 2023

ORDINANCE NO C36464

An ordinance amending Ordinance No. C36345, passed by the City Council December 12, 2022, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2023, making appropriations in the various funds of the City of Spokane government for the year ending December 31, 2023, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2023 budget Ordinance No. C36345, as above entitled, and which passed the City Council December 12, 2022, it is necessary to make changes in the appropriations of the Home Entitlement Program Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

WHEREAS, this ordinance has been on file in the City Clerk's Office for five days; - Now, Therefore,

The City of Spokane does ordain:

Section 1. That in the budget of the Home Entitlement Program Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase revenue by \$4,628,671
- A) Of the increased revenue, \$4,628,671 is provided by the U.S. Department of Housing and Urban Development (HUD) as part of the HOME – American Rescue Plan (HOME-ARP) program.

- 2) Increase appropriation by \$4,628,671
- A) Of the increased appropriation, \$4,207,883 is provided solely for contractual services to be provided by the City's sub-recipients to deliver housing and shelter services to the community.
- B) Of the increased appropriation, \$260,398 is provided solely for salaries and benefits for the City of Spokane's employees who will be administering the programs.
- C) Of the increased appropriation, \$160,390 is provided solely for other supplies, services, and equipment required for the administration of the programs.

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to provide housing and shelter services to the citizens of Spokane via the HOME-ARP program, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed by City Council November 20, 2023

Delivered to Mayor November 22, 2023

ORDINANCE NO C36465

An ordinance amending Ordinance No. C36345, passed by the City Council December 12, 2022, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2023, making appropriations in the various funds of the City of Spokane government for the year ending December 31, 2023, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2023 budget Ordinance No. C36345, as above entitled, and which passed the City Council December 12, 2022, it is necessary to make changes in the appropriations of the Fire/EMS Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

WHEREAS, this ordinance has been on file in the City Clerk's Office for five days; - Now, Therefore,

The City of Spokane does ordain:

Section 1. That in the budget of the Fire/EMS Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Increase revenue by \$628,000.
- A) Of the increased revenue, \$600,000 is provided solely for wildfire mobilization reimbursement from the Department of Natural Resources and other agencies.
- B) Of the increased revenue, \$28,000 is provided solely for insurance recoveries on damaged vehicles and apparatus.
- 2) Increase appropriation by \$628,000.
- A) Of the increased appropriation, \$600,000 is provided solely for overtime and travel of firefighters deployed to wildfire events.
- B) Of the increased appropriation, \$28,000 is provided solely for vehicle and apparatus repairs.

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to realize wildfire mobilization reimbursement and insurance recoveries, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Minutes

NOTICE MEETING MINUTES OF SPOKANE CITY COUNCIL Monday, November 13, 2023

The minutes for the Monday, November 13, 2023, Spokane City Council Meeting were not available for publication in this issue of the *Official Gazette*. The minutes will be published in the Wednesday, December 6, 2023, issue of the *Official Gazette*.

NOTICE MEETING MINUTES OF SPOKANE CITY COUNCIL Monday, November 20, 2023

The minutes for the Monday, November 20, 2023, Spokane City Council Meeting were not available for publication in this issue of the *Official Gazette*. The minutes will be published in the Wednesday, December 6, 2023, issue of the *Official Gazette*.

Hearing Notices

BUILDING OFFICIAL SHOW CAUSE HEARING NOTICE

Notice is hereby given that the Building Official has caused proper notice to be served upon the persons responsible for 1020 E 39th AVENUE, SPOKANE, WASHINGTON, 99203, PARCEL NUMBER 35324.0904, LEGAL DESCRIPTION MANITO SOUTH E35FT OF L4&W20FT OF L5 B1, in compliance with the Spokane Municipal Code stating that a show cause hearing on this matter will be held before the Building Official on December 19, 2023 at 1:30 p.m. These hearings are held at 808 W Spokane Falls Blvd. Spokane, WA 99201, in the Council Briefing Room, Lower Level, City Hall. Remote participation is also available via Microsoft Teams, and remote participation information for this hearing will be posted on the City website as well on each agenda, which can be found under the substandard building topic here:

<https://my.spokanecity.org/neighborhoods/code-enforcement/topics/>

Notice is hereby given that attention has been directed to anyone who knows the present address or whereabouts of the owner or to any new owner or person in the position of responsibility over this property to contact the City of Spokane regarding plans to correct deficiencies and avoid potential outcomes of the show cause hearing, which may include a demolition or receivership order. Not hearing further on this matter the said show cause hearing will proceed. For more information on this hearing, including information regarding participation in the remote hearing, please contact:

Jason Ruffing
Code Enforcement, City of Spokane
808 West Spokane Falls Blvd.
Spokane, WA 99201-3333
509-625-6300
jruffing@spokanecity.org

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 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 Risk Management at 509.625.6221, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or mlovmaster@spokanecity.org. Persons who are deaf or hard of hearing may contact Risk Management through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

BUILDING OFFICIAL SHOW CAUSE HEARING NOTICE

Notice is hereby given that the Building Official has caused proper notice to be served upon the persons responsible for 133 N STONE STREET, SPOKANE, WASHINGTON, 99202, PARCEL NUMBER 35164.1816, LEGAL DESCRIPTION SUB OF SEC 16 L16 B118, in compliance with the Spokane Municipal Code stating that a show cause hearing on this matter will be held before the Building Official on December 19, 2023 at 1:30 p.m. These hearings are held at 808 W Spokane Falls Blvd. Spokane, WA 99201, in the Council Briefing Room, Lower Level, City Hall. Remote participation is also available via Microsoft Teams, and remote participation information for this hearing will be posted on the City website as well on each agenda, which can be found under the substandard building topic here:

<https://my.spokanecity.org/neighborhoods/code-enforcement/topics/>

Notice is hereby given that attention has been directed to anyone who knows the present address or whereabouts of the owner or to any new owner or person in the position of responsibility over this property to contact the City of Spokane regarding plans to correct deficiencies and avoid potential outcomes of the show cause hearing, which may include a demolition or receivership order. Not hearing further on this matter the said show cause hearing will proceed. For more information on this hearing, including information regarding participation in the remote hearing, please contact:

Jason Ruffing
Code Enforcement, City of Spokane
808 West Spokane Falls Blvd.
Spokane, WA 99201-3333
509-625-6300
jruffing@spokanecity.org

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 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 Risk Management at 509.625.6221, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or mlowmaster@spokanecity.org. Persons who are deaf or hard of hearing may contact Risk Management through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

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.

GRANTS ANALYST SPN 067 OPEN ENTRY

DATE OPEN: Monday, November 27, 2023

DATE CLOSED: Monday, January 1, 2023

SALARY: \$58,422.24 annual salary, payable bi-weekly, to a maximum of \$82,580.40

DESCRIPTION:

Performs analytical and administrative support functions related to the management of grants, federal and state programs, and related contracts supported by governmental grant or municipal funds.

DUTIES:

This description was prepared to indicate the kinds of activities and levels of work difficulty required of positions in this class. It is not intended as a complete list of specific duties and responsibilities.

