

**Agenda Sheet for City Council Meeting of:**  
03/22/2021

<b>Date Rec'd</b>	3/5/2021
<b>Clerk's File #</b>	ORD C36027
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	PLANNING & ECONOMIC DEVELOPMENT
<b>Contact Name/Phone</b>	AMANDA BECK 625-6414
<b>Contact E-Mail</b>	ABECK@SPOKANECITY.ORG
<b>Agenda Item Type</b>	First Reading Ordinance
<b>Agenda Item Name</b>	0650 - SPOKANE MUNICIPAL CODE TITLE 17G AMENDMENT

**Agenda Wording**

An Ordinance to amend the Spokane Municipal Code, sections 17G.040.040 Design Review Criteria, 17G.060.020 Administration, 17G.060.070 PUD, 17G.070.220 Vesting, and 17G.080.070 Subdivision Design Standards.

**Summary (Background)**

The proposed amendments are part of a series of five City-initiated minor amendments intended to respond to needed corrections, changing conditions, and improvements to the Spokane Municipal Code. The amendments to Title 17G include clarifying language and updating cross-references to other code sections. Collectively, the proposed changes to the SMC are categorically exempt under WAC 197-11-800 (19).

Lease?	NO	Grant related?	NO	Public Works?	NO
<b><u>Fiscal Impact</u></b>			<b><u>Budget Account</u></b>		
Neutral	\$	#			
Select	\$	#			
Select	\$	#			
Select	\$	#			
<b><u>Approvals</u></b>			<b><u>Council Notifications</u></b>		
<b><u>Dept Head</u></b>		MEULER, LOUIS	<b><u>Study Session\Other</u></b>		PC-9/23/20 & 11/11/20, UE 1/11/21, CA 12/3/20
<b><u>Division Director</u></b>		BECKER, KRIS	<b><u>Council Sponsor</u></b>		CM Kinnear
<b><u>Finance</u></b>		ORLOB, KIMBERLY	<b><u>Distribution List</u></b>		
<b><u>Legal</u></b>		RICHMAN, JAMES	abeck@spokanecity.org		
<b><u>For the Mayor</u></b>		ORMSBY, MICHAEL	lmeuler@spokanecity.org		
<b><u>Additional Approvals</u></b>			tblack@spokanecity.org		
<b><u>Purchasing</u></b>			jrichman@spokanecity.org		
			sbishop@spokanecity.org		
			PASSED BY		
			SPOKANE CITY COUNCIL:		

*March 29, 2021*  
*[Signature]*  
CITY CLERK

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

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

**Background**

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

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

**Categorization of proposed Maintenance Amendments**

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

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

**Clarification:** These include changes such as fixing conflicting provisions within the code or fixing code provisions that were either oversights or mistakes when the code was adopted.

**Substantive:** These include changes such as adjusting permitted uses, adjusting a development standard, or improving the practical application of the code.

**Executive Summary**

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

**Budget Impact:**

Approved in current year budget? ☐ Yes ☐ No ☒ N/A

Annual/Reoccurring expenditure? ☐ Yes ☒ No ☐ N/A

If new, specify funding source:

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

**Operations Impact:**

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

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

Specify changes required: Legislative repeal action.

Known challenges/barriers: None.

**Attachments:**

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

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

**Introduction**

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

The three types are:

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

**Clarification:** These include changes such as fixing conflicting provisions within the code or fixing code provisions that were either oversights or mistakes when the code was adopted.

**Substantive:** These include changes such as adjusting permitted uses, adjusting a development standard, or improving the practical application of the code.

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

---

**Table of Contents**

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

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

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

---

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

*Strikethrough "development and amend with "design" in both locations in this clause (E).*

[Section 04.13.015](#) Design Review Board

Purpose.

The design review board is hereby established to:

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



---

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

*Amend "Design Criteria" to "Decision Criteria"*

Section 17C.110.100 Residential Zone Primary Uses

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

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

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

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

- Type of code amendment: **Minor**

---

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

**7. Industrial Limitation.**

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

- a. **Limited industrial uses are allowed.** ((~~Only limited industrial uses are allowed.~~)) Industrial uses more intensive than the limited industrial definition are not allowed.

