



Spokane Development Code Assessment

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CLARION

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PART 1: INTRODUCTION

WHY UNDERTAKE THIS PROJECT?

The City of Spokane is initiating a project to update its zoning code, with the objective of modernizing its development regulations to address major community needs such as housing, economic growth, and sustainability. Called *BUILDSpokane*, the project also aims to align zoning regulations with the comprehensive plan, (*PLANSpokane*), which is being updated concurrently, so that the revised code helps to implement the plan's goals and visions. The new code will come into compliance with recent state laws while reducing barriers to development and redevelopment. In particular, the city hopes the changes will encourage more housing options, improve affordability, and support mixed-use and higher-density development in some areas. Key to supporting streamlined development is revision of some of the City's review and approval procedures to be more efficient and results-oriented. Overall, the zoning update will result in clear and easier to understand regulations that help Spokane manage growth and meet future community goals.

PROJECT OVERVIEW

The City of Spokane, in collaboration with Clarion Associates and Kimley Horn ("project team"), has initiated a process to complete the first comprehensive update of the City's land development regulations in many decades. This process, called *BUILDSpokane* ("*BUILDSpokane*" or "project"), involves a detailed analysis and update of the City's land development regulations, including:

- Title 17A Administration
- Title 17B Comprehensive Plan and Sub-area Plans
- Title 17C Land Use Standards
- Title 17D City-wide Standards
- Title 17E Environmental Standards
- Title 17F Construction Standards
- Title 17G Administration and Procedures
- Title 17H Engineering Standards
- Title 17I Enforcement

The goal of this project is to comply with state-mandated timelines for both comprehensive plan and land development code (LDC) updates. The updated development code will be written to align with and support implementation of the updated comprehensive plan, *PlanSpokane 2046*, that is occurring concurrently. Further goals for the *BUILDSpokane* project are to modernize Spokane's development code to encourage construction of the City's preferred development

types, incorporate statutory review requirements, and focus on equitable outcomes. This project will also place significant emphasis on making the resulting LDC significantly more straightforward to use, incorporating user-friendly elements such as tables, graphics, photos, and illustrations to help users grasp the concepts and regulations contained in the code.

ABOUT THE PROCESS

Timeline

The *BUILD*Spokane project began in December 2025 and is anticipated to conclude by December 2026. The project includes five phases, as depicted below. This Development Code Assessment Report is the basis of Phase 2 and will be followed by drafting significant updates to the existing Title 17 Land Development Code. Proposed changes to the code are described in this Report.



Figure 1: LDC Modernization Timeline

Opportunities for Input

This Assessment is informed by discussions with staff across multiple departments, stakeholder interviews with developers, architects, designers, and other groups who regularly use the current LDC, a tour of the community, and the project team’s review of Spokane’s current land development regulations and supporting background materials. These activities took place in December 2025 and included brief presentations about the project to the Mayor, the City Council, and the Planning Commission.

ABOUT THE LAND DEVELOPMENT CODE ASSESSMENT

This Assessment is intended to serve as a roadmap for the proposed changes to Spokane’s LDC by identifying strengths and weaknesses of the current land

development regulations and building consensus on the general scope of the issues to be addressed, as well as recommendations for addressing them.

Organization of this Report

In addition to this Introduction (Part 1), this report is organized into three additional sections:

Part 2: Spokane Guiding Plans and Policies

- Includes a summary of the plans and policies that guide development in Spokane, including the City's 2017 comprehensive plan, Shaping Spokane, and the updated comprehensive plan that is currently under development, PlanSpokane 2046. The contents of these and other plans helped inform proposed changes to the City's land development regulations.

Part 3: Analysis of Current Land Development Regulations

- Provides a detailed analysis of the current land development regulations, and includes recommendations for improvements to be implemented as part of the code update process. This section is further divided into Focus Areas related to improvements for usability; zone districts and uses; development standards; and administration and procedures. These are described in more detail below.

Part 4: Detailed Outline

- Proposes the new organizational structure for the code, and shows where Titles, Chapters, and Sections of Title 17 fit within the new organizational order.

Focus Areas

Based upon the project team's review of the City's regulations and initial project interviews, we propose the following Focus Areas for structuring groups of related issues that will be addressed as part of the project update. The discussion of these Focus Areas in this report includes recommendations for how the regulations should be improved to address the underlying issues and concerns associated with each major focus area.

Focus Area 1: Establish Clear and Predictable Development Review Procedures

- Update review procedures with focus on efficiency, transparency, and predictability of both process and outcomes

Focus Area 2: Fine-Tune Zoning Districts and Allowed Uses

- Align zoning districts and allowed uses with updated Land Use Plan Map ("LUPM")

Focus Area 3: Refine Development Standards

- Review and revise development standards – design standards in particular – to make sure they are practical and achievable

Focus Area 4: Create a More User-Friendly Code

- Reorganize content in logical outline, ensure language is plain and comprehensible, include graphics and illustrations

SUMMARY OF KEY RECOMMENDATIONS

Commentary

The left column of the table contains active links. If a user Ctrl+clicks the text, it leads to that section of the report.

Table 1 captures the full list of recommendations for improving Spokane’s land development regulations outlined in this Assessment.

Table 1: BUILDSpokane Project Recommendations

Focus Area	Recommendation
Establish Clear and Predictable Development Review Procedures	
Establish Common Review Procedures	• Consolidate and clarify common review procedures that apply to most development review applications
Create Complete and Consistent Specific Review Procedures	• Reformat all specific review procedures to explicitly address each step in the application and review process • Incorporate process-specific flow charts for each land development review process
Fill the Gap – Create a New Site Plan/Land Use Permit Application	• Create a new site plan application and review process to consolidate existing land use reviews and coordinate and clearly record compliance with zoning, urban design, conditional use, environmental protection, and related land use final decisions, deviations/adjustments/variances, and conditions of approval
Pursue Opportunities for Streamlining Development Review	• Expand the types of development and permits exempt from SEPA review, as allowed by state law • Eliminate public notice requirements for all short plats • Evaluate alternatives to in-person community meetings • Clarify Purpose/Intent of unit lot subdivision tool
Revise Approach for Urban Design Review	• Consolidate and clarify existing Title 17 provisions describing the make-up, authority, and decision-making and appeal jurisdiction of the administrators and elected/appointed bodies charged with reviewing and deciding land development applications and permits

Table 1: BUILDSpokane Project Recommendations

Focus Area	Recommendation
Clarify Extent and Applicability of LDC Rules for Nonconformities	• Evaluate whether the current approach in the LDC for establishing nonconforming status aligns with the City's current approach to nonconformities and best practices. • Provide clear standards for determining when a nonconformity is discontinued (abandoned), thereby terminating its right to continue in a nonconforming manner. • Revise the definitions of "nonconforming development" and "nonconforming use" in Title 17 to narrow the range of code violations that make a structure, site, or use nonconforming and therefore subject to more restrictive standards. • Identify the decision-maker with authority to make all determinations regarding the existence of a nonconformity and the factual discontinuance of such use/structure. • Clarify current standards for when modifications to nonconforming structures, uses, and improvements will trigger full code compliance. • Consolidate and clarify a property owner's entitlement to rebuild a damaged or destroyed nonconforming structure or re-establish a nonconforming use when the structure housing the nonconforming use is damaged or destroyed.
Incorporate More Opportunities for Design Flexibility	• Clarify the zoning variance process by consolidating procedural information in the LDC • Revise the current Minor Adjustment process to more clearly and expansively allow minor deviations from objective development and design standards • Clarify and revise the code interpretation process to allow Directors and their delegates to navigate insufficiently clear provisions and account for unanticipated development scenarios
Fine-Tune the City's Zoning Districts and Allowed Uses	
Align Zoning Districts with Land Use Designations	• Ensure zoning districts align with land use designations in the updated Comprehensive Plan; refine final district lineup once the final plan is available
Create, Rename, or Delete Districts	• Adjust residential districts to focus on scale of development rather than density • Revise Centers and Corridors; generally, emphasize mixed use at varying scales. Detail to be determined as Plan update progresses • Carry forward industrial and Downtown zones • Create new districts for parks & open space, and civic & institutional uses

Table 1: BUILDSpokane Project Recommendations

Focus Area	Recommendation
	Delete districts that are not in use (NMU, Planned Industrial)
Adjust Centers & Corridors Concept to Enhance Implementation and Outcomes	- Creating tailoring mixed use districts, of varying intensity as described in Table 5. - Allow flexibility within the base districts by focusing more on scale, built form, and multimodal accessibility than allowed/prohibited uses - Adjust standards based on intensity of development, and extent of change from existing development (for example, consider the different standards needed to transform a strip mall versus maintain an exiting neighborhood commercial strip) - Clarify triggers for applicability of other code standards (for example, should a simple change of use require upgrades to curb, gutter, and sidewalk if those are substandard)
Create a Mixed-Use, Transit-Oriented Development district	- Support the realization of Spokane's TOD plans with a TOD mixed-use district centered around the station areas - Include residential at a density that is capable of supporting high-frequency transit - Tailor development and design standards to support TOD corridor
Emphasize Revitalization in Downtown Districts	- Prohibit creation of new surface parking - Offer incentives for re-occupying vacant downtown storefronts - Emphasize creation of residential development, both affordable and market-rate
Relocate and Update Existing Planned Unit Development Regulations	- Move some of the PUD information from 17G including the "what is it?" information such as purpose, uses, density, and dimensional requirements, while the "how to do it" content can remain in the Administration and Procedures Chapter. - Revisit what PUDs are created for
Consolidate and Adjust Land Use Allowances	
Reorganize into a Single, Central Land Use Table	Consolidate all five separate land use tables into a single consolidated table for all allowed uses
Retain Land Use Category Approach, with Refinement & Reorganization	Carry forward reliance on use categories, subject to revisions and refinement of categories and what specific uses they include
Define Land Uses	Ensure that each allowed land use has a definition
Create Use Specific Standards (USS) Section; Update Existing USS	- Consolidate use-specific standards into a single location. - Eliminate "limited uses," which are just use-specific standards

Table 1: BUILDSpokane Project Recommendations

Focus Area	Recommendation
Review & Update Use Permissions	Review use permissions to increase the number of uses allowed by right, subject to use-specific standards to mitigate impacts
Refine Development Standards	
Ensure Applicable Standards Are Proportional to Complexity of Infill and Redevelopment Requests	Clarify what requirements apply to infill and redevelopment requests, to ensure applicable requirements are not overly complex, or functioning as a deterrent
Add Detail to Landscaping and Expand Tree Preservation Incentives	- Create specific and measurable landscaping requirements, to clarify applicant responsibilities and allow decision-making at the administrative level leading to shortened review times - Increase the overall limit for site landscaping. - Replace vague and ill-defined standards with specific requirements - Focus on tree planting to enhance environmental benefits and property values - Expand incentives for tree preservation - Promote the “Spokanescape” incentive program, and look at ways to codify this as desired landscaping
Carry Forward Signs Standards Subject to Minor Revision as Needed	- Carry forward existing Signs Chapter content, subject to minor edits and reorganization - Work with staff to identify any problems with existing standards – do standard regulations not work well in certain areas, for example, historic districts? Are there sign types or standards that consistently cause issues; for example, standards for brightness are too low, or size allowance for wall signs is too low? - Include a temporary signs section.
Draft Citywide Outdoor Lighting Standards	Draft a new citywide lighting section that includes standard elements such as brightness allowance by zone, type and temperature of allowed lighting, prohibited lighting, common exceptions (holiday lighting), and exemptions (sports fields).
Create a More User-Friendly Code	
Adopt New On-Line Platform for Easier Access to the SDC	- Relocate the code from the City’s website to an online codifier to improve access, layout, and usability - Include a searchable Table of Contents for the complete SDC, or its component Titles and Chapters - Improve search function
Reorganize Land Development Regulations	Consolidate similar information into a single location to reduce the hundreds of Chapters in Title 17, and thousands of sections, many of which are only one

Table 1: BUILDSpokane Project Recommendations

Focus Area	Recommendation
	sentence long (see Part 4: Detailed Outline for further information on proposed reorganization)
Standardize and Simplify the Numbering Hierarchy	• Revise numbering to be logical and sequential, and more aligned with the numbering scheme used by other chapters of the SMC
Ensure LDC Updates and Revisions are Drafted Using Plain Language	• Review and revise code to eliminate convoluted, opaque, or legalistic writing
Improve Graphic and Photo Illustrations	• Add graphics and photos to illustrate complex concepts • Ensure all graphics are sized to be legible

PART 2: SPOKANE GUIDING PLANS AND POLICIES

OVERVIEW

This section includes a summary of plans and policies that will be used to help guide proposed changes to Spokane's land use and subdivision codes. The City's vision can be aligned with the codes through strategic goals, objectives, and actions.

RELATED PLANS AND POLICIES

PlanSpokane 2046 Comprehensive Plan (under development)

Spokane is currently updating its Comprehensive Plan, the City's primary guiding document for future growth and policy direction. This plan update, known as *PlanSpokane 2046*, establishes the visions, policies, and regulatory framework that will guide Spokane over the next 20 years. Draft sections of *PlanSpokane 2046* are posted on the City's website for public review as they become available.

BUILDSpokane revises the City's zoning and development standards to ensure they guide development patterns, locations, and land uses that are consistent with *PlanSpokane 2046*. The project focuses on regulatory changes needed to implement the plan's vision statements and goals. The chapters and goals identified below represent the elements of the Comprehensive Plan that can be most directly implemented through the land use code update.

Community Health

CH-2.1 - Accommodate development of care and support facilities in all neighborhoods and parts of the city through inclusive development standards, codes, and zones.

CH-2.2 - Accommodate the development and operation of temporary housing for all populations in need, including opportunities for those requiring direct care and treatment services, throughout all parts of the city and the region, to allow those in need to remain in close proximity to their community and social circle.

CH-2.3 - Establish and enforce development regulations that allow for construction of care facilities in every neighborhood while considering the context and environment in which they are placed.

CH-2.4 - Allow residential dwellings to be used as approved childcare facilities and adult day centers where housing is permitted to expand access to social service facilities.

CH-2.6 - Regulate land uses and zoning requirements such that child and adult care services, health services, libraries, schools, recreational, educational, and cultural

programs can be clustered to minimize the need for users and patients to travel long distances between care and facilities.

CH-2.7 - Regulate institutional housing consistent with State and Federal laws and requirements for the location of housing, treatment, and support services for higher risk populations, while ensuring that these necessary services, such as substance abuse care facilities, can be provided in the city where needed.

CH-7.3 - Design sites and activities such that users of the space are visible from the outside and can see out from the inside, to foster a greater sense of connection and activation, avoiding visual isolation to ensure community safety.

CH-9.4 - Incentivize and enable uses that provide fresh food to neighborhoods by amending zoning and code requirements to ensure food access for parts of the city where affordable, healthy food is not currently available.

Economic Prosperity

EP-3.5 - Encourage opportunities for creating and expanding home-based businesses while minimizing impacts on the surrounding community.

EP-9.1 - Promote the region's outdoor amenities, recreational opportunities, and agritourism as features of both social benefit and economic growth, while protecting the natural resources for the future.

Natural Environment

NE-1.2 - Encourage the use of evolving best practices for stormwater, including solutions like rain gardens, Wastewater Combined Sewer Overflow (CSO) tanks, and other low-impact mitigation tools that protect ground and surface water from contamination and pollution.

NE-1.5 - Prohibit or severely limit open pit mining throughout the city, as it exposes the aquifer or ground water to potential contamination.

NE-1.7 - Allow only non-polluting land uses to be developed and operated within the water recharge zones of the public water wells, as guided by development regulations and land use limitations within critical areas.

NE-1.9 - Ensure that newly developed property in the city and within the City's sewer service area is connected to municipal sewer service, minimizing aquifer contamination.

NE-3.3 - Reduce impervious surface in the city, understanding that there are locations where impervious surfaces have less benefit to surface runoff and absorption, such as areas of drainage concern mapped by the City.

NE-4.3 - Plant, preserve, and encourage the use of vegetation known to benefit local air quality, considering both urban trees and landscaping incorporated into facilities and development.

NE-6.2 - Preserve lands that contain natural landforms through purchase, incentives, clustering, or the transfer of development rights.

NE-8.2 - Allow agricultural activities adjacent to urban uses without compromising farmers' rights to farm their land.

NE-8.3 - Allow urban agriculture within more typical urban uses where appropriate, ensuring impacts to more intense urban uses are minimized, to allow for evolving best practices in local food production and security.

NE-12.1 - Identify, prioritize, and connect natural places in the city with a walkway or bicycle path system that includes connections to regional trails, natural areas, soft path networks, community parks, cultural resources and historic sites, schools, the downtown area, and community and neighborhood centers.

NE-17.5 - Discourage development and redevelopment within the 100-year floodplain.

Neighborhoods

N-1.1 - Provide a variety of housing, recreation, and daily service opportunities within the downtown neighborhood that attract and retain neighborhood residents at all income levels who support downtown and surrounding neighborhoods, recognizing the value that the downtown neighborhood holds for all residents, visitors, and employees in the city.

N-2.3 - Ensure that neighborhood-based services are available and accessible to residents of all ages and abilities, such as being in proximity to public transit routes, bicycle infrastructure, or robust amenities for people walking and rolling.

N-2.6 - Expand the diversity of housing options for neighborhood residents of all income levels by preserving existing housing and allowing for the development of moderate density housing options in all neighborhoods.

N-4.3 - Ensure that the size of a neighborhood business is appropriate for the size of the neighborhood it serves so that trips generated by non-local traffic through the neighborhood are minimized.

Parks & Recreation

PR-1.5 - Implement and maintain development standards calling for required natural open space and parks dedication and development within new developments while working cooperatively with property owners and developers to secure and preserve open spaces between developments where possible.

PR-1.6 - Establish standards for and encourage the use of both developed and undeveloped open space buffers between conflicting land uses and infrastructure, including provisions and incentives for clustering of development.

Urban Design & Historic

DP-1.6 - Apply design guidelines to significant projects through a review process, such as the Design Review Board, that relies on community input and the expertise of design professionals to achieve design performance that meets or exceeds citizens' quality of life expectations.

DP-1.7 - Craft development regulations and design requirements that recognize the influence design regulations have on meeting the needs and wants of Spokane's residents, while ensuring appropriate flexibility to avoid unnecessary and negative effects on overall development feasibility and creativity.

DP-1.13 - Orient building entrances and building facades toward sidewalks, pathways, and public rights-of-way rather than towards parking lots or internal spaces, prioritizing the human experience of structures rather than cars. Likewise, orient elements serving drivers, such as driveways and garages, away from the public realm when possible or minimize their impacts when unavoidable.

DP-1.14 - Facilitate improvements to sidewalks, streetscapes, street trees, sewers and drains, and parks in all neighborhoods and commercial areas designated for higher density development on an ongoing basis, including upgrades to the City's oldest infrastructure.

DP-1.19 - Ensure that on-premises signs are of a size, number, quality, and style to provide identification of the business they support while contributing to the visual interest of the community and enhancing the style of development in Spokane.

DP-1.20 - Prohibit construction of new advertising billboards and develop rules to phase out existing billboards over time. Regulate off-premises advertising overall, with the intent of reducing visual clutter and distraction, and enhancing safety throughout the city.

DP-1.21 - Minimize the visual impact of telecommunication facilities such as cell and microwave towers by encouraging their placement on existing structures in a manner that reduces facility visibility without impacting signal strength and coverage.

DP-1.22 - Support human-scaled lighting that increases visibility and safety while regulating display, flood, and light direction to minimize off-site impacts, including controls against signage and lighting that distracts drivers.

DP-2.4 - Utilize zoning provisions, building regulations, and design standards that foster preservation, rehabilitation, and enhancement appropriate for historic districts, sites, and structures.

Shaping Spokane Comprehensive Plan (2017)

PlanSpokane 2046 is still being developed, and some chapters, including the Land Use chapter, were not yet available at the time of this assessment. To keep the code update aligned with the City's long-term vision, the Land Use policies from Spokane's

current Comprehensive Plan, Shaping Spokane, were used to guide the assessment. The policies identified below highlight those that can be most directly implemented through updates to the land use code.

