

ORDINANCE NO. C35212

AN ORDINANCE relating to the Hamilton Form Based Code Subarea Plan; adopting a new chapter 17C.123 Form Based Code Zones to Title 17C Land Use Standards of the Spokane Municipal Code; amending SMC 17C.200.010, 17C.200.040 and 17C.200.050, relating to Landscaping & Screening; amending SMC 17C.230.100, 17C.230.120, 17C.230.130, 17C.230.140, 17C.230.145, and 17C.230.200, relating to Parking & Loading; and amending SMC 17A.020.010, SMC 17A.020.020, 17A.020.030, 17A.020.050, 17A.020.060, 17A.020.070, 17A.020.090, 17A.020.150, 17A.020.160 and 17A.020.220, relating to Definitions.

WHEREAS, in accordance with the Growth Management Act (GMA), the City of Spokane previously adopted a Comprehensive Plan (RCW 36.70A); and

WHEREAS, GMA provides that proposed amendments to a comprehensive plan may be considered by the governing body of a city no more frequently than once per year, but further provides that, so long as a subarea plan clarifies, supplements, or implements city-wide comprehensive plan policies, and so long as the cumulative impacts of the proposed subarea plan are addressed by appropriate environmental review under chapter 43.21C. RCW, the initial adoption of a subarea plan may occur outside of this annual process; and

WHEREAS, Per Article VIII of the City Charter, the Spokane City Council recognizes distinct neighborhood areas as neighborhood councils through the Neighborhood Councils Program and the Community Assembly; and

WHEREAS, The City Council allocated \$550,000 in the fall of 2007 to be used for planning activities by neighborhood councils; and

WHEREAS, The Logan Neighborhood Organization ("LNO") is the City Council-recognized neighborhood council for the area generally bounded by Division Street on the west, the Spokane River on the east, Euclid Street on the north, Trent Avenue on the south, and bisected north to south by Hamilton Street and west to east by Mission Avenue; and

WHEREAS, On March 8, 2011 the Logan Neighborhood Organization (LNO) was designated to initiate abbreviated neighborhood planning and LNO representatives endorsed a letter of intent to begin planning; and

WHEREAS, On March 30 and March 31, 2012, respectively, the manager of the Logan Neighborhood Stakeholders Team ("LNST"), Karen Byrd, and the chair of the Logan Neighborhood Organization, Jeanette Harras, signed a memorandum of understanding with the Planning Services Department recognizing the LNST to conduct abbreviated planning; and

WHEREAS, Between August of 2012 and February 2013, a consultant, Studio Cascade worked with the Logan Neighborhood Stakeholder Team, property owners, business owners, residents, and other interested parties to prepare a form-based model zoning code through a series of planning sessions, interviews, charrettes, and an open house; and

WHEREAS, form-based codes are intended to foster an economically vibrant, walkable, mixed-use environment; and

WHEREAS, although drive-through facilities are a necessary component of modern life in some cases, drive-through facilities that are not designed with pedestrian traffic in mind, intrinsically create bad street frontage that is unsafe for pedestrians; and

WHEREAS, drive-through facilities are dependent on a high volume of vehicle traffic and a high turnover of customers, which can create significant traffic impacts with respect to site access, stacking or queuing lanes, and can create conflicts between internal traffic, parking areas, and pedestrian traffic; and

WHEREAS, drive-through facilities create the potential for exhaust fumes, noise and traffic congestion, and drive-through fast food restaurants require outdoor speakers/ordering board which may create visual and noise impacts; and

WHEREAS, The Logan Neighborhood Identity Plan and Model Form-Based Code for the Hamilton Corridor were adopted via City Council resolution as credible representation of the desire for the Logan Neighborhood on May 12, 2014; and

WHEREAS, The Logan Neighborhood Stakeholder Team worked with the City of Spokane's Planning & Development staff between May 2014 and September 2014 to modify the Model Form-Based Code for the Hamilton Corridor from a model code to a specific regulatory document, Hamilton Form Based Code; and

WHEREAS, In September of 2014 City of Spokane's Planning & Development staff drafted the Hamilton Form Based Code Subarea Plan which amends the Comprehensive Plan Land Use Plan Map, Zoning Map and implements Form Based Code zoning categories through the adoption of new development regulations; and

WHEREAS, The Hamilton Form Based Code Subarea Plan was submitted as a Comprehensive Plan amendment application Z1400055COMP on October 6, 2014; and

WHEREAS, The Hamilton Form Based Code Subarea Plan requires several actions including a Comprehensive Plan Land Use Map and Zoning Map Changes within the boundary of the Hamilton Form Based Code Subarea Plan; and

WHEREAS, staff requested comments from agencies and departments on October 6, 2014, and a public comment period ran from October 6, 2014 to October 2014; and

WHEREAS, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Comprehensive Plan on October 23, 2014; and

WHEREAS, Notice of Application was mailed on October 27, 2014 to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor's record, and occupants of addresses of property located within a four hundred foot radius of any portion of the project boundary. This initiated a 30 day public comment period. Notice was also published in *The Spokesman Review* on October 27, 2014 and November 3, 2014 and the *Official Gazette* on October 29, 2014. The comment period ended November 25, 2014. Comments were provided by property owners and other interested parties; and

WHEREAS, Staff made a presentation regarding the proposal to the Logan Neighborhood Council on November 18, 2014. The Neighborhood Council voted unanimously to support the proposal; and

WHEREAS, the Spokane City Plan Commission held a substantive workshop to study the proposal on November 12, 2014; and

WHEREAS, A State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on November 26, 2014 for the Hamilton Form Based Code Subarea Plan. The public appeal period for the SEPA determination ended on December 10, 2014 at 4pm; and

WHEREAS, Notice of SEPA Determination and Plan Commission Hearing to be held on December 10, 2014 was mailed to all property owners and taxpayers of record, as shown by the most recent Spokane County Assessor's record, and occupants of addresses of property located within a four hundred foot radius of any portion of the project boundary on November 26, 2014; and

WHEREAS, Notice of SEPA Determination and Plan Commission Hearing to be held on December 10, 2014 was published in *The Spokesman Review* on November 26, 2014 and December 3, 2014 and the *Official Gazette* on December 3, 2014; and

WHEREAS, The Planning Department prepared a staff report found that the amendment met all the review guidelines and required decision criteria for approval of a Comprehensive Plan amendment as prescribed by SMC 17G.020. Comprehensive Plan Amendment Procedure (the "Staff Report"); and

WHEREAS, the Spokane Plan Commission conducted a public hearing and deliberated on December 10, 2014 for Application Z1400055COMP, Hamilton Form Based Code Subarea Plan; and

WHEREAS, the Spokane Plan Commission found that Application Z1400055COMP, Hamilton Form Based Code Subarea Plan is consistent with and implements the Comprehensive Plan; and

WHEREAS, the Plan Commission voted 7 to 2 to recommend approval of Application Z1400055COMP, Hamilton Form Based Code Subarea Plan on December 10, 2014; and

WHEREAS, the City Council adopts the recitals set forth herein as its findings and conclusions in support of its adoption of this ordinance and further adopts 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 there is adopted a new chapter 17C.123 Form Based Code Zones to Title 17C SMC Land Use Standards as follows:

**Chapter 17C.123
Form Based Code Zones**

Sections.

17C.123.010	Purpose
17C.123.020	Code Organization
17C.123.030	Regulating & Street Section Plans
17C.123.040	Land Use, Height, Placement and Parking
17C.123.050	Streetscape Requirements
17C.123.060	Architectural Requirements
17C.123.070	Additional Requirements
17C.123.080	Building Type Catalogs

17C.123.010 Purpose

The form-based zoning categories implement the centers and corridors goals and policies and land use map designations of the comprehensive plan. This form-based code (FBC) is designed to foster an economically vibrant, walkable, mixed-use environment along the Hamilton Street corridor within the boundaries of the code. This code regulates land development by setting careful and coherent controls on building form, coupled with performance-based parameters relative to building use and density. This greater emphasis on physical form is intended to produce safe, attractive and enjoyable public spaces, including a healthy mix of uses.

The FBC is a pilot program and is configured as a plug-in set of regulations, replacing existing zoning and design guidelines within the FBC Limits. This pilot program is consistent with the Logan Identify Plan. All code provisions expressed herein present development requirements unless otherwise indicated, including information preceded by the word "Guidelines." Additional, specific City of Spokane standards may be required as referenced.

17C.123.020 Code Organization

Using this code: Criteria for development within the code boundaries is expressed in six sections. Use of the FBC, relating to each of these sections, is described below:

- A. **Regulating & Street Section Plans.**
Find the property of interest, noting its location relative to the "Context Areas" established by the Regulating Plan, as well as the location of any "Shopfront Streets" abutting the property. These elements direct many of the allowances provided in the FBC.
- B. **Height, Placement & Coverage.**
Using criteria from the Regulating Plan, note the allowed maximum building heights; build-to lines; minimum building frontages, and impervious surface coverage allowances detailed in this section.
- C. **Parking Criteria & Site Access.**
Using criteria from the Regulating Plan and the Street Section Plan, note the various allowances regarding off-street surface parking, lot placement, lot and site lighting.
- D. **Streetscape Requirements.**
Using type criteria from the Street Section Plan, note the basic configuration and feature specifications for sidewalks and pedestrian buffer zones within the FBC Limits.

- E. Architectural Requirements.
Using criteria from the Regulating Plan, note the various façade treatments, screening, detailing and other requirements specific to the appearance and public-realm function of buildings.
- F. Additional Requirements.
This section identifies additional requirement not covered by the HFBC.
- G. Building Type Catalogs.
This section provides a visual catalog of desired building characteristics.