- Researches grants and grant funding sources in order to assist program staff in the grant application and management process.
- Facilitates pre-award grant meetings with necessary participants to review all grant terms, conditions, implementation schedule(s), and requirements.
- Provides direct assistance to program staff throughout the lifespan of the grant, from submission to closeout, to ensure compliance with project timeline, budget, and progress reports.
- Monitors and maintains grant project tracking systems to ensure timely preparation of grant applications and implementation of grant requirements.
- Monitors and analyzes expenditures to ensure compliance; tracks revenues and reconciles grant funds with audit information.
- Prepares documentation related to contracts and MOU's.
- Ensures appropriate provisions are included in contracts, including pass-through provisions for subrecipients.
- Submits documentation to funding agencies, including applications, certifications, and assurances, programmatic and fiscal reports, awards, amendments, and close-out packages.
- Reviews and approves budget change requests to ensure budget matches approved award budget. Monitors expenditures for compliance.
- Provides technical assistance and/or documentation to auditors, fiscal representatives from various agencies, and other internal and external sources; assists in the resolution of pre- or post-award issues.
- Assists in monitoring project compliance and performance based on program guidelines and applications.
- Answers inquiries and assists city staff and award recipients with the interpretation of city, state, and federal policies, regulations, and rules, pertaining to proposal development, award administration, and program compliance.
- Conducts grant closeout reviews to ensure all project management, budget, and administrative components are complete.
- Interprets and monitors local, state, and federal laws, regulations, and guidelines as they apply to grant management and/or compliance, and updates appropriate professional staff.
- Maintains grants compliance policies, procedures, and related documents.
- Performs related work as required.

MINIMUM QUALIFICATIONS:

Combinations of education and experience that are equivalent to the following minimum qualifications are acceptable.

Open-Entry Requirements:

- **Education:** Bachelor's degree from an accredited four-year college or university in Business, Accounting, Public Administration, Government, or related field.
- **Experience:** Two years of experience with primary responsibilities in professional grants management and grant/contract compliance auditing.
- **Licenses and Certifications:** A valid driver's license or evidence of equivalent mobility is required.

Note: Current non-probationary City of Spokane employees within the line of progression who meet the open entry requirements may apply on a promotional basis, pursuant to Civil Service Rule VI Section 5.

EXAMINATION DETAILS:

Applicants must meet the minimum qualifications and pass the examination for this position to be eligible for hire.

Qualified applicants are encouraged to apply immediately. All applicants must complete and submit a City of Spokane employment application online by 4:00 p.m. on the filing cut-off date.

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.

The examination will consist of a Training and Experience Evaluation (T&E), with scoring weight assigned as follows:

- T&E 100%

TRAINING AND EXPERIENCE EVALUATION DETAILS

- Copies of your college or university transcripts (unofficial transcripts are accepted) may be a required part of this application and will be used to verify that you meet the minimum qualifications, as posted on the job announcement.
- T&Es are scored according to predetermined criteria and used to determine ranking on the Civil Service eligibility list for this position.
- Responses to your online T&E questions should be consistent with the information given in your application details. Answers are subject to verification.
- Failure to complete all the questions or incomplete responses will result in a lower score; therefore, it is advantageous for you to provide a full and complete response to each T&E question.
- Your T&E can be completed any day during a six-day period as noted in the examination details below. You must submit by the closing test date as noted.

EXAMINATION DETAILS:

You will receive a link to the Grants Analyst T&E via email, prior to 12:00AM Pacific Time on the start dates and will expire at 11:59PM on the due dates as listed below. Please note that this email will be sent from City of Spokane (info@governmentjobs.com).

- Applicants who apply and meet the minimum qualifications between Monday, November 27, 2023 and Monday, January 1, 2024 will test Thursday, January 4, 2024 through Tuesday, January 9, 2024.

TO APPLY:

An application is required for promotional applicants. Applications must be completed online at: <http://my.spokanecity.org/jobs> by 4:00 p.m. on the filing cut-off date. Copies of required additional documents may be attached to your application or submitted via any of the following:

- Email: civilservice@spokanecity.org with Job Title – Applicant Name in the subject line of the email
- In person or mail to: Civil Service Commission, 4th Floor-City Hall, 808 W. Spokane Falls Blvd., Spokane, WA 99201
- Fax: (509) 625-6077

Please contact our office at 509-625-6160 immediately if you have any difficulties submitting your application.

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 20ST day of November 2023.

MARK LINDSEY
Chair

KELSEY PEARSON
Chief Examiner

GRANTS ANALYST SPN 067
PROMOTIONAL

DATE OPEN: Monday, November 27, 2023

DATE CLOSED: Monday, January 1, 2024

SALARY: \$58,422.24 annual salary, payable bi-weekly, to a maximum of \$82,580.40

DESCRIPTION:

Performs analytical and administrative support functions related to the management of grants, federal and state programs, and related contracts supported by governmental grant or municipal funds.

DUTIES:

This description was prepared to indicate the kinds of activities and levels of work difficulty required of positions in this class. It is not intended as a complete list of specific duties and responsibilities.

- Researches grants and grant funding sources in order to assist program staff in the grant application and management process.

- Facilitates pre-award grant meetings with necessary participants to review all grant terms, conditions, implementation schedule(s), and requirements.
- Provides direct assistance to program staff throughout the lifespan of the grant, from submission to closeout, to ensure compliance with project timeline, budget, and progress reports.
- Monitors and maintains grant project tracking systems to ensure timely preparation of grant applications and implementation of grant requirements.
- Monitors and analyzes expenditures to ensure compliance; tracks revenues and reconciles grant funds with audit information.
- Prepares documentation related to contracts and MOU's.
- Ensures appropriate provisions are included in contracts, including pass-through provisions for subrecipients.
- Submits documentation to funding agencies, including applications, certifications, and assurances, programmatic and fiscal reports, awards, amendments, and close-out packages.
- Reviews and approves budget change requests to ensure budget matches approved award budget. Monitors expenditures for compliance.
- Provides technical assistance and/or documentation to auditors, fiscal representatives from various agencies, and other internal and external sources; assists in the resolution of pre- or post-award issues.
- Assists in monitoring project compliance and performance based on program guidelines and applications.
- Answers inquiries and assists city staff and award recipients with the interpretation of city, state, and federal policies, regulations, and rules, pertaining to proposal development, award administration, and program compliance.
- Conducts grant closeout reviews to ensure all project management, budget, and administrative components are complete.
- Interprets and monitors local, state, and federal laws, regulations, and guidelines as they apply to grant management and/or compliance, and updates appropriate professional staff.
- Maintains grants compliance policies, procedures, and related documents.
- Performs related work as required.

MINIMUM QUALIFICATIONS:

Combinations of education and experience that are equivalent to the following minimum qualifications are acceptable.

Promotional Requirements:

- *Experience:* One year of experience as a Program Specialist CHHS (SPN 070) or equivalent/higher classification with primary responsibilities in professional grants management and grant/contract compliance auditing.
- *Licenses and Certifications:* A valid driver's license or evidence of equivalent mobility is required.

Note: Current non-probationary City of Spokane employees within the line of progression who meet the open entry requirements may apply on a promotional basis, pursuant to Civil Service Rule VI Section 5.

Open-Entry Requirements:

- *Education:* Bachelor's degree from an accredited four-year college or university in Business, Accounting, Public Administration, Government, or related field.
- *Experience:* Two years of experience with primary responsibilities in professional grants management and grant/contract compliance auditing.
- *Licenses and Certifications:* A valid driver's license or evidence of equivalent mobility is required.

EXAMINATION DETAILS:

Applicants must meet the minimum qualifications and pass the examination for this position to be eligible for hire.

Qualified applicants are encouraged to apply immediately. All applicants must complete and submit a City of Spokane employment application online by 4:00 p.m. on the filing cut-off date.

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.

The examination will consist of a Training and Experience Evaluation (T&E) and PAR, with scoring weight assigned as follows:

- T&E 80%
- PAR 20%

TRAINING AND EXPERIENCE EVALUATION DETAILS

- Copies of your college or university transcripts (unofficial transcripts are accepted) may be a required part of this application and will be used to verify that you meet the minimum qualifications, as posted on the job announcement.
- T&Es are scored according to predetermined criteria and used to determine ranking on the Civil Service eligibility list for this position.
- Responses to your online T&E questions should be consistent with the information given in your application details. Answers are subject to verification.

- Failure to complete all the questions or incomplete responses will result in a lower score; therefore, it is advantageous for you to provide a full and complete response to each T&E question.
- Your T&E can be completed any day during a six-day period as noted in the examination details below. You must submit by the closing test date as noted.