Land Use

As Spokane continues to grow, it is essential to guide land use in a way that supports livability, equity, and economic vitality while protecting natural areas and existing neighborhoods. The Land Use chapter establishes a framework that directs most new growth to designated Centers and Corridors, where higher-intensity housing, jobs, services, and transit can be efficiently coordinated. By promoting mixed-use development, walkable and bikeable street patterns, access to amenities for residents of all ages and abilities, and a balance between neighborhood stability and flexibility over time, this chapter provides the policy foundation for managing future growth. The *BUILDSpokane* project can help implement the following policies.

LU 1.3 - LOWER INTENSITY RESIDENTIAL AREAS: Focus a range of lower intensity residential uses in every neighborhood while ensuring that new development complements existing development and the form and function of the area in which it is located.

LU 1.4 - HIGHER INTENSITY RESIDENTIAL AREAS: Direct new higher intensity residential uses to areas in and around Centers and Corridors designated on the Land Use Plan Map and to areas where existing development intensity is already consistent with development of this type.

LU 1.5 - OFFICE USES: Direct new office uses to Centers and Corridors designated on the Land Use Plan Map.

LU 1.6 - NEIGHBORHOOD RETAIL USE: Direct new neighborhood retail use to Neighborhood Centers designated on the Land Use Plan Map.

LU 1.8 - GENERAL COMMERCIAL USES: Direct new General Commercial uses to Centers and Corridors designated on the Land Use Plan Map.

LU 1.10 - INDUSTRY: Provide a variety of industrial locations and site sizes for a variety of light and heavy industrial development and safeguard them from competing land uses.

LU 1.11 - AGRICULTURE: Designate areas for Agriculture lands that are suited for long-term agricultural production.

LU 1.12 - PUBLIC FACILITIES AND SERVICES: Ensure that public facilities and services systems are adequate to accommodate proposed development before permitting development to occur.

LU 1.14 - NONCONFORMING USES: Avoid the creation of large areas of nonconforming uses at the time of adoption of new development regulations.

LU 1.15 - AIRFIELD INFLUENCE AREAS: Prohibit the siting of land uses that are incompatible with aviation operations in the Airfield Influence Areas designated on Comprehensive Plan maps, and contain residential Comprehensive Plan designations and zoning in the Airfield Influence Areas to their existing locations not allowing for expansion or increases in residential density.

LU 1.16 - MOBILE HOME PARKS: Designate appropriate areas for the preservation of mobile and manufactured home parks.

LU 3.5 - MIX OF USES IN CENTERS: Achieve a proportion of uses in Centers that will stimulate pedestrian activity and create mutually reinforcing land uses.

LU 3.6 - COMPACT RESIDENTIAL PATTERNS: Allow more compact and affordable housing in all neighborhoods, in accordance with design guidelines.

LU 3.7 - MAXIMUM AND MINIMUM LOT SIZES: Prescribe maximum, as well as minimum, lot size standards to achieve the desired residential density for all areas of the city.

LU 4.4 - CONNECTIONS: Form a well-connected network which provides safe, direct and convenient access for all users, including pedestrians, bicycles, and automobiles, through site design for new development and redevelopment.

LU 4.5 - BLOCK LENGTH: Create a network of streets that is generally laid out in a grid pattern that features more street intersections and shorter block lengths in order to increase street connectivity and access.

LU 5.1 - BUILT AND NATURAL ENVIRONMENT: Ensure that developments are sensitive to the built and natural environment (for example, air and water quality, noise, traffic congestion, and public utilities and services), by providing adequate impact mitigation to maintain and enhance quality of life.

LU 5.3 - OFF-SITE IMPACTS: Ensure that off-street parking, access, and loading facilities do not adversely impact the surrounding area.

LU 7.3 - HISTORIC REUSE: Allow compatible residential or commercial use of historic properties when necessary to promote preservation of these resources.

LU 10.2 - CONSISTENT DEVELOPMENT STANDARDS: Require utilities, roads, and services in the adjacent Urban Growth Area to be built to city standards

Future Land Use

In addition to the vision and goals of the *Shaping Spokane* and *PlanSpokane 2046* Comprehensive Plans, the Land Use Plan Map provides a graphic tool to help guide development throughout Spokane. The updated code will align zoning districts with the land use category designations on the Land Use Plan Map to support

implementation of the regulations.

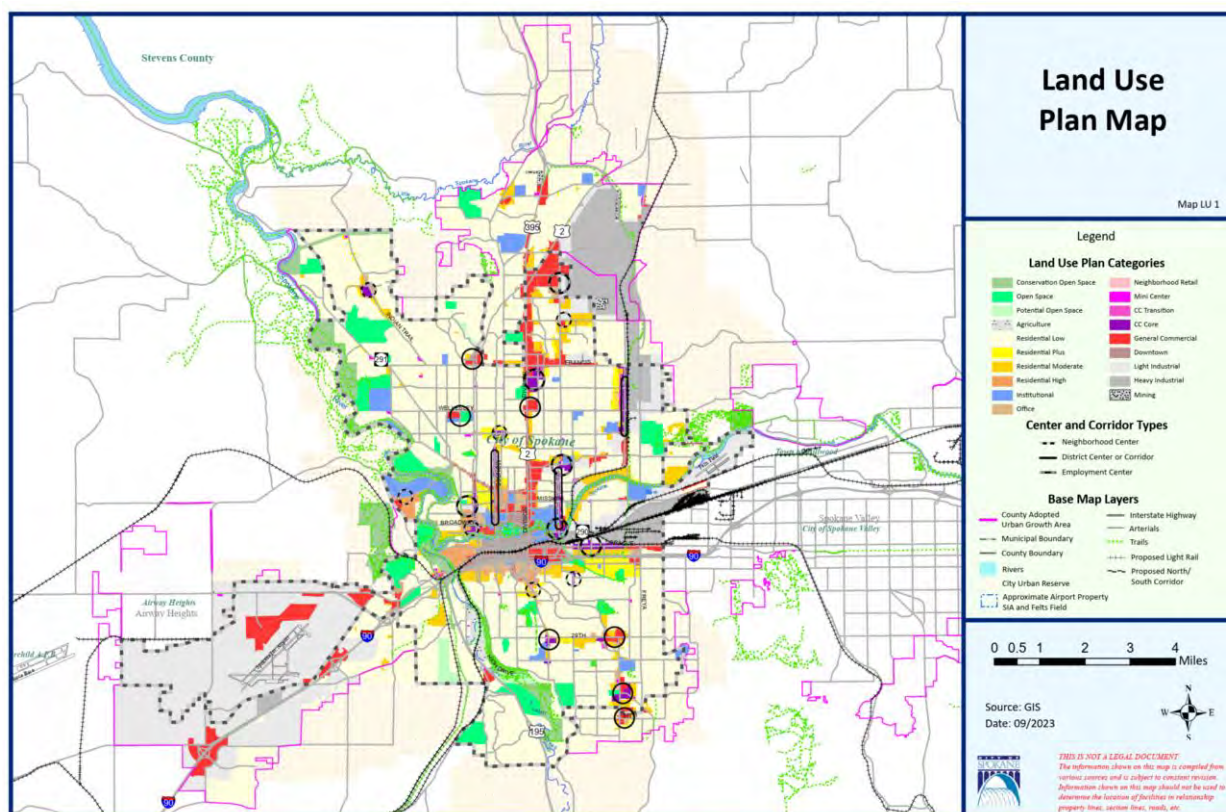


Figure 2: Land Use Plan Map (2017)

Housing Action Plan

The Spokane Housing Action Plan (HAP) is a data-driven, community-informed roadmap to increase housing diversity, affordability, and access in Spokane. The plan identifies strategies to encourage the construction of additional affordable and market-rate housing that meets Spokane's current and future housing needs. The HAP also identifies the following priorities, which will be incorporated into the code updates as applicable:

Increase housing supply, options, and affordability for all incomes.

Supporting the availability of housing options and encouraging the construction of both affordable and market-rate housing.

- Allow duplexes (two units per lot) in RSF and RSF-C zones, on each parcel or each corner lot; suggested action in RCW 36.70A.600.
- Increase the allowed number of attached units on individual lots in RSF, RSF-C and RTF zones outright, without the requirement of a planned unit development (PUD) process.
- Allow additional housing types in RSF, RSF-C and RTF zones, and adapt zoning with design standards consistent with current Comprehensive Plan policies,

considering triplexes, fourplexes, townhomes, courtyard apartments on each parcel.

- Continue to revise development regulations to address lot size transitions, PUD options, small lot options, and development standards complementary to energy codes.
- Monitor recent parking reductions and reduce off-street parking requirements as when warranted for residential uses.
- Continue reviewing permitting processes to shorten permit review times and scalable application fees when possible.
- Consider creating one or more zoning districts of medium density in which individual lots may be no larger than three thousand five hundred square feet and single-family residences may be no larger than one thousand two hundred square feet.
- Explore development code changes for accessory dwelling units, such as removing minimum residential parking requirements, allowing more square footage, or removing the requirement that the owner occupy one of the units.

Preserve housing affordability and quality to help people thrive where they live.

Highlighting the connections between housing affordability and quality to preserve and enhance existing housing throughout Spokane and supporting residents in every neighborhood.

- Consider short-term rental zones allowing tourist accommodations.
- Consider caps on the number of short-term rentals allowed per host.
- In a residential zone, explore limits on the number of nights a short-term rental can be rented to guests annually.
- In a residential zone, permit short-term rentals within an owner-occupied residence.

Enhance equitable access to housing and homeownership.

Understanding and considering the historic context that has contributed to patterns of inequity and encouraging the City to break down barriers to accessing housing.

- Support land use and development code regulations that allow diverse housing types and support mixed-income communities
- Promote universal design in residential development to support all people regardless of their age, size, and ability in accessing housing to the greatest extent possible, without the need for adaptation or specialization

Leverage and grow partnerships to support housing initiatives across the region.

Encouraging local and regional partnerships to tackle the full scale of housing challenges faced by the community, and across the greater region.

- Link housing and transportation in higher density zones to connect communities with affordable housing options, walkable neighborhoods, and public transportation.

Housing Needs Assessment

The Housing Access Plan includes a needs assessment, with an analysis of Spokane's housing, demographic, workforce, and market trends over the last few decades, as well as housing market trends for the larger region. Some key findings from the assessment are as follows:

- The City of Spokane and greater region is seeing steady population and job growth.
- As a result of the City of Spokane's growth allocation and projected growth, at least 6,800 housing units are needed by 2037.
- Overall, these findings indicate increased demand for housing for households in the moderate and middle-income options (80-120% Area Median Income (AMI)), that can mostly be met through single-family attached housing units.
- Housing prices have outpaced household incomes.
- Changing household characteristics result in changing housing needs.
- Nearly 2 in 5 households in the City are cost-burdened.
- Homeownership is increasingly out of reach for a growing proportion of residents.
- Housing within the City of Spokane remains relatively affordable compared to the region and other cities, but many residents now fear being priced out.

Sustainability Action Plan

Climate change is a global issue and action in every community is needed. The [Sustainability Action Plan](#) (SAP) is Spokane's roadmap to become a more environmentally responsible and resilient city in the face of a changing climate. Initially adopted in 2009 and updated in 2021, the SAP provides several strategies to enable the City to meet its 100 percent renewable energy goal by 2030 and satisfy state regulatory requirements for reducing greenhouse gas emissions. These strategies are dispersed across seven key action areas: Buildings and Energy, Transportation and Land Use, Waste Diversion and Material Conservation, Water Resources, Economic Prosperity, Natural Environment, and Health and Wellbeing. Each SAP strategy provides a method to reduce greenhouse gases and provide social and long-term economic benefits through reasonable upfront costs.

Spokane's built environment, and the land use regulations that produce it, are a critical component of the city's ability to address climate change and resiliency. Through *BUILDSpokane*, the updated LDC will establish the necessary regulatory framework to address the built environment components of the following SAP strategies that were not identified as "in progress" in 2021:

Buildings and Energy

BE-GOAL 1 - Encourage efficient, renewable energy buildings that meet WA Clean Buildings Act Energy Use Intensity targets.

BE-Strategy 1 - Ensure new construction is as efficient as possible and ready to utilize renewable energy.

BE-1.1 - The City will take a leadership role in providing direction and facilitating building decarbonization by working with local partners to implement the State energy code.

BE-1.3 - Require installed electric hookup options for all appliances in new construction.

BE-1.4 - Incentivize electrification of all new construction (residential and commercial) including incentivizing electrification and renewable energy sources through City permitting process.

BE-1.5 - Require all new commercial buildings to install conduit and roof support for a future solar system if the building is in an appropriate location to utilize solar.

BE-1.6 - Encourage and incentivize renewable, low-carbon materials, such as cross-laminated timber, in construction.

BE-1.7 - Encourage the re-use of existing buildings, including efficiency retrofits, rather than demolishing and starting new.

Transportation and Land Use

TL-GOAL 1 - Encourage land use policies that support walkable, livable, sustainable communities for all.

TL-Strategy 1 - Advance land use planning to minimize vehicle miles traveled.

TL-1.1 - Increase the supply of attainable housing in proximity to employment opportunities, activity centers and the high-frequency transit network.

TL-1.2 - Review and revise parking requirements for all types of development, including provisions and credit for bike parking.

TL-1.3 - Ensure new developments and major redevelopments maintain and enhance connectivity of the pedestrian, bicycle, and street networks.

TL-1.4 - Increase parking lot tree coverage requirements (alt: solar panel).

TL-1.5 - Create and implement bicycle parking plan.

TL-1.6 - Facilitate mixed use development by allowing appropriately scaled commercial and multi-family use in residential zones to promote active transportation and provide varied housing options as identified in the 2021 Housing Action Plan.

TL-1.7 - Prioritize development of people-centered neighborhoods that promote safe walking, biking, and transit, i.e. 15-minute neighborhood.

TL-1.8 - Identify commercial areas where it is appropriate to limit or restrict automobiles and prioritize walking, biking, and micromobility.

TL 1.9 - Encourage transit-oriented development (TOD) in City planning.

TL-Strategy 2 - Encourage sustainable land use that promotes varied housing options and infill development.

TL-2.1 - Revise land use and zoning regulations to allow a variety of housing types in every neighborhood.

TL-2.3 - Audit City development code to identify and eliminate constraints and conditions to promote varied housing and infill development.

TL-2.4 - Revise land use and zoning to allow increased density in residential zones around high-frequency transit corridors.

TL-2.5 - Reduce required parcel sizes in new developments to increase density in new construction. Encourage clustered development on appropriate sites.

TL-GOAL 2 - Reduce motor vehicle miles traveled and promote active transportation modes.

TL-Strategy 4 - Increase adoption of walking, cycling, and micromobility.

TL-4.2 - Build out bike network according to Bike Master Plan.

TL-4.3 - Plan and buildout an all ages and abilities network of neighborhood greenways, shared use paths, and protected bike lanes.

TL-4.4 - Plan and prioritize construction of downtown protected "micromobility" lanes.

TL-4.8 - Identify commercial areas where it is appropriate to limit or restrict automobiles and prioritize people walking, biking, and using other forms of micromobility.

TL-GOAL 3 - Advance alternative and low carbon fuel in regional transportation.

TL-Strategy 7 - Increase adoption rate of Zero Emission Vehicles including electric bicycles.

TL-7.8 - Evaluate and update City code to encourage electric vehicle charging infrastructure in new development.

TL-GOAL 4 - Integrate Sustainability Action Plan goals, strategies, and actions into City planning.

TL-Strategy 8 - Update comprehensive plan to incorporate climate action and updated sustainability goals.

TL-8.5 - Review and update City code to preserve urban forest and mitigate urban heat island impacts.

TL-Strategy 9 - Ensure the City's process for approving development and service extensions addresses and prevents impacts to prime agricultural lands, critical wildlife habitats, and other natural areas in and around the city.

TL-9.2 - Review land use planning and zoning policies that protect natural resources within City owned properties and revise, if necessary, to prioritize undeveloped natural areas.

Water Resources

WR-GOAL 1 - Protect the Spokane River and natural aquatic ecosystems (wetlands, shorelines, aquatic ecosystems biodiversity, streams, floodplains, aquifer recharge areas).

WR-Strategy 1 - Protect water quality, fish, wildlife, ecosystem function, and no-impact recreational opportunities in the Spokane River through responsible, long-term watershed planning and management

WR-1.4 - Protect aquatic ecosystem biodiversity, native species, and their habitats.

WR-Strategy 2 - Build climate resilience in natural water systems through responsible watershed planning.

WR-2.2 - Prioritize preventing ecologically-damaging actions during development permitting process over post-development mitigation strategies, including restoration or habitat creation.

WR-2.5 - Enforce protection of wetlands, including exploring wetland restoration/creation options, updating wetland delineation maps, and enforcing wetland buffer requirements.

Natural Environment

NE-GOAL 3 - Increase urban tree canopy and climate-adapted plant landscapes within the built environment.

NE-Strategy 6 - Expand urban tree canopy to capture more carbon and moderate neighborhood microclimate.

NE-6.2 - Review and revise the approved street tree list (following adoption of Master Planting Plan) and update tree list regularly to provide more information on drought and heat tolerance; water requirements; and resistance and resilience to disease, pests, and storm damage.

NE-Strategy 7 - Establish diverse, future-climate-adapted landscaping within the built environment.

NE-7.3 - Incentivize establishment of native, climate-adapted plant landscaping for private landowners and developers, and enlist help from landscape designers and plant nurseries to promote City strategies.

NE-GOAL 4 - Protect and build climate resilience in natural spaces within Spokane.

NE-Strategy 9 - Prevent negative impacts to natural resources and build climate resilience.

NE-9.2 - Address and prevent potential impacts to natural resources during planning phases of land development rather than relying on mitigation as a post-development strategy.

To learn more: [Sustainability Action Plan project page](#)

Transit-Oriented Development Framework Study

The Transit-Oriented Development (TOD) Framework Study provides a guide for aligning land use regulations, transportation investments, and development patterns along Spokane's high-frequency transit corridors, particularly the City Line BRT. The study emphasizes integrating land use and transportation to support mixed-use, higher-density, walkable development within a ¼-mile of transit stations. The TOD Study also identified the specific modifications to the land use code to help facilitate transit-oriented development in Spokane, which can be found in [Appendix 2](#) of the study.

Guiding Principles

- Establish a multi-modal transportation corridor by linking stations with a continuous biking and walking facility.
- Increase potential ridership with development supporting an active station environment and walking and biking improvements providing direct access between transit and destinations.
- Enable station areas to achieve their development potential by supporting transit oriented infill or redevelopment opportunities for people to live and promote businesses near transit.

Code Update Considerations

Building height

- Allowing building heights of at least 55 to 70 feet in areas served by frequent transit. A building height of 55 feet allows for “four over one,” which can be accomplished with wood frame construction. Taller buildings typically require a ground floor concrete podium and more expensive but durable construction methods.
- Increasing maximum height allowances to 70 feet or greater for the CA1 and CA2 designations will expand the range of building types that can be constructed and potentially reduce average construction costs. The height limitations in the form-based code zones CA1, CA2, and CA3 are generally supportive of TOD.
- For development adjacent to a RSF zone, limit height to 55 feet abutting the zone, with a height transition line allowing for increased height further from single-family development.

Setbacks and Sidewalks

- Reducing the minimum street lot line requirement for Commercial zones abutting a single-family or two-family residential zone to 10-feet consistent with the CC zone.
- Address inconsistencies for the dimensional requirements of the sidewalk’s pedestrian and landscape zones (e.g., FBC, CC, and Commercial zones) and consider a base standard consisting of a minimum 12’ sidewalk (minimum 7’ clear sidewalk and 5’ buffer) from back of curb to front lot line.