17C.123.030 Regulating & Street Section Plans

This section provides and describes the FBC Regulating Plan and Street Section Plan - two map illustrations showing the location and limits of various features and physical characteristics required under this code. The Regulating Plan also indicates placement and extents of "Shopfront Street" areas, triggering specific use, building placement and other requirements.

- A. Regulating Plan.
The Regulating Plan for the FBC is included here as Figure 17C.123.030-1, and provides the organizing framework for many of the requirements described herein. The Regulating Plan divides land within the code boundaries into four distinctive context areas and identifies shopfront streets, listed and described as follows:
 1. CA-1: Context Area 1 provides for and supports the most intense development patterns, generally allowing greater height and building intensities than other context areas. CA-1 is intended to grow as a mixed-use center and focal point for the neighborhood and corridor, supporting significant commercial offerings, service activities, and high-density housing.
 2. CA-2: Context Area 2 provides for and supports mid-range development intensities, allowing somewhat lesser height and building intensities than CA-1. CA-2 is intended to grow as a second-tier mixed-use center for the neighborhood and corridor, supporting commercial offerings, service activities, and high-density housing.
 3. CA-3: Context Area 3 provides for and supports low to mid-range development intensities, allowing lesser height and building intensities than CA-1 or CA-2. CA-3 is intended to grow as a second-tier mixed-use area for the neighborhood and corridor, providing continuity along Hamilton by linking CA-1 and CA-2, while at the same time acting as a transition zone between the corridor environment and CA-4 and neighborhood areas immediately outside the HFBC Limits.

4. CA-4: Context Area 4 provides for and supports low to mid-range development intensities, allowing lesser height and building intensities than other context areas. CA-4 is intended to grow as a third-tier mixed-use area for the neighborhood and corridor, acting as a transition zone between the corridor environment and lower-density residential development immediately outside the FBC Limits. Though a mix of uses are allowed in CA-4, the area is envisioned as generally residential in scale and character.
5. Shopfront Street: provides for areas where specific uses, building placement, and other requirements apply. The shopfront street is generally applied to areas where business or retail use level with and directly along the public right-of-way is seen as critical.

B. Street Section Plan.

The Context Area Zones are complemented by the Street Section Plan which is included here as Figure 17C.123.030-2 and guides public and private development within the FBC Limits. The Street Section Plan defines four section types and describes amenities based upon the intended use, desired qualities, and community objectives. Right-of-ways shall not be vacated as the space is needed to incorporate the elements described in street designations below. Curb to property line and the sidewalk width shall not be reduced in order to allow for future Street Section elements. The four section types are listed and generally described in order of intensity, as follows:

1. Street Type 1 (Hamilton Street): Type 1 provides for and supports a mixed-use corridor environment (CA-1, CA-2, CA-3). Type 1 streets have wide, well-maintained sidewalks and pedestrian amenities to encourage strolling, walking, and shopping. They maintain a Planting Zone and Clear Pedestrian Zone on each side of the street.
2. Street Type 2 (Mission Avenue): Type 2 provides for and supports a blend of mixed-use and residential environments (CA-1, CA-4). Type 2 serves existing east/west arterial needs, and includes a median with turn lanes (at Hamilton), a Planting Zone and Clear Pedestrian Zone on each side of the street.
3. Street Type 3 (Includes Sinto, Sharp, Boone): Type 3 provides for and supports a mixed-use district environment (CA-2, CA-3, CA-4). Type 3 includes a Planting Zone and Clear Pedestrian Zone on each side of the street.
4. Street Type 4 (Includes Augusta and Dakota): Type 4 provides for and supports an environment bridging between mixed-use and residential areas (CA-4). Type 4 includes a Planting Zone and Clear Pedestrian Zone on each side of the street.