EXAMINATION DETAILS:

You will receive a link to the Grants Analyst T&E via email, prior to 12:00AM Pacific Time on the start dates and will expire at 11:59PM on the due dates as listed below. Please note that this email will be sent from City of Spokane (info@governmentjobs.com).

- Applicants who apply and meet the minimum qualifications between Monday, November 27, 2023 and Monday, January 1, 2024 will test Thursday, January 4, 2024 through Tuesday, January 9, 2024.

PROMOTIONAL EVALUATION DETAILS:

Pursuant to Civil Service Rule VI, Section 9, an evaluation of an employee's job performance [in the form of a Performance Appraisal Review] shall be a subject in all promotion exams. The PAR should be administered by the employee's supervisor, within the past year.

- The employee's most recent PAR is the Promotional Evaluation for this position.
- If the most recent PAR is expired (older than one year), the employee's payroll clerk and supervisor are notified. The supervisor is responsible for submitting an updated PAR to the HR department for approval prior to the closing date.
- If an updated PAR is not received by the closing date, the most recent PAR on file will be used, regardless of date administered.

TO APPLY:

An application is required for promotional applicants. Applications must be completed online at: <http://my.spokanecity.org/jobs> by 4:00 p.m. on the filing cut-off date. Copies of required additional documents may be attached to your application or submitted via any of the following:

- Email: civilservice@spokanecity.org with Job Title – Applicant Name in the subject line of the email
- In person or mail to: Civil Service Commission, 4th Floor-City Hall, 808 W. Spokane Falls Blvd., Spokane, WA 99201
- Fax: (509) 625-6077

Please contact our office at 509-625-6160 immediately if you have any difficulties submitting your application.

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 20ST day of November 2023.

MARK LINDSEY
Chair

KELSEY PEARSON
Chief Examiner

ENGINEERING TECHNICIAN III - OFFICE SPN 203
OPEN

DATE OPEN: Monday, November 27, 2023

DATE CLOSED: Monday, January 29, 2024

SALARY: \$52,408.80 annual salary, payable bi-weekly, to a maximum of \$82,288.08

DESCRIPTION:

Performs supervisory or responsible, sub-professional engineering or planning work in the field or office involving the application of technical skills.

DUTIES:

- Organizes and draws plans, profiles, and specifications for public works projects. Prepares or assists in preparing labor and material estimates. Computes quantities, and prepares property and assessment district descriptions. Locates utilities, and assists in field checking plans.
- Assists in the design of public works projects. May assist in structural design. Checks plans for accuracy.
- Computes areas and percentage rates of assessment for properties and for local improvement districts. Computes costs for each property, prepares preliminary assessment rolls and prepares final assessment rolls.
- Performs difficult drafting work, and conducts studies and surveys relating to land use planning, zoning, or traffic control. Processes zone changes, permits, and petitions. May supervise part time or subordinate employees.
- May assist on a survey crew, perform other office work, or perform snow removal as required.
- Supervises maintenance of water distribution system records.
- Operates a calculator, computer, reproduction machine, and drafting equipment.
- Performs related work as required.

MINIMUM QUALIFICATIONS:**Open Entry Requirements:**

(Open-entry applicants must meet all requirements when they apply.)

- **Education:** Completion of two years of college (90 quarter credit hours or 60 semester credit hours) in Engineering related field to include algebra, trigonometry, surveying and drafting. Graduation from a four year college or university with a degree in Civil Engineering may substitute for the above requirements.
- **Experience:** At least three years of experience in operating modern computer-aided drafting/design program. Additional experience may substitute for the education requirements on a year for year basis.
- **License:** Valid driver's license or evidence of equivalent mobility.

EXAMINATION DETAILS:

You must pass the examination for this classification to be eligible for employment by the City of Spokane. Qualified applicants are encouraged to apply immediately. All applicants must complete and submit a City of Spokane employment application online by 4:00 p.m. on the filing cut-off date.

This examination consists of two examinations; an online written test and a pass/fail performance test that are required, prior to hiring. Scoring weights are assigned as follows:

- Multiple-choice Exam: 100%

MULTIPLE-CHOICE AND PERFORMANCE EXAMINATION DETAILS

- Test Date: December 19, 2023 or February 6, 2024
- Test Location: Civil Service Test Room, 4th Floor, City Hall, 808 W Spokane Falls Blvd, Spokane, WA 99201
- Approximate Duration of Examination:
 - ◊ Written Examination: 2 hours
 - ◊ Performance Examination: 1 Hour

The written examination may include such subjects as:

- Plan Reading
- Mathematics
- Standards and Specifications

PERFORMANCE EXAMINATION DETAILS

The passing candidates based on written test scores will take a 30 minute break and then must complete a performance examination. This is a pass/fail examination that is required.

TO APPLY:

An application is required for promotional applicants. Applications must be completed online at: <http://my.spokanecity.org/jobs> by 4:00 p.m. on the filing cut-off date. Copies of required additional documents may be attached to your application or submitted via any of the following:

- Email: civilservice@spokanecity.org with Job Title – Applicant Name in the subject line of the email
- In person or mail to: Civil Service Commission, 4th Floor-City Hall, 808 W. Spokane Falls Blvd., Spokane, WA 99201
- Fax: (509) 625-6077

Please contact our office at 509-625-6160 immediately if you have any difficulties submitting your application.

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 22nd day of November 2023.

MARK LINDSEY
Chair

KELSEY PEARSON
Chief Examiner

ENGINEERING TECHNICIAN III - OFFICE SPN 203
PROMOTIONAL

DATE OPEN: Monday, November 27, 2023

DATE CLOSED: Monday, January 29, 2024

SALARY: \$52,408.80 annual salary, payable bi-weekly, to a maximum of \$82,288.08

DESCRIPTION:

Performs supervisory or responsible, sub-professional engineering or planning work in the field or office involving the application of technical skills.

DUTIES:

- Organizes and draws plans, profiles, and specifications for public works projects. Prepares or assists in preparing labor and material estimates. Computes quantities, and prepares property and assessment district descriptions. Locates utilities, and assists in field checking plans.
- Assists in the design of public works projects. May assist in structural design. Checks plans for accuracy.

- Computes areas and percentage rates of assessment for properties and for local improvement districts. Computes costs for each property, prepares preliminary assessment rolls and prepares final assessment rolls.
- Performs difficult drafting work, and conducts studies and surveys relating to land use planning, zoning, or traffic control. Processes zone changes, permits, and petitions. May supervise part time or subordinate employees.
- May assist on a survey crew, perform other office work, or perform snow removal as required.
- Supervises maintenance of water distribution system records.
- Operates a calculator, computer, reproduction machine, and drafting equipment.
- Performs related work as required.

Promotional Requirements:

(Current employees of the City of Spokane may meet the promotional requirements. All promotional requirements must be met at the date of the examination.)

- *Experience:* Completion of two years of experience in the classification of Engineering Technician II (SPN 202), Public Works Journey Level Inspector (SPN 216) or a combination thereof.
- *Licenses:* Valid driver's license or evidence of equivalent mobility.

Note: Current non-probationary City of Spokane employees within the line of progression who meet the open entry requirements may apply on a promotional basis, pursuant to Civil Service Rule VI, Section 5.

Open Entry Requirements:

(Open-entry applicants must meet all requirements when they apply.)

- *Education:* Completion of two years of college (90 quarter credit hours or 60 semester credit hours) in Engineering related field to include algebra, trigonometry, surveying and drafting. Graduation from a four year college or university with a degree in Civil Engineering may substitute for the above requirements.
- *Experience:* At least three years of experience in operating modern computer-aided drafting/design program. Additional experience may substitute for the education requirements on a year for year basis.
- *License:* Valid driver's license or evidence of equivalent mobility.