Allowed residential uses

- Modifying maximum Density Standards for the 17C.110 Residential zones’ Table 17C.110-3 to allow for “middle” housing types.
- In the FBC zone, requiring a minimum residential density for all lots, or only those fronting on Street Type.
- In the CC, GC, NR and NMU zones, require a minimum density for residential uses on all lots when dwelling units are proposed for new development.

Vehicle and bicycle parking requirements

Vehicle parking requirements have a significant impact on the ability to achieve desired levels of density and also have a potentially significant impact on the cost of development. Decreasing the amount of off-street parking required near stations supports the success of TOD areas by improving pedestrian circulation, decreasing development costs, and reduced greenhouse gas emissions. To support compact, walkable development, the City could consider further reducing minimum parking requirements either for all uses or for specific uses through an incentives-based approach.

Bicycle Master Plan

The vision of the [Bicycle Master Plan](#) is for riding a bicycle to be a comfortable and integral part of daily life in Spokane for people of all ages and abilities. The plan outlines the following five policies to accomplish this vision:

1. Continually increase the bicycle mode share for all trips.
2. Complete and maintain connected bikeways that provide safe transportation for Spokane cyclists throughout the City.
3. Provide convenient and secure short-term and long-term bike parking to connect people to popular destinations and transit throughout Spokane and encourage employers to provide shower and locker facilities.
4. Increase bicycling by educating people using all transportation modes about the benefits of bicycling to the entire community. Enhance the safety of people riding bicycles through effective law enforcement, education and detailed crash analysis.
5. Develop a collaborative program between a variety of city departments and agencies and several outside organizations to secure funding and implement the Bike Master Plan through capital project delivery as well as community planning processes.

Centers and Corridors Update Study

Following the public outreach for the City's 2001 Comprehensive Plan (Spokane Horizons), the City adopted the Centers and Corridors land use policy as a path to achieve one of the comprehensive plan's growth alternatives: Focused Growth: Mixed-Use Center and Corridor. Under this growth alternative, the City's land use codes would direct growth along "corridors" and to "centers" with adequate services and facilities using sustainable urban planning practices. These practices incorporated a mix of uses and densities and promoted compactness, walkability, and transit-oriented development. This policy was implemented at the end of 2005.

In 2023, the City examined the Centers and Corridors land use policy to assess how well this approach produced the type of development and growth Spokane envisioned. This examination produced the [Centers and Corridors Update Study](#), which acknowledged the value of this land use policy and found opportunities to improve the ability of the City's land use plans and the SMC to produce desired development.

This study provided four key recommendations, included below, and proposed policy changes to the City's Comprehensive Plan based on a detailed policy assessment, public outreach, market analysis, and concept developments. The *BUILDSpokane* project intends to incorporate each of these recommendations into the LDC, as each plays a critical role in producing mixed use, walkable, and attractive development in Spokane.

Recommendation 1: Establish a new set of mixed-use zones

- A new family of mixed-use zones would complement the policy changes proposed for the City's comprehensive plan to provide for a mix of uses that areas could "evolve into."

Recommendation 2: Address allowed building height

- This recommendation emphasizes a maximum height, contextually appropriate to a property's new mixed-use zone designation.

Recommendation 3: Update block frontage standards

- New and improved standards refine the City's current block frontage standards to enhance "character, function, and economic viability," while being flexible enough to accommodate site- and project-specific needs.

Recommendation 4: Increase connectivity

- Addresses an essential component of truly "pedestrian-friendly and dynamic" development: internal connectivity.

To learn more: [Centers and Corridors Study Engage Spokane project page](#)

PART 3: ANALYSIS OF CURRENT LAND DEVELOPMENT CODE

FOCUS AREA 1: ESTABLISH CLEAR AND PREDICTABLE DEVELOPMENT REVIEW PROCEDURES

Staff and stakeholder feedback on Spokane’s development review regulations and procedures, which are found predominantly in Titles 17A and 17G of the LDC, agree that the procedures are frequently confusing and cumbersome. This sometimes leads to reliance on “workarounds” that can lead to an inconsistent application of regulations. The LDC includes redundant and overlapping provisions, gaps in the review of land use and project permit applications, and procedural drag¹ that makes the process long, unpredictable, and hard to navigate for both applicants and staff. The recommendations provided in this section are intended to address these concerns and simplify and streamline the City’s development review procedures.

TOPICS COVERED

1. Establish Common Review Procedures
2. Create Complete and Consistent Specific Review Procedures
3. Fill the Gap – Create a New Site Plan/Land Use Permit Application
4. Pursue Opportunities for Streamlining Development Review
5. Revise Approach for Urban Design Review
6. Clarify Extent and Applicability of LDC Rules for Nonconformities
7. Incorporate More Opportunities for Design Flexibility

Establish Common Review Procedures

Most of the land use and subdivision application requests described in the LDC are subject to many of the same, if not very similar, procedural steps, or “common” review procedures. Currently, these common procedures are listed, and repeated, within individual application types (i.e., Preliminary Subdivision Plat or Conditional Use Permit or Variance) or referred to in a summary table without reference to a more detailed explanation (e.g., notice requirements found in Table 17G.061.010). Repeating these steps in multiple locations can create confusion for applicants and staff, especially when there are slight inconsistencies across requirements that arise out of years of text amendments or changes in state statutes. Creating a single, standard set of common review procedures can cut down on the presence of

¹ “Procedural drag” is a 21st century term referring to the delay or inefficiency that arises when a system or process is not structured or optimized. Evidence of procedural drag highlights the importance of streamlining processes to avoid unnecessary delays.

overlapping or conflicting provisions in the LDC and serve as a starting point for anyone looking to learn more about the steps that apply to most land development applications under Title 17.

We recommend simplifying the Code by consolidating and relocating all common review procedures into a single chapter or section and organizing the content as follows:

- **Summary Table of Review Procedures.** This table lists every application type in the City, explains who reviews the application, who makes the final decision on the application, and the venue for the decision (public hearing, or administrative decision). It can also include public notice requirements, as shown in the excerpt below, from another community. The column to the right links the user to the section of code that addresses the requirements for that particular application type.

Table 7.5.1-A Summary of Review Procedures [1] R = Recommendation D = Decision A = Appeal M = Manager's Discretion (based on UDC Criteria and Standards) * = Quasi-judicial Public Hearing ✓ = Suggested N = Published (Newspaper) Notice Required L = Mailed (Letter) Notice Required S = Posted (Sign) Notice Required								
Procedure	Pre-Submittal Activities		Notice Type Required	Review and Decision-Making Bodies				Code Ref.
	Pre-Application Meeting	Neighborhood Meeting		Staff / Manager	Historic Pres. Board	Planning Comm. / FBZ Review Board	City Council	
Hillside Site and Grading Plan	✓			D		A	A	
Site Plan to Unplatted Land	✓			D		A	A	7.5.509
Subdivision-Related Procedures								
Amendment to Plat Restriction	✓		L, S	D		A	A	7.5.518
Final Plat, Plat Modification Prior to Recording, and/or Replat				D				7.5.519
Preservation Area Boundary Adjustment	✓		L, S	D		A	A	7.5.520
Property Boundary/Lot Line Adjustment	✓			D				7.5.521
Vacation Plat (no public streets or ROW)				D			A	7.5.522
Waiver of Replat	✓			D				7.5.523
Variances and Adjustments								
Administrative Adjustment	✓	M		D		A	A	7.5.524
Development Standards Adjustment	✓	M	L, S	R		D*	A	7.5.525

- **Pre-Development Conferences.** As a standard practice, Spokane already offers pre-development conferences as an optional step for most Title 17 applications. Pre-development conferences provide an opportunity for the prospective applicant to meet with City staff to discuss their proposed project, explore site-

specific constraints, and learn about general application requirements before submitting their application. We heard from staff and applicants that while the idea of a pre-development conference is good in theory, outcomes from these meetings in Spokane vary widely: some stakeholders said they were useful, while others disagreed.

On one hand, we heard that Spokane applicants fill the few limited weekly slots for scheduling pre-development conferences, indicating customer interest and perhaps greater demand for the service. On the other hand, some more seasoned developer applicants voiced concern about not getting the pre-development feedback or information they needed most, such as whether all submittal items would be required, or what a “complete application” really looks like for their type of project. Some staff brought up the current arduous practice of providing detailed staff remarks / comments after a pre-development conference, which takes extensive time and can be premature or too detailed at this early stage of project development. Additionally, there is debate about which city employees should attend pre-development conferences, and whether the value to the customer would be increased by having a more experienced, senior level staff in attendance. Finally, it is possible that some requests for pre-development meetings do not actually warrant the time that is spent preparing for the meetings, either because not enough information is provided, or because the questions that applicant wants to address are simple enough that they can be resolved without a full pre-development meeting.

The project team recommends that Spokane continue offering pre-development conferences as an option in the LDC² but the code should specify a more narrow purpose for these meetings: to provide guidance on the applicable review procedures, identify any potential red flag compliance issues based on the concept or narrative provided by the applicant, and assist the customer in compiling a complete application for submittal. These meetings are not, and should not be, an attempt by staff to cover every eventuality a project might encounter on its way to approval – in fact, they need look no further than the first primary step of approval, which is submitting a complete application.

Submittal requirements for a pre-development conference should be proportional to its purpose and intent, and be as minimal as possible. For most pre-development conferences, the current submittal requirement for a fleshed-out

² Spokane chose to make pre-development conferences optional to avoid the possibility of 10-20% application fee refunds under RCW 36.70B.160 for late completion of project reviews. After the recommended revisions to the purpose and scope of pre-development conferences described here, the city might be interested in making some pre-development conferences mandatory for more complex LDC applications such as rezonings, conditional uses, non-residential site plans, variances, and projects triggering Design Review or substantial inter-agency review.

site plan is too detailed for this early stage in a potential project. At most, a sketch plan could be required, and in many instances – especially for conditional use and similar zoning applications – a narrative description of the proposed development may be enough. Staff should view pre-development conference as a “one-and-done” interaction between applicants and staff. Sharing a meeting summary with the applicant is great customer service and could be reduced to a standard form/template with links to relevant submittal checklists, written confirmation of waived submittal items if applicable, and other standard application tips and aids.

(See also the project team’s recommendation below for creation of a new site plan review process, which typically includes a concept plan review step prior to final site plan decisions. The current effort of completing detailed site-specific review and written comments after a pre-development conference would be shifted to a later step, once there is an actual application for a project.) This change allows the pre-development conference to serve the above-described narrower purpose more easily because staff don’t have to load as many expectations upon, or spend as much review time, at the pre-application stage of a project.

- **Pre-Application Community Meetings.** These common provisions would consolidate all procedural requirements related to mandatory pre-application community meetings in one central location. This makes it easier for applicants and the public to understand the purpose and intent of this step, its applicability to specific types of applications, and for staff to offer clarity regarding the effect of such meetings on the remainder of the development review process.
- **Application Submittal and Completeness Determination.** This section includes information regarding who can initiate an application, generally what information is required to be considered a complete application, and how the city may process multiple permits or requests concurrently. Spokane should codify its “counter complete” requirements to provide greater clarity about the completeness review and what the finding of “counter complete” means vs. “complete application,” considering mandatory time frames for completing city project reviews under state law.

We recommend this section explicitly authorize the city to draft and adopt detailed submittal requirements for applications and plans but have those submittal details and checklists located outside the LDC (as an adopted rule or policy posted on-line for customers) so they can be more easily updated and amended over time. Finally, adding an explanatory flow-chart of the completeness determination process steps would be helpful for code users.

- **Application Referral and Review.** This section describes who controls the overall flow of development review across multiple agencies (i.e., the Director of Planning and Economic Development and their designees) and when and how staff and outside agencies will review and comment on complete applications, including required turn-around times for internal and external agency reviews (typically 14-30 days depending on the complexity of the application, if Spokane wants to put such timeframe in the code). Failure of a department or city agency to return a review will result in automatic “no comment” or “approved” in the absence of state mandates to the contrary. Basic information on how SEPA review and traffic review interact with overall application review should also be covered in this section.
- **Public Notice and Scheduling Public Hearings.** This section will consolidate and clarify general rules for the various types of public notification mandated by state law and otherwise required by the LDC, including which Title 17 applications (not just project permit applications) require notification of application receipt, community meetings, or public hearings and appeals. Provisions will address combining required notices (for concurrent or consolidated applications, the longest notice periods / process will apply), and make clear who is responsible for preparing, paying, and providing the various types of required notices (written, published, and posted).

Provisions will clearly identify the types of public hearings under Title 17, which applications require public hearings and which body conducts the public hearing (hearing examiner, planning commission, or city council), authority to combine public hearings currently in Title 17 and allowed by state law, the general conduct of a public hearing, and noticing requirements (e.g., published vs. posted vs. mailed vs. website). Currently this information is displayed in Table 17.061.010-1, which we recommend reworking into a more comprehensive summary table to include review- and decision-making authorities for all Title 17 applications. See Summary Review Table example above.

- **Final Decisions - Allowances/Limitations.** Provisions should clearly state the “approve”, “approve with conditions”, and “deny” options for all final decisions. Specific allowances for attaching reasonable conditions should include a general statement of intent/purpose for conditions, generally allowed/prohibited conditions (including examples), authority of the decision-making body to amend conditions upon written request post-decision, and general rules for compliance with conditions of approval. Provisions should include general requirements for written findings of fact and final decisions, and distribution/posting of final decisions consistent with state law.

- **Post-Decision Actions and Limitations.** These provisions will clearly describe actions that occur after a final decision has been rendered, including appeals, vested rights, general provisions about approval time limits, expirations and extensions, and modifications to approved permits and requests. Rules will provide a time frame in which appeals must be filed following a final decision. While this information is currently summarized in Table 17G.061.010-1, it may be helpful to break out its permit expiration information and create a new summary table in this common procedural section to show all Title 17 permit and approval expiration times.

Create Complete and Consistent Specific Review Procedures

A key piece of establishing clear expectations around the City's development review procedures is to make sure all the information needed to review and process a specific application is explicitly listed and easy to find and understand. Currently, this information is found in both Titles 17A and 17G of the LDC and summarized at a very general level of detail in Table 17G.061.010-1. The substantial reorganization of the LDC suggested in this assessment will also make it easier to find the specific review procedures for each type of Title 17 application/review.

A new chapter in the updated LDC will reorganize sections currently found in Titles 17A, 17D, 17E, and 17G to consolidate in one location the specific application requirements, review process steps, and review criteria for the following broad categories or groupings of development applications and reviews:

1. **Land Development Entitlements and Comprehensive Plan/Code Amendments:** This procedures category includes city council legislative actions to amend the text of Title 17 or the official zoning map (rezonings) including PUD approvals, Comprehensive Plan amendments, and development agreements.
2. **SEPA Analysis and Review:** The unique attributes about how land development in the city complies with SEPA may merit putting all the triggers, procedures, and review criteria related to SEPA (now found in Chapter 17E.050 and cross-referenced throughout Title 17) in its own section/chapter in the reorganized administration and procedures chapter of the LDC. This could make it easier to describe and illustrate how SEPA analysis dovetails with all other land development procedures in the LDC, and how the norm is concurrent SEPA/land development review to the maximum extent possible. Also noted were many stakeholders' requests that the city explore expanding project exemptions from SEPA to the maximum extent possible under state law. See *below* for related discussion on opportunities for streamlining development review. Accordingly, the project team will work closely with city staff, particularly as the EIS for the comprehensive plan progresses, to identify

opportunities to expand the exemptions and clarify the overlap between SEPA and other LDC procedures.

3. **Environmental Reviews:** This procedures category draws from content currently found in Title 17E and would include procedures for review of development in designated critical areas and shorelines including critical aquifer recharge areas, preparation of habitat management plans, floodplain development permits/variances, development in geologically hazardous areas, shoreline development and use permits, and wetland development review.
4. **Concurrency Review and Impact Fees (Adequacy of Public Infrastructure):** The current provisions found in Chapter 17D.010, Concurrency Certification, would be carried forward in this section, with a clearer statement of the section's intent/purpose to ensure adequacy of public infrastructure facilities concurrent with completion of proposed land and project development. Provisions in current Title 17 authorizing and detailing impact fees, such as Transportation Impact Fees found in Chapter 17D.075, will also be moved here.
5. **Subdivision and Preparation of Land for Development:** This procedures category includes preliminary and final short and long plat review, including modifications and amendments to approved plats; unit lot subdivisions; addressing and street naming; street vacations; and lot line or boundary line adjustments. The recently adopted state law (RCW Sec. 58.17.145) that requires larger cities to adopt a "Residential Lot Split" process will also be implemented as part of this LDC update.

Another area of additional research and code revisions will be application of the city's subdivision/concurrency procedures and infrastructure requirements to "old plats"– i.e., development in residential subdivisions approved before the city's adoption of by-right residential density at 4-6 dwelling units per any single residential legal lot. This scenario raises questions identified by staff and stakeholders about possible new thresholds for re-subdivision in such scenarios and clearer applicability of concurrency review and development-related public infrastructure improvements at time of development of more-than-originally-platted densities.

6. **Land Use and Project Permit Reviews:** This procedures category, primarily covered in Title 17G, includes the procedures for reviewing conditional land uses, binding site plans, urban design review, sign permits, and special wireless communication facility review. This category could be expanded to also include procedures for the following related areas:
 - a. **Site Development Plan Review and Approval:** If the City agrees to this assessment's recommendation to add a new site plan review and approval process (see the detailed recommendation below), the

intent/purpose, applicability, review and approval bodies, process steps, and review criteria would be provided here.

- b. Relief from LDC Provisions:** Procedures for minor adjustments (found in Section 17A.050.030), design departures, street design deviations (or this could be included with the Subdivision category), variances, and administrative exemptions for land use applications.
 - c. Historic Preservation:** Procedures found currently in Title 17D for designation of historic districts or individual landmarks, certificates of appropriateness, demolition of historic resources, and change of use in historic structures.
- 7. Building and Construction Permits:** Sequentially in the land development process, building and construction permits are processed only after the necessary development review or subdivision approval has been granted, although concurrent review is possible in some cases. This category includes procedures for reviewing building construction permits and certificate of occupancy; and procedures governing more specific activities regulated under Spokane's building and fire code such as for permits for signs, fences, grading, building moving, demolition and blasting, sewers, street obstruction and storage tanks.
- 8. Special Permit Applications or Reviews:** There may also be a need for a "catch-all" category of procedures in the updated LDC to present a variety of current Title 17 reviews that don't clearly fall into one of the broader categories listed above. This may include procedures for, among other things: administrative interpretations and determinations³; designation of projects as planned actions (Sec. 17C.420.015-020); ROW encroachment permits (Sec. 17G.010.160); LID formation; obstruction permits; road closures; sidewalk permits; skywalk permits; and stormwater design acceptance procedures.
- 9. Procedures/Permits that Can Be Moved Outside the LDC:** Finally, the LDC currently contains specific provisions in Title 17G for contractor and worker licensing (see Chapter 17G.010). While these licenses are regulated under the city's uniform building code, we recommend these not-really-land-development-related provisions move to a different and more appropriate part of the SMC with other business and professional licensing standards.

Regardless of which category a specific process might fall into, the level of procedural information provided for each application type should be consistent across all types to avoid confusion around which steps are required for each application request, and which review criteria each application will be reviewed

³ The LDC update will consolidate and cross reference, where necessary, code determination and interpretation procedures under Title 17 to provide a standard interpretation process and greater clarity on timeframes, referrals, and criteria.

against. The organization of current procedures could be better standardized to ensure that all steps of a specific procedure are identified, which would help staff and applicants navigate the requirements of specific application types. At a minimum, each procedure should describe:

- **Purpose.** What is this procedure used for or what is it intended to achieve?
- **Applicability.** When is this specific process required – what types of land development activities or land uses trigger this procedure?
- **Process.** What are the steps for approval (cross-referencing applicable common review procedures described above, and then describing any procedures specific to the given application type)?
- **Review Criteria.** What requirements must be satisfied for decision-making bodies to approve the application?
- **Post-Decision Actions.** Can the final decision be appealed, and to what body? Is there a time limit on a permit or approval during which certain steps or actions must be taken, and can that time limit be extended?