- Type of code amendment: **Minor**
-

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

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

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

- Type of code amendment: **Minor**

---

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

*Replace the term "special use permit" with conditional use permit terminology in Appendix B.*

**APPENDIX "B"**

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

**SEPA EXEMPTION LEVELS MATRIX (INFORMATIONAL ONLY)**

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

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

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

Type of code amendment: **Minor**

---

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

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

**Section 17F.010.050 Notice of Hearing**

**A. Existing Building and Conservation Code.**

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



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

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

- Type of code amendment: **Minor**

---

#### **17F.040.140 (A) Awnings**

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

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

#### [Section 17F.040.140](#) Awnings

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

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

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

- Type of code amendment: **Minor**

---

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

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

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

Design Review Criteria.

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

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



- Type of code amendment: **Minor**

---

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

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

Section 17G.060.020 Administration

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

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

- Type of code amendment: **Minor**

---

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

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

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

- Type of code amendment: **Minor**

---

**17G.070.220 (A) Administration and Procedures; Planned Unit Developments; Vesting**  
*Strikethrough "Title 11 SMC and" (repealed)*

Chapter 17G.070 Planned Unit Developments

Section 17G.070.220 Vesting

A. Applicability.

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

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

- Type of code amendment: **Minor**

---

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

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

[Chapter 17G.080 Subdivisions](#)

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

##### **C. Design of Lots and Blocks.**

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

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



## **ORDINANCE NO. C36027**

AN ORDINANCE relating to Design Review Board Administration and Procedures, Land Use Application Procedures, Land Use Applications, PUD, Vesting Planned Unit Developments, and Subdivision Design Standards; amending Spokane Municipal Code (SMC) sections 17G.040.040(B), 17G.060.020(A)(3), 17G.060.070(B)(5)(c), 17G.070.220(A), and 17G.080.070(C)(5).

WHEREAS, the Planning Department and Plan Commission engage in ongoing review and amendments, as needed, to the City's Unified Development Code, which is codified at Title 17 of the Spokane Municipal Code (the "UDC"); and

WHEREAS, following a public hearing, the Plan Commission recently recommended approval of a number of minor amendments to the UDC, following the procedures set forth in SMC 17G.025.010; and

WHEREAS, prior to the Plan Commission hearing, staff requested comments from agencies and departments and the required public notices were published in the Spokesman Review on December 30, 2020, January 6, February 10, and February 17, 2021. The proposed UDC amendments were available for public review on the Planning and Development Services website on <https://my.spokanecity.org/projects/2020-2021-unified-development-code-maintenance/>; and

WHEREAS, the Plan Commission held several workshop sessions to study the proposed UDC amendments; and

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

WHEREAS, on November 5, 2020 the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the UDC; and

WHEREAS, the City Plan Commission held a public hearing on February 24, 2021 to obtain public comments on the proposed UDC amendments; and

WHEREAS, the Plan Commission reviewed all public testimony received during the public hearings and made appropriate changes to the draft UDC amendments during its deliberations; and

WHEREAS, consistent with SMC 17G.025.010, the Plan Commission found (i) that the proposed UDC amendments are consistent with applicable provisions of the City of Spokane Comprehensive Plan, and (ii) that the proposed UDC amendments bear a substantial relation to public health, safety, welfare, and protection of the environment; and

WHEREAS, the Plan Commission's Findings of Fact, Conclusions, and Recommendations Regarding the Unified Development Code Maintenance Project – Phase 1, together with the Plan Commission's entire files relating to the same, are hereby incorporated into this ordinance.

Now, Therefore, The City of Spokane does ordain:

Section 1. That SMC section 17G.040.040 is amended to read as follows:

**17G.040.040 Administration and Procedures; Design Review Board Administration and Procedures; Design Review Criteria.**

Section 17G.040.040 Design Review Criteria

Design Review Criteria.

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

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

Section 2. That SMC section 17G.060.020 is amended to read as follows:

**17G.060.020 Administration and Procedures; Land Use Application Procedures; Administration.**

Section 17G.060.020 Administration

- A. Responsibility for the administration, application and interpretation of these procedures pursuant to this ordinance is as is set forth below.
  1. The director of building services or his designee is responsible for chapter 17E.050 SMC, Division F; chapter 17G.010 SMC, Division I; and the development codes.
  2. The director of engineering services or his designee is responsible for chapter 17D.020 SMC, chapter 17D.070 SMC, chapter 17E.010 SMC, chapter 17E.050 SMC, chapter 17G.080 SMC, Division H and the development codes.

