

**CITY OF SPOKANE HEARING EXAMINER**

**Re:** Shoreline Conditional Use Permit )  
Application by Storhaug Engineering on )  
behalf of the Habitat for Humanity ) FINDINGS, CONCLUSIONS,  
Spokane for a new five (5) lot Unit Lot ) AND DECISION  
Subdivision of parcel 35103.0303 (0.33 )  
acres) addressed at 3028 E South ) FILE NO. Z25-553SCUP  
Riverton Ave. )

**1 SUMMARY OF PROPOSAL AND DECISION**

**Proposal:** The Applicant, Storhaug Engineering, on behalf of Habitat for Humanity Spokane has applied for a shoreline conditional use permit (SCUP) to build a five (5) lot Unit Lot Subdivision (ULS) of parcel 35103.0303 (0.33 acres) addressed at 3028 E South Riverton Ave. This project is located within the Spokane River Shoreline Jurisdiction. This application is reviewing both the portion of the proposal within the shoreline jurisdiction and the proposed subdivision under SMC 17G.061.510 - Optional Consolidated Project Permit Review Process.

**Decision:** APPROVED, subject to *additional* conditions.

**2 FINDINGS OF FACT/BACKGROUND INFORMATION**

**Applicant:** Storhaug Engineering  
c/o Morgan Will  
510 E Third Ave.  
Spokane, WA 99202

**Owner:** Habitat for Humanity Spokane  
1805 E Trent Ave.  
Spokane WA 99202

**Property Location:** 3028 E South Riverton Avenue. parcel number 35103.0303.

**Legal Description:** The legal description for the site is provided in Exhibit 2.

**Zoning:** Residential Multi Family (RMF)

**Comprehensive Plan Map Designation:** Residential Moderate

**Shoreline Designations:** Shoreline Residential Environment (SRE), Spokane River Shoreline Jurisdiction with 75-foot Shoreline Buffer; Upriver Shoreline District

**Environmental Overlays:** Riparian Habitat Area 2

**Site Description:** The subject property is on the south side of and has street frontage on E South Riverton Avenue in between N Fiske Street and N Haven Street. The site is located approximately 0.1 miles west of N Green Street and the Spokane River is directly north of the site. The site is generally flat and currently vacant.

The proposal is located within in the Spokane River shoreline jurisdiction. The Spokane River is designated by the Shoreline Management Act as a shoreline of statewide significance and therefore subject to the requirements of the City of Spokane Shoreline Master Program. The City of Spokane Shoreline Master Program designates this area as within the Shoreline Residential Environment (SRE) Designation and the Spokane River Shoreline District with a 200-foot buffer from the Spokane River

**Surrounding Conditions and Uses:** Surrounding zoning designations include Residential Multi-family to the immediate south, east, and west, with Residential 1 a block to the south and Residential Multi-family to the north across the Spokane River.

### 3 PROCEDURAL INFORMATION

**Authorizing Ordinances:** Spokane Municipal Code (SMC) 17C.111 Residential Zones; SMC 17E.060 Shoreline Regulations; SMC 17G.080 Unit Lot Subdivisions

**Notice of Community Meeting:** Mailed: August 7, 2025  
Posted: August 7, 2025

**Notice of Application/Public Hearing:** Mailed: December 8, 2025  
Posted: December 8, 2025

**Community Meeting:** August 21, 2025

**Site Visit:** February 5, 2026

**Public Hearing Date:** February 5, 2026

**State Environmental Policy Act (SEPA):** A mitigated determination of nonsignificance (MDNS) was issued by the City on December 23, 2025. The MDNS was not appealed.

#### Testimony:

Steven Bafus, Planner II  
City of Spokane Planning & Development  
[sbafus@spokanecity.org](mailto:sbafus@spokanecity.org)

Austin Storhaug  
Storhaug Engineering  
[Austin.storhaug@storhaug.com](mailto:Austin.storhaug@storhaug.com)

Spencer Gardner, Planning Director  
City of Spokane Planning & Development  
[sgardner@spokanecity.org](mailto:sgardner@spokanecity.org)

Clif Trimble  
Storhaug Engineering  
[clifontrimble@storhaug.com](mailto:clifontrimble@storhaug.com)