Additionally, the project team will remove substantive standards/process steps from definitions of related terms, such as “Community Meeting,” “Counter Complete”, “Technically Complete”, and the like, and incorporate them into this new chapter(s) in the applicable section. Finally, process-specific flowcharts will be added to graphically depict the steps required for each type of LDC application or approval, from submittal through final decision.

Fill the Gap – Create a New Site Plan/Land Use Permit Application

Title 17, and specifically Title 17G, establishes the different types of development permits and review procedures. After basic zoning district entitlements are in place, the major types of permits or approvals for horizontal and vertical land development established in Title 17G are:

- **Subdivision Plat** review and approval (including related actions such as binding site plans, unit lot subdivisions, and boundary line adjustments), resulting in the creation of legally described blocks, lots, and tracts; and enabling the legal sale or transfer of the subdivided lots and tracts. *Chapter 17G.080.*
- **Specific Land Use Permits** and approvals for conditional uses, floodplain development, shoreline development, and skywalks. These specific land use permits include review and approval of detailed site plans. *Chapter 17G.061 and Section 17G.061.010.*
- **PUD Preliminary and Final Development Plans.** The preliminary PUD plan specifies the deviations and exceptions from the base zone standards and other applicable design standards and includes plans showing conceptual level site and building design and development details. After the Hearing Examiner approves the preliminary PUD plan, the request goes to the City Council to approve the

final PUD overlay zone. The final PUD development plan includes a fully detailed site plan, landscape plan, building design elevations, and erosion control and stormwater management plans. *Chapter 17G.070.*

- **Design Review** of project plans by an independent Design Review Board with authority to make recommendations to the final decision-making body. *Chapter 17G.040.*
- **Design Deviations and Variances** from land use, floodplain, shoreline, and development or design standards. *Section 17C.061.310.*
- **Building and Construction Permits and Miscellaneous Site Preparation Permits.** Review and approval of detailed construction plans and specifications for building construction and renovations, building demolition, grading, and new or change of building occupancies. *Chapter 17G.010.*

Surprisingly missing from the above menu of project development permits and application types is a separate application review and resulting permit for project development that is submitted *before* building and construction permitting and *not* associated with a conditional use or specifically listed land use, PUD, floodplain or shoreline development, or skywalk. In other words, we could not identify a general procedure in Title 17 that ensures, *for all development types*, a coordinated, multi-agency city review of site development plans and building designs for compliance with Title 17C's land use standards and general development standards such as landscaping, outdoor lighting, building design, and environmental protection standards.

The absence of comprehensive site development plan review ahead of more specific building and construction permit reviews can lead to "late hits," which happen when staff's plan reviews result in expectation of sometimes significant project design changes in response at a time when most applicants' project decisions are fairly cemented in place. In most large cities, detailed land use and development/design review comes at an earlier time in the life of a project, when its components are more malleable, design options are not locked in, and alternative approaches to compliance with land use, building design, and site design standards can reasonably be expected and considered. This code gap in Spokane's LDC is very unusual based not only on comparisons with other large Washington cities but with comparable cities nationally.

Accordingly, we recommend that a new site development plan/land use permit review procedure be added to Title 17, and that the project team identify where other stand-alone procedures in Title 17 could be absorbed or combined with the new site plan/land use permit procedure to streamline land use review and approval. To summarize, the advantages of creating a new site plan/land use permit application and review process include:

- Align the city's detailed site and building design review with earlier stages of a project's timeline so that changes identified to comply with city codes are easier for an applicant to consider and implement (saves applicants time and money).
- Create one uniform process for multi-agency review for compliance with Title 17's land use and environmental protection standards that clearly identifies applicability, process steps, timelines, review criteria, and decision-making authority. The latter will include specific authority to interpret Title 17 code provisions, provide minor relief from applicable standards, and resolve inter-agency conflicts consistent with adopted city plans.
- Assess and formalize the building permit process as the vehicle to coordinate multiple and concurrent development reviews and create a clear record of interim staff decisions and determinations. For example, concurrent historic preservation, environmental, transportation, zoning relief or minor adjustment, or urban design tasks can be assigned after intake of a site plan/land use permit application or after a first round of land use review comments and the applicant's resubmittal.

What does filling this gap look like for Spokane? There are various potential approaches, but essentially the new specific procedure/permit type would be an inter-agency review and Planning & Economic Development Director administrative approval (Type I or II) of a detailed development or site plan that shows how the proposed site and building development will comply with those Title 17 regulations that are not standards for subdivision or building and fire code compliance. Typically, site development plan review occurs after preliminary plat approval and before building permits, although current practice allows developers to pull limited site preparation permits (grading permits, for example) prior to final approval. Review criteria for approval of a land use permit/site development plan generally boil down to whether the plan meets all the applicable standards in the LDC, and that the developer has obtained all related or precedent approvals and permits. Approval of a land use permit/site development plan is required before application for building construction permits.

As comparisons, Seattle requires a "master land use permit" that fills this development review function ahead of building permits. Tacoma calls its development review approval a "land use permit." In other jurisdictions nationally, the process is often referred to as "site plan" or "site development plan" approval. In Spokane, review and approval of such a site development plan could result in a similar "land use permit" that signals a specific project's compliance with all of Title 17C's land use standards, as well as Title 17's parking, landscaping, parks/open space/natural areas standards, environmental, and urban design standards. A land use permit would be the vehicle by which the city would refer a project to other

review/decision-making bodies and maintain a clear and written record of action on all the component review parts of the project, such as final decisions on urban design review, conditional use permit review, design deviations, variances and minor adjustments. If the project is *BUILDSpokane* ules, the land use permit review would be coordinated and sequenced appropriately with the Landmark Commission reviews and decisions. SEPA review of a specific project and related decisions/exemptions could also be integrated with a land use permit review, as required by state law.

Often, the full review and approval of a site development plan is broken into separate applications that offer city review/feedback/decisions for an increasingly detailed progression of project plans (very similar to how review of a PUD development occurs in Spokane under Chapter 17G.070). Many cities will mandate or offer a first step “concept plan review,” which may be one or more rounds of early project review to identify fatal flaws or begin to work out any complexities in application of the city’s rules and standards. The concept plan review could assist in setting up a developer for greater success in any subsequent requirement for community meetings, if needed.

The second step would be submittal of a preliminary site development plan for inter-agency review and approval – the critical “all details” stage of project design and compliance check (but not including construction specifications for building permit issuance yet). This could also be the final process step before building permits (in which case the word “preliminary” would go away), but many communities find it helpful to require a separate “final site development plan” review and approval step to confirm and cement that all conditions/comments on the preliminary plan have been addressed and are cemented in a ready-to-record final site development plan. Because the concept, preliminary, and final site development plan review steps are separate applications, state-law mandated maximum times for completion of city project permit review would apply separately to each application.

Most communities apply the site development plan/land use permit requirement to all new developments, including low-density and middle-density residential development. As applied to single-unit or lower-density multi-unit (2-9 units) residential development, many communities will create a simplified submittal list of site plan requirements and eliminate many of the more technical reports required for commercial and other non-residential development projects. Often, the review of site plans for these lower-density residential developments’ compliance with land use regulations can run concurrently with the city’s review of building/construction plans – resulting in a simultaneous issuance of both land use and building permits.

In all cases, a new land use permit or site development plan approval would be a clear and public record authorizing establishment of new zoning uses and changes of zoning use (where Title 17 triggers city review of changes of use), including clearly

stating and recording conditions of approval that remain in action post-permit/approval (which can assist in future code enforcement actions).

Pursue Opportunities for Streamlining Development Review

Searching for opportunities in Title 17 to shorten permitting review times, reduce or combine distinct steps in a specific procedure, or reduce the number of different permits/procedures applied to a single project responds to internal and external stakeholder concerns about overall processing time frames and efficiencies in Spokane. Best practice is to apply the least amount of process to achieve desired development outcomes, while ensuring protection of natural and community assets and advancing comprehensive plan policy goals and objectives. While state law mandates around permit processing must be met, Spokane enjoys ample discretion to decide:

- Which projects can be exempt from SEPA consistent with state law
- Which specific review procedures and public participation opportunities apply to different types of development proposals
- Whether and when to allow concurrent processing of related development applications, offer combined public notices, and conduct combined public hearings
- Whether to create expedited or simplified reviews for favored or critically needed development (e.g., affordable housing)
- Whether to have an independent design review board and whether and when to apply additional design review with public input to a project
- Whether and how appeals of final decisions are made
- How detailed or substantial permit and plan submittal requirements should be for different types of applications

In our assessment of the administrative and procedural provisions in Title 17, we recommend that Spokane consider the following opportunities for streamlining and efficiency gains, most of which were identified through stakeholder interviews. Note that there are likely additional opportunities that the project team will identify and seek the city's input as the project moves into the drafting stage.

Expand the types of development and permits exempt from SEPA review, as allowed by state law.

Currently, Spokane must and does carry forward the categorical exemptions from SEPA environmental review required under state law and rules. The first opportunity to streamline development review could come from Spokane revisiting the flexible thresholds for these categorical exemptions and increasing them closer to or

matching the maximum levels allowed under state law. As shown in the table below, the LDC's Section 17E.050.070, "Flexible Thresholds for Categorical Exemptions", sets several types of SEPA categorical exemption thresholds *below* the levels the statutes deem "minor construction" and therefore eligible for exemption (see WAC 197-11-800). Given critical citywide land use and housing policy objectives, we recommend the City consider raising the thresholds for exempt residential developments to match state allowances.

Table 2: EXPANSION OF SEPA EXEMPTION OPPORTUNITIES			
Project or Development Type	Spokane Threshold for SEQA Exemption in Chapter 17E	RCW Maximum Allowed Threshold for SEPA Exemption	Opportunity to Increase Exemption Threshold
Attached or detached single-family residential units – any size unit	Up to 20 dwelling units	Up to 30 dwelling units, or up to 100 dwelling units when unit size is less than 1,500 sf.	YES
Multi-family residential units	Up to 4 dwelling units	Up to 200 dwelling units	YES
Office, school, commercial, recreational, service or storage buildings	Up to 12,000 square feet and up to 40 parking spaces	Up to 30,000 square feet and up to 90 parking spaces	YES
Agricultural structures	Up to 20,000 square feet	Up to 40,000 square feet	YES
Stand-alone parking lots	Up to 40 parking spaces	Up to 90 parking spaces	NO
Fill or excavation	Up to 500 cubic yards	Up to 1,000 cubic yards	YES

There are additional *optional* exemptions the state allows that many stakeholders would like Spokane to consider. These optional exemptions only take effect when specifically adopted by a local government, usually for certain portions of a jurisdiction (i.e., subareas) after a public process to consider area-wide impacts. Spokane has done this with its adoption of a planned action ordinance for the South Logan TOD district (see RCW 43.21C.440) and should continue to add planned action areas to the LDC as the comprehensive plan is updated, including adoption of new subarea plans.

State law also allows additional SEPA categorical exemptions if a city adopts them based on the findings and criteria stated in RCW 43.21.229, including when a city's comprehensive plan was already subjected to environmental analysis under SEPA. One of the optional exemptions covers infill and housing development within the urban growth area where current density and intensity of use in the area is equal to

or lower than called for in the city's comprehensive plan. Another optional exemption is for residential or mixed-use development within a transit station area. Spokane should consider adopting both additional SEPA exemptions upon completion of the updates to its comprehensive plan now in progress.

Eliminate public notice requirements for all short plats.

Currently, Spokane requires all short plats creating 5-9 lots to provide public notice of receipt of the application, triggering a public comment period of at 14 days prior to the city's final decision on the plat application. Short plats creating fewer 1-4 lots are exempt from this same notice and public comment requirements, as are a short plat that meets the criteria for "minor engineering review." See Section 17G.080.040, Short Subdivisions. To encourage more infill development in the city by streamlining project review, we recommend Spokane consider exempting all short plats/subdivisions from requirements for public notice and public comment.⁴

Evaluate Alternatives to In-Person Community Meetings.

Currently, Spokane requires a pre-application "community meeting" (defined in Section 17A.020.030.Z) for all Type III land use applications, including applications for conditional uses, variances, preliminary long plats, and preliminary PUDs, skywalk permits, and rezonings. (See Table in Section 17G.061.010, Summary of Land Use Application Procedures.)

While pre-application community meetings can be useful for making interested members of the public aware of potential development projects in their neighborhood, or further afield in Spokane, there should be clear guidance on what participants may expect as an outcome of the meeting. If there is no expectation for development professionals to respond to community concerns about a project, community members can feel disappointed in participation, as though their concerns have not been heard, or have been ignored. If the purpose of the meeting is solely to share information, other methods of sharing project information and soliciting public feedback may be considered in lieu of public meetings.

Currently, Type III land use applications that trigger a required community meeting also trigger public notice of receipt of application with an attendant public comment period to solicit information or concerns about a specific project's design or potential external effects. Based on experience, and given the shortcomings of a mandatory pre-development public meeting mentioned above, we recommend reducing instances when a community meeting is a requirement. There may be other means the City can use to disseminate information about potential projects, and public input on a project can still be solicited immediately after submittal (using the current

⁴ This is based on the project team's early reconnaissance that indicates most short plats are approved by the city unconditionally provided compliance with all applicable LDC standards is found.

notice of application procedures) when the more concrete details of the project have been finalized.

In sum, because there will still be opportunities for members of the public to comment on proposed development projects within the city, we recommend Spokane reduce instances of required community meetings for some Type III actions. The project team sees opportunities to eliminate mandatory community meetings for variances, some or all conditional uses, rezonings, some or all preliminary plats, some or all preliminary PUDs, skywalks, and some or all floodplain permits and variances. If the recommendation to reduce community meetings is implemented, we will work with staff to determine when and what other means (aside from required public notice) of publicizing projects can be used.

Change Some Conditional Uses and Preliminary Plats to Type II Reviews.

Based on input from staff, developers, consultants, and the hearing examiner's office, there appear to be opportunities for Spokane to remove some land uses from the "conditional use" category of Type III applications. Stakeholder experience with certain conditional uses reveals some types are typically approved, either with no conditions of approval, or with the same staff-recommended conditions attached to address potential off-site impacts. Very rarely is the final decision-maker adding site-specific conditions based on public comment/input that are different than what professional planning staff recommends. Conditional uses that produce these standard conditions and consistent approvals provide an opportunity to substantially streamline review by shifting them from Type III review to Type I or Type II administrative director/staff review only. Alternately, conditions that are consistently repeated for certain uses may instead become use-specific standards, enabling the use to be allowed by right, provided the use-specific standards are met. Accordingly, we will work with staff to identify conditional uses that could fall into one of these categories, and update the process and permissions that apply to them.

Similarly, we will work with staff to identify alternative thresholds that might reduce the type and number of preliminary long plats that go through the Type III review process. For example, state law allows long plats for SEPA-exempt project actions to bypass the otherwise mandated notice of application. If SEPA exemptions are expanded, as recommended above, the City should additionally consider removing the accompanying notice of application/public comment period from preliminary long plats for the newly-exempt types of projects. Additionally, the project team will work with staff and conduct additional research to identify any general criteria or conditions for when a preliminary plat could be administratively reviewed and approved by the director/staff, without substantial risk of adverse community impacts or other external effects that would otherwise more likely come from a public hearing process.

Clarify Purpose/Intent of the Unit Lot Subdivision Tool and Ensure Appropriate Standards and Review Criteria.

Both applicants and city staff expressed some confusion about the purpose and intent of the new state-mandated “unit lot subdivision,” as well as how standards and criteria should be different from those applicable to standard subdivisions. Spokane has had a version of unit lot subdivision in the code since 2014, when it was called Alternative Residential Subdivision. The more recent state mandate to allow unit lot subdivisions is in Section 17G.080.065, applying the short plat or long plat process to review and approval of unit lot subdivisions, based on the number of resulting “unit lots”. In other words, unit lot subdivisions resulting in 1-9 unit lots are reviewed using the short plat procedure and criteria, and 10 or more resulting unit lots are reviewed using the long plat procedure and criteria. What is not as clear in Section 17G.080.065 is exactly how and why a “unit lot subdivision” differs from a standard subdivision, and what the advantages there may be to using this tool compared to standard subdivision plat.

We recommend revisions to these provisions to clarify the purpose and intent, which is primarily to provide an *ownership* alternative to creating a condominium, especially for detached residential units in multiple buildings constructed on a single development site, as in a cottage house development, where the detached dwelling units share common access, parking areas, and open spaces. The purpose statement in Sec. 17G.080.065 should be revised to offer this alternative path to unit homeownership more clearly and provide some graphic examples of what a “unit lot subdivision” and its components look like.

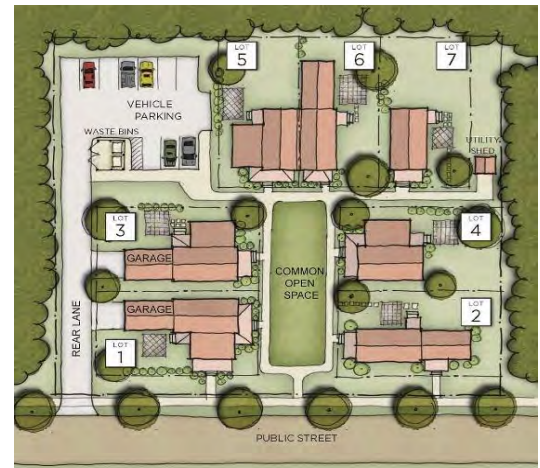


Figure 2: Example of Cottage Court Development

Unit lot subdivision, importantly, does provide flexibility in the development’s compliance with zoning standards (compared to compliance in a standard subdivision) by applying lot and dimensional standards only to the overall development site (the “parent lot” referenced in Sec. 17G.080.065) rather than to each of the internal “unit lots” where the individual buildings are located. Currently, the code specifies that unit lots do not have to meet building setbacks, building coverage, street frontage and density, but it also states there may be other unspecified standards that may not apply (by prefacing the 4 listed standards with “including but not limited to”). If there are other standards that commonly are not applied to unit lots, these should be specified in the code, rather than relying on a case-by-case interpretation by staff, which can lead to inconsistencies in application of standards and exemptions. To further reduce code user confusion, we also

recommend use of the terms “parent lot” and “unit lot” only, and delete reference to “child lots”, which are the same thing as “unit lots”.

We also recommend that either in the LDC itself, or for insertion into a companion LDC Administrative/Procedures Manual, city attorneys and planning staff draft a standardized disclaimer and notice provision for insertion on the cover sheet for all approved unit lot subdivisions (including all the requirements currently stated in Sec. 17G.080.065.F) and perhaps in a stand-alone affidavit that is recorded against the property’s master parcel address. This will ensure this important notice to future owners about the unit lot subdivision’s unique limitations and constraints on future development are consistently communicated across the city.

Specify Exemptions from Title 17 Review for Certain State and City Public Facilities.

Some stakeholders identified inefficiencies in applying Title 17 land use project review, most notably public participation opportunities and variances, to the construction of certain public facilities, including but not limited to city parks, public schools, and essential public infrastructure such as sewers and water towers. Rationales for further inquiry include the redundancy of Title 17 requirements with parallel and substantial public outreach and participation undertaken by the City for substantial capital projects like new parks, and the need for flexibility or exceptions in application of Title 17 development standards to expedite construction of essential public infrastructure. The project team will work with the City to explore incorporating such flexibility into both Title 17’s procedural requirements and its substantive standards, to the extent allowed by law.

Revise Approach for Urban Design Review

We heard from both internal and external stakeholders that Spokane’s current regulatory framework for urban design review by the Design Review Board is not very useful. Currently, Chapter 17G.040 currently establishes a design review board in and authorizes it to review and make urban design recommendations to final decision-making bodies for projects in the downtown zones, all public projects or structures not otherwise exempt, skywalks, requests for certain design deviations, referrals by the Planning Director, some mini-storage facilities, and certain projects within the centers and corridors zones.