3. The director of planning services or his designee is responsible for SMC (~~((Division B, Division C,)) Title 17B and Title 17C and ((chapter 11.15 SMC, chapter 11.17 SMC, chapter 11.19 SMC,))~~) chapter 17D.010 SMC, chapter 17D.060 SMC, chapter 17D.080 SMC, chapter 17D.090 SMC, chapter 17E.020 SMC, chapter 17E.030 SMC, chapter 17E.040 SMC, chapter 17E.050 SMC, chapter 17E.060 SMC, chapter 17E.070 SMC, chapter 17G.020 SMC, chapter 17G.030 SMC, chapter 17G.040 SMC, chapter 17G.060 SMC, chapter 17G.070 SMC and chapter 17G.080 SMC
- B. The procedures for requesting interpretations of the land use codes and development codes shall be made by the department and may be contained under the specific codes.

Section 3. That SMC section 17G.060.070 is amended to read as follows:

**17G.060.070 Administration and Procedures; Land Use Applications; Application Requirements; PUD.**

Section 17G.060.070 Application Requirements

- A. Application requirements for Type I, II, and III project permit applications shall contain the following:
  1. Predevelopment meeting summary as provided in SMC 17G.060.050(B), if required in Table 17G.060-3.
  2. Application documents provided by the department specifically including:
    - a. General application;
    - b. Supplemental application;
    - c. Environmental checklist, if required under chapter 17E.050 SMC;
    - d. Filing fees as required under chapter 8.02 SMC;
    - e. A site plan drawn to scale showing:
      - i. property dimensions;
      - ii. location and dimensions of all existing and proposed physical improvements;
      - iii. location and type of landscaping;
      - iv. walkways and pedestrian areas;
      - v. off-street parking areas and access drives;
      - vi. refuse facilities; and
      - vii. significant natural features, such as slopes, trees, rock outcrops including critical areas.
    - f. Required number of documents, plans, or maps (as set forth in the application checklist);
    - g. Written narrative identifying consistency with the applicable policies, regulations, and criteria for approval of the permit requested;



- h. Other plans, such as building elevations, landscaping plans, or sign plans, which are determined by the permitting department to be necessary to support the application; and
  - i. Additional application information may be requested by the permitting department and may include, but is not limited to, the following:
    - i. geotechnical studies,
    - ii. hydrologic studies,
    - iii. critical area studies,
    - iv. noise studies,
    - v. air quality studies,
    - vi. visual analysis, and
    - vii. transportation impact studies.
3. A certificate of appropriateness if required by chapter 17D.100 SMC.
- B. The following Type II and III applications shall meet the requirements in this subsection in addition to the provisions of subsection (A) of this section:
- 1. Shoreline – Substantial Development Permit, Conditional Use Permit and Variance.
    - a. Name, address, and phone number of the applicant. The applicant should be the owner of the property or the primary proponent of the project and not the representative of the owner or primary proponent.
    - b. Name, address, and phone number of the applicant's representative if other than the applicant.
    - c. Name, address, and phone number of the property owner, if other than the applicant.
    - d. Location of the property. This shall, at a minimum, include the property address and identification of the section, township and range to the nearest quarter, quarter section or latitude and longitude to the nearest minute.
    - e. Identification of the name of the shoreline (water body) with which the site of the proposal is associated.
    - f. General description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project.
    - g. General description of the property as it now exists, including its physical characteristics and improvements and structures.
    - h. General description of the vicinity of the proposed project, including identification of the adjacent uses, structures and improvements, intensity of development and physical characteristics.
    - i. A site development plan consisting of maps and elevation drawings, drawn to an appropriate scale to depict clearly all required information, photographs and text which shall include:

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

- xiii. on all variance applications, the plans shall clearly indicate where development could occur without the approval of a variance, the physical features and circumstances of the property that provide a basis for the request, and the location of adjacent structures and uses.
- 2. Certificate of Compliance.
  - a. Site plan is to be prepared by a licensed surveyor; and
  - b. Copies of building permits or other data necessary to demonstrate the building was erected in good faith and all reasonable efforts comply with the code.
- 3. Plans-in-lieu of Compliance.
  - a. Alternative development plan designed in conformance with the applicable development regulations; and
  - b. A written narrative of how the proposed development plan is superior, or more innovative, or provides greater public benefit.
- 4. Preliminary Plat, Short Plat, and Binding Site Plan.  
As provided in chapter 17G.080 SMC.
- 5. PUD.
  - a. Profiles of any structures more than one story, shown in relation to finished grade.
  - b. Location, dimension, and boundary of proposed open space.
  - c. Site plan demonstrating compliance with (~~chapter 11.19 SMC~~) chapter 17C.110 and chapter 17G.070 including signs, off-street parking, structure height, building coverage, yards, density, screening, buffering, and lighting.
- 6. Skywalk.
  - a. A legal description of airspace to be occupied.
  - b. Architectural and engineering plans.
  - c. Artist's rendering of the proposed skywalk; and
  - d. Written narrative of the access for the public from the street, other buildings, and other skywalks.
- 7. Floodplain – Floodplain Development Permit and Variance.  
As provided in chapter 17E.030 SMC.



Section 4. That SMC section 17G.070.220 is amended to read as follows:

**17G.070.220 Administration and Procedures; Planned Unit Developments; Vesting.**

Section 17G.070.220 Vesting

A. Applicability.

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

B. Subsequent Regulations.

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

Section 5. That SMC section 17G.080.070 is amended to read as follows:

**17G.080.070 Administration and Procedures; Subdivisions; Subdivision Design Standards; Design of Lots and Blocks.**

Section 17G.080.070 Subdivision Design Standards

A. Street Design and Improvements.

1. Street design is governed by the comprehensive plan, city design standards, chapter 17H.010 SMC and chapter 17E.030 SMC. Streets within and along a subdivision are to be designed in light of topography and existing and planned street patterns.
2. Except in unusual cases a plat must dedicate a full width street.
3. Entry gates are prohibited on public streets.
4. The following statement shall appear in the dedication of the final plat, final short plat or final binding site plan:

- a. "All street identification and traffic control signs required by this project will be the responsibility of the developer."

**B. Easements.**

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

**C. Design of Lots and Blocks.**

1. The length, width and shape of blocks shall be designed with due regard to providing adequate building sites for the use contemplated; consideration of the needs for convenient access, circulation, control, safety of the street traffic, provision for utilities and recognition of limitations and opportunities of topography.
2. Blocks shall be recognized as closed polygons, bordered by street right-of-way lines, addition lines or a combination of the two, unless an alley is desired, in which case a block may be comprised of two closed polygons separated by the adjoining alley.
3. Blocks shall ordinarily be sufficient to allow for two tiers of lots of depths sufficient to meet the underlying zone. Double-frontage lots should be avoided.
4. All plat lots shall begin with lot one block one and shall be numbered consecutively by lots and blocks, provided that for plats sequenced by phasing, and which adjoin a previously recorded phase of the approved preliminary plat,

lots may continue with lot one and the next consecutively sequenced block number. Lots from one plat shall not cross plat boundaries into another plat.

5. Lot widths, lot areas and frontage upon a public street (or private street within a PUD or binding site plan) shall conform to the underlying zone. For PUDs the hearing examiner may adjust the standards of the underlying zone subject to the provisions of ~~((SMC 11.19.366))~~ SMC 17G.070 and for binding site plans the director may adjust the standards of the underlying zone subject to provision of SMC 17G.060.170(D)(4). Corner lots shall be designed to ensure setbacks are met from both streets. Lots shall be as nearly rectangular as possible with side lot lines approximately at right angles or radial to street lines.
6. Lots shall not be divided by the boundary of any zoning designation or public right-of-way.
7. Where a lot is plotted into one acre or more in size, the director may require an arrangement of the lot such as to permit a subsequent redivision in conformity with plans adopted by the City.

**D. Stormwater Improvements.**

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

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

**E. Sewer Improvements.**

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

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

**F. Water and Utility Improvements.**

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

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

PASSED by the City Council on March 29, 2021

[Signature]  
Council President

Attest:

[Signature]  
City Clerk

[Signature]  
Mayor

Approved as to form:

[Signature]  
Assistant City Attorney

4/6/2021  
Date

May 6, 2021  
Effective Date





**CITY OF SPOKANE PLAN COMMISSION  
FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS  
REGARDING THE UNIFIED DEVELOPMENT CODE MAINTENANCE PROJECT - PHASE I**