#### Exhibits:

1. Planning Services Updated Staff Report dated January 29, 2026
2. Application Materials
3. SEPA Documentation
4. Request for Comment and Comments
5. Notice of Application and Hearing Materials
6. Notification Documents
7. Community Meeting Materials
8. Public Access Exhibit
9. Revised Plat Map
10. Water Easement Approval Email
11. Engineer Email re Stormwater
12. Site Concept Storm
13. Staff Report Addendum
14. Site Plan Analysis
15. Staff Presentation

#### **4 FINDINGS AND CONCLUSIONS**

To be approved, the proposed SCUP and Unit Lot Subdivision must comply with the criteria set forth in Spokane Municipal Code Section 17G.061.310(C)&(D)(2), 17G.080.025(C), and 17G.080.065. The Hearing Examiner has reviewed the proposed applications and the evidence of record with regard to this section and makes the following findings and conclusions:

- 4.1 The proposal is allowed under the provisions of the land use codes. *SMC 17.G.061.310(C)(1)*.

The subject site is zoned Residential Multifamily (RMF). Per SMC 17C.111.100, Residential Household Living, including single-family attached and detached housing as proposed are permitted uses within the RMF zone.

SMC Table 17C.111.205-1 provides a minimum density of 15 units per acre in the RMF zone. The subject parcel is approximately 0.33 acres, and the applicant is proposing five dwellings for a calculated density of 15.15 units per acre.

This application proposes subdividing a 0.33-acre parcel in the RMF into five lots via the Unit Lot Subdivision process. The subdivision is allowed per SMC 17G.080 and the proposed housing types and density meet the provisions of SMC 17C.111. See Exhibit 1, p. 4-5. Unit Lot Subdivisions are allowed on parent sites of two acres or less in zones that allow residential development. *SMC 17G.080.065(B)(1)*. The ULS is allowed.

As will be discussed more fully below, the proposed use requires a SCUP but is generally allowed through the SCUP process. The Hearing Examiner finds that this criterion is satisfied.

4.2 The proposal is consistent with the comprehensive plan designation and goals, objectives, and policies for the property. *SMC 17.G.061.310(C)(2)*.

The subject property is designated as Residential Moderate in the City of Spokane's Comprehensive Plan. See Exhibit 1, pp. 4-5. This proposal is consistent with the intent of several Comprehensive Plan Policies, including:

- 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 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 5.5 Compatible Development - Ensure that infill and redevelopment projects are well-designed and compatible with surrounding uses and building types.
- SMP 1.3 No Net Loss of Ecological Functions - Ensure that all shoreline uses and development are regulated in a manner that guarantees no net loss of shoreline ecological functions that are necessary to sustain shoreline natural resources.
- SMP 3.7 Parking Facility Impacts - Minimize the environmental and visual impacts of parking facilities.
- SMP 5.4 Provisions for Shoreline Protection - Require that new development provide adequate provisions for the protection of water quality, erosion control, landscaping, aesthetic characteristics, drainage systems, aquatic and wildlife habitat, views, archaeological sites, and normal public use of the water.
- SMP 8.2 Access and Shoreline Ecological Functions - Assure that public access improvements result in no net loss of shoreline ecological functions.
- SMP 10.3 Landscaping with Native Plants - Encourage the use of native plant communities for landscaping within the Shoreline Jurisdiction.
- SMP 11.35 Visual and Physical Access in Development - Ensure that shoreline development includes, when feasible, visual and physical public access to the shorelines, while avoiding, minimizing, or mitigating negative impacts to the shoreline.

Staff provided a more extensive list and analysis, ultimately finding that the project is consistent with the designation, goals, and policies of the Comprehensive Plan. See Exhibit 1, p. 5-7. The Hearing Examiner agrees and finds that this criterion is satisfied.

4.3 The proposal meets the concurrency requirements of Chapter 17D.010. *SMC 17.G.061.310(C)(3)*.

The decision criteria for Type III decisions (such as a SCUP) require that these types of applications satisfy the concurrency requirements under SMC 17D.010. See SMC 17G.061.310(C)(3). Accordingly, the application was circulated on August 27, 2025, among all City departments and outside agencies with jurisdiction. See Exhibit 1, p. 8. The City received various comments regarding the proposal. See Exhibit 4. None of the commenting departments or agencies reported that concurrency could not be achieved. *Id.* The Spokane Tribe of Indians submitted comments about the high potential for encountering cultural resources and the ground disturbing actions could destroy any cultural resources present. They are requesting an Archeology

Cultural Resource Survey be completed on parcel #35093.1316 before any ground disturbing activity. This will be required prior to issuance of any building permit. *Id.*

The Hearing Examiner concludes that the project satisfies the concurrency requirements of the municipal code. This criterion is satisfied.