Some of the simpler projects in the preceding list – such as mini-storage facilities -- can be controlled through application of use-specific standards. For other projects with more extensive design requirements, we believe that the updates to the existing design standards (see **Tailor Design Standards to Context**) should yield simplified, more straightforward standards that can be part of overall staff review of the project. Clarifying the standards to the extent that the review step of appearing before a

Design Review Board can be eliminated will also contribute to streamlining the project review and approval process.

Clarify Extent and Applicability of LDC Rules for Nonconformities

The reorganized and updated LDC will also tackle the subject of nonconformities. We heard from both internal and external stakeholders that the city should take a hard look at how it defines and regulates nonconformities. Stakeholders expressed a need for the city to adopt a more generous approach that allows owners to more easily invest in these pre-existing land uses and structures and ensures the city can effectively address nonconformities in a manner supportive of this approach. Additionally, current adopted plans encourage amortization (eventual elimination) of nonconforming billboards in the city, and some stakeholders have suggested elimination of nonconforming surface parking lots in the downtown to encourage redevelopment and reinvestment.

Generally, nonconformities are existing land uses and structures that were legal and code-compliant when originally established or constructed, but today no longer comply with the full range of LDC rules.⁵ For example, an industrial land use allowed and established in a business zone district 25 years ago might no longer be a permitted use in the mixed-use zone district now applicable to the property, where new standards seek greater compatibility of non-residential and residential uses. That industrial land use is now “nonconforming” with the LDC and is substantially more restricted in its ability to change, expand, and grow. Similarly, a structure that was perfectly legal when originally constructed on its site may no longer comply with the LDC’s site development standards, such as setbacks or building height, building design standards, such as requirements for ground-floor entrances and transparency (windows), or site design standards, such as providing internal walkways or landscaping. That structure is now “nonconforming” and sharply limited as to future physical expansions or alterations, or reconstruction in the event of damage or calamity.

Modern zoning best practice is to explicitly recognize the high value nonconformities often continue to provide to a community, particularly in terms of economic development opportunities and the sustainability of reusing and reinvesting in existing buildings (rather than encouraging demolition). Additionally, best practices recognize the right of an individual property owner to continue to use property in a nonconforming manner, whether that be through the use itself or the structure. Sharply curtailing the change or expansion of nonconformities often comes at costs far greater than the marginal benefit. Regardless of the extent of the nonconformity at issue (e.g., a building 2 feet too tall or a heavy industrial use abutting a multifamily dwelling), the nonconforming building or use is often “stuck” in time and place with

⁵ The LDC defines nonconforming development and uses at Section 17A.020.140.

limited recourse to capital for reinvestment and growth (banks don't want to lend against a building that cannot be rebuilt "as was" if destroyed).

On the other hand, some cities are willing to go the other direction and curtail the continued existence of a specific type of nonconforming use or structure, to advance priority aesthetic or land use development goals. In this realm, the LDC could be revised to provide specific amortization periods that allow the owner of the nonconformity enough time to reasonably recoup their initial financial investment in the nonconforming land, structure, or use, but thereafter the owner must halt the use or remove the nonconforming structure and make the property or building available for new development and opportunities.

Accordingly, we recommend the following improvements and revisions to Title 17's nonconformity rules, currently found primarily in Chapter 17C.210, Nonconforming Situations, and Chapter 17A.020, Definitions.

- **Evaluate whether the current approach in the LDC for establishing nonconforming status aligns with the City's current approach to nonconformities and best practices.**
 - o For example, consider relaxing the mandate that a certificate of occupancy be produced as the only method of establishing a nonconformity (See Section 17C.210.020.B.). Instead, allow the Director to determine the status of a nonconformity based on an accumulation of valid documents, including but not limited to certificates of occupancy, land use or building construction permits, evidence of active and continuous use/activity without record of enforcement activity, evidence of continuous property tax payments, proper business licensing, and other similar records, that could support a finding that the use or structure was legally established at the time it became nonconforming and has been continuously active and maintained.
- **Provide clear standards for determining when a nonconformity is discontinued (abandoned), thereby terminating its right to continue in a nonconforming manner.**
 - o A nonconforming use loses its right to continue under Sec. 17C.210.030(A) after two years of "discontinuance." The term "discontinuance" is not defined nor does the current LDC establish the benchmarks for what constitutes discontinuance. A definition of "discontinuance" should be added to the LDC to ensure a consistent and clear process for making these important determinations. The definition of "discontinuance" could include specific elements in the City's determination, such as the owner indicating in writing the intent to abandon the nonconforming use, a nonconforming use being

replaced by a conforming use, or the termination of water or sewer service.

- o If the City directs, and upon further research and analysis, the LDC could be revised to halt the right to continue a specific type of nonconformity, such as billboards or surface parking lots in the Downtown zoning district, after a reasonable time for amortization.
- **Revise the definitions of “nonconforming development” and “nonconforming use” in Title 17 to narrow the range of code violations that make a structure, site, or use nonconforming and therefore subject to more restrictive standards.**
 - o This will NOT exempt such use or structure from complying with current use and development standards if redevelopment or expansion occurs; the expanded or redeveloped portion of the use/structure will still have to meet applicable standards of the LDC. What the change would do is allow that redevelopment or expansion in the first place by removing the “nonconforming” status that currently makes such development an absolute “no go.”
 - o For example, given recent LDC amendments to advance middle housing and affordable housing, consider revising the definition of “nonconforming development” to exempt residential structures containing 1-4 units from the definition, or limit the triggers to only a few violations of specific development standards (e.g., height but not density or all setbacks) or violations that exceed a specific threshold (e.g., structure is “nonconforming” only if it violates a current dimensional standard by more than 25-50%).
 - o For example, reconsider whether violation of certain site design standards should trigger application of “nonconforming” status in the first place, such as all or only some violations of current parking or landscaping standards.
- **Identify the decision-maker with authority to make all determinations regarding the existence of a nonconformity and the factual discontinuance of such use/structure.**
 - o Currently, Section 17C.210.030 gives the Hearing Examiner limited authority to determine discontinuance when a case before the Examiner raises the issue but leaves unaddressed who makes such decisions in all other situations. We recommend that the Director of Planning and Economic Development be granted this authority, with appeals available to the Hearing Examiner.

- **Clarify current standards for when modifications to nonconforming structures, uses, and improvements will trigger full code compliance.**
 - o For example, to what extent should building additions or a change in primary use of the nonconforming building trigger full compliance, and what limitations or additional conditions should apply to authorized modifications, such as no increase in the number of dwelling units or requiring noise attenuation measures for habitable but nonconforming structures in airfield noise zones.
 - o Facilitate upgrading and reinvesting in nonconforming development by clearly stating the specific changes that trigger full code compliance and identifying to what degree the nonconforming development must comply with applicable design and development standards in the LDC. Clearly address when modifications to a nonconforming development will trigger full or partial construction of public improvements (or payment of fees in-lieu), such as paving or improving the right-of-way or installing new sidewalks.
- **Consolidate and clarify a property owner's entitlement to rebuild a damaged or destroyed nonconforming structure or re-establish a nonconforming use when the structure housing the nonconforming use is damaged or destroyed.**
 - o Ensuring the standards are tailored to further the city's comprehensive plan goals and account for specific uses and zone districts as needed.
 - o Consider expanding the allowance in Section 17C.210.040.D, which allows the rebuild of buildings containing nonconforming multi-unit residential uses after damage or destruction over 60% but only in the R-1 and R-2 zones, to all zone districts that allow residential household use.
 - o More specifically and strategically, and depending on revisions to key definitions, specify the development standards that nonconformities must comply with upon repair, reconstruction, or re-establishment (e.g., parking standards).
 - o Clarify relevant thresholds, such as the cost of damage to a nonconforming structure or structure housing a nonconforming use that, once exceeded, would prohibit the nonconforming structure from being rebuilt or the nonconforming use from being re-established, and how those thresholds are determined (for instance, if cost is used as a threshold metric, it should be based on the market value of the structure and a cost to repair provided by a licensed contractor).

- o Establish any limitations that apply to the nonconforming building being reconstructed or the nonconforming use being re-established, such as not expanding the use or structure onto a different parcel or the structure being constructed within the same footprint.
- o Alternatively, consider establishing a process where the Hearing Examiner determines whether re-establishment of the nonconforming use or structure should be permitted without 100% compliance with standards based on factors such as potential adverse impacts or harm to the surrounding community.

Incorporate More Opportunities for Design Flexibility

In all land development codes, there is tension in their application between prescriptiveness and flexibility. The former lends itself to more certainty and predictability in administering the code and consistency in built outcomes. Flexibility, on the other hand, is necessary because regulations can never fully be “one size fits all” and they must account not only for unique conditions and circumstances but also creative and different approaches to achieving desired built outcomes. Spokane accommodates significant flexibility in the application of its Title 17 regulations, with various provisions and procedures for design standard deviations (see Chapter 17G.030, Design Departures), administrative approvals for minor exceptions (See Sec. 17A.050.030), and variances (See Section 17E.030.090 for floodplain variances, Section 17G.061.310.D for shoreline variances, and Section 17G.061.310.E for zoning variances).

In this area, our recommendation for Spokane is that the project team continue to look for and incorporate more opportunities – at the margin – for design flexibility, particularly as new and updated design standards are added to the LDC. We also recommend that all flavors of “relief” available under Title 17 be organized and presented in a single section to provide greater clarity for code uses. We will also standardize the process steps and review criteria across the different types of relief available to the extent possible.

Some early opportunities the project team identified in its assessment of the LDC include:

- Allow developers of smaller-scale infill and middle housing development to request alternative compliance with applicable building and site design standards, where they can show an alternative to 100% compliance will still meet or exceed the intent/purpose of the standard(s) at issue. This would be an administrative (either excluded or a Type I or II) review and decision, typically without triggering public notice, with an appeal to the Hearing Examiner or to the Design Review Board, as desired.

- After further discussion with staff around current practice and experience, the project team may recommend revising the LDC to be more specific about which development and design standards may be adjusted by staff as a “minor adjustment”, and to what extent or degree, beyond the general authorization in Section 17A.050.030, “Minor Adjustments.” These types of administrative exceptions to the LDC reflect best practice and can reduce total development review times by avoiding the more lengthy and complicated design deviation or variance review process. An example of permitted minor adjustments from another city’s ordinance is shown below; note that it also specifies the extent or degree to which staff may adjust a specific land use standard, which provides a clear limitation for staff’s authority:

Table 10.07-3: Permitted Adjustments Sq Ft = Square Feet	
Standard	Allowable Adjustment
Lot area, minimum	10%
Accessory structure setback, minimum	Lots > 5,000 sq ft: 10% Lots < 5,000 sq ft: 15%
Accessory structure height, maximum	10%
Fence height, maximum	15% (up to one foot)
Residential driveway width, maximum	10%
Sign area, maximum	10%
Notes: Engineering standards and specifications may not be varied through the Adjustment process	

The project team will also continue to research variance case outcomes in Spokane, to look for specific variances that are regularly granted, which may signal a need to change the substantive rule at issue or an opportunity to re-delegate the authority to vary to staff rather than the Hearing Examiner.

- Explore whether there should be additional grounds for approval of a variance, beyond a strict showing that unique physical conditions/circumstances necessitate relief, which Section 17.061.310.E now requires. Some cities have explored other grounds for variances, especially variances from zoning and land use (not life/safety) standards, which favor production of more affordable housing units, or that cede land use/zoning standard compliance to historic preservation design or other specific codes compliance in cases of conflict, or that provide relief from certain enforcement (often post-construction) violations.

FOCUS AREA 2: FINE-TUNE ZONING DISTRICTS AND ALLOWED USES

TOPICS COVERED

1. Align Zoning Districts with Land Use Designations

2. Create, Rename, or Delete Districts
3. Adjust Centers & Corridors Concept to Enhance Implementation and Outcomes
4. Create a Mixed-Use, Transit-Oriented Development district
5. Emphasize Revitalization in Downtown Districts
6. Relocate and Update Existing Planned Unit Development Regulations
7. Consolidate and Adjust Land Use Allowances
8. Reorganize into a Single, Central Land Use Table
9. Retain Land Use Category Approach, with Refinement & Reorganization
10. Define Land Uses
11. Create Use Specific Standards (USS) Section; Update Existing USS
12. Review & Update Use Permissions

Land Use and Zoning Districts

In most locations, the comprehensive plan has a section devoted to future land use, where the plan specifies, following extensive community input, what is the best use for land throughout the jurisdiction. Often, this land use classification system is the basis for zoning being legally permitted in a jurisdiction, but even in locations where a comprehensive plan including future land use is not a formal legal requirement, comprehensive plan land use designations are critical to creating and applying zoning districts that produce the kind of development the community desires.

Shaping Spokane, the adopted 2017 version of the comprehensive plan, has such land use classifications, and the current effort to update the comprehensive plan, PlanSpokane 2046, includes an effort to update the land use classifications. Because of their importance to creating the right zoning districts for the city, the consultant team has studied closely both the existing land use classifications, as described in Shaping Spokane Section 3.4, Description of Land Use Designations, along with what information is so far available regarding the updates to the land use designations that will be part of *PlanSpokane 2046*. The recommendations we make in this section related to potential updates and adjustments to Spokane's roster of zoning districts is informed by our review of the plan's land use designations.⁶

Overview of Current Zoning Districts

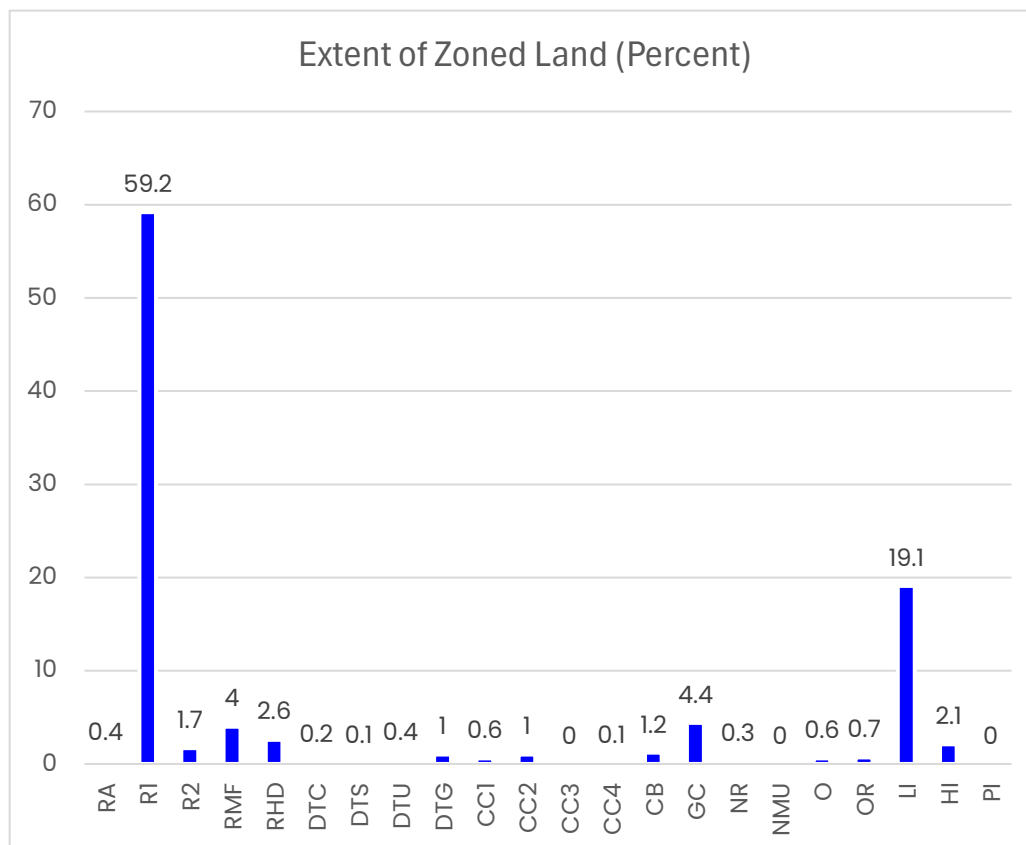
Beyond land use designations, our review of the City's zoning districts also considers these questions:

⁶ When the final land use designations are available upon the release of a full draft of PlanSpokane, we will revisit these recommendations, and make any changes necessary to align our zoning district recommendations with the land uses.

- Is the intent of each district clear, and does the district name match the intent?
- Is each district currently in use? Are there districts that are obsolete and/or unnecessary?
- Are new districts needed?
- Are there districts in place to implement the comprehensive plan's land use designations? Do the districts support implementation of topic-specific plans such as Housing Action, Sustainability, and Transportation plans?
- Are any districts so similar in purpose and standards that they could be consolidated?

Recommendations are incorporated below based on the answers to these questions.

The current LDC includes **22 base zoning districts**, which establish the primary rules for how land can be used and developed (such as allowed uses and maximum building height). The extent of zoned land in each district of the city is shown in the chart below.



The three zoning districts that account for the greatest amount of zoned land in the city are:

- R1 Residential: 59.2 percent

- Light Industrial: 19.1 percent
- General Commercial: 4.4 percent

Conversely, Planned Industrial, Neighborhood Mixed Use and Centers & Corridors Type 3 account for no actual zoned land within the city, while most other districts account for 2 percent or less.

It is common for residential districts to account for roughly two-thirds to three-fourths of all zoned land in a given jurisdiction, with commercial and industrial accounting for the remainder. Spokane's prevalence of Light Industrial zoning as the second most extensive district by zoned area is somewhat unusual, but this can be explained by the land-consuming uses it includes, such as the airport.

Centers & Corridors

The current LDC includes a **centers and corridors** concept, which establishes specific areas designated by the LUPM for mixed-use development of varying intensities (types 1-4), spread along important roadways and neighborhood centers throughout the city. The excerpt of the LUPM below shows the centers as circles, and the corridors as strips. Many stakeholders expressed concern that the centers and corridors were not producing the kind of development they were intended for, and our review suggests numerous reasons for that. However, the City intends to maintain an adjusted version of this concept in the updated comprehensive plan, so our recommendations center around removing some of the barriers that constricted center and corridor development up to now, and making the updated centers and corridor concept work for the City. Because this component of the plan is not finalized at time of writing, our recommendations remain general, and subject to refinement once the final updated concept is adopted as part of the plan.

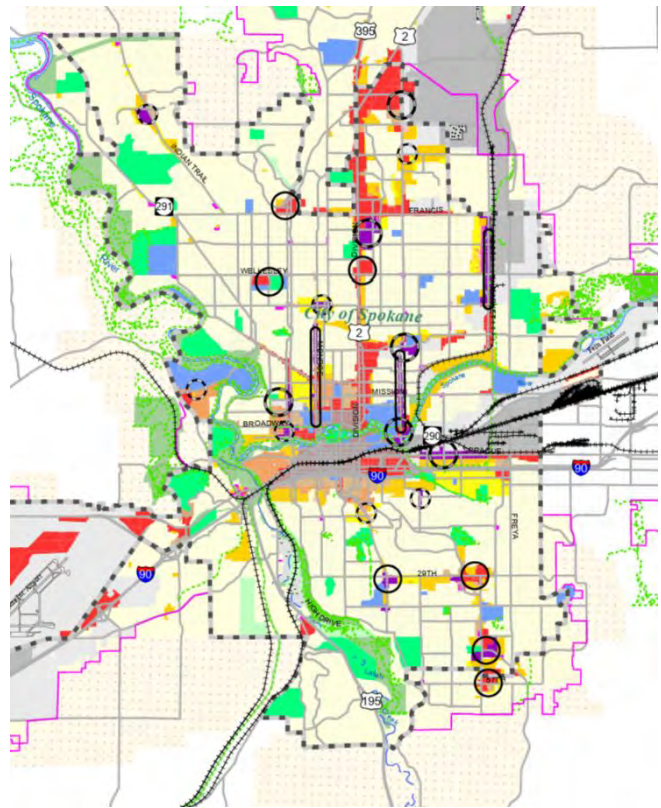


Figure 3: LUPM Centers & Corridors Excerpt

Overlay Zones

The LDC includes four **overlay districts**, which add extra requirements on top of the base zoning district to address specific conditions or goals (such as view shed preservation by means of height limits). See Table 3 below.