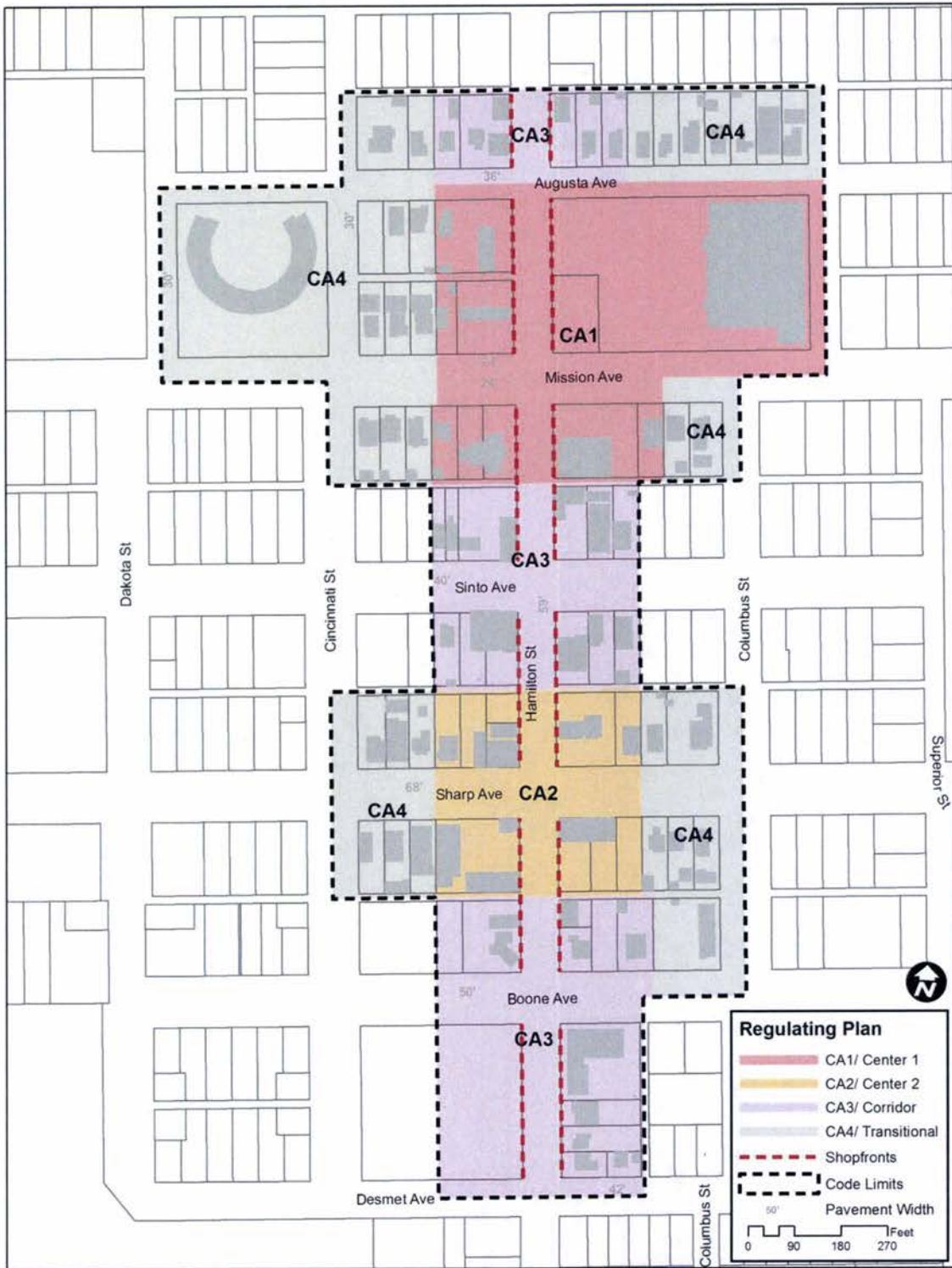


Figure 17C.123.030-1 Regulating Plan for the Form Based Code

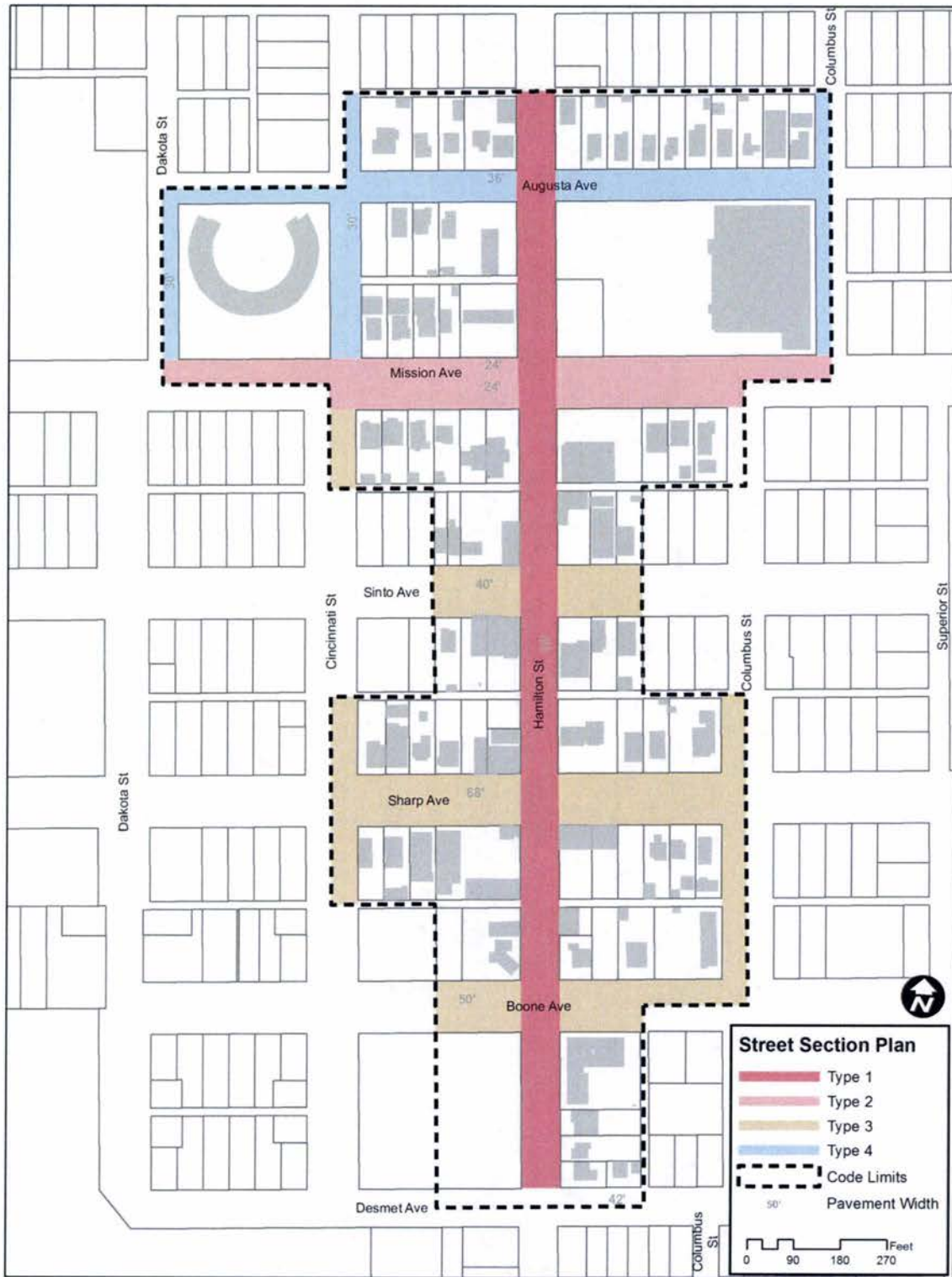


Figure 17C.123.030-2 Street Section Plan for the Form Based Code

17C.123.040 Land Use, Height, Placement and Parking

This section provides a broad range of allowable use categories within the Regulating Plan limits, specifying permitted and prohibited uses according to building story reflecting the development patterns expressed in the Regulating Plan. This section also regulates building height, placement, frontage and impervious surface coverage, specifying each within the Context Areas provided in the Regulating Plan and managing the transition between high-intensity mixed-use areas and low-intensity residential areas outside the limits of this form-based code. This section also regulates parking, parking lot location and treatment, and site lighting, consistent with the Regulating Plan. Conformance with these standards is critical to establishing the type of pedestrian and vehicular access patterns needed for the area to thrive as a vibrant, walkable district.

A. Use Provisions.

Use regulations are provided in figures 17.123.040-D through 17.123.040-G for all areas within the Regulating Plan. Uses deemed unsuitable for areas within the Regulating Plan area are specifically identified.

B. Building Height.

The height of buildings shall be measured from mean grade to top of cornice or roof eave and shall meet the specifications provided in figures 17.123.040-D through 17.123.040G. Building height measurements express regulatory standards.

1. Maximum height limits in CA-1, CA-2, and CA-3 are allowed only within 100' to 114' of the Hamilton right of way line to match the platting pattern along Hamilton. Beyond 100' from Hamilton, proposals shall be designed with respect for the height, scale and character of adjacent zone as described in Figure 17C.123.040-A:

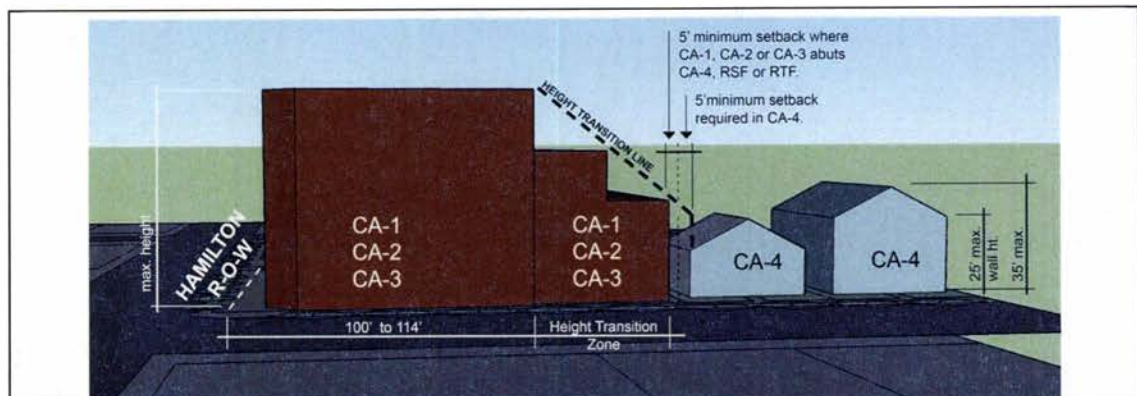


Figure 17C.123.040A: The maximum height designation for CA-1, CA-2, CA-3 is allowed within 100' to 114' of the Hamilton right of way line to match the platting pattern along Hamilton. Beyond this point, the maximum height may not exceed a transition line to the maximum wall height allowed in the adjacent zone.

- C. Story listings are provided for reference purposes only, expressing typical outcomes for listed heights. Allowable height exceptions apply to the overall distance extending beyond the measured building height, as follows:
1. Pitched roofs may extend above the height limit, but if the space within the pitched roof is habitable, it shall only be used for residential purposes.
 2. For flat roofs, Open Roof Structures (pergolas, arbors) and Architectural Roof Structures (turrets, etc.) may extend beyond the height limit by no more than 12'.
 3. For flat roofs, enclosed roof structures (penthouses) may extend above the height limit by no more than 18' from the roof line if set back no less than 20'.
- D. Shopfront Street Provisions.
Building placement along Shopfront Streets shall prioritize street corner locations, precluding the development of parking, open spaces or other lot features at street corners.
- E. Impervious Surface Coverage.
Impervious surfaces shall not exceed the maximum impervious surface percentages (calculated on the basis of the lot) specified in Table 17C.123.040-1.

Table 17C.123.040-1 Impervious Surface Coverage

	CA-1	CA-2	CA-3	CA-4
Maximum Impervious Surface	90%	80%	70%	50%

- F. Parking
1. Off-Street Surface Parking: Off-street surface parking shall not be placed between the street right-of-way and the building fronting the street.
 2. Parking Space and Aisle Dimensions: Standards for parking space and aisle dimension can be found in SMC 17C.230.140.
 3. Bicycle Parking: Requirements for bicycle parking are found in SMC 17C.230.200. Bicycle parking provided in the streetscape can contribute to requirements in SMC 17C.230.200.
 4. Other Provisions: Additional parking requirements are stated in 17C.230 SMC, Parking and Loading. The FBC supersedes the location and

amount requirements for parking; these standards are identified for each context area in figures 17.123.040-D through 17.123.040-G.

G. Surface parking and site lighting.

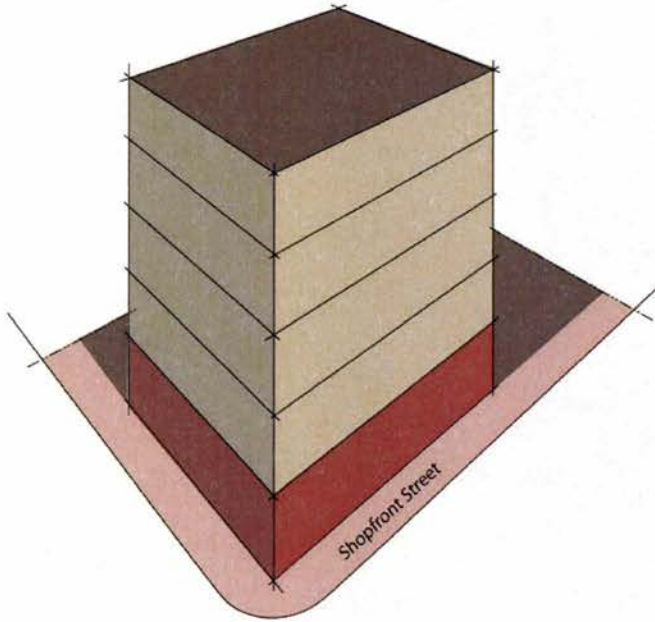
Surface parking lot and site lighting shall contribute to the character and safety of the site and adjacent rights of way, while not disturbing adjacent properties. Surface lot and site lighting shall adhere to the following standards:

1. Lighting types - Pedestrian-scale fixtures shall be used for all lighting illuminating required Pedestrian Paths. Vehicle-scale fixtures may be used for general surface lot and site lighting. (See Figure 17C.123.040-B)
2. Performance - Parking lot and site lighting shall provide adequate night visibility and security by distributing a minimum of two foot-candles to a maximum of six foot-candles of illumination at ground level. All lighting shall be shielded from producing off-site glare, directing light downward and away from adjacent properties.
3. Driveways/Site Access - Driveway widths shall not exceed 24 feet, and curb cuts shall not exceed 30 feet for combined entry/exits.
4. Pedestrian Walkways - Within surface lots containing more than 30 parking stalls, pedestrian-friendly walkways shall be provided between the surface lots and building entrances. Pedestrian Paths shall be not less than five feet wide and be clearly defined, using at least two of the following:
 - a. Six-inch vertical curbing
 - b. Textured paving, including across vehicle lanes
 - c. Continuous landscaped area at a minimum of 3 feet wide on at least one side of the walkway
5. Shopfront Street Provisions - If fronting on a Shopfront Street, above-ground parking structures shall provide continuous ground level commercial or office spaces and uses along the street, except at ingress and egress points into the structure. (See Figure 17C.123.040-C).