4.4 If approval of a site plan is required, the property is suitable for the proposed use and site plan considering the physical characteristics of the property including, but not limited to, size, shape, location, topography, soils, slope, drainage characteristics, the existence of ground or surface water, and the existence of natural, historic, or cultural features. *SMC 17.G.061.310(C)(4).*

A site plan was required to be submitted for the SCUP per SMC 17E.060.250 and is likewise required for a ULS to be reviewed per SMC 17G.080.065. Staff's review of the Site Plan found compliance with all applicable standards for both the SCUP and the ULS. *Exhibit 1; Exhibit 13.* The Hearing Examiner concurs. The site area is suitable for development per the site plan submitted with this application. See Exhibit 14.

The applicant lists all physical and environmental elements located on the site, or in the vicinity, in the Environmental Checklist that was provided with this application. See Exhibit 1, p. 8. See also Exhibit 3. The applicant lists physical and environmental elements located on the site, or in the vicinity, in the Environmental Checklist submitted. City departments and other agencies also reviewed this checklist for physical characteristics of the property. No comments were received stating this site is not suitable for the proposed development. Per the Spokane Tribe of Indians and Washington State Department of Archaeology & Historic Preservation (DAHP), a cultural resource survey and sub-surface testing shall be completed prior to any around disturbing activities. Comments from the Spokane Tribe and DAHP are incorporated into the conditions of approval for this proposal. The site is generally flat and vacant with minimal vegetation.

The Hearing Examiner finds that this criteria for approval is satisfied.

4.5 The proposal will not have a significant adverse impact on the environment or the surrounding properties, and if necessary, conditions can be placed on the proposal to avoid significant effect or interference with the use of neighboring property or the surrounding area, considering the design and intensity of the proposed use. *SMC 17.G.061.310(C)(5).*

An Environmental Checklist dated November 11, 2025, was submitted by the Applicant for review. As mentioned above, application materials, including the SEPA checklist, were reviewed by applicable departments and agencies. No agency or department concluded that the proposal would have a significant adverse effect on the environment. Their findings and recommendations will be incorporated into the conditions of approval for this proposal or were included as mitigation measures as part of the Final MDNS that was issued on December 23, 2025. See Exhibit 1, p. 8; Exhibit 3.

There will be short term impacts during construction, however the long-term impacts will be the addition of five new housing units. See Exhibit 1, p. 8. At time of building permit applications, the applicant will be required to demonstrate mitigation sequencing in order to achieve 'No Net Loss' of ecological function. *Id.* Additionally, the applicant will be required to provide a vegetation replacement plan. *Id.*

For the foregoing reasons, the Hearing Examiner concludes that the project will not have significant impacts on the environment that cannot be adequately addressed through mitigation. Therefore, this criterion for approval of is satisfied.

4.6 For SCUPs the following criteria apply:

4.6.1 The proposed use is consistent with the policies of [Revised Code of Washington] RCW 90.58.020 and the Shoreline Master Program. *SMC 17G.061.310(D)(2)(a)(i).*

The Hearing Examiner agrees with Staff's conclusion that this proposal is consistent with the policies of the SMP. See Exhibit 1, p. 9. In particular, the Staff noted as follows:

The proposal is consistent with the map, goals, and policies of the Shoreline Master Program. The site is designated by the Shoreline Master Program as within the Shoreline Residential Environment (SRE), as well as being within the Spokane River Shoreline District. In the SRE, single-family uses are outright permitted, however all subdivisions are allowed through a shoreline conditional use permit per SMC Table 17E.060.690-1 - Shoreline Primary Uses.

*Id.* In addition, the proposal is consistent with the adopted shoreline policies, as is referenced in Paragraph 4.2 above. The Hearing Examiner concludes that the project is consistent with the policies of state law and the SMP. Therefore, this criterion for approval is satisfied.