Table 3: Current Overlay Zoning Districts	
Overlay Zone	District Description
North River	Regulates visual and pedestrian access standards and guidelines to ensure that buildings and other constructed objects do not create barriers that wall off the Spokane River Gorge, Riverfront Park, or the Downtown Core.
Special Height	Regulates uses in the Cathedral District and the Cliff Drive District, where controlling building heights is intended to preserve the public view.
Airfield	Regulations are intended to protect the viability of the Spokane International Airport and Felts Field by modifying the density and land use standards of the underlying zoning districts. These modifications provide protection to the public, health, safety, and general welfare of the community, airport users, and citizens working and residing within the airfield overlay zones.
Fairchild	Regulations are intended to prevent incompatible land uses in the vicinity of Fairchild Air Force Base.

Hamilton Form-Based Code Zone

The LDC includes one **form-based code district**, along the Hamilton Street corridor, intended to foster an economically vibrant, walkable, mixed-use environment by controlling building form, as well as applying performance-based parameters relative to building use and intensity. The subject area is shown to the right.

Stakeholders made no mention of this district, either positive or negative, perhaps because it encompasses such a small area. Our review, however, indicates that the standards in this zone are appropriate. While a full form-based approach is not favored elsewhere in the city, we nevertheless believe that adapting some of the standards in the FBC district would help in other areas; in particular, some of the existing neighborhood centers. We expect that some of the



Figure 3: Hamilton Corridor FBC Area

Hamilton standards will be more widely applied in areas of the city that will be subject to the updated center and corridor concept in the new plan.

After reviewing the current land use designations, zoning districts, overlays, and extent of actual zoned land within the City, we make the following recommendations regarding the City's zoning district lineup.

Align Zoning Districts with Land Use Designations

The existing zoning districts align fairly well with the land use designations in the 2017 plan, as shown in Table 4. Because some changes are likely in the updated plan, our recommendations anticipate those changes, and will be refined as necessary once the final plan is available.

Table 4: 2017 LAND USE DESIGNATIONS AND CURRENT ZONING DISTRICTS		
Shaping Spokane Land Use Designation	Description of Typical Land Use	Corresponding Zoning District
Residential		
Residential Low	Attached or detached residences and middle housing types.	R1
Residential Plus	Middle housing types of greater scale or intensity than in lower intensity areas, with potential for mixed-use, neighborhood scale retail and services.	R2
Residential Moderate	A mix of more intense middle housing types and moderate-sized apartment, condo, townhome developments.	RMF
Residential High	Large apartment, condominium, townhouse developments, potentially on multiple sites with site planning and features.	RHD
Agriculture	Agricultural lands of local importance.	RA
Centers & Corridors		
Neighborhood Mini-Center	Same uses as Neighborhood Retail.	CC1 and 2 NR, OR
Neighborhood Center	Neighborhood-oriented commercial uses, offices, mixed-type housing, parks, civic uses in a master-planned, mixed-use setting.	CC1 - 4 NMU
District Center	Community-oriented commercial uses, offices, mixed-type housing, parks, civic uses in a master-planned, mixed-use setting.	CC1 - 4
Regional Center (Downtown)	Variety of goods, services, cultural, governmental, hospitality, and residential uses. Downtown plan provides detail of planning for this area.	Downtown: DTC, DTG, DTS, DTU

Table 4: 2017 LAND USE DESIGNATIONS AND CURRENT ZONING DISTRICTS

Shaping Spokane Land Use Designation	Description of Typical Land Use	Corresponding Zoning District
Employment Center	Major employment uses, community oriented commercial uses, mixed-type housing in a master-planned, mixed-use setting.	Could be all CC, NMU, GC, and other districts
Corridor	Community-oriented commercial uses, mixed-type housing in a master-planned, mixed-use setting.	CC1 - 4
Center & Corridor Core	Commercial, office and residential uses consistent with type of designated Center and Corridor.	CC1 and 2
Center & Corridor Transition	Office, small retail, and multi-family residential uses. Office and retail uses are required to have residential uses on the same site.	CC4
Commercial and Industrial		
Heavy Industrial	Heavier Industrial uses. No residential uses.	HI
Light Industrial	Light industrial uses, limited commercial and residential uses.	LI
General Commercial	Commercial and residential uses, warehouses.	GC
Neighborhood Retail	Neighborhood-Serving Business and residential use. Maximum containment area of two acres.	NR, CB
Office	Offices and residential use.	O, OR
No Existing District Correspondence		
Institutional	Includes uses such as middle and high schools, colleges, universities, and large governmental facilities.	
Conservation Open Space	Areas that are publicly owned, not developed and designated to remain in a natural state.	
Potential Open Space	Areas that are not currently publicly owned, not developed and expected to remain in a natural state.	
Open Space	Major publicly or privately owned open space areas such as golf courses, major parks and open space areas, and cemeteries.	

Create, Rename, or Delete Districts

Table 5 below summarizes our initial recommendations for updates to the City's zoning districts lineup, pending further changes that will be based on updated land use in the comprehensive plan. The left column in Table 5 identifies the current zoning districts; where a new district is proposed, the left column will read "[NEW]." The center column identifies the proposed district or notes if the recommendation is to carry forward an existing district without change. Where name changes are proposed, (to make the district names slightly more descriptive, particularly in residential zones such as R1 and R2) the center column includes them. The right

column provides a brief explanation of the reason for the change, or why no change is proposed.

Table 5: Proposed Zoning District Lineup		
Current District	Proposed District	Explanation
Residential Districts		
RA Residential Agricultural	RA – Carry forward without change	There is not a great deal of this district on the ground in Spokane (less than 1%), nor is it likely that more land will be added to this district. However, since it appears to serve the purpose for which it was created, it can be carried forward without change.
R1 Residential R2 Residential	RS Small-Scale Residential	Combine R1 and R2, change name to focus desired scale of development. The current difference between Spokane's R1 and R2 districts comes down to density, with the R1 min/max range extending from 4 dua minimum up to 10 dua maximum, while R2 (of which there is relatively little actual zoned land) allows up to 20 dua maximum. Combining these districts allows less of a focus on density, and more on the scale and type of housing that is allowed; specifically, this residential district will emphasize allowing all specified middle housing types in the hope of expanding their proliferation.
RMF Residential Multifamily	RMF – Carry forward	We would like to find a way to combine RMF and RHD; however we do see a need to differentiate between a 9 unit building, versus a 9 story building. Final recommendation for this district will depend on updated future land use, and further discussion with staff.
RHD Residential High-Density	RML Medium- to Large Scale Residential	This change is to give a more descriptive name to the district focused on scale. As with RMF, final recommendation for this district will depend on updated future land use, and further discussion with staff.
Form-Based Code District		
Hamilton FBC	Do not carry forward	The area contained within this district can be accommodated in one of the mixed-use zones (likely MU-Neighborhood) but maintain the form-based standards that currently define it.
Mixed-Use Districts		
CC1 through CC4	Replace with mixed-use Hub concept and TOD Corridor zones;	Our initial idea is to create mixed use zones of varying intensity, a mixed use transition

Table 5: Proposed Zoning District Lineup

Current District	Proposed District	Explanation
	names TBD based on Plan update	zone, and one for TOD corridors. Those could be Mixed use neighborhood – small scale, existing neighborhood commercial corridors, including Hamilton FBC zone Mixed use general – medium scale, new development Mixed use regional center – areas with big box commercial and other large scale business. Least focused on residential, and more auto-oriented. Mixed use TOD – Division BRT, other TOD focused corridors These will focus on maintaining the positive elements of the center and corridor concept, while making it more functional for development in the City.
DT Core, General, South, and University	DT - Carry forward	The land use designations for downtown appear unlikely to change. These districts can be carried forward, subject to adjustments as discussed below. (See Emphasize Revitalization in Downtown Districts)
GC General Commercial	GC - Carry forward without change	Because there is a relatively high amount of land zoned GC (4%), and realistically, a demand for auto-oriented commercial, we propose to carry this forward. We do believe areas currently zoned GC that will be part of transit corridors should be reclassified.
O Office	O - Carry forward	Some cities see a need for a single-purpose office zone, though this is more common in suburban areas, with single-purpose office campus developments. If the City sees a need for this, it can be maintained, but generally, offices of varying scale can fit in downtown or mixed-use zones.
CB Community Business NR Neighborhood Retail NMU Neighborhood Mixed Use OR Office Retail	Retire or eliminate	All of these should be accommodated by one of the proposed mixed-use districts
Industrial Districts		

Table 5: Proposed Zoning District Lineup		
Current District	Proposed District	Explanation
HI Heavy Industrial	HI - Carry forward without change	Implements the Industrial land use designation.
LI Light Industrial	LI - Carry forward	Implements the Industrial land use designation, and accounts for substantial area of zoned land in the city. Carry forward, but consider adjusting to allow modern mixed industrial and commercial campuses (as may have been the intent of PI).
Planned Industrial	Eliminate	This does not exist on the ground. If there is a demand for this kind of development, it can be accommodated in LI or the new PI, without the need of a dedicated master plan.
New Districts		
[NEW]	PRO Parks, Recreation, and Open Space	This district aligns with the three land use categories that are concerned with Open Space.
[NEW]	PI: Public and Institutional	This district aligns with the Institutional land use category.
Overlay Districts		
Airfield	Airfield	Carry forward subject to revisions
Fairchild	Fairchild	Carry forward subject to revisions
Special Height	Special Height	Carry forward subject to revisions
North River	Eliminate	We have heard that this overlay has served its purpose and is not longer needed.

Adjust Centers & Corridors Concept to Enhance Implementation and Outcomes

Both staff and stakeholders commented that the centers and corridors have not always had the desired outcome of producing walkable, mixed-use development for the City. There are likely numerous reasons for this, several of which may have little to do with the regulations themselves, such as misalignment with market demand, and existing properties that are not at the end of their life span, so no demand for redevelopment. However, it is also possible that aspects of the regulations themselves have constrained conforming development and redevelopment as well.

The 2024 Centers and Corridors Study focuses on changes to make centers and corridors more “workable.” We largely agree with the recommendations in the report, and understand that the adjusted approach will be reflected in the updated comprehensive plan. As a result, our recommendations reflect those in the study, but will need to be revisited and further detail added as the new centers and corridors concept is finalized in the plan. In the meantime, our preliminary recommendations focus on:

- Creating tailoring mixed use districts, of varying intensity as described in Table 5.
- Allow flexibility within the base districts by focusing more on scale, built form, and multimodal accessibility than allowed/prohibited uses
- Adjust standards based on intensity of development, and extent of change from existing development (for example, consider the different standards needed to transform a strip mall versus maintain an exiting neighborhood commercial strip)
- Clarify triggers for applicability of other code standards (for example, should a simple change of use require upgrades to curb, gutter, and sidewalk if those are substandard)

Create a Mixed-Use, Transit-Oriented Development district

Spokane has existing transit-oriented development (TOD) areas, including the City Line, that runs from the Community College, through downtown, and west through Browne's Addition (yellow on map), and South Logan (purple circle). A new TOD corridor is envisioned along Division Street (blue hatching), running north from Downtown until it terminates at Hastings and Perry (outside city limits). There may be additional TOD corridors in the future.

Because thriving TOD corridors do not come about by chance, we recommend the creation of a mixed use transit-oriented zoning district to support the realization of Spokane's TOD plans. This district will allow mixed-use developments centered around the station areas, and include residential at a density that is capable of supporting high-frequency transit.

Tailored development and design standards are especially important to functional transit-oriented development, with buildings at the street, active ground floor uses, and a connected sidewalk network that prioritizes pedestrian safety and access, as well as integrated or nearby residential to support use of the lines. This TOD District will focus on creating standards to support successful transit corridors.

Like other development transit corridors often encompass a range of development intensity, with more dense, walkable development closer to station areas and the city's downtown, and more suburban-style development towards the farther ends of the corridors. The district's standard will be designed to accommodate that range. Below is an image from the city's website, which neatly conveys the idea behind

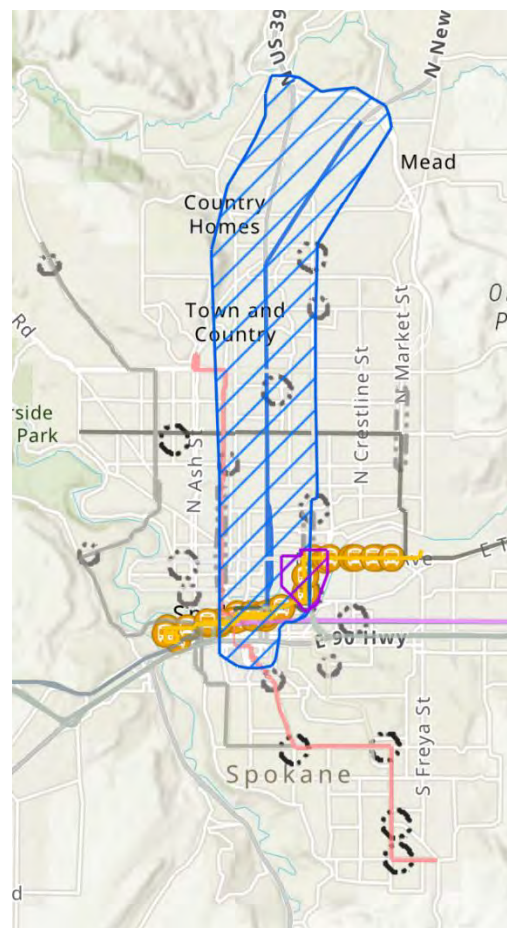


Figure 5: Existing and Potential TOD Areas in Spokane

the mix of development that supports a dense, urban node along a TOD corridor.



Figure 6: TOD-Supportive Development

Emphasize Revitalization in Downtown Districts

The Downtown districts did not come up very much in stakeholder interviews. While we take this to mean they are basically functional and producing the intended development, we are also aware from conversations with staff that certain adjustments could help improve Downtown development in light of current conditions. One issue is that, following the pandemic, there are many vacancies in Downtown that have been slow to find new tenants. Over time, persistent vacancy can begin to impact the offices, businesses, and storefronts that do remain, which is where Spokane finds itself now.

When we update the Downtown districts, we will propose ways to catalyze occupancy and decrease vacancies. One way to do this is to create a use category for properties that have been vacant for two years or more (for example), allowing an expanded range of uses, even if temporarily, to encourage renewed occupancy. Because downtown businesses depend on nearby residents even more since many office uses are not requiring workers to return Downtown full-time as was common pre-pandemic, we should also consider incentives to encourage development of both market rate and affordable housing units in the Downtown.

Staff have also expressed some concern about the extent and impact of surface parking lots in the Downtown. Extensive surface lots are not uncommon in cities where old buildings have been removed without new structures replacing them. The yellow highlights in Figure 7 demonstrate the extent of the lots in the core of downtown. While the blocks on the western edge of downtown are largely intact, that is not so east of Howard Street, with some surface lots occupying half of entire

blocks. There are also two large parcels adjacent to Riverfront Park that could offer prime river views and park access to potential residential development.

We can work with staff on strategies to address the extent of surface lots, including prohibition of new ones, and the amortization of existing ones. As mentioned above, such measures could also be accompanied by incentives to encourage development of both market rate and affordable housing units (or other desired development) in the Downtown.



Figure 7: Downtown Surface Parking

Relocate and Update Existing Planned Unit Development Regulations

Currently, Spokane's information on Planned Unit Developments is in Title 17G, Administration and Procedures. While some of this information should remain in the procedures section, given the purpose of a PUD and its function, we believe some sections would be better situated in the Land Use Standards (current Title 17C). This includes the "what is it?" information such as purpose, uses, density, and dimensional requirements, while the "how to do it" content can remain in the Administration and Procedures Chapter.

Spokane defines a planned unit development as "a project permit for an overlay zone...". However, while there is a layer for PUDs on the internal zoning map, this layer is not available for public view. As such, we are not sure what the current

prevalence of existing PUDs is, or how frequently they are used in Spokane. A couple of stakeholders offered the opinion that they used to be useful, but were less so after recent changes, indicating that perhaps their prevalence is declining.

We believe that cities should have a PUD process, but that most development should occur using standard zoning districts. This can occur when the standard zoning districts are both functional and flexible enough to accommodate modern forms of development without the persistent need for exceptions to standards that lead to PUDs. The Purpose (Section 17G.070.010) for PUDs in Spokane specifies that they are intended to “encourage innovative planning and flexible design standards that results in more infill and mixed use development; economically diverse and affordable housing options; improved protection of open space and critical areas, and transportation options and preserve the existing landscape and amenities that may not otherwise be protected through conventional development.” (Highlighting ours.)

The existing standards for PUDs focus heavily on development of mixed use, while at the same time placing impractical and potentially unworkable standards on that kind of development. For example, including any retail in RA, R1, and R2 zones requires at least 20 acres for development, and is allowed only on five percent of the site. Individual non-residential uses are limited to 5,000 square feet. This combination of limitations - requiring too large a land area for the project, and then limiting the business’ potential market area – is potentially too strict for functional mixed use. This may also be true for the minimum 10 acres required in the higher density zones. In both cases, fixed, inflexible standards do not consider the varying scales and contexts that can support mixed use development.

Regardless of the specific use and size limits in the current PUD requirements, since our focus is on creating standard mixed-use zoning districts, PUDs should no longer be necessary for that. They may still be necessary for truly unusual projects that standard districts cannot really anticipate, such as a large new stadium or outdoor concert venue. They can also be used as the Purpose statement indicates: for the opportunity they offer to receive public benefits in exchange for the flexibility that is offered to the developer. Affordable housing is one frequent use for PUDs, as is preservation of open space or the development of gated communities, but they can also be allowed for developments that support other city goals such as historic preservation, or sustainable or “green” development.

As we begin to draft updates to this section, we will work with City staff to finalize direction related to the following considerations and recommendations:

- Specify the extent to which PUDs should be used: freely, or in limited circumstances?
- If limited to projects that offer public benefit in exchange for flexibility, what are those public benefits?

- Decide how PUDs are recorded on a zoning map or otherwise so they can be tracked over time
- Require that PUDs specify a base district, so that any standard not specifically modified by the PUD proposal defaults to the base district standards (this helps to simplify administration of PUDs over time)
- Eliminate standard minimum acreage requirements and predetermined use limitations

Consolidate and Adjust Land Use Allowances

Reorganize into a Single, Central Land Use Table

Title 17C currently has at least five separate land use tables: one for residential, one for commercial, one for industrial, another for centers & corridors, and yet another for Downtown. While it is convenient for code users to find uses among all the other standards related to a certain category of uses, this organization into separate tables has risks that updates to uses are not completed across all tables, leading to inconsistencies and confusion over time. We think there is little sacrifice to convenience, but significant enhancements to efficiency, in consolidating allowed uses for base districts into a single table. Below is an image of a use table from another community, showing how a consolidated table of allowed uses looks.

Table 7.3.2-A Base and NNA-O District Use Table		P = Permitted C = Conditional use R = Allowed pursuant to regulating plan										A = Accessory to primary use T = Temporary use																
		Residential										Mixed-Use					Indus.		Spec P.		NNA-O			Use-Specific Standards				
Zone District →	Land Use ↓	A	R-E	R-19	R-16	R-2	R-4	R-5	R-Flex Low	R-Flex Med.	R-Flex High	MX-N	MX-T	MX-M	MX-L	MX-I	FBZ	BP	LI	GI	APD	PF	PK		South	Central	North	
	Library, Museum, or Cultural Facility											C	P	P	P	P	P	R		C	C	P	P	P	P	P	P	
	Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	R				P			P	P	P	
	Public Safety Services		C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	R	P	P	P	P	P		P	P	P	
	Religious Institution	P	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	R	P	C	C	P			P	P	P	7.3.302B
	School, Elementary or Secondary	P	C	C	C	C	C	C	C	C	P	C	P	P	P	P	P	R	C	C	C				P	P	P	7.3.302B
	School, Higher Education	P										C	P	P	P	P	P	R	P	C	C	C			P	P	P	
COMMERCIAL AND INDUSTRIAL USES																												
Agriculture and Animal-Related Uses																												
	Agricultural Production	P																R										
	Agricultural Sales and Service	C											P	P				R		C	C							
	Animal Care Facility	P																R		C	C							7.3.303A.1
	Commercial Feedlot	C																R										

Figure 8: Example Consolidated Use Table

Retain Land Use Category Approach, with Refinement & Reorganization

In Chapter 17C.190, Spokane defines a category approach to classify uses. Table 6 below shows the current categories and subcategories of uses. Each subcategory has a description of the Characteristics of the uses in the subcategory, examples of the uses in the subcategory, typical Accessory uses, and Exceptions.