A recommendation of the City of Spokane Plan Commission to the City Council to approve the amendments to the Spokane Municipal Code proposed by the Unified Development Code (UDC) Maintenance Project Phase I. The UDC Maintenance Phase I proposed thirteen minor amendments to the following Titles, chapters, or sections of Spokane Municipal Code (SMC): relating to Design Review Board, Residential Zones Primary Uses, Downtown Zones Limited Use Standards, Off-site impacts Noise, SEPA Categorical Exemptions Applicability Appendix B, Construction Standards General Provisions Notice of Hearing, Building Code Awnings, Design Review Board Procedures, Design Review Board Criteria, Administration and procedures, Planned Unit Developments, Subdivision Design Standards, and Street Development Standards, amending Spokane Municipal Code (SMC) sections 04.13.015, 17C.110.100, 17C.124.110, 17C.220.060, 17E.050.080 Appendix B, 17F.010.050, 17F.040.140, 17G.040.040(B), 17G.060.020(A)(3), 17G.060.070(B)(5)(c), 17G.070.220(A), and 17G.080.070(C)(5).

**FINDINGS OF FACT:**

- A. The maintenance of the Unified Development Code (UDC) and in general the Spokane Municipal Code (SMC) has been a periodic, recurring project of Planning Services as well as other City departments over the course of the last two decades to maintain consistency and clarity as local policy documents needs or local, State and Federal regulations change.
- B. Planning Services has identified Phase I of multiple sections of SMC chapters require minor corrections, elimination of redundancy, or other non-substantive action.
- C. Shaping Spokane, the 2017 adopted City of Spokane Comprehensive Plan Chapter 3 Land Use policy 7.1, Regulatory Structure, supports regulations that are predictable, reliable, and adaptable to changing living and working arrangements brought about by technological advancements and Land Use policy 7.2 calls out a continuing review process to periodically re-evaluate and direct city policies and regulations consistent with chapter 3 Vision and Values.
- D. Amendments to Title 17 are subject to review and recommendation by the Plan Commission.
- E. The minor amendments included in Phase I are categorically exempt from review under the State Environmental Policy Act (SEPA) RCW 43.21 as stated in Washington Administrative Code (WAC) Procedural Actions 197-11-800(19)(a)(b).
- F. Plan Commission workshops were held in a virtual meeting format on September 23 and November 11, 2020. Further public notice was available by Notice of Intent to amend and adopt SMC multiple chapter sections including 04.13.015, 17C.110.100, 17C.124.110, 17C.220.060, 17E.050.080 Appendix B, 17F.010.050, 17F.040.140, 17G.040.040(B), 17G.060.020(A)(3), 17G.060.070(B)(5)(c), 17G.070.220(A),

17G.080.070(C)(5), as part of periodic maintenance of the SMC was published in the City Gazette November 25 and December 2 2020, updated on the city online project page <https://my.spokanecity.org/projects/2020-2021-unified-development-code-maintenance/>; the Community Assembly was provided briefing material on December 4, 2020.


- G. Plan Commission hearing notices were placed in the Spokesman-Review legal notices December 30, 2020, January 6, February 10, and February 17, 2021.
- H. The Plan Commission held a public hearing on February 24 to obtain public input on the proposed amendments, if any.

**CONCLUSIONS:**

- A. The Plan Commission has reviewed all public testimony received during the public hearing.
- B. The Plan Commission finds that the proposed amendments are consistent with applicable provisions of the comprehensive plan and that the proposed amendments bear a substantial relation to the public health, safety, welfare, and protection of the environment.

**RECOMMENDATION:**

In the matter of the Unified Development Code Maintenance Project - Phase I, by unanimous vote, the Plan Commission recommends to the City Council the approval of the proposed amendment to the Spokane Municipal Code, as part of periodic maintenance of the Unified Development Code.

  
\_\_\_\_\_  
Todd Beyreuther (Mar 9, 2021 10:22 PST)  
**Todd Beyreuther, President**  
**Spokane Plan Commission**  
February 26, 2021






# FinalPlan Commission Findings - UDC Maintenance Phase I.20210226

Final Audit Report

2021-03-09

Created:	2021-03-01
By:	Jackie Churchill (jchurchill@spokanecity.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAA9V06ZBgGpEqFsusSdi3mHAPtOiXTTBpv