4.6.2 The proposed use will not unreasonably interfere with the normal public use of public shorelines. *SMC 17G.061.310(D)(2)(a)(ii).*

The proposed subdivision and subsequent development are separated from the shoreline by E South Riverton Ave. There is no direct access to the shoreline from this property, as thick vegetation and steep slopes prevent direct access, in addition to the fact that this property has no ownership of the land north of the interceding roadway. This proposal does not propose to remove nor modify any existing public use of the shorelines. The small single family residences will not interfere with views or otherwise interfere with the normal public use. Given the foregoing and the fact that the proposal provides new housing opportunities for more members of the public to enjoy proximal shoreline access, the Hearing Examiner finds this criterion for approval satisfied.

4.6.3 The cumulative impact of several additional conditional use permits on the shoreline in the area will not preclude achieving the goals of the Shoreline Master Program. *SMC 17G.061.310(D)(2)(a)(iii).*

Future shoreline conditional use permits in the area will be reviewed for concurrency with the goals of the shoreline master program. To the Hearing Examiner's knowledge, there are no

other pending developments in the immediate area. The Hearing Examiner also notes that the immediate area within the Shoreline Jurisdiction is substantially developed with single and multi-family residential structures thus limiting addition development. Still, the Hearing Examiner believes the proposal adds yet another complementary residential living opportunity to the overall offerings of the Spokane River area and finds this criterion for approval satisfied.

4.6.4 The proposed use of the site and design of the project is compatible with other authorized uses within the area and with the uses planned for the area under the comprehensive plan and the Shoreline Master Program. *SMC 17G.061.310(D)(2)(a)(iv)*.

The site is zoned Residential Multifamily (RMF) with a Residential Moderate land use designation. See Exhibit 1, p. 9-10. Per the city's Comprehensive Plan chapter 3 – Land Use, the typical type of residential development appropriate in the residential moderate designation includes larger apartment buildings while also including a mix of the lower intensity areas where warranted. *Id.* This chapter also recognizes townhome development as a typical land use in Residential Moderate areas. *Id.* For these reasons, and for the reasons discussed elsewhere in this decision, the Hearing Examiner concludes that this criterion is satisfied.

4.6.5 The proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located, and the public interest in enjoying the physical and visual access suffers no substantial detrimental effect. *SMC 17G.061.310(D)(2)(a)(v)*.

SMC 17E.060.280 provides physical and visual public access standards and single-family residential uses as proposed are not required to provide physical access. See Exhibit 1, p. 10-11. However, a residential subdivision creating more than four parcels is required to provide physical and visual public access. *Id.* In examining the adjacent shoreline area, staff has determined that physical access should not be recommended. *Id.* See also Exhibit 8. Staff provided extensive analysis on this issue, including reference to a Public Access Exhibit. *Id.* The Hearing Examiner agrees and incorporates that analysis herein. *Id.* In short, the site has no direct ownership access to the river or the parallel running pedestrian trail. The adjoining roadway has a guardrail on the northern boundary, protecting travelers from this steep and highly vegetated section of proximal shoreline. Nonetheless, there are access points to the trail system in close proximity to the project site. All other applicable considerations have been taken into account by Staff, and the Hearing Examiner agrees with their analysis and conclusions. *Id.*

The Hearing Examiner finds that this proposal will cause no significant adverse effects to the shoreline environment, and that the public interest in enjoying the physical and visual access will suffer no substantial detrimental effect. Therefore, the Hearing Examiner this criterion is satisfied.

#### 4.7 *SMC 17G.080.025.C Decision Criteria – Subdivisions.*

4.7.1 *The proposed subdivision shall make appropriate (in terms of capacity and concurrency) provisions for:*

public health, safety and welfare;

The application was circulated amongst all outside agencies with jurisdiction and City departments, including Police and Fire on October 21, 2025, as identified above. See Exhibit 1, p. 11. There were no departments or agencies that expressed concerns regarding public health, safety, or welfare. *Id.* Prior to the issuance of any building permits, the lots shall be provided fire protection as determined by the requirements of the City Fire Department and the Development Services Center. *Id.*

open spaces;

Short plats are not required to provide public open space, and no public open space is proposed as part of this land use application. *Id.* Each unit is required to provide private outdoor areas per SMC 17C.111. *Id.* Required outdoor areas will be evaluated for compliance with adopted codes at time of building permits. *Id.*

drainage ways;