EXAMINATION DETAILS:

You must pass the examination for this classification to be eligible for employment by the City of Spokane. Qualified applicants are encouraged to apply immediately. All applicants must complete and submit a City of Spokane employment application online by 4:00 p.m. on the filing cut-off date.

This examination consists of a **performance evaluation (PAR)** and two examinations; an online written test and a pass/fail performance test that are required, prior to hiring. Scoring weights are assigned as follows:

- Multiple-choice Exam: 80%
- PAR: 20%

MULTIPLE-CHOICE AND PERFORMANCE EXAMINATION DETAILS

- Test Date: December 19, 2023 or February 6, 2024
- Test Location: Civil Service Test Room, 4th Floor, City Hall, 808 W Spokane Falls Blvd, Spokane, WA 99201
- Approximate Duration of Examination:
 - ◇ Written Examination: 2 hours
 - ◇ Performance Examination: 1 Hour

The written examination may include such subjects as:

- Plan Reading
- Mathematics
- Standards and Specifications

PERFORMANCE EXAMINATION DETAILS

The passing candidates based on written test scores will take a 30 minute break and then must complete a performance examination. This is a pass/fail examination that is required.

PROMOTIONAL EVALUATION DETAILS

Pursuant to Civil Service Rule VI, Section 9, an evaluation of an employee's job performance [in the form of a Performance Appraisal Review (PAR)] shall be a subject in all promotion exams. The PAR should be administered by the employee's supervisor within the past year.

- The employee's most recent PAR is the Promotional Evaluation for this position.
- If the most recent PAR is expired (older than one year), the employee's payroll clerk and supervisor are notified. The supervisor is responsible for submitting an updated PAR to the HR department for approval prior to the closing date.

- If an updated PAR is not received by the closing date, the most recent PAR on file will be used, regardless of date administered

TO APPLY:

An application is required for promotional applicants. Applications must be completed online at: <http://my.spokanecity.org/jobs> by 4:00 p.m. on the filing cut-off date. Copies of required additional documents may be attached to your application or submitted via any of the following:

- Email: civilservice@spokanecity.org with Job Title – Applicant Name in the subject line of the email
- In person or mail to: Civil Service Commission, 4th Floor-City Hall, 808 W. Spokane Falls Blvd., Spokane, WA 99201
- Fax: (509) 625-6077

Please contact our office at 509-625-6160 immediately if you have any difficulties submitting your application.

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 22nd day of November 2023.

MARK LINDSEY
Chair

KELSEY PEARSON
Chief Examiner

NEIGHBORHOOD AND HOUSING SPECIALIST SPN 301
OPEN

DATE OPEN: Monday, November 27, 2023

DATE CLOSED: Monday, December 11, 2023

SALARY: \$65,939.04 annual salary, payable bi-weekly, to a maximum of \$93,438.00

DESCRIPTION:

Performs professional administrative and field work enforcing legal codes, both proactively and in response to complex complaints and inquiries.

DUTIES:

- Manages referred and complex cases; conducts site visit; studies and interprets codes; issues notices, penalties, and civil citations.
- Conducts inspections in the field, both proactively and in response to complaints, to investigate all property and occupancy types for code compliance. Inspections may be conducted from the exterior of properties, as well as from the interior of structures.
- Prepares written and oral reports for hearing officials and courts; prepares correspondence and orders related to hearings; researches codes, property records, utility accounts, and other sources.
- Assists in research, development and modification of new or existing regulations and department operating procedures.
- Assists in contract administration, lien management, and records management including handling public records requests.
- Assists in public education and outreach about department services through public meetings, media contacts, and direct advertising.
- Attends neighborhood meetings and neighborhood sub-committee meetings.
- Performs related work as required.

MINIMUM QUALIFICATIONS:**Bachelor's Degree Path**

- *Education:* Graduation from an accredited four-year college or university with a degree in public administration, social science, law enforcement, planning, engineering, architecture, construction management, or a closely related field.
- *Experience:* One year of experience enforcing codes.
- *Licenses and Certifications:* Valid driver's license is required.
- *Substitution:* American Association of Code Enforcement (AACE) certification or certification from the International Code Council (ICC) as a Zoning, Building, or Property Maintenance and Housing Inspector will substitute for the enforcement experience requirement.

Equivalent Combination Path

- *Education:* Two years of college education in a relevant field (60 semester credit hours or 90 quarter credit hours).
- *Experience:* Two years of experience enforcing codes.
- *Licenses and Certifications:*
 1. Two ICC certifications as a Zoning, Building, or Property Maintenance and Housing Inspector.
 2. Valid driver's license is required.

EXAMINATION DETAILS:

Applicants must meet the minimum qualifications and pass the examination for this position to be eligible for hire. Qualified applicants are encouraged to apply immediately. All applicants must complete and submit a City of Spokane employment application online by 4:00 p.m. on the filing cut-off date.

Upon request, at time of application, City of Spokane 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.

The examination will consist of a Training and Experience Evaluation (T&E), with scoring weight assigned as follows:

- T&E 100%

EXAMINATION DETAILS:

This is an online examination and will require a computer. **If you do not have access to a computer, please notify Civil Service so that one may be provided.**

TRAINING AND EXPERIENCE EVALUATION DETAILS:

- Copies of your college or university transcripts (unofficial transcripts are accepted) may be a required part of this application and will be used to verify that you meet the minimum qualifications, as posted on the job announcement.
- Responses to your T&E questions should be consistent with the information given in your application details. Answers are subject to verification.
- Failure to complete all the questions or incomplete responses will result in a lower score; therefore, it is advantageous for you to provide a full and complete response to each supplemental question.
- Resumes or questionnaires uploaded as attachments will not be accepted in lieu of completing each question online.
- "See Resume" or "See above," etc., and copy/paste from a previous answer are not qualifying responses and will not be considered.
- TIP: It may be more efficient to develop your responses in a word processing document and then paste them into the online questionnaire to be submitted.

EXAMINATION DETAILS:

You will receive a link to the Neighborhood and Housing Specialist T&E via email, prior to 12:00 a.m. Pacific Time on the start date and will expire at 11:59 p.m. on the due date as listed below. Please note that this email will be sent from City of Spokane (info@governmentjobs.com).

- Applicants who apply and meet the minimum qualifications between Monday, November 27, 2023 and Monday, December 11, 2023 will test Thursday, December 14, 2023 through Tuesday, December 19, 2023

TO APPLY:

An application is required for promotional applicants. Applications must be completed online at: <http://my.spokanecity.org/jobs> by 4:00 p.m. on the filing cut-off date. Copies of required additional documents may be attached to your application or submitted via any of the following:

- Email: civilservice@spokanecity.org with Job Title – Applicant Name in the subject line of the email
- In person or mail to: Civil Service Commission, 4th Floor-City Hall, 808 W. Spokane Falls Blvd., Spokane, WA 99201
- Fax: (509) 625-6077

Please contact our office at 509-625-6160 immediately if you have any difficulties submitting your application.

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 20th day of November 2023.

MARK LINDSEY
Chair

KELSEY PEARSON
Chief Examiner

HEAVY EQUIPMENT MECHANIC SPN 636
OPEN

DATE OPEN: Monday, November 27, 2023

DATE CLOSED: Monday, December 11, 2023

SALARY: \$52,909.92 annual salary, payable bi-weekly, to a maximum of \$84,689.28

DESCRIPTION:

Perform specialized and skilled journey-level work in the repair and maintenance in all facets of heavy trucks and construction equipment.

DUTIES:

- Repairs and maintains major components of complex construction equipment such as garbage trucks, graders, street sweepers, front-end loaders, backhoes and trucks which are designed to haul in excess of 12,000 lb. pay loads. This work includes diesel engines, complex transmissions and hydraulic systems, as well as all other related mechanical work.