## "FinalPlan Commission Findings - UDC Maintenance Phase I.20210226" History

-  Document created by Jackie Churchill (jchurchill@spokanecity.org)  
2021-03-01 - 4:26:09 PM GMT- IP address: 73.83.158.109
-  Document emailed to Todd Beyreuther (tbeyreuther@spokanecity.org) for signature  
2021-03-01 - 4:26:24 PM GMT
-  Email viewed by Todd Beyreuther (tbeyreuther@spokanecity.org)  
2021-03-09 - 4:44:23 PM GMT- IP address: 73.140.12.157
-  Document e-signed by Todd Beyreuther (tbeyreuther@spokanecity.org)  
Signature Date: 2021-03-09 - 6:22:32 PM GMT - Time Source: server- IP address: 73.140.12.157
-  Agreement completed.  
2021-03-09 - 6:22:32 PM GMT

**CITY OF SPOKANE PLAN COMMISSION  
FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS  
REGARDING THE SHORELINE MASTER PROGRAM PERIODIC REVIEW**

A recommendation of the City of Spokane Plan Commission to the City Council to approve the amendments to the Spokane Municipal Code proposed by the Shoreline Master Program Periodic Review (SMP PR). The SMP PR proposed amending Spokane Municipal Code (SMC) Title 17A Administration, Chapter 17A.020 Definitions, Sections 17A.020.040(R)(2) "D" Definitions, and Section 17A.020.060(S) "F" Definitions, Title 17E, Chapter 17E.060, Article II, Part II sections 17E.060.110 and 17E.060.150, Article IV 17E.060.290, 17E.060.300, 17E.060.340, Article VI Part II 17E.060.690, Article VII Part II 17E.060.770, 17E.060.790, Article VIII 17E.060.800, 17E.060.810, 17E.060.820, 17E.060.830, 17E.060.840, and Article V Part III 17E.060.380.

**FINDINGS OF FACT:**

- A. The Shoreline Master Program (SMP) Periodic Review (PR) is state mandated and led by the City of Spokane in close collaboration with Dept of Ecology. This project is narrowly focused to achieve City SMP compliance with changes to state legislation concerning Shorelines.
- B. Authority for the periodic review is based on Washington's Shoreline Management Act (Ch. 90.58 RCW) and related rules. These amendments were developed by the City to comply with WAC 173-26-090, which requires all local governments to review their SMPs on an eight-year schedule set in state law and revise it if necessary.
- C. The periodic review ensures the SMP keeps up with changes in state laws, changes in other local jurisdictions' plans and regulations, and other changed circumstances.
- D. Shaping Spokane, the 2017 adopted City of Spokane Comprehensive Plan Chapter 3 Land Use policy 7.1, Regulatory Structure, supports regulations that are predictable, reliable, and adaptable to changing living and working arrangements brought about by technological advancements and Land Use policy 7.2 calls out a continuing review process to periodically re-evaluate and direct city policies and regulations consistent with chapter 3 Vision and Values.
- E. The City elected to use the optional joint review process to combine the local and Ecology comment periods, as allowed under WAC 173-26-104. No additional comment period occurs during the state review process, however additional city review and comment periods have been provided. Comments provided to the City of Spokane are reviewed by both the City and Ecology.
- F. Amendments to Title 17 are subject to review and recommendation by the Plan Commission.

- G. A State Environmental Protection Act (SEPA) Determination of Non-Significance was issued by Planning Services on December 23, 2020 and a 14-day comment period commenced January 5 - January 19, 2021. No comments were received during the comment period.
- H. The City SMP was reviewed against Dept of Ecology Periodic Review checklist as required; analysis submitted to Ecology. Necessary amendments were identified, and the Draft Amendment Proposal prepared, shared with agencies for review, and uploaded online. An email database of interested parties is maintained for regular communications. Information on the Periodic Review was presented to the public, neighboring jurisdictions, and partner agencies in two virtual Open House sessions via Webex on December 1, 2020. The Community Assembly was briefed on December 3, 2020.
- I. A notice of Joint Public Comment Period with Ecology and City of Spokane was published in the Spokesman-Review December 23 and January 5; the comment period commenced January 5 - February 5, 2021 and all comments were recorded, responded to, and provided to Ecology. Ecology provided separate notification.
- J. Plan Commission hearing legal notices were published in the Spokesman-Review February 10, and February 17, 2021.
- K. The Plan Commission held a public hearing on February 24 to obtain public input on the proposed amendments, if any.

**CONCLUSIONS:**

- A. The Plan Commission has reviewed all public testimony received during the public hearing.
- B. The Plan Commission finds that the proposed amendments are consistent with applicable provisions of the comprehensive plan and that the proposed amendments bear a substantial relation to the public health, safety, welfare, and protection of the environment.