All stormwater and surface drainage generated onsite shall be disposed of onsite in accordance with SMC 17D.060 "Storm water facilities", the Spokane Regional Stormwater Manual, Special Drainage Districts, City Design Standards, and per the Project Engineer's recommendations based on the drainage plan accepted for the final plat. *Id at 12.* No building permit shall be issued for any lot in this plat until evidence satisfactory to the City Engineer has been provided showing that the recommendations of SMC 17D.060 "Storm water facilities", the Spokane Regional Stormwater Manual, Special Drainage Districts, and City Design Standards have been complied with. *Id.* A surface drainage plan shall be prepared for each lot and shall be submitted to Development Services for review and acceptance prior to the issuance of a building permits.

streets, roads, alleys, and other public ways;

The subject site is located on the corner of E South Riverton Ave. and N Fiske St. *Id.* South Riverton Ave. is classified as a collector street and provides east/west connectivity. *Id.* North Fiske St. is classified as a local access street and provides north/south connectivity. *Id.* The subject site is also located approximately 0.10 miles from N Greene St. which is classified as a major arterial. *Id.* No new right of way is proposed nor required for this proposal.

transit stops;

Spokane Transit Authority (STA) operates routes 31 and 33 on N Greene St. with stops located at the intersection of E Ermina Ave., approximately 0.17 miles from the subject site. *Id.* STA works independently with private property owners to address improvements to STA facilities that may impact private development sites. *Id.* Any coordination with the city that may be necessary and/or required permits associated with transit improvements are addressed outside of platting actions. *Id.* STA did not offer any comments on this proposal. The Hearing Examiner could find no cause to believe that this project site is a proper location for a new transit stop.

potable water supplies;

Water services must be installed to each lot and accepted for service prior to final plat. *Id.* The utility exhibit provided by the applicant indicates a 20' water easement benefiting this project located in adjacent parcel 35103.0308 to the south. *Id.* See also Exhibit 2. This parcel is currently owned by International Church of the Foursquare. See Exhibit 1, p. 12-13. The purpose of this easement is to provide water to created lots via the water main in E Marshall Ave. as water mains are not available adjacent to the subject parcel. *Id.* At of time of this application, the applicant has indicated Habitat for Humanity is in negotiation with International Church of the Foursquare to secure this easement. *Id.* The water easement, across the church property, will need to be recorded and referenced on the face of the final plat. Reference Exhibit 10 for approval of water easement per Marlene Feist, City of Spokane Public Works Director. *Id.*

If the owner fails to obtain said easement, a separate SCUP will need to be applied for as new construction or expansion of existing utilities or facilities is a conditional use in the shoreline jurisdiction per SMC Table 17E.060.690-1. *Id.* Additionally, new construction or expansion of existing utilities or facilities or any parts of those facilities that are non-water oriented shall not be allowed in the shoreline jurisdiction unless it can be demonstrated that no other feasible alternative is available. *Id.* If this can be demonstrated, a shoreline conditional use permit is required. *Id.*

Only City water systems shall serve the plat; the use of individual onsite sanitary waste disposal systems and private wells is prohibited. *Id.* Prior to the issuance of any building permits, the lots shall be connected to a functioning public or private water system complying with the requirements of the Engineering Services Department and having adequate pressure for domestic and fire uses, as determined by the Water and Hydroelectric Services Department. *Id.*

sanitary wastes;

Sewer services must be installed to each lot and accepted for service prior to final plat. *Id.* Only City sanitary sewer systems shall serve the plat; the use of individual onsite sanitary waste disposal systems and private wells is prohibited. *Id.* The utility exhibit submitted by the applicant indicates a side sewer connection from N Fiske St. Sewer easements are indicated within the boundaries of the preliminary plat. *Id.*

parks, recreation, and playgrounds;

This proposal is not required nor proposes any new parks. *Id.* City of Spokane Parks Department operates Chief Gary Park approximately 0.6 miles from the subject site. *Id.*

schools and school grounds; and

This proposal does not require nor proposes new schools. *Id.* Spokane Public Schools District 81 operates Stevens Elementary School approximately 1.2 miles from the subject site. *Id.*

sidewalks, pathways, and other features that assure safe walking conditions.