- Applies mechanical, machinist, and welding skills in the repair, maintenance and fabrication of parts for heavy automotive and mechanical equipment chassis, attachments, and implements.
- Plans work procedure using manuals, charts and the available tools of the trade.
- Orders necessary parts for repair from parts room. Discusses major overhauls and repairs with foreperson to determine extent of repairs.
- Operates and maintains equipment, tools, and tools inventory used in the trade, cleans work environment, and follows proper safety practices.
- Performs related work as required.

MINIMUM QUALIFICATIONS:**Open Entry Requirements:**

- *Experience:* Four years of work experience as a heavy equipment mechanic.)
- *License:* Must possess and maintain a valid driver's license
 - ◊ Must obtain a Class "A" Commercial Driver's License (CDL) within one year of appointment.

NOTE: Individuals in the classification of Heavy Equipment Mechanic who have obtained and maintain ASE certification as a Master Truck Technician will be eligible for a two grade pay adjustment. The adjustment is contingent on the budget process and Civil Service verification of the certification.

NOTE: Individuals in the classification of Heavy Equipment Mechanic working in the Fire Department who have obtained and maintain ASE certification as a Master Truck Technician will be eligible for a two grade pay adjustment (from the base range), and will be eligible for an additional two grade pay adjustment for obtaining and maintaining a Master Fire Apparatus Technician certification from the Emergency Vehicle Technician Certification Commission, Inc. The adjustment is contingent on the budget process and Civil Service verification of the certification.

EXAMINATION DETAILS:

Applicants must meet the minimum qualifications and pass the examination for this position to be eligible for hire by the City of Spokane.

Qualified applicants are encouraged to apply immediately. All applicants must complete and submit a City of Spokane employment application online by 4:00 p.m. on the filing cut-off date.

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.

The examination will consist of a multiple-choice examination with scoring weight assigned as follows:

- Multiple-Choice Examination 100%

EXAMINATION DETAILS:

This is an online examination and will require a computer. If you do not have access to a computer, please notify Civil Service so that one may be provided.

Multiple-choice examination links with instructions will be emailed prior to 12:00 a.m. Pacific Time on the start date and will expire at 11:59 p.m. on the due date as listed below. Keep in mind that the test link will be emailed from City of Spokane (info@governmentjobs.com).

- Applicants who apply and meet the minimum qualifications between Monday, November 27, 2023, and Monday, December 11, 2023, will test Thursday, December 14, 2023, through Tuesday, December 19, 2023.

NOTE: You may begin the exam at any time during the test period; however, once you begin, you will have 2 hours to complete the examination. You may take the exam only once during the open recruitment period.

The examination may include the following subjects:

- Safety & Supervision
- Engines & Transmissions
- Axles, Steering, & Brakes
- Hydraulics, Fuel, & Cooling Systems
- Lights & Electricity
- Troubleshooting, Testing, & Maintenance

TO APPLY:

An application is required for promotional applicants. Applications must be completed online at: <http://my.spokanecity.org/jobs> by 4:00 p.m. on the filing cut-off date. Copies of required additional documents may be attached to your application or submitted via any of the following:

- Email: civilservice@spokanecity.org with Job Title – Applicant Name in the subject line of the email
- In person or mail to: Civil Service Commission, 4th Floor-City Hall, 808 W. Spokane Falls Blvd., Spokane, WA 99201
- Fax: (509) 625-6077

Please contact our office at 509-625-6160 immediately if you have any difficulties submitting your application.

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 22nd day of November 2023.

MARK LINDSEY
Chair

KELSEY PEARSON
Chief Examiner

HEAVY EQUIPMENT MECHANIC SPN 636
PROMOTIONAL

DATE OPEN: Monday, November 27, 2023

DATE CLOSED: Monday, December 11, 2023

SALARY: \$52,909.92 annual salary, payable bi-weekly, to a maximum of \$84,689.28

DESCRIPTION:

Perform specialized and skilled journey-level work in the repair and maintenance in all facets of heavy trucks and construction equipment.

DUTIES:

- Repairs and maintains major components of complex construction equipment such as garbage trucks, graders, street sweepers, front-end loaders, backhoes and trucks which are designed to haul in excess of 12,000 lb. pay loads. This work includes diesel engines, complex transmissions and hydraulic systems, as well as all other related mechanical work.
- Applies mechanical, machinist, and welding skills in the repair, maintenance and fabrication of parts for heavy automotive and mechanical equipment chassis, attachments, and implements.
- Plans work procedure using manuals, charts and the available tools of the trade.
- Orders necessary parts for repair from parts room. Discusses major overhauls and repairs with foreperson to determine extent of repairs.
- Operates and maintains equipment, tools, and tools inventory used in the trade, cleans work environment, and follows proper safety practices.
- Performs related work as required.

MINIMUM QUALIFICATIONS:

Promotional Requirements

(Current employees of the City of Spokane may meet the promotional requirements. All promotional requirements must be met at the date of the examination.)

- *Experience:* Two years of experience as an Automotive Mechanic (SPN 630), three years of experience as an Equipment Servicer (SPN 626), or four years of experience as a Tire Technician (SPN 624).
- *License:* Must possess and maintain a valid driver's license
 - ◇ Must obtain a Class "A" Commercial Driver's License (CDL) within one year of appointment.

Note: Current non-probationary City of Spokane employees within the line of progression who meet the open entry requirements may apply on a promotional basis, pursuant to Civil Service Rule VI Section 5.

Open Entry Requirements:

Combinations of education and experience that are equivalent to the following minimum qualifications are acceptable.

- *Experience:* Four years of work experience as a heavy equipment mechanic.)
- *License:* Must possess and maintain a valid driver's license
 - ◇ Must obtain a Class "A" Commercial Driver's License (CDL) within one year of appointment.

NOTE: Individuals in the classification of Heavy Equipment Mechanic who have obtained and maintain ASE certification as a Master Truck Technician will be eligible for a two grade pay adjustment. The adjustment is contingent on the budget process and Civil Service verification of the certification.

NOTE: Individuals in the classification of Heavy Equipment Mechanic working in the Fire Department who have obtained and maintain ASE certification as a Master Truck Technician will be eligible for a two grade pay adjustment (from the base range), and will be eligible for an additional two grade pay adjustment for obtaining and maintaining a Master Fire Apparatus Technician certification from the Emergency Vehicle Technician Certification Commission, Inc. The adjustment is contingent on the budget process and Civil Service verification of the certification.

EXAMINATION DETAILS:

Applicants must meet the minimum qualifications and pass the examination for this position to be eligible for hire by the City of Spokane. Qualified applicants are encouraged to apply immediately. All applicants must complete and submit a City of Spokane employment application online by 4:00 p.m. on the filing cut-off date.

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.

The examination will consist of a multiple-choice examination and PAR with scoring weight assigned as follows:

- Multiple-Choice Examination 80%
- PAR 20%

EXAMINATION DETAILS:

- Test Location: Civil Service Test Room, 4th Floor, City Hall, 808 W Spokane Falls Blvd, Spokane, WA 99201
- Test Date: 12/13/2023
- Test Time: 10:00AM
- Approximate Duration of Examination: 2 Hours

The examination may include the following subjects:

- Safety & Supervision
- Engines & Transmissions
- Axles, Steering, & Brakes
- Hydraulics, Fuel, & Cooling Systems
- Lights & Electricity
- Troubleshooting, Testing, & Maintenance

PROMOTIONAL EVALUATION DETAILS

Pursuant to Civil Service Rule VI, Section 9, an evaluation of an employee's job performance [in the form of a Performance Appraisal Review (PAR)] shall be a subject in all promotion exams. The PAR should be administered by the employee's supervisor within the past year.

- The employee's most recent PAR is the Promotional Evaluation for this position.
- If the most recent PAR is expired (older than one year), the employee's payroll clerk and supervisor are notified. The supervisor is responsible for submitting an updated PAR to the HR department for approval prior to the closing date.
- If an updated PAR is not received by the closing date, the most recent PAR on file will be used, regardless of date administered.