<p>Figure 17C.123.040-B: Unless otherwise specified, Vehicle-Scale and Pedestrian Scale lighting fixtures must meet height criteria illustrated here.</p>	<p>Figure 17C.123.040-C: Parking garages (decks) along shopfront streets must provide ground-level retail, commercial or office space fronting the street.</p>

- H. Regulatory Cutsheets – The information presented in the tables in figures 17.123.040-D through 17.123.040-G represent the regulations for height, parking, land uses, build-to-lines, and building frontage for all Context Areas.
- I. Figure 17C.123.040-H supplements the regulatory cutsheets by providing visual representation for build-to-lines, interior lot lines and other standards.

Figure 17C.123.040-D
Context Area 1 (CA-1)



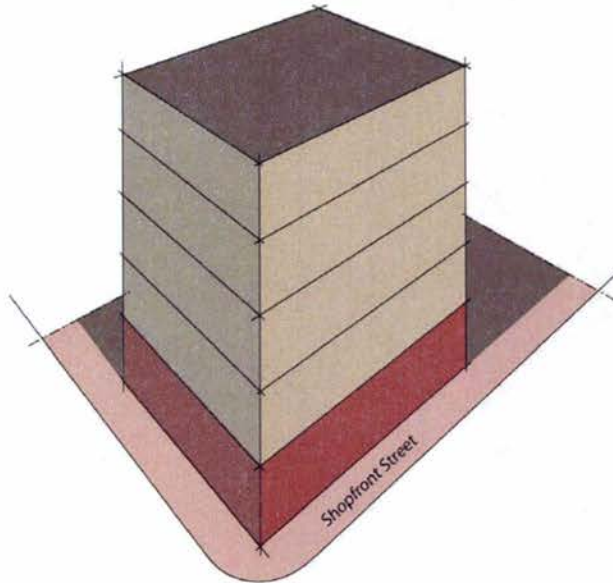
Images above are representational only and are not to be considered regulatory. The Regulating Plan, this chapter's general provisions and the information contained in the table to the right constitute the regulatory framework related to land use, height, parking, build-to-lines, coverage and frontage.

¹³ Build-to-lines shall establish a 12' foot minimum and up to 22' maximum space from the back of the curb to the building along Street Type 1. If existing width is less than 12' structures shall be allowed no closer than 12' from the back of the curb.

Shopfront within 100' -114' of Hamilton property line	66' (five stories)	Height max.	
Beyond 100'-114' Hamilton property line	Transition Standards as identified in 17C.123.040-A		
Maximum surface parking	2 spaces/500 sf floor area	Parking	
Landscaping	See Section SMC 17C.200		
Location	To side or rear of building		
Additional Parking Requirements	See Sections: SMC 17C.230.100 SMC 17C.230.120 SMC 17C.230.130 SMC 17C.230.140 SMC 17C.230.200		
Residential, except where prohibited		Land uses	
Non-Residential all floors			
Prohibited uses: Single-family (detached and townhouse) Heavy industrial, storage or warehouse Adult businesses Residential uses on shopfront street (ground floor) Structured parking on shopfront street (ground floor)			
Auto-Related Uses			
Drive-through Facilities			
Street Type 1	5' min - 15' max (1)		Build-to line
Street Type 2 and 4	0'		
When within 50' of CA4	5'		
Street Type 3	Not applicable	Setback line	
Alley	0'		
Interior lot line	0'		
Interior lot line if abutting CA-4	5'	Building frontage min.	
Street Type 1	80%		
Street Type 2	60%		
Street Type 3	N/A		
Street Type 4	0%		

Figure 17C.123.040-E

Context Area 2 (CA-2)



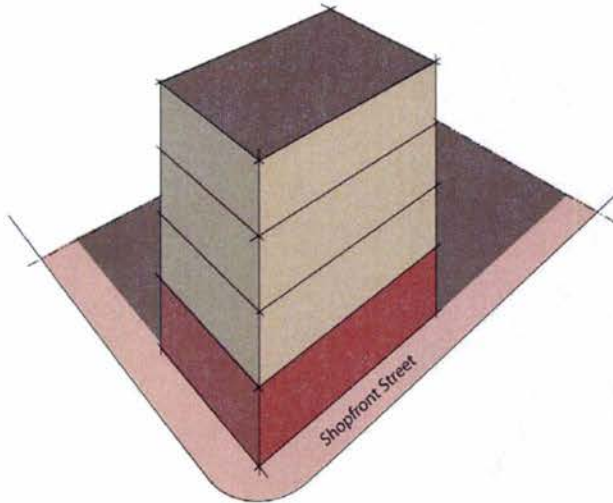
Images above are representational only and are not to be considered regulatory. The Regulating Plan, this chapter's general provisions and the information contained in the table to the right constitute the regulatory framework related to land use, height, parking, setbacks (building lines), coverage and frontage.

⁽¹⁾ Build-to-lines shall establish a 12' foot minimum and up to 22' maximum space from the back of the curb to the building along Street Type I. If existing width is less than 12' structures shall be allowed no closer than 12' from the back of the curb.

Shopfront within 100'-114' of Hamilton property line	66' (five stories)	Height max.
Beyond 100'-114' Hamilton property line	Transition Standards as identified in 17C.123.040-A	
Maximum surface parking	2 spaces/500 sf floor area	Parking
Landscaping	See Section SMC17C.200	
Location	To side or rear of building	
Additional Parking Requirements	See Sections: SMC 17C.230.100 SMC 17C.230.120 SMC 17C.230.130 SMC 17C.230.140 SMC 17C.230.200	Land uses
Residential, except where prohibited		
Non-Residential all floors		
Prohibited uses: Single-family (detached and townhouse) Heavy industrial, storage or warehouse Adult businesses Residential uses on shopfront street (ground floor) Structured parking on shopfront street (ground floor) Auto Related Uses Drive-Through Facilities		
Auto Related Uses Drive-Through Facilities		
Street Type 1	5' min - 15' max ⁽¹⁾	Build-to line
Street Type 2	Not applicable	
Street Type 3	0'	
When within 50' of CA4		
Street Type 4	Not applicable	Setback line
Alley	0'	
Interior lot line	0'	
Interior lot line if abutting CA-4		5'
Street Type 1	80%	Building frontage min.
Street Type 2	60%	
Street Type 3	N/A	
Street Type 4	N/A	

Figure 17C.123.040-F

Context Area 3 (CA-3)



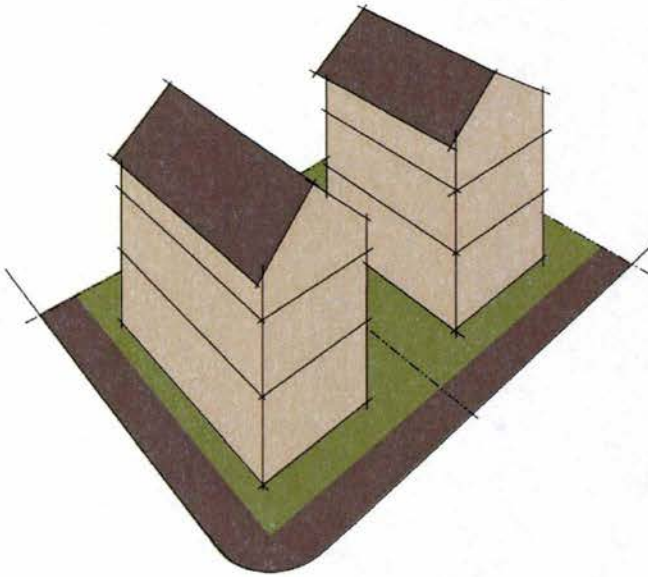
Images above are representational only and are not to be considered regulatory. The Regulating Plan, this chapter's general provisions and the information contained in the table to the right constitute the regulatory framework related to land use, height, parking, setbacks (building lines), coverage and frontage.

⁽¹⁾ Build-to-lines shall establish a 12' foot minimum and up to 22' maximum space from the back of the curb to the building along Street Type I. If existing width is less than 12' structures shall be allowed no closer than 12' from the back of the curb.

Shopfront within 100' - 114' of Hamilton property line	54' (four stories)	Height max.
Beyond 100' - 114' Hamilton property line	Transition Standards as identified in 17C.123.040-A	
Maximum surface parking	2 spaces/500 sf floor area	Parking
Landscaping	Section SMC 17C.200	
Location	To side or rear of building	
Additional Parking Requirements	See Sections: SMC 17C.230.100 SMC 17C.230.120 SMC 17C.230.130 SMC 17C.230.140 SMC 17C.230.200	Land uses
Residential, except where prohibited		
Non-Residential all floors		
Prohibited uses: Single-family (detached and townhouse) Heavy industrial, storage or warehouse Adult businesses Residential uses on shopfront street (ground floor) Structured parking on shopfront street (ground floor) Auto Related Uses Drive-Through Facilities		
Auto Related Uses		
Street Type 1	5' min - 15' max ⁽¹⁾	Build-to line
Street Type 2	Not Applicable	
Street Type 3, 4	0'	
When within 50' of CA4, RSF, or RTF	5'	
Alley	0'	Setback line
Interior lot line	0'	
Interior lot line if abutting CA4, RSF, or RTF	5'	Building frontage min.
Street Type 1	70%	
Street Type 2	60%	
Street Type 3	N/A	
Street Type 4	N/A	

Figure 17C.123.040-F

Context Area 4 (CA-4)



Roof Height	35 feet	Height max.
Wall Height	25 feet	
Minimum off-street parking	1 space/ dwelling unit	Parking
Landscaping	See Section SMC 17C.200	
Location	See Section SMC 17C.200	
Additional Parking Requirements	See Sections: SMC 17C.230.100 SMC 17C.230.120 SMC 17C.230.140 SMC 17C.230.145	
Residential		Land uses
Non-Residential (on ground floor)		
Non-Residential Development shall have a Residential Component. Non Residential shall be no more than 3,000 sf floor area		
Prohibited uses: All industrial categories Parking (primary use), adult business, outdoor retail sales, outdoor storage, vehicle repair and servicing, and drive-through facility Mining Auto Related Uses Drive-Through Facilities		
Street Type 1	N/A	Build-to line
Street Type 2	15' ⁽¹⁾⁽²⁾	
Street Type 3	15' ⁽¹⁾⁽²⁾	
Street Type 4	15' ⁽¹⁾⁽²⁾	
Alley	0'	Setback line
Interior lot line	5'	
Street Type 1	N/A	Building frontage min.
Street Type 2	60%	
Street Type 3	50%	
Street Type 4	None	

Images above are representational only and are not to be considered regulatory. The Regulating Plan, this chapter's general provisions and the information contained in the table to the right constitute the regulatory framework related to land use, height, parking, setbacks (building lines), coverage and frontage.