The existing sidewalk infrastructure adjacent to the subject parcel is required to remain. *Id.* Per SMC 17C.111.340 at least one walking connection is required between each building and the sidewalk. *Id.* For each ground-floor unit with a separate entry, separate walking connections are required for each ground-floor unit. *Id.* Driveways may be used to meet this requirement where a driveway serves no more than nine (9) dwelling units. *Id.* Additionally, at least one walking connection is required between each unit and its designated garbage and recycling area. *Id.* Driveways and parking access aisles may be used to meet this requirement. *Id.*

The existing approach, accessing South Riverton, will need to be removed and replaced with full-height curb and sidewalk prior to final plat. *Id.* All parking areas and driveways must be hard surfaced. *Id.* Direct vehicular access to Fisk Street is prohibited without prior written permission from the City Engineer.

The Hearing Examiner finds this that the proposed subdivision make appropriate provisions for the aforementioned subtopics. Therefore, these criteria are satisfied.

#### 4.8 Unit Lot Subdivisions SMC 17G.080.065.

This chapter of the SMC does not contain explicitly delineated approval criteria, but several criteria and regulations apply. First, is the bare requirement of a parcel two acres or less. SMC 17G.080.065(B)(1). This parcel is .33 acres and therefore complies with this restriction. More importantly, an application for a ULS calls for analysis of the parent site as whole to ensure that the proposed site development plan meets all development standards. SMC 17G.080.065(D)(1). See also RCW 58.17.060(3). The proposed Plat Map (Exhibit 9) and initial Site Plan (Exhibit 14) were analyzed by staff and assessed against the performance standards for the parent site as a whole. *Exhibit 13.*

Staff ultimately determined that the proposed site development plan for the parent site complied with all applicable performance standards. The Hearing Examiner agrees. As proposed, while the unit lots may deviate from the performance standards, the parent site as a whole is in compliance with all applicable development standards. Therefore, the Hearing Examiner finds that the Unit Lot Subdivision meets all applicable development standards with respect to its surroundings. This review and basis for approval therefore necessitates binding the approval and eventual subdivision of this parcel to those reviewed and approved plans. The final document that shall be used is the Site Plan from January 28, 2026 (Exhibit 12, p. 1) and will be referenced and recorded in accordance with the proffered conditions of approval and the Hearing Examiner's added condition meant to dispel any future confusion as to what the "site development plan" is. The "site development plan" is this January Site Plan (Exhibit 12, p. 1).

## 5 DECISION

Based on the findings and conclusions above, it is the decision of the Hearing Examiner to approve the SCUP, subject to the following conditions:

### General:

1. Habitat for Humanity Residential Development Unit Lot Subdivision will be developed in substantial conformance with applicable Code and development standards at time of permit application or those codes in place at time of permit.
2. Development should adhere to plans, drawings, illustrations and/or specifications on file with the Development Services Center and with comments received regarding the project from City Departments and outside agencies with jurisdiction.
3. Habitat for Humanity Residential Development Unit Lot Subdivision will be developed in compliance with any additional performance and development standards documented in comment or required by City of Spokane, Spokane County, Washington State, and any Federal agency.
4. This approval does not waive the applicant's obligation to comply with all of the requirements of City Departments and outside agencies with jurisdiction over land development.
5. Addresses must be shown on the face of the final plat. Please contact City Addressing to request addresses and include the latest map in the request.  
Addressing@spokanecity.org
6. All easements whether existing or proposed, must be shown on the face of the plat. If blanket in nature they must be referenced in a Surveyor's Note.

### Specific to Shoreline Conditional Use Permit:

7. The Shoreline Master Program, SMC 17E.060 and SMC 17E.020 require no net loss of shoreline ecological functions that could result from the proposal. A vegetation replacement plan will be required.
8. The water easement shown on the face of the plat shall be secured and recorded with the Spokane County Auditor's Office prior to final plat authorization. If the water easement cannot be secured, the owner will be required to apply for a Type III Shoreline Conditional Use Permit (SCUP) for new construction or expansion of existing utilities or facilities pursuant to SMC 17E.060.
9. Public access pursuant to SMC 17E.060 shall not be required for this application due to cited topographical, access, and safety constraints.
10. A cultural resource survey and sub-surface testing shall be completed prior to any ground disturbing activities.