TO APPLY:

An application is required for promotional applicants. Applications must be completed online at: <http://my.spokanecity.org/jobs> by 4:00 p.m. on the filing cut-off date. Copies of required additional documents may be attached to your application or submitted via any of the following:

- Email: civilservice@spokanecity.org with Job Title – Applicant Name in the subject line of the email
- In person or mail to: Civil Service Commission, 4th Floor-City Hall, 808 W. Spokane Falls Blvd., Spokane, WA 99201
- Fax: (509) 625-6077

Please contact our office at 509-625-6160 immediately if you have any difficulties submitting your application.

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 22nd day of November 2023.

MARK LINDSEY
Chair

KELSEY PEARSON
Chief Examiner

PARK RANGER SUPERVISOR SPN 936
PROMOTIONAL

DATE OPEN: Monday, November 27, 2023

DATE CLOSED: Monday, December 4, 2023

SALARY: \$52,909.92 annual salary, payable bi-weekly, to a maximum of \$84,689.28

DESCRIPTION:

Performs supervisory and general duty security and parking lot operations work in City parks.

DUTIES:

- Plans assigns, schedules and supervises the work of subordinate security and parking lot operations employees. Hires and trains employees.

- Manages general operations of Riverfront Park parking lots. Enforces parking rules, maintains electronic parking kiosks, collects revenue and performs repair work.
- Administers the Parks and Recreation Department exclusion policy. Handles all Parks and Recreation Department exclusion appeals, and reports his/her findings to the Department Director.
- Conducts internal theft investigations, preventing loss and recovering assets for the City of Spokane. Develops policies to reduce shrinkage.
- Patrols City parks on foot, bicycle or in a motorized vehicle to prevent damage to park property and danger to park users. Enforces appropriate codes and ordinances by issuing civil infractions and making arrests under limited police commission authority.
- Provides first aid response for injuries and accidents within the park; requests professional response as needed; orders and maintains first aid supplies.
- Gathers information, prepares and approves police reports and otherwise assists with law enforcement type activities within City parks.
- Develops security and parking operational plans for major community events hosted in/around Riverfront Park.
- Creates and updates City of Spokane policies pertaining to park security and Parks and Recreation Department parking rules.
- Administers personal alarm codes, building access privileges, and vehicle access policy.
- Monitors two way radio communication devices. Responsible for maintenance and repair of devices.
- Responds to park alarms and call outs.
- Performs related work as required.

MINIMUM QUALIFICATIONS:**Promotional Requirements:**

(Current employees of the City of Spokane may meet the promotional requirements. All promotional requirements must be met at the date of the examination.)

- *Experience:* Completion of at least two years as a Park Ranger (SPN 698); **AND** must meet the Open Entry Requirements.
- *License:* Possession of a valid driver's license.

Note: Current non-probationary City of Spokane employees within the line of progression who meet the open entry requirements may apply on a promotional basis, pursuant to Civil Service Rule VI, Section 5.

Open Entry Requirements:

(Open-entry applicants must meet all requirements when they apply.)

- *Education:* Completion of two years (90 quarter or 60 semester credit hours) of course work from an accredited college or university in Criminal Justice studies or a related field.
- *Experience:* Two years of supervisory experience in law enforcement, public safety or security.
- *License:* Possession of a valid driver's license.

A police record may be grounds for rejection.

NOTE: Applicants must obtain a basic first aid and CPR card before they can be hired; however, they do not have to possess the basic first aid and CPR card to be eligible to take the examination.

EXAMINATION DETAILS:

Applicants must meet the minimum qualifications and pass the examination for this position to be eligible for promotion. Qualified applicants are encouraged to apply immediately. All applicants must complete and submit a City of Spokane employment application online by 4:00 p.m. on the filing cut-off date.

Upon request, at time of application, City of Spokane 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.

The examination will consist of a Training and Experience Evaluation (T&E) and Performance Evaluation (PAR), with scoring weight assigned as follows:

- T&E 80%
- PAR 20%

TRAINING AND EXPERIENCE (T&E) EVALUATION DETAILS

You will receive a link to the Park Ranger Supervisor T&E, via email, prior to 12:00 AM Pacific time on Thursday, December 7, 2023. Please note that this email will be sent from City of Spokane (info@governmentjobs.com). The test will be available for log-in from 12:00 AM. on Thursday, December 7, 2023 until 11:59 PM Pacific time on Tuesday, December 12, 2023.

- Copies of your college or university transcripts (unofficial transcripts are accepted) are required part of this application and will be used to verify that you meet the minimum qualifications as posted on the job announcement.

- Responses to your T&E questions should be consistent with the information given in your application details. Answers are subject to verification.
- Failure to complete all of the questions or incomplete responses will result in a lower score; therefore, it is advantageous for you to provide a full and complete response to each supplemental question.
- Resumes or questionnaires uploaded as attachments will not be accepted in lieu of completing each question online.
- "See Resume" or "See above," etc., and copy/paste from a previous answer are not qualifying responses and will not be considered.

TIP: It may be more efficient to develop your responses in a word processing document and then paste them into the online questionnaire to be submitted.

PROMOTIONAL EVALUATION DETAILS:

Pursuant to Civil Service Rule VI, Section 9, an evaluation of an employee's job performance [in the form of a Performance Appraisal Review] shall be a subject in all promotion exams. The PAR should be administered by the employee's supervisor, within the past year.

- The employee's most recent PAR is the Promotional Evaluation for this position.
- If the most recent PAR is expired (older than one year), the employee's payroll clerk and supervisor are notified. The supervisor is responsible for submitting an updated PAR to the HR department for approval prior to the closing date.
- If an updated PAR is not received by the closing date, the most recent PAR on file will be used, regardless of date administered.

TO APPLY:

An application is required for promotional applicants. Applications must be completed online at: <http://my.spokanecity.org/jobs> by 4:00 p.m. on the filing cut-off date. Copies of required additional documents may be attached to your application or submitted via any of the following:

- Email: civilservice@spokanecity.org with Job Title – Applicant Name in the subject line of the email
- In person or mail to: Civil Service Commission, 4th Floor-City Hall, 808 W. Spokane Falls Blvd., Spokane, WA 99201
- Fax: (509) 625-6077

Please contact our office at 509-625-6160 immediately if you have any difficulties submitting your application.

By order of the SPOKANE CIVIL SERVICE COMMISSION, dated at Spokane, Washington, this 22nd day of November 2023.

MARK LINDSEY
Chair

KELSEY PEARSON
Chief Examiner

Notice for Bids

Paving, Sidewalks, Sewer, etc.

**Market/Monroe/29th Ave Grind & Overlays
Engineering Services File No. 2022064**

This project consists of the construction of approximately 837 linear feet of storm sewer, 8 drainage structures, 1,156 square yards of sidewalk and ADA ramps, 2,374 linear feet of cement concrete curb, 74,733 square yards of planing bituminous pavement, 1,249 square yards of pavement repair excavation including haul, 1,188 square yards of HMA pavement repair, 74,733 square yards of 2-inch thick asphalt pavement, 8,816 square feet of durable heat applied pavement markings, traffic signal retrofits at Monroe & Garland, 29th & Regal, sundry utility adjustments, and other related miscellaneous items.

The City of Spokane will receive bids until 1:00 p.m. December 4, 2023, for the above project located in Spokane, Washington, in accordance with the Contract Documents on file at the Department, Engineering Services. Bids shall be delivered by hand, mail or courier service to City Hall, 808 W. Spokane Falls Blvd. Spokane, WA 99201. Hand delivered bids shall be delivered to the first floor of City Hall between noon and 1:00 p.m. on bid opening day to the purchasing agent present. All bid packages shall be in sealed envelopes marked with the following text: "Attn: Purchasing - Bid Documents Enclosed, YYY Project", where YYY is the project name.