This is an efficient approach to allowed uses, as it avoids a use table that tries – and typically fails – to list separately every possible permutation of a given use. By describing characteristics of a category, along with some common example uses, there is some flexibility for assigning an unlisted use without the need to bring a text amendment to the hearing examiner.

While our recommendation is to carry forward this structural approach to classifying allowed uses, we do recommend some updates to the categories and subcategories. These are noted as NEW in Table 6 below. We also recommend that any use subject to use-specific standards be listed separately, and linked directly to the applicable standards (see right column in Example Consolidated Use Table). This approach may allow for elimination of Limited uses, since these are basically uses subject to specific standards in certain contexts, which in turn would simplify tables by reducing the reliance on Table Notes.

TABLE 6: TITLE 17 USE CATEGORIES AND SUBCATEGORIES		
CATEGORY	SUBCATEGORIES	NOTES ON USES
Residential	Group Living	
	Household Living	
Civic, Public, and Institutional (NEW)	Community Facilities	Includes Community Services, Daycare, Detention Center, Essential Public Facilities, Parks and Open Areas, Religious Institutions
	Cultural Facilities	Museums, Libraries
	Educational Facilities	Schools and Colleges become uses, rather than subcategories
	Health Care Facilities	Medical Center uses are included here
Commercial	Adult Business	
	Food and Beverage Uses (NEW)	Removes from Retail Sales and Service. Includes restaurants, bars, Mobile Food Vending, and other related uses such as catering and commercial kitchens
	Commercial Lodging (NEW)	Removes uses like hotels and short-term rentals from Retail Sales and Service

TABLE 6: TITLE 17 USE CATEGORIES AND SUBCATEGORIES

CATEGORY	SUBCATEGORIES	NOTES ON USES
	Professional Services	Removes Repair Services from Retail Sales and Service Includes Office uses
	Personal Service and Instruction (NEW)	Removed from Retail Sales and Service
	Recreation & Entertainment	Includes Commercial Outdoor Recreation and Major Event Entertainment, along with other recreation-related uses that were included in
	Retail Sales and Service	Limited more narrowly to retail sales of goods
	Vehicle Repair	Minor Vehicle Repair (replaces Quick Vehicle Servicing) Major Vehicle Repair
Transportation and Utilities (NEW)	Aviation and Surface Passenger Terminals	
	Basic Utilities	
	Commercial Parking	
	Public Parking Lot	
	Rail Lines and Utility Corridors	
	Railroad Yards	
	Wireless Communication Facilities	
Industrial	High Impact Use	The uses this encompasses could be split among the other categories, and approved by CU
	Industrial Service	The uses this encompasses could be split among the other categories, and approved by CU
	Manufacturing and Production	Mining could be included here, or in there are other natural resource extraction activities, that can be a subcategory
	Warehousing and Storage	Includes Freight Movement and Mini-storage Facilities
	Waste and Salvage	
	Wholesale Sales	
Other	Accessory Uses	Includes Drive-through Facility
	Temporary Uses	New
	Agriculture and Aquaculture	

Define Land Uses

Categories can be useful for consolidating similar uses, and giving representative examples, but we still believe it is important to have definitions for specific uses. This

can help staff administering the code to explain why a doggie day care is permitted in certain areas where a kennel is not. Precise definitions enable differentiation between daycare centers and daycare homes, or accessory dwelling units versus short-term rentals, and the difference between major and minor vehicle repair. Essentially, clarity in definitions can eliminate confusion in permissions.

Create Use Specific Standards (USS) Section; Update Existing USS

Spokane currently has use-specific standards for a handful of existing uses, though there is no dedicated section of the code for these. They generally start in Chapter 17C300, and run through 17C355A. When the code is reorganized, a section devoted to use-specific standards will accompany the consolidated use table. This consolidates all use-related information in one place, making it easy to find and navigate.

The code update will involve a review of all existing use-specific standards, with updates as necessary. Though few stakeholders mentioned issues with use-specific standards, staff have indicated there maybe some possibility for adjustments and edits to the existing standards. As one example, limiting home occupations to 25 percent of floor area or 200 square feet seems arbitrary, while completely prohibiting it in an accessory structure is likely unnecessary.

We also propose that Limited uses can be eliminated. These uses are noted as “L” in the use tables, which then reference a section in each category of uses (Residential, Commercial, Industrial, etc.) that contains the standards for the uses. The regulations related to Limited uses are, effectively, use-specific standards, though in the current organization, they are very far removed from where the other use-specific standards are found. The current structure is both unnecessarily complicated, and repetitive. These standards should be incorporated into the proposed use-specific standards section, and linked using a standard cross-reference, which should eliminate the need the “L” designation in the use table.

Finally, new use-specific standards should be drafted to allow more uses to be permitted by-right, rather than undergoing a conditional use review. The point of use-specific standards is effectively the same as a conditional use review: to acknowledge that a given use has the potential to impact neighboring development, and to create conditions – or standards – that control for those impacts. While we recognize that some uses will always require a higher-level review, some are subject to fairly standard conditions that can be designated as requirements up front rather than addressing them during a review process. Where we have seen use-specific standards succeed for certain uses, we will propose for staff consideration some options to reduce reliance on those more extensive reviews. This exercise also facilitates the review of permissions in the use table, discussed next.

Review & Update Use Permissions

As described above, one focus of this task is to see whether some of the Conditional Use approvals can be changed to by right use permissions. However, the reverse may also be true, where existing permissions should change to be more limited. For example, this could be changing distribution centers from P to C in certain districts. Given the recent tendency for huge increases in the size of these facilities, and the fact that, to reduce delivery times, they now often prefer to locate in or near populated areas rather than in remote industrial zones, a distribution center may no longer seem a good neighbor in some commercial zones. In such areas, they could benefit from a conditional use review to control for the large amount of truck traffic they generate, and their extended hours (not to mention their architectural preferences for window-free featureless boxes).

FOCUS AREA 3: REFINE DEVELOPMENT STANDARDS

TOPICS COVERED

1. Tailor Design Standards to Context
2. Error! Reference source not found.
3. Add Detail to Landscaping and Expand Tree Preservation Incentives
4. Add Detail to Landscaping and Expand Tree Preservation Incentives
5. Landscaping is one of the primary ways a zoning code can promote sustainability goals and objectives, in addition to the many other positive benefits related to privacy and aesthetics it can bring. An adequately detailed landscaping section can speed up staff review time, while also improving the predictability of landscaping outcomes. This is done by focusing on the creation of specific and measurable landscaping requirements, to clarify applicant responsibilities and allow decision-making at the administrative level leading to shortened review times.

The following improvements should be considered when updating the LDC:

- Increase the overall limit for site landscaping.
- Replace vague and ill-defined standards with specific requirements.
- Focus on tree planting to enhance environmental benefits and property values.
- Expand incentives for tree preservation.
- Promote the “Spokanescape” incentive program, and look at ways to codify this as desired landscaping.

Increase the overall limit for site landscaping

Section 17C.200.080, Maximum Landscaping Requirements. states that “In no case shall these provisions require more than fifteen percent (15%) of the total site area to be landscaped.” In our experience fifteen percent is a low threshold, particularly for residential development in less urban contexts. We more often see requirements like those specified in the table below from another community. In the City of Spokane, small-scale residential (comprised of single dwellings up to and including all types of middle housing) would be subject to the requirement that 100 percent of lot area not

covered by improvements (buildings, driveways, walkways) has to be landscaped, which can be as simple as installing lawn, or other living ground cover.

Table 14-142: Minimum Percent Landscape Cover by Zoning District

Zoning District		Minimum Percent Site Coverage
RM	Residential Multi-Family	20
CX	Commercial Mixed-Use	15
OX	Office Mixed-Use	15
CG	Commercial General	10
PCI	Public, Civic, and Institutional	15
IX and IG	Industrial Mixed-Use and Industrial General	5

Replace vague and ill-defined standards with specific requirements

A significant portion of the City's current landscaping regulations are devoted to screening requirements between differing zoning districts. While we think landscape buffers used for screening is a good practice, the current regulations are both too specific, and too general. We believe the description of what should be included in the different levels of buffers should be more detailed, while the requirements for when these screening buffers are installed should be simplified.

Here is an example of the current description for L1 screening buffer, the most intense Spokane requires (we have highlighted provision that are vague and open to interpretation):

"L1 plantings are intended to provide a **continuous visual screen** between different types of uses. ... The planting strip shall include shrubs that will provide a continuous screen at a minimum height of six feet within three years of planting. **Trees shall be included as necessary** to provide continuous canopy and shall be **spaced at intervals resulting in touching of branches** after ten years of normal growth."

Here is how these requirements are phrased in another community, followed by a typical illustration showing an overhead view of planting requirements for different buffer intensities:

"A Level 3 Strong buffer shall be a minimum width of 25 feet. For every 100 feet of buffer length, there shall be planted: 6 canopy plantings spaced a minimum of 15 feet apart, interspersed with 5 understory plantings, and 20 shrubs. Trees shall be planted on center, unless clustering or other arrangements are reviewed and approved by the City Forester."

Finally, we believe that buffers between nearly every district, as shown in Spokane's current table related to buffers between adjacent properties in Section 17C.200.040.B, Other Property Perimeters, are not always necessary. They probably are not needed between districts of similar intensity, as in CB next to NR or OR. Buffers should instead be focused on more incompatible juxtapositions, such as an industrial zone adjacent to a multifamily zone. There should also be specified exemptions, such as when GC is abutting downtown, or when zones are separated by a right-of-way, including an alley. In the course of the project, once the lineup of zoning districts is updated, we will propose specific changes to this buffering section

that focus on simplifying or reducing instances when it is applied, while being more precise in what live plantings different buffer levels entail.

Focus on tree planting to enhance environmental benefits

Spokane's hottest summer on record occurred in 2021, with one day in July reaching a record-breaking 109 degrees. In 2023, the city experienced the seventh hottest summer on record, while 2024 was the fourth warmest. Over 36 percent of the city's top hottest years have occurred in the last decade, and the number of 100+ degree days is also increasing. These increases are common in cities throughout the country, and tend to be exacerbated in urban areas, due to the prevalence of hardscape such as buildings, exposed parking areas, roads and sidewalks.

Increasing shade canopy is one of the most effective ways to mitigate such heat-concentrating effects, and for that reason, the project team focuses on drafting landscaping regulations that emphasize tree planting, rather than the planting of shrubs and other ground covers that will not generate shade. We think this emphasis is particularly important in parking lots, which are among the most powerful contributors to urban heat island effects. This will be a main focus for us in updating both parking lot and general landscaping, accompanied by considerations of plants that can withstand heat and drought, diversifying species planted to withstand mass blight and die-off, and appropriate irrigation requirements, so that trees which are planted to satisfy these regulations have a decent chance of survival.

Expand incentives for tree preservation

Mature, healthy trees provide both more immediate and much greater environmental benefits than new plantings, and for that reason, we think it is important to offer incentives to maintain mature plantings (yes, including shrubs and groundcover too) rather than always replacing them when there is new or redevelopment on a site. Spokane has incentives for preservation of existing mature trees, and we think this is a good start. We would like to expand the applicability of these regulations, as well as increasing the extent of incentive offered for preservation. We think it is also important to add more detailed standards for tree preservation during construction activities than are currently included in Section 17C.200.130, Guarding against Damage from Construction Work. Rather than referring to an Arboricultural Manual which may or may not apply, it is common for codes to include requirements for fencing that protects the tree area drip line, which in turn protects the roots.

6. Carry Forward Signs Standards Subject to Minor Revision as Needed
7. Draft Citywide Outdoor Lighting

Tailor Design Standards to Context

- Consolidate standards for all types of development into one section, rather than spreading out in different chapters according to zoning district.
- **Simplify:** eliminate distinction between requirement, presumption, and consideration. Generally, a zoning code contains requirements – what is a matter of policy or preference (e.g., a guideline) belongs outside the code. While

Spokane's presumptions offer flexibility for a developer or applicant in meeting a standard – a very good practice – they do not need to be called out by a separate name. These are still requirements, and can be labeled as such. Considerations should not be included in the code, but can be incorporated into the various guidelines documents the City maintains.

- Revisit extent of requirements in some districts, and focus on “high impact” areas. In our experience, it is uncommon to apply any but basic standards to single-family and middle housing units. Requirements for these types of structures are generally limited to an entrance facing the street, basic landscaping standards, and limitations on extent of garage door facing the street. Likewise, smaller multifamily and industrial development often have limited requirements as well. After discussion with staff, we would like to focus on refining standards in the highest impact areas: downtown, along gateways or entrance corridors to the city, in historic areas, along TOD corridors, and in centers. Limited and less restrictive standards can be maintained in other areas. While we think this is a workable idea for Spokane, we are concerned that such a change may provoke opposition from staff or the community, and would like to discuss further before moving ahead with this recommendation.

Ensure Applicable Standards Are Proportional to Complexity of Infill and Redevelopment Requests

Stakeholders spoke frequently about infill and redevelopment in the City. They did not, however, focus on particular impediments to making this kind of development happen. In our own review, we find that Spokane's small lot sizes and fairly permissive dimensional standards should function well for this type of development. However, we have heard that application of certain other requirements can pose a problem. For instance, if a change of use wants to remodel and occupy an existing structure, there is a question of what level of compliance with other regulations should be required for this relatively simple request. Should such a request have to bring substandard landscaping into compliance, remove or replace nonconforming signs, and update access, potentially including replacing curb, gutter, and sidewalk? We say no: such overreaching requirements can ensure properties that otherwise might be attractive for re-use remain vacant. We will work with staff to understand where such issues arise, and revise applicable infill and redevelopment requirements to be more in proportion to the extent of change being proposed on a lot.

Add Detail to Landscaping and Expand Tree Preservation Incentives

Landscaping is one of the primary ways a zoning code can promote sustainability goals and objectives, in addition to the many other positive benefits related to privacy and aesthetics it can bring. An adequately detailed landscaping section can speed up staff review time, while also improving the predictability of landscaping

outcomes. This is done by focusing on the creation of specific and measurable landscaping requirements, to clarify applicant responsibilities and allow decision-making at the administrative level leading to shortened review times.

The following improvements should be considered when updating the LDC:

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- Replace vague and ill-defined standards with specific requirements.
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Here is an example of the current description for L1 screening buffer, the most intense Spokane requires (we have highlighted provision that are vague and open to interpretation):

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Here is how these requirements are phrased in another community, followed by a typical illustration showing an overhead view of planting requirements for different buffer intensities:

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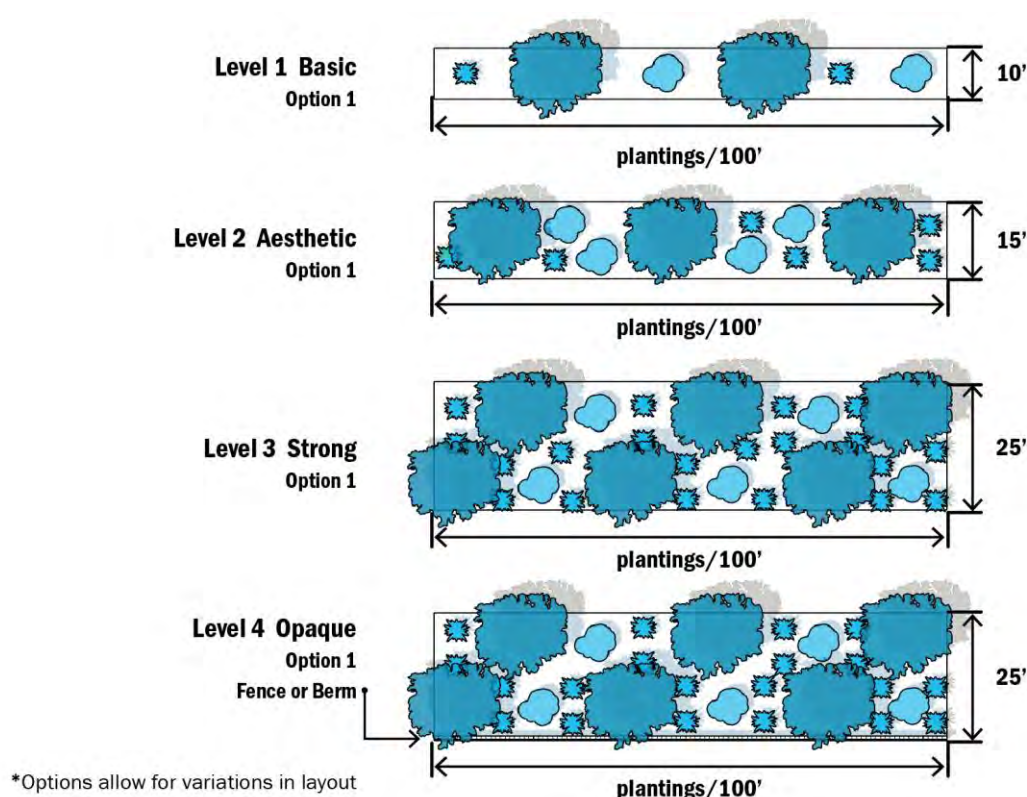


Figure 9: Sample Buffer Intensity Illustration

Finally, we believe that buffers between nearly every district, as shown in Spokane’s current table related to buffers between adjacent properties in Section 17C.200.040.B, Other Property Perimeters, are not always necessary. They probably are not needed between districts of similar intensity, as in CB next to NR or OR. Buffers should instead be focused on more incompatible juxtapositions, such as an industrial zone adjacent to a multifamily zone. There should also be specified

exemptions, such as when GC is abutting downtown, or when zones are separated by a right-of-way, including an alley. In the course of the project, once the lineup of zoning districts is updated, we will propose specific changes to this buffering section that focus on simplifying or reducing instances when it is applied, while being more precise in what live plantings different buffer levels entail.

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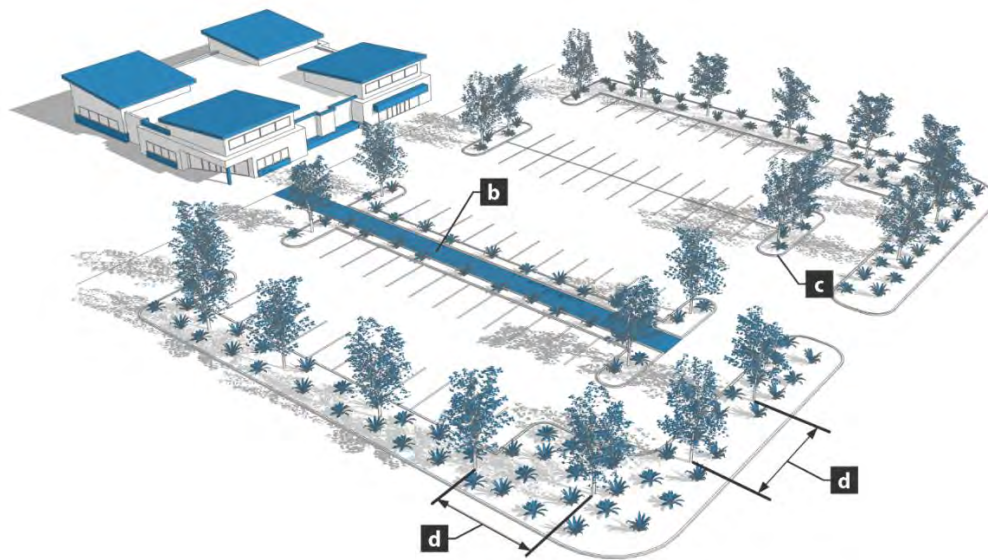


Figure 10: Parking Lot Landscaping Example Graphic

and tend to be exacerbated in urban areas, due to the prevalence of hardscape such as buildings, exposed parking areas, roads and sidewalks.