### Specific to Unit Lot Subdivision:

#### Per City of Spokane Planning:

11. The plat recorded with the county auditor's office shall include the following:
  - a. Portions of the parent site designated for common use shall be identified as Tracts or other common space and owned in common by the owners of the child lots or a larger collective organization. For example, a homeowners association comprised of the owners of the child lots located within the parent site.
  - b. Access easements, joint use and maintenance agreements, and covenants, conditions, and restrictions identifying the rights and responsibilities of property owners and/or the homeowners association for use and maintenance of common garage, parking and vehicle access areas; on-site recreation; landscaping; utilities; common open space; exterior building facades and roofs; and other similar features.

- c. The legal description of each lot shall identify it as part of a unit lot subdivision.
- 12. Please ensure that the vicinity map is of a scale that provides for street names to be legible when printed at full size for recording. Please also update the map to black and white only.
- 13. The parent site as a whole shall meet all applicable development standards with respect to its surroundings, including but not limited to: Setbacks; Building coverage; Design standards; Street frontage; and Density.
- 14. Lots created through a Unit Lot Subdivision shall be subject to all applicable requirements of Title 17 SMC, except as otherwise modified by section 17G.080.065.

Per City of Spokane Engineering Services:

- 15. The existing approach, accessing South Riverton, will need to be removed and replaced with full-height curb and sidewalk prior to final plat finalization.
- 16. A Homeowner's Association must be established for the maintenance of all shared items. Please include the HOA recording information in the plat dedication.
  - i. CC&R's for the HOA must be submitted to Engineering for review during final plat review.
- 17. Water and sewer services must be installed to each lot and accepted for service prior to final plat finalization.
  - i. The water easement, across the church property, will need to be recorded and referenced on the face of the final plat.

Per Avista Utilities:

- 18. Add a 10-foot utility easement centered on the existing facilities as constructed along the southern line of Lot 4 marked in the short plat.
- 19. The property owners of Parcels 35103.0308 and 35103.0302 need to execute a separate 10-foot utility easement to preserve existing utilities located on adjacent parcel No. 35103.0303, serving proposed Lot 4 in the short plat. I (Bri Godwin-Chamberlain, Avista Real Estate Rep.) will be the point of contact to prepare the easement and finalize with property owners. Please have them email me directly to satisfy this condition.

Statements to be added to the dedicatory on the final plat per City of Spokane Engineering Services:

- 20. All stormwater and surface drainage generated onsite shall be disposed of onsite in accordance with SMC 17D.060 "Storm water facilities", the Spokane Regional Stormwater Manual, Special Drainage Districts, City Design Standards, and per the Project Engineer's recommendations based on the drainage plan accepted for the final plat.
- 21. No building permit shall be issued for any lot in this plat until evidence satisfactory to the City Engineer has been provided showing that the recommendations of SMC 17D.060 "Storm water facilities", the Spokane Regional Stormwater Manual, Special Drainage Districts, and City Design Standards have been complied with. A surface drainage plan shall be prepared for each lot and shall be submitted to Development Services for review and acceptance prior to the issuance of a building permit.
- 22. Only City water and sanitary sewer systems shall serve the plat; the use of individual onsite sanitary waste disposal systems and private wells is prohibited.
- 23. Prior to the issuance of any building permits, the lots shall be connected to a functioning public or private water system complying with the requirements of the Engineering Services Department and having adequate pressure for domestic and fire uses, as determined by the Water and Hydroelectric Services Department.

24. Prior to the issuance of any building permits, the lots shall be provided fire protection as determined by the requirements of the City Fire Department and the Development Services Center.
25. All parking areas and driveways must be hard surfaced.
26. Direct vehicular access to Fisk Street is prohibited without prior written permission from the City Engineer.
27. Ten-foot utility easements as shown here on the described plat are hereby dedicated to the City and its permittees for the construction, reconstruction, maintenance, protection, inspections, and operation of their respective facilities together with the right to prohibit structures that may interfere with the construction, reconstruction, reliability, and safe operation of the same.
28. Slope easements for cut and fill, as deemed necessary by Development Services in accordance with the City's Design Standards, are hereby granted to the City of Spokane for the construction and maintenance of public streets adjoining this plat.