**RECOMMENDATION:**

In the matter of the amendments to the Spokane Municipal Code proposed by the Shoreline Master Program Periodic Review, by unanimous vote, the Plan Commission recommends to the City Council the approval of the proposed amendments to the Spokane Municipal Code, as mandated by the State of Washington Shoreline Management Act RCW 90.58 eight year cycle of review.

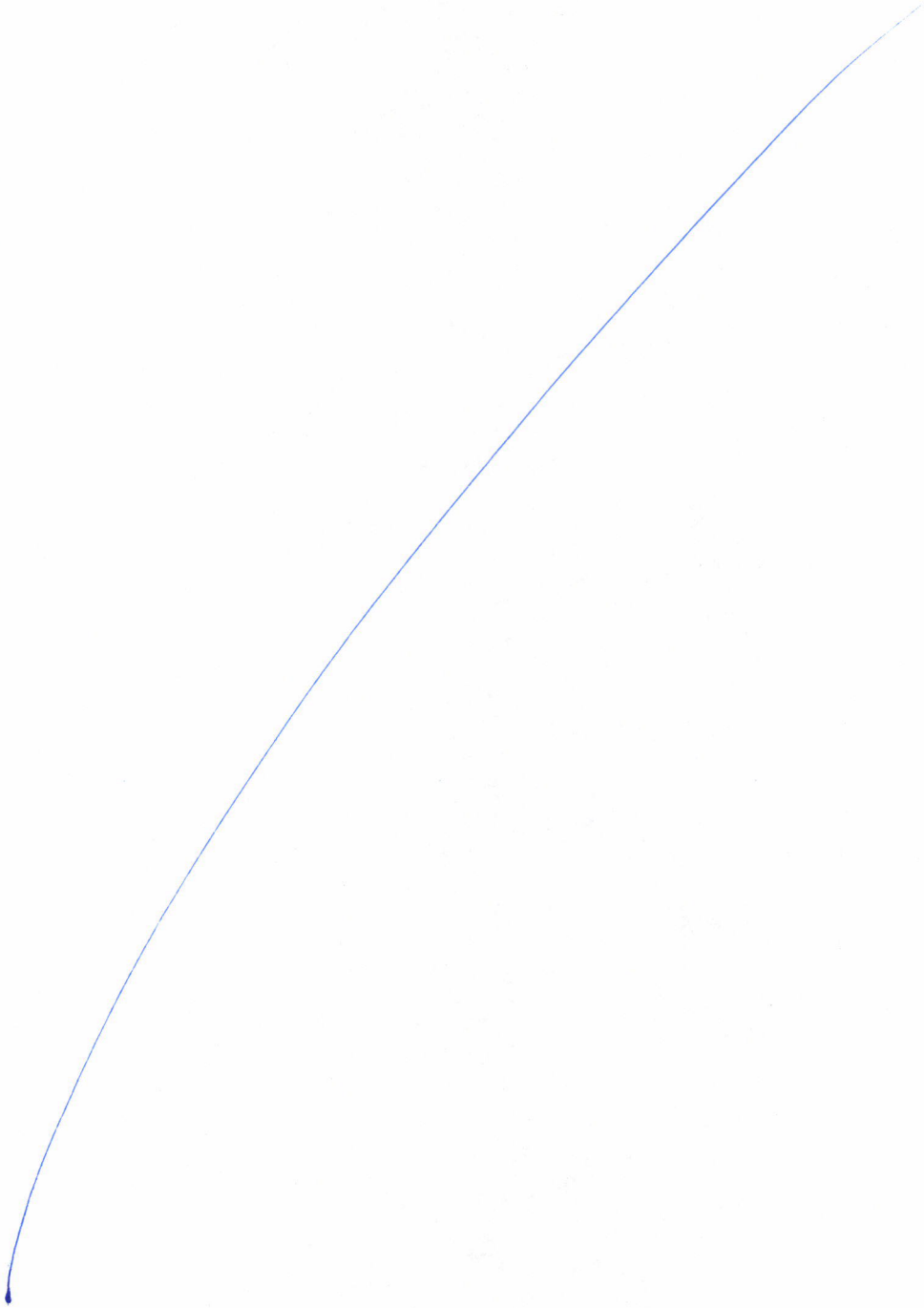




Todd Beyreuther (Mar 2, 2021 16:48 PST)