⁽¹⁾ Attached garage or carport entrance is required to be setback twenty feet from the property line.

⁽²⁾ See SMC 17C.110.220(D)(1), setbacks regarding the use of front yard averaging.



*If necessary to meet minimum standard widths, a portion of the pedestrian walkway may be on private property.

**Existing tree lawn widths vary on Type 2, Type 3 and Type 4 Streets. For tree health and enhanced pedestrian comfort, a wide pedestrian buffer zone to match existing is encouraged. Please see 17C.200.050 for additional street tree requirements.

Figure 17C.123.040-H Visual Diagram

17C.123.050 Streetscape Requirements

This section identifies features and specifications for commercial and residential streets and alleys within FBC Limits, keyed to the street types identified in the Street Section Plan and to Shopfront Street areas noted on the Regulating Plan. These criteria work to establish the type of active, economically vibrant public realm sought by the community, balancing vehicular access with the safety and convenience of pedestrians and other non-motorized modes of travel.

- A. Streetscape Requirements.
Required streetscape features and dimensions of those elements are identified in Table 17C.123.050-1.

Table 17C.123.050-1 Streetscape Requirements ^[1]

	Type 1	Type 2	Type 3	Type 4	Alley
Sidewalks					
Overall Width (each side)	12' to 22'	12'	12'	12'	N/A
Type	A	A	A	A	N/A
Clear Pedestrian Zone	7'	7'	7'	7'	N/A
Planting Zone (each side) ^[2]	5'	5'	5'	5'	N/A
Street Furnishings					
Lighting, types	P ^[3]	P ^[3]	P ^[3]	P ^[3]	V
Planting, types	S	S/M	S/M	S	N/A
Benches	R	R	R	N/R	N/A
Trash receptacles	R	R	R	N/R	N/A
Bicycle parking	N/R	N/R	N/R	N/R	N/A

[1] See City of Spokane Department of Engineering Design Standards for additional specifications.

[2] Minimum size; Existing tree lawn widths vary on Type 2, 3 and 4 Streets. Additional setbacks, if any, should match existing tree lawn widths in the CA-4 zone. Please see 17C.200 for additional street tree requirements.

[3] See Figure 17C.123.050-B (below) for Pedestrian-Scale Lighting Standards

Parking Stall types: "A" = 8.5' W x 18' L parallel stalls; "B" = 9' W x 16' L angled stalls, back-in (60° ∠)

Sidewalk types: "A" = 4' x 2' scored concrete

Lighting types: "P" = Pedestrian scale; "V" = Vehicle scale

Planting types: "S" = Street trees; "M" = Median planting

Benches, Trash receptacles, Bicycle parking: "R" = Required; "N/R" = Not required

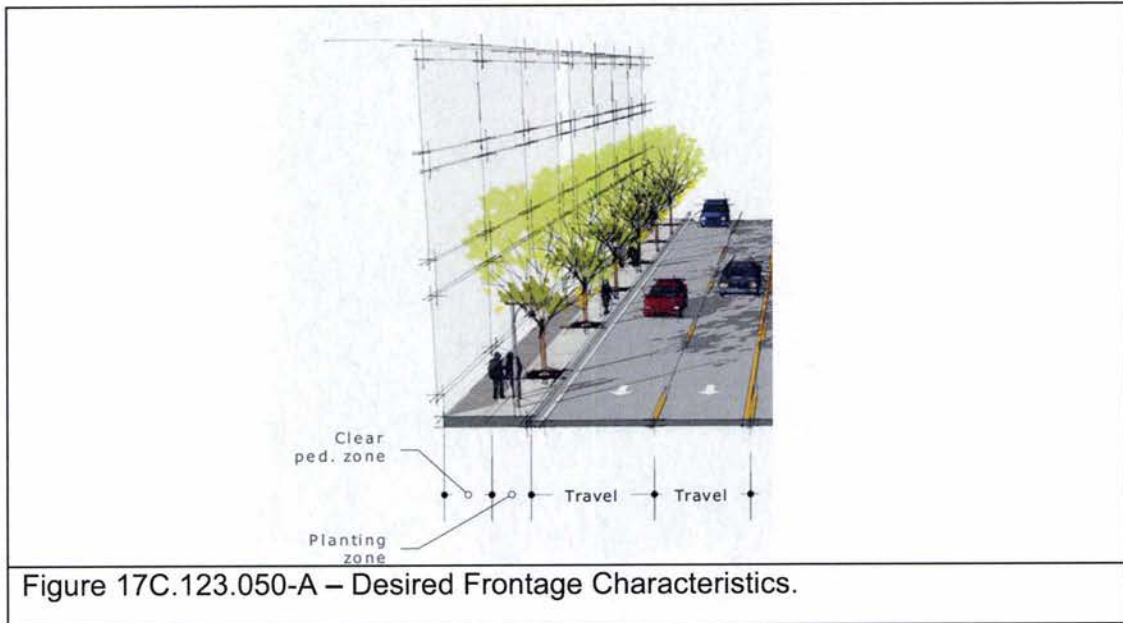


Figure 17C.123.050-A – Desired Frontage Characteristics.

B. Sidewalks.

The composition and color of sidewalks shall be as described in Table 17C.123.050-1, and shall be continued as they cross-vehicular driveways (See Figure 17C.123.050-E).

1. When the existing sidewalk width is less than 12 feet structures shall be allowed no closer than 12 feet from the back of the curb.
2. When the existing sidewalk width is greater than the bare minimum of 12 feet the sidewalk environment shall be designed to meet the intent of the Street Type designation of the street. Existing sidewalk width shall not be reduced or encroached upon by new development.

C. Street Furnishings, Placement.

Street furnishings including light poles, benches, and trash receptacles shall be placed between tree locations within the Planting Zone. Street furnishings shall not impede the clear view triangle. Temporary and intermittent sidewalk encroachments including café seating, planters, ramps, steps, and sandwich board signs may be located in the Planting Zone without restriction, or in the Clear Pedestrian Zone provided a pathway of at least six (6) feet wide remains free of such obstructions (See Figure 17C.123.050-F). Bicycle parking is encouraged where the requirement for the Planting Zone and Clear Pedestrian Zone can be met. Bicycle parking provided in the streetscape can contribute to requirements in SMC 17C.230.200(1)(b). Street furnishings

required in Table 17C.123.050-1 are to be provided in all Context Areas as follows:

1. Planting – Street trees must be installed and maintained by the adjacent property in all streets bordering development. Generally, street trees should be spaced on average 25 feet apart. At a minimum, street trees shall provide a continuous row of City-approved trees spaced according to mature canopy size, plus one or more types of City-approved ground cover. Additional requirements for landscaping are stated in chapter 17C.200, Landscaping and Screening.
2. Lighting - City-approved Traditional Series pedestrian scale lighting as shown in Figure 17C.123.050-B (flower basket optional) shall be provided and spaced at an average 50 to 60 feet apart, generally midway between required street trees and centered thirty-six (36") from the curb to ensure a uniform distance from the street edge along the entire street.
3. City approved benches and trash receptacles shall be provided for all buildings larger than 10,000 sf. Buildings less than this size are encouraged to include such amenities.

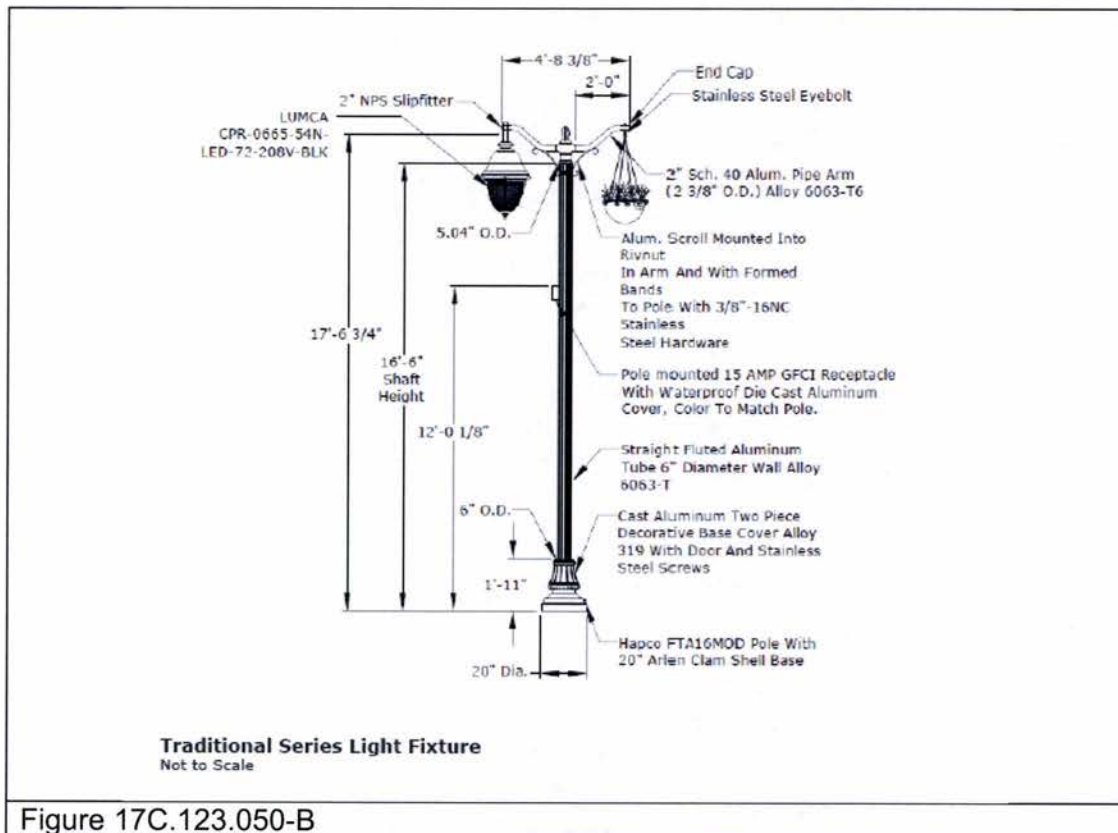


Figure 17C.123.050-B



Figure 17C.123.050-E: Curb cuts and driveways may not interrupt sidewalk material and pattern requirements. Ramps may not encroach on Clear Pedestrian Zones.