Statements to be added to the dedicatory on the final plat per City of Spokane Planning:

29. If any artifacts or human remains are found upon excavation, The Spokane Tribe of Indians and the City of Spokane shall be immediately notified and the work in the immediate area cease. Pursuant to RCW 27.53.060 it is unlawful to destroy any historic or prehistoric archaeological resources. RCW 27.44 and RCW 27.53.060 require that a person obtain a permit from the Washington State Department of Archaeology & Historic Preservation before excavating, removing or altering Native American human remains or archaeological resources in Washington.
30. Street trees and landscaping are required – compliance will be verified prior to approval of Certificate of Occupancy for each new home.
31. Per 17G.080.065(F) Unit Lot Subdivision Recording. The plat recorded with the county auditor's office shall include the following:
  - i. A note that approval of the subdivision was granted by the review of the site as a whole (stating the subject project file number if applicable);
  - ii. A note that subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent site as a whole, and shall conform to the approved site development plan;
  - iii. A note stating that if a structure or portion of a structure has been damaged or destroyed, any repair, reconstruction or replacement of the structure(s) shall conform to the approved site development plan;
  - iv. A note that additional development of the individual lots may be limited as a result of the application of development standards to the parent site.
32. Provide the required the signatory statements as prescribed in SMC 17G.080.040(G)(2) and the certification of the Hearing Examiner prescribed in Section 17G.080.050(H)(2).
33. Add the following dedication to the face of the final plat.  
 "THE OWNERS OF ALL LOTS WITHIN THIS PLAT SHALL BE MEMBERS OF THE \_\_\_\_\_ ASSOCIATION, A WASHINGTON CORPORATION CREATED ON \_\_\_\_\_, UBI NUMBER \_\_\_\_\_ SUBJECT TO THE ARTICLES AND BYLAWS THEREOF. PER DECLARATION ESTABLISHING COVENANTS, CONDITIONS, AND RESTRICTIONS UNDER AUDITOR'S FILE NUMBER \_\_\_\_\_."

Statements to be added to the dedicatory on the final plat per Avista Utilities:

34. Utility easements shown here on the described plat are hereby dedicated to the City and serving utility providers for the construction, reconstruction, maintenance and operation

of utilities and cable television, together with the right to inspect said utilities and to trim and/or remove brush and trees which may interfere with the construction, maintenance and operation of same.

35. Avista shall have the right to prohibit changes in grade to above and below installed facilities within the utility easements as granted herein.
36. No building, structure, fence or landscaping is allowed within the easements as granted herein that may interfere with Avista's rights or with the safe operation of the Facilities or that are not in compliance with all safety and building codes, regulations and laws.
37. If the developer or their subcontractor initially ditches beyond the limits of the as-platted easement strips as granted herein, additional easements will need to be acquired to cover the utility lying outside of the easement area.

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38. *The proposed preliminary plat received by the City of Spokane, dated November 13, 2025, shall be the approved plat configuration.*
39. *The Site Plan received by the City of Spokane, dated January 28, 2026, shall be the approved "site development plan" in reference to the recording requirements.*
40. *Modifications to either the preliminary plat or the site development plan shall be governed by SMC 17G.080.020(E).*

SIGNED this 20<sup>th</sup> day of February 2026.



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Karl J. Granrath  
City of Spokane Hearing Examiner

## NOTICE OF RIGHT TO APPEAL

Appeals of decisions by the Hearing Examiner are governed by Spokane Municipal Code 17G.061.340 and 17G.050.

Decisions of the Hearing Examiner regarding shoreline conditional use permits are reviewed by the Washington State Department of Ecology. After Ecology's review and decision, they may be appealed to the Washington State Shoreline Hearings Board. **All appeals must be filed with the Shoreline Hearings Board within twenty-one (21) calendar days of the date of the Ecology decision.**

Decisions of the Hearing Examiner regarding preliminary plats are final. They may be appealed to the City Council. All appeals must be filed with the Planning Department within fourteen (14) calendar days of the date of the decision. The date of the decision is the 20th day of February 2026. **THE DATE OF THE LAST DAY TO APPEAL IS THE 6th DAY OF March 2026, AT 5:00 P.M.**

In addition to paying any Court costs to appeal the decision, the applicant is also responsible for providing a verbatim transcript of the recording by a certified transcriptionist and covering the cost of preparing a full record for the Court.