

ORDINANCE NO. _____

AN ORDINANCE relating to the development code's landscaping and screening requirements; amending Spokane Municipal Code Section 17C.200.090.

WHEREAS, the Plan Commission recently considered a proposal to amend chapter 17C.200.090 of the Spokane Municipal Code to impose, as part of project review and issuance of certificates of occupancy, a requirement for design professionals to confirm that a project's landscaping conforms to approved plans; and

WHEREAS, following appropriate environmental determinations and notice, the City Plan Commission held a public hearing on the proposal on June 24, 2015;

WHEREAS, at the conclusion of the hearing, the Plan Commission found that the proposed amendments meet the approval criteria for text amendments to the Unified Development Code as outlined by SMC 17C.025.010(F), and voted ___ to ___ in favor or recommending that the City Council approve the amendments;

WHEREAS, the City Council adopts the recitals set forth herein as its findings and conclusions in support of its adoption of this ordinance and further adopts the findings, conclusions, and recommendations from the Planning & Development Services Staff Report and the City of Spokane Plan Commission for the same purposes;--

Now, Therefore, The City of Spokane does ordain:

Section 1. That SMC section 17C.200.090 is amended to read as follows:

17C.200.090 Completion and Bonding

- A. All required landscaping, shall be in place before certificates of occupancy are issued. If a landscape plan was required per 17C.200.020, the applicant shall provide a form signed by the project's landscape architect verifying that required landscaping has been installed in substantial conformance with the landscaping plans approved by the City. The City shall provide the form for documenting the assement. If, due to weather conditions, it is not feasible to install required landscape improvements, a temporary certificate of occupancy may be issued after a performance bond or other device acceptable to the City has been posted in the amount of one hundred twenty-five percent of the value of the required improvements, including labor and materials. Upon completion of the landscape improvements, the bond or device is released and a permanent certificate of occupancy issued; except a bond or device representing twenty-five percent of the value of the landscaping covering a period of two years shall be provided to assure the full establishment of the landscaped area as prescribed in subsection (B) of this section.

- B. A certificate of occupancy may be issued only after a performance bond or other device acceptable to the city has been posted in the amount of twenty-five percent of the value of the required landscaping. This bond or device shall be held for a period of two years to assure the full establishment of all plantings. After two years, if the plantings are fully established, the bond or device is released. If the plantings have not been fully established, the bond or device shall be held for one additional year, then released or used to re-establish the plantings, whichever is appropriate.

PASSED by the City Council on _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date