The bids will be publicly opened and read at 1:15 p.m. online using Microsoft Teams. If you would like to view the bid opening, please utilize one of the following options: to watch, go to our website: <https://my.spokanecity.org/business/bid-and-design/current-projects/> click on the link to the Microsoft Teams meeting on the right-hand side of the page. Alternatively, it may be simpler to listen by phone, which can be done as follows: call (323) 618-1887, then enter the access code 533 854 149 followed by #.

The City of Spokane, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252,42 U.S.C. 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that will affirmatively ensure that any contract entered into pursuant to this

advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin 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.

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.

Note regarding new specifications: The City of Spokane is using WSDOT's 2023 Standard Specifications.

Publish: November 8, 15, 22, & 29, 2023

**29th/Washington/Monroe/Lincoln Grind & Overlays
Engineering Services File No. 2022065**

This project consists of the construction of approximately 1,201 linear feet of storm sewer, 10 drainage structures, 1,580 square yards of sidewalk and ADA ramps, 2,925 linear feet of cement concrete curb, 94,470 square yards of planing bituminous pavement, 10,486 square yards of pavement repair excavation including haul, 10,884 square yards of HMA pavement repair, 94,470 square yards of 2-inch thick asphalt pavement, 16,622 square feet of durable heat applied pavement markings, traffic signal retrofits at Washington & Boone, Washington & Maxwell, 29th Avenue & Perry, sundry utility adjustments, and other related miscellaneous items.

The City of Spokane will receive bids until 1:00 p.m. December 4, 2023, for the above project located in Spokane, Washington, in accordance with the Contract Documents on file at the Department, Engineering Services. Bids shall be delivered by hand, mail or courier service to City Hall, 808 W. Spokane Falls Blvd. Spokane, WA 99201. Hand delivered bids shall be delivered to the first floor of City Hall between noon and 1:00 p.m. on bid opening day to the purchasing agent present. All bid packages shall be in sealed envelopes marked with the following text: "Attn: Purchasing - Bid Documents Enclosed, YYY Project", where YYY is the project name.

The bids will be publicly opened and read at 1:15 p.m. online using Microsoft Teams. If you would like to view the bid opening, please utilize one of the following options: to watch, go to our website: <https://my.spokanecity.org/business/bid-and-design/current-projects/> click on the link to the Microsoft Teams meeting on the right-hand side of the page. Alternatively, it may be simpler to listen by phone, which can be done as follows: call (323) 618-1887, then enter the access code 533 854 149 followed by #.

The City of Spokane, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252,42 U.S.C. 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin 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.

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.

Note regarding new specifications: The City of Spokane is using WSDOT's 2023 Standard Specifications.

Publish: November 8, 15, 22, & 29, 2023

**MARSHALL ROAD TRANSMISSION MAIN PHASE 2
Engineering Services File No. 2022082**

This project consists of the construction of approximately 3,600 linear feet of 30-inch diameter water transmission main, 90 linear feet of 48" steel casing pipe with both open cut and trenchless installation, shoring, HMA pavement repair, curb, sidewalk and driveway removal and replacement, sundry utility adjustments, and other related miscellaneous items.

The City of Spokane will receive bids until 1:00 p.m. December 11, 2023, for the above project located in Spokane, Washington, in accordance with the Contract Documents on file at the Department, Engineering Services. Bids shall be delivered by hand, mail or courier service to City Hall, 808 W. Spokane Falls Blvd. Spokane, WA 99201. Hand delivered bids shall be delivered to the first floor

of City Hall between noon and 1:00 p.m. on bid opening day to the purchasing agent present. All bid packages shall be in sealed envelopes marked with the following text: "Attn: Purchasing - Bid Documents Enclosed, YYY Project", where YYY is the project name.

The bids will be publicly opened and read at 1:15 p.m. online using Microsoft Teams. If you would like to view the bid opening, please utilize one of the following options: to watch, go to our website: <https://my.spokanecity.org/business/bid-and-design/current-projects/> click on the link to the Microsoft Teams meeting on the right-hand side of the page. Alternatively, it may be simpler to listen by phone, which can be done as follows: call (323) 618-1887, then enter the access code 533 854 149 followed by #.

The City of Spokane, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252,42 U.S.C. 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin 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.

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.

Note regarding new specifications: The City of Spokane is using WSDOT's 2023 Standard Specifications.

Note regarding new apprentice program requirements: Section 1-07.9(3) herein has been substantially revised including a new bid item and larger penalties for non-compliance.

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 B. Failure to promptly submit the form including supporting documentation if required may delay award of the Contract.

Publish: November 22, 29, & December 6, 2023

MARSHALL ROAD TRANSMISSION MAIN PHASE 3
Engineering Services File No. 2022083

This project consists of the construction of approximately 3,100 linear feet of 30-inch diameter water transmission main, 1,600 linear feet of 20-inch gravity sanitary sewer, 1,100 linear feet of 18-inch gravity sanitary sewer, 900 linear feet of 8-inch sanitary sewer force main (siphon), 900 linear feet of 18-inch sanitary sewer force main (siphon), sewer manhole structures, sundry utility adjustments, and other related miscellaneous items.

The City of Spokane will receive bids until 1:00 p.m. December 11, 2023, for the above project located in Spokane, Washington, in accordance with the Contract Documents on file at the Department, Engineering Services. Bids shall be delivered by hand, mail or courier service to City Hall, 808 W. Spokane Falls Blvd. Spokane, WA 99201. Hand delivered bids shall be delivered to the first floor of City Hall between noon and 1:00 p.m. on bid opening day to the purchasing agent present. All bid packages shall be in sealed envelopes marked with the following text: "Attn: Purchasing - Bid Documents Enclosed, YYY Project", where YYY is the project name.

The bids will be publicly opened and read at 1:15 p.m. online using Microsoft Teams. If you would like to view the bid opening, please utilize one of the following options: to watch, go to our website: <https://my.spokanecity.org/business/bid-and-design/current-projects/> click on the link to the Microsoft Teams meeting on the right-hand side of the page. Alternatively, it may be simpler to listen by phone, which can be done as follows: call (323) 618-1887, then enter the access code 533 854 149 followed by #.

The City of Spokane, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252,42 U.S.C. 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin 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.

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.

Note regarding new specifications: The City of Spokane is using WSDOT's 2023 Standard Specifications.

Note regarding new apprentice program requirements: Section 1-07.9(3) herein has been substantially revised including a new bid item and larger penalties for non-compliance.

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 B. Failure to promptly submit the form including supporting documentation if required may delay award of the Contract.

Publish: November 22, 29, & December 6, 2023

**ABBREVIATED REQUEST FOR QUALIFICATIONS (RFQ)
CHESTNUT STREET BRIDGE SCOUR MITIGATION (RE-ADVERTISE)
CITY OF SPOKANE, WA**

DESCRIPTION

Design and construction management services for Chestnut Street Bridge Scour Mitigation.

DUE DATE

Tuesday, December 5, 2023 no later than 1:00 p.m.

SCOPE OF SERVICES

The scope of services envisioned in this RFQ is described as follows.

Bridge Details

- Built 1911
- Three span concrete arch
- Two piers in Latah/Hangman Cr, each supported on spread footings and piles
- See RFQ for Exhibit 1: Location and Exhibit 2: Bridge elevation view

Problem Statement

- River has scoured beneath spread footing – see Exhibit 3 in RFQ.

Proposed Work

- The preliminary scope of work includes the following:
 - o Riprap & repair around piers
 - o Soldier pile wall along one bank
 - o Improved hydraulics at bridge
 - o Stream bottom and bank restoration
- The actual work needed will be verified by the consultant
- No work is anticipated on the bridge structure or deck
- The consultant will not perform the actual repair work but will provide some or all of the following services: permitting, design, plans/specs preparation, bidding and/or construction management services all associated with the above mitigation work.