Increasing shade canopy is one of the most effective ways to mitigate such heat-concentrating effects, and for that reason, the project team focuses on drafting landscaping regulations that emphasize tree planting, rather than the planting of shrubs and other ground covers that will not generate shade. We think this emphasis is particularly important in parking lots, which are among the most powerful contributors to urban heat island effects. This will be a main focus for us in updating both parking lot and general landscaping, accompanied by considerations of plants that can withstand heat and drought, diversifying species planted to withstand mass blight and die-off, and appropriate irrigation requirements, so that trees which are planted to satisfy these regulations have a decent chance of survival.

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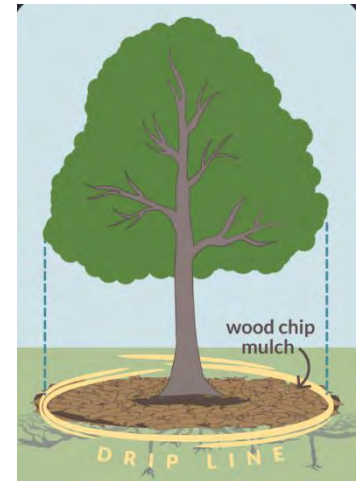


Figure 11: Drip Line

Carry Forward Signs Standards Subject to Minor Revision as Needed

Spokane's sign standards have clearly been revised to comply with federal court decisions regarding content neutrality; thus the regulations focus on "time, place, and manner," as is still permitted by law. This essentially means the City is focusing its regulations on the type of sign that is allowed, how large it can be and how many are allowed, and where as well as how long it may be displayed. There are also tables and illustrations throughout the section to help users understand what is allowed for properties in various zoning districts. Further, the section includes standards for newer, more modern sign types, including electronic message display.

Altogether, we generally find that this section already complies with many of the recommendations we would make in terms of best practices. Therefore, we propose the following approach:

- Carry forward existing Signs Chapter content, subject to minor edits and reorganization
- Work with staff to identify any problems with existing standards – do standard regulations not work well in certain areas, for example, historic districts? Are there sign types or standards that consistently cause issues; for example, standards for brightness are too low, or size allowance for wall signs is too low?
- Include a temporary signs section.

Draft Citywide Outdoor Lighting Standards

We find that lighting is addressed in two locations in the current code: first, as part of Chapter 17G.070 Planned Unit Developments, Section 17G.070.150 Lighting; and then

as part of design standards for the Great Gorge district. In our experience, it is more common to have lighting standards that are applicable citywide, and then tailored for certain district areas, such as along the Spokane River Gorge. We would thus suggest a new lighting section that includes standard elements such as brightness allowance by zone, type and temperature of allowed lighting, as well as any light types that are prohibited, common exceptions (holiday lighting), and exemptions (sports fields). Lighting standards can be very detailed and complicated, and require substantial staff knowledge and time for reviewing detailed photometric plans. However, basic standards can go a long way to ensuring that lighting provides adequate illumination for safety at the ground level, while preventing light pollution into the sky. It is this extent of basic regulation that we recommend for Spokane.

FOCUS AREA 4: CREATE A MORE USER-FRIENDLY CODE

Many of the recommendations provided so far in this Assessment focus on clarifying the City's existing procedures, zoning districts and allowed uses, and development standards. In addition to content-related changes, this section offers several recommendations to improve the overall usability of the code by making it easier to understand, navigate, and administer.

TOPICS COVERED

1. Adopt New On-Line Platform for Easier Access to the SDC
2. Reorganize Land Development Regulations
3. Standardize and Simplify the Numbering Hierarchy
4. Ensure LDC Updates and Revisions are Drafted Using Plain Language
5. Improve Graphic and Photo Illustrations

Adopt New On-Line Platform for Easier Access to the SDC

For the average code-user, Title 17 is particularly difficult to use because of the way its content is currently accessed through the City's website. There are several reasons for this:

- The online version does not include a searchable Table of Contents for the complete SDC, or its component Titles and Chapters
- Results from the search function are very often not helpful
- There are no clear instructions for how to view an entire Chapter, or even more than one Section at a time -- the user must figure out on their own to "Select All" then "View Selected"
- There are nearly a hundred Chapters in Title 17, and literally thousands of sections, many of which are only one sentence long

Spokane staff are aware of these shortcomings and researching the possibility of transferring the code to an online codification site. Whether the City proceeds with that step or not, this assessment's recommendations to reorganize and consolidate much of the LDC's current content will also greatly improve the code's on-line navigability and user-friendliness.

Reorganize Land Development Regulations

Given the large number of Chapters and Sections in Title 17, the current organization can be overwhelming and very difficult to navigate, especially for the average homeowner, property owner, or business owner who needs to access the code infrequently.

The project team proposes a substantial LDC reorganization that will consolidate Chapters and Sections by common subject, reducing the overall number of chapters and sections under higher-level headings. This should help to streamline the hierarchical structure of information and make it more logical. Once the revised LDC is uploaded to the new codifier, a functional search option will also be valuable in helping users find information.

The current LDC lists broad subject areas at the "Title" level, and then dives into a mix of regulations, procedures, definitions, and standards spread across multiple Chapters and Sections, which again makes the code difficult to navigate. For example, one chapter in the LDC is devoted to sign regulations; however, additional sign regulations are found in each of the chapters on zoning districts. This is confusing at best and could result in someone missing applicable regulations in their sign permit application. Having similar or related provisions in different parts of the LDC also increases the potential for generating conflicting provisions, when information in one code location is updated, but not updated in other locations.

We believe reorganizing the LDC into a more condensed and logical sequence and hierarchy of title, chapter, and sections will improve its readability and overall user-friendliness. For more detailed information on the proposed LDC reorganization, with user comprehension and navigation top of mind, refer to the Detailed Outline in Part 4 of this assessment.

Standardize and Simplify the Numbering Hierarchy

The current content outline and numbering scheme in Title 17 and its sub-parts is internally inconsistent and departs from the numbering scheme used in the other titles of the Spokane Municipal Code (SMC). The outline/numbering scheme in Title 17 does not even follow Spokane's own ordinance on how content should be organized and numbered in the municipal code. This code update will prioritize a consistent numbering scheme that is logical, sequential, and matches title and section organization and numbering in other SMC chapters.

The table below provides an example of how proposed changes in the LDC numbering hierarchy are different from the current scheme. The proposed scheme changes numbering to better align with other SMC chapters and simplifies numbering to be more sequential and logical.

Table 7: Current and Proposed Numbering Schemes
Current Numbering Scheme in Title 17
TITLE 17A- I UNIFIED DEVELOPMENT CODE
Title 17A - Administration
Chapter 17A.010 – General Administration
Section 17A.010.002 – Intent and Purpose
Section 17A.010.004 – Title
Section 17A.010.010 – Source
Section 17A.010.020 – General Purpose
Proposed Numbering Scheme in LDC
TITLE 17 LAND DEVELOPMENT CODE
Chapter 17.01 Administration
Section 17.01.010 Title
Section 17.01.020 – Purpose and Intent
Section 17.01.020.A Purpose
Section 17.01.020.B Intent
Chapter 17.02 Zoning Districts
Section 17.02.010 Residential Zoning Districts
Section 17.02.020 Mixed-Use Zoning Districts

Ensure LDC Updates and Revisions are Drafted Using Plain Language

Both Washington State policy and best zoning practice converge on the responsibility of government to ensure public information, including the content of complex land development and zoning laws, is accessible and easy to understand. Using “plain language” in the Spokane LDC, rather than using jargon, convoluted sentence structure or run-on sentences, or legalese comes with a host of benefits, including:

- Creating a more efficient, positive and inclusive customer experience with the LDC.
- Ensuring the code is easy to understand and minimizes confusion, errors, and disputes; i.e., improving compliance with the code.

- Easing translation of the code for non-English readers and more easily supporting screen-readers, captions, and other language access tools.
- Demonstrating respect for the code-user and their time.

The current LDC does a good job of using fairly simple and straightforward language in its rules (much better than many codes this project team has seen!). In all revisions and updates to the LDC, the project team will carry forward this good practice with drafting all new content and will seek additional opportunities to improve current code provisions using plain language techniques and best practices.

Improve Graphic and Photo Illustrations

Spokane's current code has numerous photos and illustrations to help users understand the concepts in the text. This is good practice; however, the size of the images is very small, and the resolution is often so poor that it is not possible to discern what the image seeks to convey. It is often not possible to make these images larger – for example, by clicking on them – and if they are enlarged the image quality often declines further into illegibility. Below are some examples.



There is great value in using photos, illustrations, and tables to help code users understand complicated and often technical content and requirements. Therefore, we will work on replacing the current images and adding new ones of higher quality, along with adding or updating existing tables as necessary. Here are some examples of how tables and illustrations are used in other the project team codes.

Illustrating Zoning District Standards

District diagrams can communicate the intended scale and form of a zoning district while also including key information related to lot and building standards, such as lot area, lot width, building setbacks, and height requirements. Below is a zoning district graphic, and the accompanying district dimensional table. The letters on the graphic correspond to table rows.

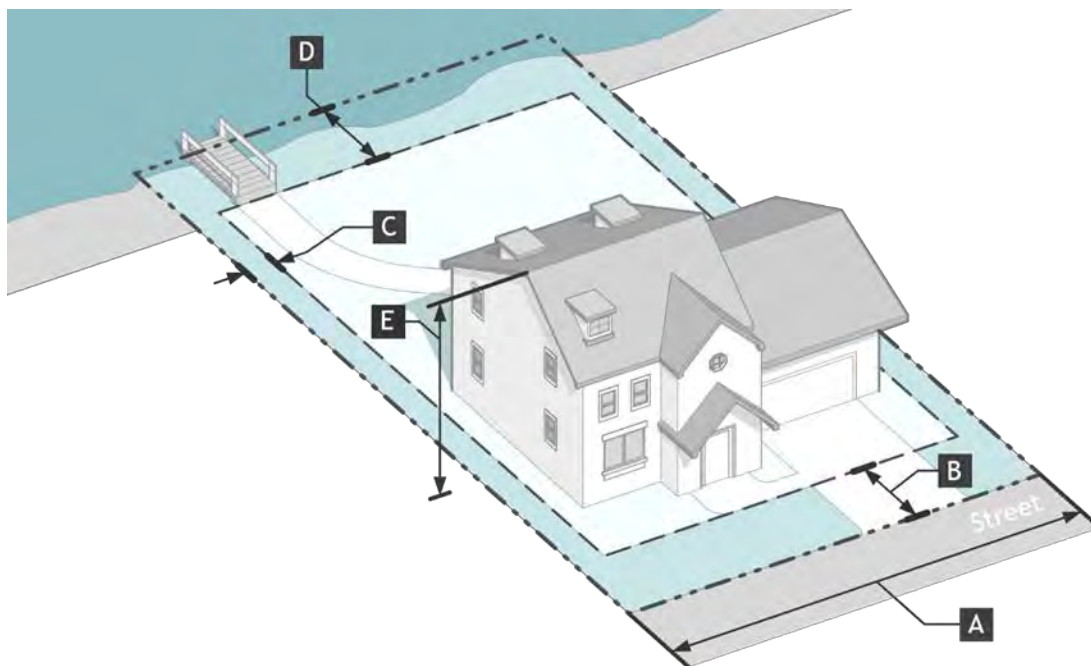


Table 3-11: RL District Dimensional Standards

Parcel or Lot		
	Area, min., sf	10,000
A	Width, min., ft	75
Setbacks (min., ft)		
B	Front	15
	Front, adjacent to an arterial street	75
	Side street	10
C	Side interior	5
D	Rear	5
Height		
E	Principal building, max., ft	35
	Accessory building, max., ft	30

Illustrating Development Standards

Development standards graphics may include tables for parking requirements, illustrations of outdoor lighting requirements, and diagrams depicting rules of measurement and site layout standards.

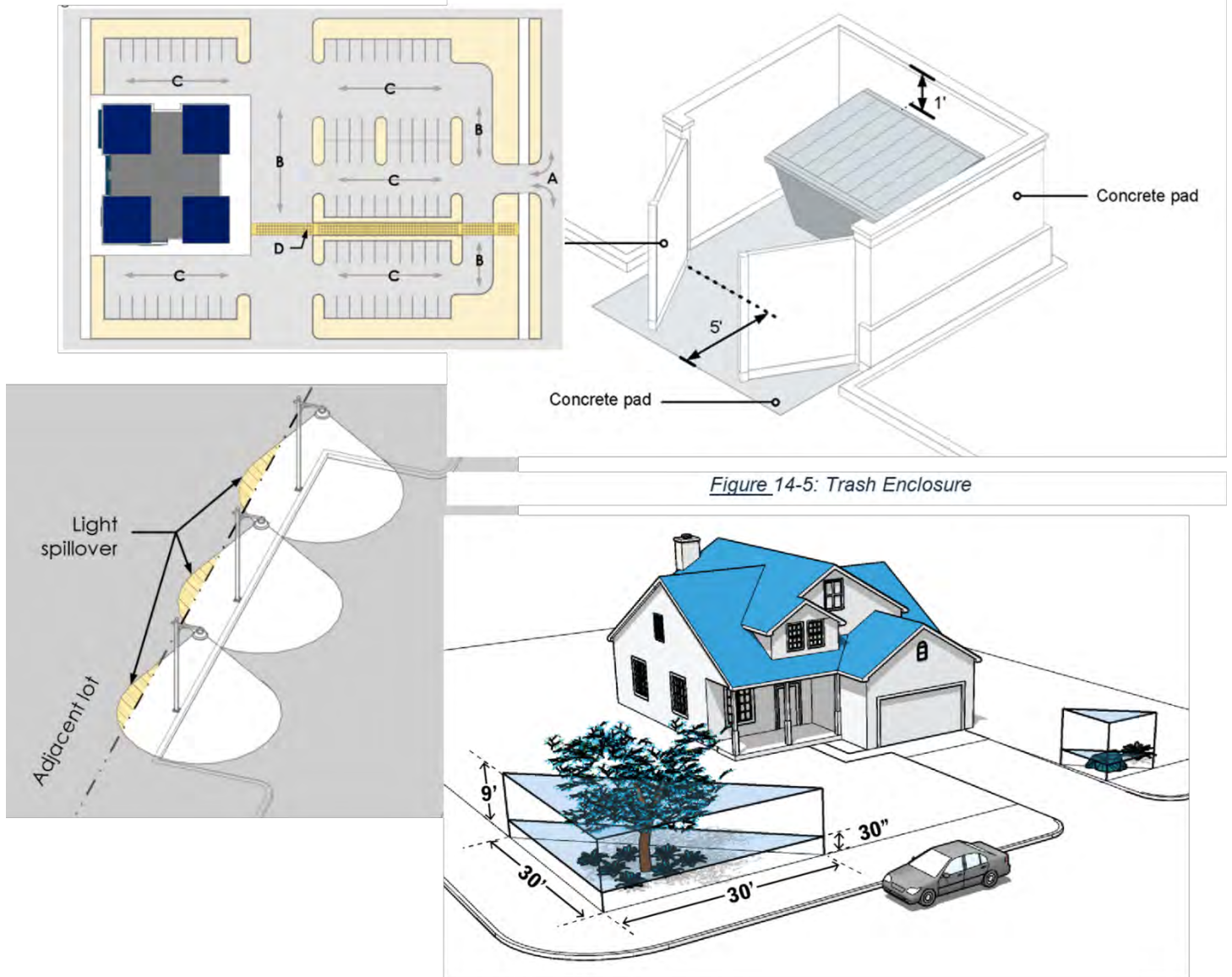


Figure 14-5: Trash Enclosure

Figure 1: Development Standards Graphics

Illustrating Administration and Procedures

Process-related flowcharts can clarify (and visually communicate) the specific review process steps for approval of different development applications required under the LDC. See example at right.



PART 4: DETAILED OUTLINE

The following table provides an overview of the proposed structure of the new Spokane Development Code and demonstrates where the current standards under Title 17 will be relocated. At the bottom of the table is a list of existing sections not intended to be carried forward. This outline addresses the issues identified in Focus Area 4 of this Assessment. It is an important tool that provides us with a framework to draft the new development regulations and establishes an organizing framework for continued discussion with the City.

Table 8: Detailed Outline of Proposed Code Organization	
PROPOSED	CURRENT
Chapter 17.01 Administration	Title 17A.010 General Administration
01.010 Title	Section 17A.010.004 Title
01.020 Authority	Section 17A.010.010 Source of the Code
01.030 Applicability	Section 17A.010.025 Scope and Application
01.040 Purpose	Section 17A.010.002 Intent and Purpose Section 17A.010.020 General Purpose
01.050 Compliance Required	17A.010.030 Responsibility of Owners
01.060 Minimum Standards	Section 17A.010.025 Scope and Application
01.070 Conflicting Provisions	Section 17A.010.050 Conflict between Chapters
01.080 Transition Rules 080.A Repeal of Title 17A through I 080.B Replacement 080.C Adoption of Existing Conditions of Approval 080.D Prior Development Approvals 080.E Pending Applications 080.F Prior Violations	Chapter 17A.030 Transition to Title 17 Land Use Regulations
01.090 Savings and Severability	Section 17A.010.120 Saving Section 17A.010.110 Severability
01.100 Violations, Enforcement, and Penalties	Title 17I Enforcement Section 17C.010.010 Penalty Section 17C.305.030 Enforcement Section 17C.310.170 Penalty
17.02 Nonconformities	
02.010 Purpose 02.020 Applicability 02.030 Nonconforming Structures 02.040 Nonconforming Lots 02.050 Nonconforming Uses 02.060 Nonconforming Site Features 060A Landscaping 060B Lighting	Section 17C.240.280 Nonconforming Signs Section 17C.315.160 Pre-established Bed & Breakfast Facilities Section 17C.320.030 Automatic Conditional Use Status

060C Parking 060D Other Site Features 02.070 Nonconforming Signs	
Chapter 17.03 Zoning Districts	
03.010 General Zoning District Standards 010.A Zoning Districts Established 010.B Official Zoning Map 010.C Interpretation of Zoning Map 010.D Adjustments and Exceptions	Section 17A.040.010 Classification of Zoning Districts Section 17A.040.020 Establishment of Map and Text Section 17A.040.040 Amendments to Map and Text Section 17A.040.050 Interpretation of the Zoning Map
03.020 Residential Zoning Districts	
	Section 17C.111.010 Purpose Section 17C.111.020 List of the Residential Zones Section 17C.111.030 Characteristics of Residential Zones Section 17C.111.040 Other Zoning Standards Section 17C.111.200 Lot Size and Dimensions Section 17C.111.125 Nuisance-related Impacts Section 17C.111.205 Development Standards Tables Section 17C.111.210 Density Section 17C.111.220 Building Coverage & Impervious Coverage Section 17C.111.230 Height Section 17C.111.235 Setbacks Section 17C.111.240 Accessory Structures Section 17C.111.255 Parking, Demolitions, Signs, & Other Applicable Standards Section 17C.111.225 Development Bonuses Section 17C.111.310 Open Space Section 17C.111.420 Open Spaces
03.030 Mixed-Use Zoning Districts	
	Chapter 17C.122 Center and Corridor Zones Section 17C.122.010 Intent Section 17C.122.020 Types of Centers/Corridors Section 17C.122.030 Pedestrian Street Designations Section 17C.122.040 Historic Special Valuation Tax Incentive Section 17C.122.090 Public Amenities Allowing Bonus Height Section 17C.122.200 Development Standards Table Section 17C.122.210 Height Section 17C.122.230 Floor Area Ratio Section 17C.122.240 Setbacks Chapter 17C.123 Form-Based Code Zones Section 17C.123.010 Purpose

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