Figure 17C.123.050-F: Temporary sidewalk encroachments are allowed in the Planting Zone, or in the Clear Pedestrian Zone as per Table 17C.123.060-1.

17C.123.060 Architectural Requirements

This section identifies general architectural requirements and guidelines, articulating basic façade requirements, roofline objectives, mechanical screening and other considerations. These requirements and guidelines establish important functional and aesthetic characteristics sought by the community and expressed by the Regulating Plan, ensuring the proper “fit” within the surrounding neighborhood.

A. Building Base.

For CA-1, CA2, CA3 and all Shopfront Street areas, building façades shall include a visually prominent plinth or base, helping establish pedestrian-scaled features and aesthetically tying the building to the street level. Building bases shall measure between 9” and 16” above adjacent grade, and utilize at least one of the following:

1. “Heavier” material composition, such as a stronger, more permanent material than used on upper portions of the façade.
2. A horizontal projection showing visible thickening of the wall surface that may be accompanied by a change of material and/or color.
3. A horizontal architectural line or feature, such as a belt course or secondary cornice, at or below the top of the first story and providing

visual separation between the first two floors (See Figure 17C.123.060-A).

B. Primary Building Entries.

For CA-1, CA2, CA3 and all Shopfront Street areas, Primary Building Entries shall face the street and be made visually prominent, including the use of a recommended accent material and at least one of the following:

1. Recessed entrance. Recessed entrance shall be recessed at least 3' from the building face.
2. Canopy or awning. Canopy or awning shall extend at least 5' from the building face, with a minimum height clearance of 8' above the sidewalk.
3. Inclusion of a volume that protrudes from the rest of building surface or an Architectural Roof Structure element physically or visually integrated with the Primary Building Entry (See Figure 17C.123.060-B).
4. For mixed-use buildings, entrances to residential, office or other upper story uses shall be clearly distinguishable in form and location from retail entrances.

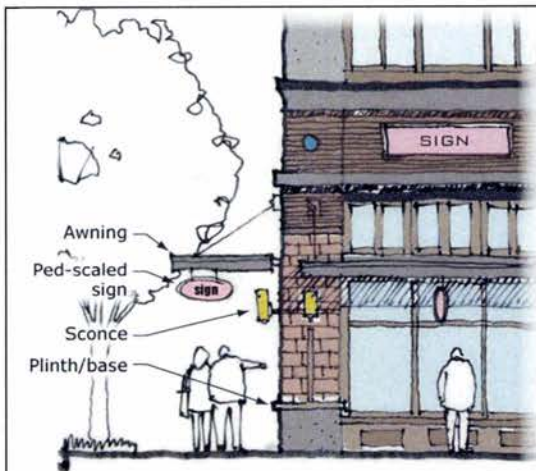


Figure 17C.123.060-A: Illustration of building base, pedestrian scale signs and other building elements described in the FBC.



Figure 17C.123.060-B: Primary Building Entrances must face the street and be made visually prominent using one or more architectural approaches listed in 17C.123.070 B.

C. Street-level Detailing.

For CA-1, CA2, CA3 and all Shopfront Street areas, street-level façades shall help create a more welcoming, aesthetically rich pedestrian environment by incorporating at least four of the following elements:

1. Canopies or awnings spanning at least 25% of the building façade. Canopy or awning shall extend at least 5' from the building face and shall not be closer than 2' from the curb, with a minimum height clearance of 8' above the sidewalk.
2. Pedestrian-Scaled Signs, mounted to the building or permanent overhang.
3. Decorative sconce, lantern or similar lighting, mounted to the building.
4. Projecting windowsills.
5. Decorative kick plates for entry doors.
6. Hanging planters supported by brackets mounted to the building.

D. Façade Transparency.

Building façades shall include substantial glazing, providing visual connectivity between activities inside and outside a building. Regarding glazing, the following provisions shall apply:

1. If fronting along a Shopfront Street, ground floor glazing shall be at least ten feet (10') in height and no more than three feet (3') above adjacent sidewalk or grade.
2. If facing a public street, upper floor façades shall include a minimum of 30% clear glass windows.
3. The total glazing expressed as a minimum percentage of ground floor façades shall meet the specifications provided in Table 17C.123.060-1.

Table 17C.123.060-1 Glazing minimums, ground floor facades*

	CA-1	CA-2	CA-3	CA4
Along Shopfront Street	60%	60%	50%	N/A
Along Non-Shopfront Street	40%	30%	30%	30%

*Glazing percentages may include windows and doors.

- E. **Blank Walls.**
Minimizing blank or undifferentiated façade walls helps ensure that buildings contribute to an engaging pedestrian environment. In all CA areas, blank façade walls longer than 30' along any public right-of-way shall be enhanced or screened by incorporating the following:
1. Vegetation such as espalier trees and/or vines planted adjacent to the wall surfaces.
 2. Architectural detailing, such as reveals, contrasting materials, bas-relief detailing, artwork, murals, or decorative trellises.
- F. **Roof Lines.**
In all CA areas, roofline elements shall adhere to the following standards:
1. Pitched or sloping roofs shall have a minimum slope of 4:12 and a maximum slope of 12:12 (rise:run).
 2. Buildings with flat roofs shall include an extended parapet on all building sides, creating a defined cornice or prominent top edge.
 3. Non-Enclosed, Enclosed and Architectural Roof Structure elements as defined by this code in are exempt from sections 17C.123.060 F.1 and 17C.123.060 F.2. Height limitations for such elements are provided in 17C.123.040.
- G. **Equipment Screening.**
In all CA zones visible from public rights-of-way, mechanical and electrical equipment including HVAC units, transformers, antennae and receiving dishes shall be screened from view, adhering to the following standards:
1. Rooftop mechanical and electrical equipment shall be screened by a parapet wall, enclosed within roof volumes or other building elements designed as an integral part of the building's architecture.
 2. Ground-level mechanical and electrical equipment shall be enclosed within secondary building elements, or screened by features designed to coordinate with the architectural character of the primary structure. Picket or chain-link fencing may not be used (See Figure 17C.123.060-C).
- H. **Service Area Screening.**
In all CA zones, service, loading and trash collection areas shall be hidden or screened from view along public rights-of way, and shall not face any public street or residential area unless no other location is possible. Service areas shall be hidden from view using a screen wall constructed of masonry, wood or metal, designed to coordinate with the architectural character of the primary structure. Screen walls shall also include one or more of the following:

1. Vegetation such as espalier trees and/or vines planted adjacent to the wall surfaces.
2. Architectural detailing, such as reveals, contrasting materials, bas-relief detailing, artwork, murals, or decorative trellises.

I. Sign Standards.

For sign standards applying to all CA zones, see City of Spokane Municipal Code, Chapter 17C.240. For the purposes of signs standards CA1 and CA2 shall be evaluated as CC1 zone; CA3 shall be evaluated as CC2; and CA4 shall be evaluated as a residential zone.

J. Materials.

Use of quality building materials ensures that projects contribute to the overall value and character of properties within and adjacent to HFBC Limits. Buildings shall employ durable and high quality materials, such as steel, glass, brick, stone, and/or wood. (See Figure 17C.123.060–D).

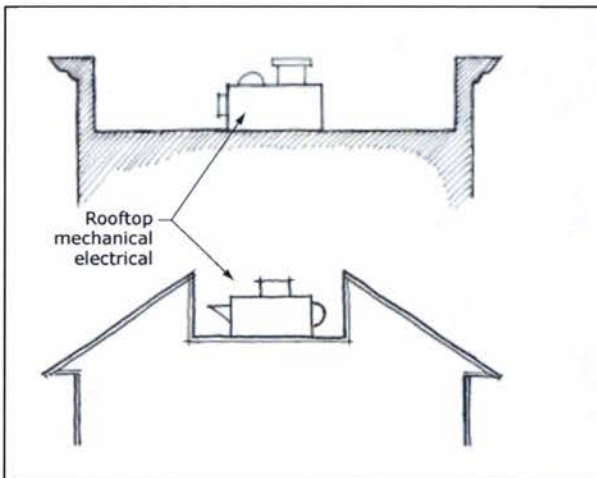


Figure 17C.123.060-C: Rooftop and ground-level equipment must be screened from view along public rights-of-way. Here mechanical systems are hidden by cornice and roof elements.



Figure 17C.123.060-D: The HFBC provides standards and guidelines regarding building materials, helping realize community expectations for the corridor and neighborhood.

K. Guidelines.

In addition to the material standards defined in this section, the following guidelines are included to further define community expectations for projects within all CA zones within Regulating Plan limits. The guidelines presented in this section are optional and intended to express desirable characteristics for the district.