---

**Todd Beyreuther, President**  
**Spokane Plan Commission**  
March 3, 2021



**CITY OF SPOKANE PLAN COMMISSION  
FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS  
REGARDING THE UNIFIED DEVELOPMENT CODE MAINTENANCE PROJECT - PHASE I**

A recommendation of the City of Spokane Plan Commission to the City Council to approve the amendments to the Spokane Municipal Code proposed by the Unified Development Code (UDC) Maintenance Project Phase I. The UDC Maintenance Phase I proposed thirteen minor amendments to the following Titles, chapters, or sections of Spokane Municipal Code (SMC): relating to Design Review Board, Residential Zones Primary Uses, Downtown Zones Limited Use Standards, Off-site impacts Noise, SEPA Categorical Exemptions Applicability Appendix B, Construction Standards General Provisions Notice of Hearing, Building Code Awnings, Design Review Board Procedures, Design Review Board Criteria, Administration and procedures, Planned Unit Developments, Subdivision Design Standards, and Street Development Standards, amending Spokane Municipal Code (SMC) sections 04.13.015, 17C.110.100, 17C.124.110, 17C.220.060, 17E.050.080 Appendix B, 17F.010.050, 17F.040.140, 17G.040.040(B), 17G.060.020(A)(3), 17G.060.070(B)(5)(c), 17G.070.220(A), and 17G.080.070(C)(5).

**FINDINGS OF FACT:**

- A. The maintenance of the Unified Development Code (UDC) and in general the Spokane Municipal Code (SMC) has been a periodic, recurring project of Planning Services as well as other City departments over the course of the last two decades to maintain consistency and clarity as local policy documents needs or local, State and Federal regulations change.
- B. Planning Services has identified Phase I of multiple sections of SMC chapters require minor corrections, elimination of redundancy, or other non-substantive action.
- C. Shaping Spokane, the 2017 adopted City of Spokane Comprehensive Plan Chapter 3 Land Use policy 7.1, Regulatory Structure, supports regulations that are predictable, reliable, and adaptable to changing living and working arrangements brought about by technological advancements and Land Use policy 7.2 calls out a continuing review process to periodically re-evaluate and direct city policies and regulations consistent with chapter 3 Vision and Values.
- D. Amendments to Title 17 are subject to review and recommendation by the Plan Commission.
- E. The minor amendments included in Phase I are categorically exempt from review under the State Environmental Policy Act (SEPA) RCW 43.21 as stated in Washington Administrative Code (WAC) Procedural Actions 197-11-800(19)(a)(b).
- F. Plan Commission workshops were held in a virtual meeting format on September 23 and November 11, 2020. Further public notice was available by Notice of Intent to amend and adopt SMC multiple chapter sections including 04.13.015, 17C.110.100, 17C.124.110, 17C.220.060, 17E.050.080 Appendix B, 17F.010.050, 17F.040.140, 17G.040.040(B), 17G.060.020(A)(3), 17G.060.070(B)(5)(c), 17G.070.220(A),

17G.080.070(C)(5), as part of periodic maintenance of the SMC was published in the City Gazette November 25 and December 2 2020, updated on the city online project page <https://my.spokanecity.org/projects/2020-2021-unified-development-code-maintenance/>; the Community Assembly was provided briefing material on December 4, 2020.


- G. Plan Commission hearing notices were placed in the Spokesman-Review legal notices December 30, 2020, January 6, February 10, and February 17, 2021.
- H. The Plan Commission held a public hearing on February 24 to obtain public input on the proposed amendments, if any.

**CONCLUSIONS:**

- A. The Plan Commission has reviewed all public testimony received during the public hearing.
- B. The Plan Commission finds that the proposed amendments are consistent with applicable provisions of the comprehensive plan and that the proposed amendments bear a substantial relation to the public health, safety, welfare, and protection of the environment.

**RECOMMENDATION:**

In the matter of the Unified Development Code Maintenance Project - Phase I, by unanimous vote, the Plan Commission recommends to the City Council the approval of the proposed amendment to the Spokane Municipal Code, as part of periodic maintenance of the Unified Development Code.

  
Todd Beyreuther (Mar 9, 2021 10:22 PST)  

---

**Todd Beyreuther, President**  
**Spokane Plan Commission**  
February 26, 2021