This project has a DBE requirement of 16% as required by the project's funding agency.

EVALUATION CRITERIA

The following weighting will be assigned to the Proposal for evaluation purposes:

Experience with streambed scour prevention/mitigation	20%
Experience with hydraulics as it relates to bridge piers	20%
Experience with streambed/bank restoration	20%
Past performance/references	15%
Project team & approach	10%
Familiarity with working with WSDOT/FHWA	10%
Ability to meet DBE requirements	5%

SUBMITTAL REQUIREMENTS

The full Request for Qualifications containing submittal requirements can be viewed at <https://cityofspokaneplans.com/>. Any revisions made to this RFQ will be emailed.

Submittals shall be submitted via email to mmserbousek@spokanecity.org.

Questions about the RFQ can also be directed to Mark Serbousek at mmserbousek@spokanecity.org.

ADA INFORMATION

The City of Spokane, in accordance with Section 504 of the Rehabilitation Act (Section 504) and the Americans with Disabilities Act (ADA), commits to nondiscrimination on the basis of disability, in all of its programs and activities. This material can be made available in an alternate format by emailing Engineering Services at eraea@spokanecity.org or by calling collect 509-625-6700.

TITLE VI STATEMENT

The City of Spokane, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252,42 U.S.C. 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color or national origin in consideration for an award.

Publish: November 15, 22, and 29, 2023

Notice for Bids

Supplies, Equipment, Maintenance, etc.

GENERAL REPAIR AND MAINTENANCE OF MEDIUM AND HEAVY-DUTY TRUCKS AND EQUIPMENT Fleet Services Department

RFP #6003-23

Description: The City of Spokane is soliciting electronic proposals for General Repair and Maintenance of Medium and Heavy-Duty Trucks and Equipment.

Pre-Proposal Meeting: A Pre-Proposal Conference is scheduled to be held on Friday, December 1st, 2023, at 9:00 am at 915 N Nelson St., Spokane WA.

Bid Opening: Sealed electronic bids will be accepted until **Monday, December 11, 2023 at 1:00pm**. Bids will be publicly opened at 1:15pm. To participate in bid opening, please visit the City's website at <https://my.spokanecity.org/administrative/purchasing/> for the link to attend virtually and the number to attend by telephone. All bid responses must be submitted electronically through the City of Spokane's bidding portal at <https://spokane.procureware.com> before the aforementioned deadline. Hard copy and/or late bids will not be accepted.

To view this solicitation, access Plans and Specifications, and submit a proposal, you must first register in the City's bidding portal at <https://spokane.procureware.com>. Solicitation documents will not be mailed, e-mailed, or provided in person. Once registered, you will also be added to the solicitation distribution list for changes and/or additions via Addenda form.

Potential bidders are asked to post their questions on our bidding portal under the tab labeled "Clarifications" under the relative project number.

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.**

Thea Prince
Purchasing Department

Publish: November 15, 22 & 29, 2023

REQUEST FOR PROPOSALS #6018-23

Water and Sewer Rehabilitation Program Administration City of Spokane Integrated Capital Management

The City of Spokane is soliciting electronic Proposals for the above titled Request for Proposals.

Pre-Proposal Conference:

A Pre-Proposal Conference is scheduled to be held on **TUESDAY, DECEMBER 12, 2023 at 10:30 a.m., local time, virtually via Microsoft Teams**, at **Click here to join the meeting** or: https://teams.microsoft.com/l/meetup-join/19%3ameeting_M2Y4MGEyYwQtMzY2Ni00NTJhLWExOTctZjA4YTgwMDJiNzFk%40thread.v2/0?context=%7b%22Tid%22%3a%2295fa1d6e-6a27-496e-9117-fc34d9076661%22%2c%22Oid%22%3a%22894f964b-8a21-4be9-a93b-5fa7b612bd5d%22%7d.

Alternatively, you may join the meeting by the methods below:

Meeting ID: 240 409 004 476

Passcode: KP6qwi

Download Teams | Join on the web

Join with a video conferencing device:

cityofspokane@m.webex.com

Video Conference ID: 114 429 958 2

Alternate VTC instructions

Or call in (audio only):

+1 424-566-7556, [813696368#](tel:813696368#) United States, Los Angeles

Phone Conference ID: 813 696 368#

All prospective Proposers should attend; however, attendance is not mandatory.

Proposal Submittal: Proposals must be submitted electronically through the City of Spokane's online procurement system portal until **1:00 p.m. on MONDAY, DECEMBER 18, 2023**. Hard copies, emails, and late submittals will not be accepted.

To view this solicitation and submit a Proposal, the Proposer must be a registered supplier on the City's online procurement system at <https://spokane.procureware.com>. Solicitation documents will not be mailed, e-mailed, or provided in person. Once registered, Proposers will also be added to the solicitation's notification list for Addenda posting or other communication via email. Registration is free.

Questions will be accepted through the procurement system in the "Clarifications" tab of the applicable solicitation number.

It is the Proposer's responsibility to check the City of Spokane's procurement system identified above for Addenda or other information that may be posted regarding this Request for Proposals.

The right is reserved to reject any and all Proposals and to waive any informalities.

Public Bid Opening: Sealed Proposals will be acknowledged and unsealed at the City virtual public bid opening meeting at 1:15 p.m. on **MONDAY, DECEMBER 18, 2023**. For the link to attend virtually, visit the City's Purchasing website at <https://my.spokanecity.org/administrative/purchasing/>. Alternatively, it may be simpler to listen by phone which can be done as follows: call (323) 618-1887 then enter the access code 533 854 149 followed by #.

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. Individuals requesting reasonable accommodations or further information may call, write, or email Risk Management at 509.625.6221, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or mjowmaster@spokanecity.org. Persons who are deaf, hard of hearing, deaf-blind, and speech disabled may contact Risk Management through the Washington Relay Service at 7-1-1 forty-eight (48) hours before the meeting date.

Connie Wahl, C.P.M., CPPB
Senior Procurement Specialist,
City of Spokane Purchasing & Contracts

Publish: November 29 and December 6, 2023

REQUEST FOR QUALIFICATIONS #6026-23

**Climate Impact and Resiliency Planning with Comprehensive Plan Update Services
City of Spokane Planning and Economic Development Department**

The City of Spokane is soliciting electronic Proposals for the above titled Request for Qualifications.

Proposal Submittal: Proposals must be submitted electronically through the City of Spokane's online procurement system portal until **1:00 p.m. on MONDAY, DECEMBER 18, 2023**. Hard copies, emails, and late submittals will not be accepted.

To view this solicitation and submit a Proposal, the Proposer must be a registered supplier on the City's online procurement system at <https://spokane.procureware.com>. Solicitation documents will not be mailed, e-mailed, or provided in person. Once registered, Proposers will also be added to the solicitation's notification list for Addenda posting or other communication via email. Registration is free.

Questions will be accepted through the procurement system in the "Clarifications" tab of the applicable solicitation number.

It is the Proposer's responsibility to check the City of Spokane's procurement system identified above for Addenda or other information that may be posted regarding this Request for Qualifications.

The right is reserved to reject any and all Proposals and to waive any informalities.

Public Bid Opening: Sealed Proposals will be acknowledged and unsealed at the City virtual public bid opening meeting at 1:15 p.m. on **MONDAY, DECEMBER 18, 2023**. For the link to attend virtually, visit the City's Purchasing website at <https://my.spokanecity.org/administrative/purchasing/>. Alternatively, it may be simpler to listen by phone which can be done as follows: call (323) 618-1887 then

enter the access code 533 854 149 followed by #.

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Connie Wahl, C.P.M., CPPB
Senior Procurement Specialist,
City of Spokane Purchasing & Contracts

Publish dates: November 22, 29, and December 6, 2023