1. The use of sustainably harvested, salvaged, recycled reused products is encouraged wherever possible.
2. Optional - Recommended entry treatments include special paving materials such as ceramic tile; ornamental ceiling treatments; decorative light fixtures; decorative door pulls, escutcheons, hinges, and other hardware.
3. Authentic materials and methods of construction should be used to the greatest degree possible. Materials made to simulate higher-value materials and construction types may be used for reasons of economy, but should be durable and closely match the proportions, surface finishes, and colors of the materials they simulate.
4. When veneers are used, detailing and installation should give the appearance of full-depth material, avoiding the exposure of veneer sides, including use of wrap-around corner pieces.
5. The location and spacing of panel or expansion joints should be incorporated into the façade composition. Castings should be shaped to form architectural profiles that create bases, cornices, pilasters and other elements contributing to the façade composition.
6. Cladding and/or accent materials on the primary building should be carried over onto additions, accessory buildings and site features.
7. Recommended cladding materials include:
 - a. Brick. Red brick is characteristic of the Spokane region, although other colors may be used as well. Full size brick veneer is preferable to thin brick tile.
 - b. Stone. Granite, limestone, sandstone, and river rock are preferred stone types. Stone veneer and cast stone simulating these types is allowable.
 - c. Cast concrete. Precast or exposed site-cast structural concrete is acceptable. Pigments, special aggregates and surface textures should be exploited to achieve architectural effects.
 - d. Concrete block. Where used, creativity in selecting block sizes, surface textures, course patterns and colors is encouraged.
 - e. Wood. Horizontal sidings such as clapboard, tongue-in-groove, shingles or shakes, or vertical sidings such as board and batten are acceptable. Trim elements should be used for all wood

siding types. Heavy timber detailing and exposed bracing may be used where appropriate to the building style.

- f. Fiber-cement or cementitious siding. Fiber-cement planks, panels and shingles and are an acceptable substitute for wood siding when used in the formats described above under "Wood."
 - g. Stucco. Stucco, cement plaster or stucco-like finishes such as EIFS may be used along ground floor portions of rear or side service and parking exposures, provided the building base treatment used along the street façade is continued. Stucco of any type should not be used along ground floor portions of street exposures.
8. Accent materials are typically used at building entrances, window and door frames, wall bases, cornices, wainscot materials and for copings, trim, and other special elements. Recommended accent materials include:
- a. Brick. Red brick is characteristic of the Spokane region, although other colors may be used as well. Full size brick veneer is preferable to thin brick tile.
 - b. Stone. Granite, limestone, sandstone, and river rock are preferred stone types. Stone veneer and cast stone simulating these types is allowable.
 - c. Cast concrete. Precast or exposed site-cast structural concrete is acceptable. Pigments, special aggregates and surface textures should be exploited to achieve architectural effects.
 - d. Concrete block. Where used, creativity in selecting block sizes, surface textures, course patterns and colors is encouraged.
 - e. Tile. Ceramic, terra cotta and cementitious tile, whether glazed or unglazed is acceptable.
 - f. Metal. Profile, corrugated and other sheet, rolled or extruded metal is acceptable. Metal accents should have trim elements to protect edges, and be of adequate thickness to resist dents and impacts. Surfaces should be treated with a high quality, fade-resistant coating system or paint such as Kynar and Tnemec. Copper, zinc and weathering steel may be left exposed.

9. Rooflines. Varied roof planes, cornice elements, overhanging eave and roof decks are encouraged, as they increase visual interest and help implement desired character objectives.
10. Recommended materials for roofs exposed and visible from public rights of way include:
 - a. Metal seam roofing. Finishes should be anodized, fluoro-coated or painted. Copper, zinc and weathering steel may be left exposed.
 - b. Slate or slate-like materials.
 - c. Sheet metal shingles.
 - d. Asphalt shingles. Projects using asphalt shingles should use the highest quality commercial grade materials, and be provided with adequate trim elements.
11. Special Paving. Cobblestones or a stamped concrete cobblestone or brick pattern are recommended for special paving and pedestrian buffer strips
12. Frontage Types. Figure 17C.123.060E clarifies expectations for how buildings will meet the street.

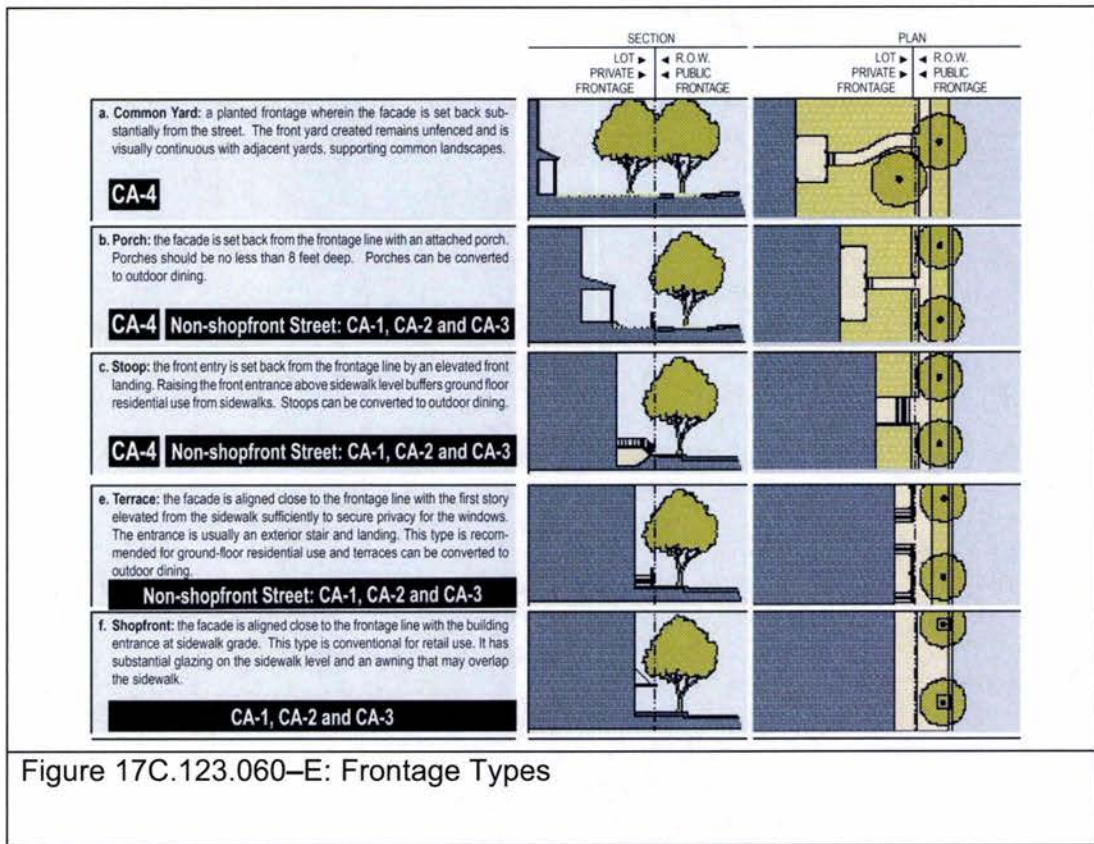


Figure 17C.123.060–E: Frontage Types

17C.123.070 Additional Requirements

- A. Drive Through Facilities.
Drive-Through Facilities are prohibited in all Context Areas of the FBC.
- B. Nonconforming Situations.
Existing development that does not conform to the development standards of this chapter is subject to the standards of chapter 17C.210 SMC, Nonconforming Situations.
- C. Nuisance-related Impacts.
 - 1. Off-site impacts. All nonresidential uses including their accessory uses must comply with the standards of Chapter 17C.220, Off Site Impacts.
 - 2. Other nuisances are further regulated by state and local laws.
- D. Outdoor Activities.

1. The standards of this section are intended to assure that outdoor sales, display, storage, and work activities:
 - a. will be consistent with the desired character of the zone;
 - b. will not be a detriment to the overall appearance of an area;
 - c. will not have adverse impacts on adjacent properties, especially those with residential uses; and
 - d. will not have an adverse impact on the environment.
 2. Outdoor activities associated with permitted uses shall be permitted subject to the standards of the zone and as described below.
 3. Outdoor Sales and Display Areas.
 - a. In the CA1 – CA3 zones, outdoor sales, and display areas are limited to forty percent of lot area or one thousand five hundred square feet, whichever is less.
 - b. Outdoor sales and display areas for uses in the industrial use categories are not allowed in the CA zones.
 - c. In the CA 4zone, outdoor sales and display areas are prohibited.
 4. Outdoor Storage Areas.
 - a. Outdoor storage areas are not permitted in the CA1 – CA3 zones.
 - b. Outdoor storage areas in CA4 zones are subject to the standards of SMC 17C.110.270 Exterior Storage – Residential Zones.
 5. Outdoor Activity Area Improvements.
 - a. Outdoor activities shall be screened and landscaped according to the provisions of chapter 17C.200 SMC, Landscaping and Screening.
 - b. In order to control dust and mud, all vehicle circulation areas must be paved.
- E. Fences.
1. Purpose: The fence standards promote the positive benefits of fences without adversely impacting the community or endangering public or vehicle safety. Fences near streets are kept low in order to allow visibility into and out of the site and to ensure visibility for motorists. Fences in any

required side or rear setback are limited in height so as to not conflict with the purpose for the setback.

2. Type of Fences The standards apply to walls, fences, and screens of all types whether open, solid, wood, metal, wire, masonry, or other material.
3. Location, Height, and Design.
 - a. Street Setbacks.
 - i. No fence or other structure is allowed within twelve feet from the back of the curb, consistent with the required sidewalk width of SMC 17C.123.060.
 - ii. Fences up to three and one-half feet high are allowed in a required street setback that is measured from a front lot line.
 - iii. Fences up to six feet high are allowed in required setback that is measured from a side lot line.
 - iv. Fences shall not reduce the required setback width of SMC 17C.123.060.
 - v. Fences up to six feet high are allowed in required side or rear setbacks except when the side or rear setback abuts a pedestrian connection. When the side or rear setback abuts a pedestrian connection, fences are limited to three and one-half feet in height.
 - vi. The height for fences that are not in required setbacks is the same as the regular height limits of the zone.
 - b. Sight-obscuring Fences and Walls.
 - i. Any required or non-required sight-obscuring fences, walls, and other structures over three and one-half feet high, and within fifteen feet of a street lot line shall either be placed on the interior side of a L2 see-through buffer landscaping area at least five feet in depth (See chapter 17C.200 SMC, Landscaping and Screening), or meet the treatment of blank walls intent outlined in SMC 17C.122.060 – Initial Design Standards and Guidelines for Center and Corridors.
4. Prohibited Fences.

- a. No person may erect or maintain a fence or barrier consisting of or containing barbed, razor, concertina, or similar wire except that up to three strands of barbed wire may be placed atop a lawful fence exceeding six feet in height above grade.
 - b. No person may maintain a fence or barrier charged with electricity.
 - c. A fence, wall, or other structure shall not be placed within a public right-of-way without an approved covenant as provided in SMC 17G.010.160 and any such structure is subject to the height requirement for the adjoining setback.
 - d. No permanent fence may reduce the required sidewalk width.
5. Visibility at Intersections.
- a. A fence, wall, hedge, or other improvement may not be erected or maintained at the corner of a lot so as to obstruct the view of travelers upon the streets
 - b. Subject to the authority of the traffic engineer to make adjustments and special requirements in particular cases, no fence exceeding a height of thirty-six inches above the curb may be inside the:
 - i. right isosceles triangle having sides of fifty feet measured along the curb line of each intersecting residential street; or
 - ii. right triangle having a fifteen-foot side measured along the curb line of the residential street and a seventy-five-foot side along the curb line of the intersecting arterial street, except that when the arterial street has a speed limit of thirty-five miles per hour, the triangle has a side along such arterial of one hundred twenty-two feet; or
 - iii. right isosceles triangle having sides of seven feet measured along the right-of-way line of an alley and:
 - 1. the inside line of the sidewalk; or
 - 2. if there is no sidewalk, a line seven feet inside the curb line.
6. Enclosures for Pools, Hot Tubs, or Ponds.
- a. A person maintaining a swimming pool, hot tub, pond, or other impoundment of water exceeding five thousand gallons and eighteen inches or more in depth and located on private property is

required to construct and maintain an approved fence by which the pool or other water feature is enclosed and inaccessible by small children.

- b. The required pool enclosure must be at least fifty-four inches high and may be a fence, wall, building, or other structure approved by the building services department.
- c. If the enclosure is a woven wire fence, it is required to be built to discourage climbing.
- d. No opening, except a door or gate may exceed four inches in any dimension.
- e. Any door or gate in the pool enclosure, except when part of the occupied dwelling unit, must have self-closing and self-locking equipment by which the door or gate is kept secure when not in use. A latch or lock release on the outside of the door or gate must be at least fifty-four inches above the ground.
- f. Outside of the door or gate must be at least fifty-four inches above the ground.

7. Reference to Other Standards.

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

E. Creation of new lots is subject to the standards of chapter 17G.080 SMC




This section provides a visual catalog of desired building characteristics for each Context Area. The purpose is to create a visual representation of building styles that are typical of the valued neighborhood character.

Context Area 1 (CA-1)

Hamilton FBC Building Character Visual Catalog

This visual catalog showcases the type, form, and general character of desired development within Context Area 1. Images are representational only.

Less Urban More Urban

<p>CA-1 Non-Shopfront</p> <p>See also CA-2, CA-3 and CA-4 Non-Shopfront.</p> 	<p>CA-1 Corner</p> <p>See also CA-2 and CA-3 Corner.</p> 	<p>CA-1 Shopfront</p> <p>See also CA-2 and CA-3 Shopfront.</p> 
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CA-1 - 1 to 5 Story Buildings

Context Area 2 (CA-2)

Hamilton FBC Building Character Visual Catalog

This visual catalog showcases the type, form, and general character of desired development within Context Area 2. Images are representational only.



CA-2 Non-Shopfront

See also CA-3 and CA-4 Non-Shopfront.



CA-2 Corner

See also CA-3 Corner.

CA-2 Shopfront

See also CA-3 Shopfront.



CA-2 - 1 to 4 Story Buildings

Context Area 3 (CA-3)

Hamilton FBC Building Character Visual Catalog

This visual catalog showcases the type, form, and general character of desired development within Context Area 3. Images are representational only.



CA-3 Non-Shopfront

See also CA-4.



CA-3 Corner



CA-3 Shopfront



CA-3 - 1 to 2 Story Buildings

Context Area 4 (CA-4)

Hamilton FBC Building Character Visual Catalog

This visual catalog showcases the type, form, and general character of desired development within Context Area 4. Images are representational only.



CA-4 Small Footprint



CA-4 Medium Footprint



Context Area 4 (CA-4)

Hamilton FBC Building Character Visual Catalog

This visual catalog showcases the type, form, and general character of desired development within Context Area 4. Images are representational only.



CA-4 Large Footprint



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Section 2. That SMC section 17C.200.010 is amended to read as follows:

17C.200.010 Purpose

- A. The City of Spokane recognizes the aesthetic, ecological, and economic value of landscaping and requires its use to:
1. promote the distinct character and quality of life and development expected by the community as indicated and supported in the policies of the comprehensive plan;
 2. maintain and protect property values;
 3. enhance the visual appearance of the City;
 4. enhance the compatibility of new development with surrounding properties;
 5. preserve and enhance Spokane's urban forest;
 6. preserve and enhance existing vegetation;
 7. reduce stormwater runoff pollution, temperature, and volume;
 8. aid in energy conservation by providing shade and shelter from the wind; and
 9. promote water conservation and reduced maintenance.
- B. The following landscaping and screening standards are applicable to all sites in RA, RSF, RTF, RMF, RHD, O, OR, NR, NMU, CB, GC, CC, LI, PI HI, ~~((and))~~ downtown zones and FBC zones. These standards address materials, placement, layout, and timing of installation.

Section 3. That SMC section 17C.200.040 is amended to read as follows:

17C.200.040 Site Planting Standards

Sites shall be planted in accordance with the following standards:

- A. Street Frontages.
1. The type of plantings as specified below shall be provided inside the property lines:
 - a. along all commercial, light industrial, and planned industrial zoned properties except where buildings are built with no setback from the property line: a six-foot wide planting area of L2 see-through buffer,

including street trees as prescribed in [SMC 17C.200.050](#). Remaining setback areas shall be planted in L3.

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



B. Other Property Perimeters.

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

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

Notes:

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

standards for uses in the general commercial (GC) zone.

C. Planning Director Discretion.

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

1. No useable space for landscaping exists between the proposed new structure and existing structures on adjoining lots or alleys because of inadequate sunlight or inadequate width.
2. The building setback provided in front of the new structure is less than six feet or is developed as a plaza with decorative paving/pavers, trees, planters, or other amenities.
3. Xeriscape landscaping is utilized in designated stormwater control areas.
4. When existing trees and other vegetation serves the same or similar function as the required landscaping, they may be substituted for the required landscaping if they are healthy and appropriate for the site at mature size. When existing trees are eight inches or more in diameter, they shall be equivalent to three required landscape trees. If necessary, supplemental landscaping shall be provided in areas where existing vegetation is utilized to accomplish the intent of this chapter.

D. Other Areas.

All other portions of a site not covered by structures, hard surfaces, or other prescribed landscaping shall be planted in L3 open area landscaping until the maximum landscape requirement threshold is reached (see [SMC 17C.200.080](#)).

E. Parking Lot Landscaping Design.

1. Purpose.

To reduce the visual impact of parking lots through landscaped areas, trellises, and/or other architectural features that complement the overall design and character of developments.



2. Parking Lot Landscaping Design Implementation.

This section is subject to the provisions of [SMC 17C.120.015](#), Design Standards Administration.

3. The parking lot landscape shall reinforce pedestrian and vehicle circulation, especially parking lot entrances, ends of driving aisles, and pedestrian walkways leading through parking lots. (P)

4. Planted areas next to a pedestrian walkways and sidewalks shall be maintained or plant material chosen to maintain a clear zone between three and eight feet from ground level. (R)



5. Low walls and raised planters (a maximum height of three feet), trellises with vines, architectural features, or special interest landscape features shall be used to define entrances to parking areas. Where signs are placed on walls, they shall be integrated into the design and complement the architecture or character of other site features. (P)
6. Landscape plant material size, variety, color, and texture within parking lots should be integrated with the overall site landscape design. (C)

F. Parking, Outdoor Sales, and Outdoor Display Areas.

1. In residential, commercial, ~~((and))~~ center and corridor, and FBC zones, a six-foot wide planting area of L2 see-through buffer landscaping shall be provided between any parking lot, outdoor sales, outdoor display area, and a street right-of-way. Living ground cover shall be used, with non-living materials (gravel, river rock, etc.) as accent only. In addition, earthen berms, trellises, low decorative masonry walls, raised masonry planters, or L1 visual screen landscaping shall be used to screen parking lots from adjacent streets and walkways (overall height including any plantings or structures shall not exceed three feet). Trees required as a part of the L2 landscape strip shall be located according to the standards for street trees in SMC 17C.200.050, Street Tree Requirements.
2. In residential, commercial, ~~((and))~~ center and corridor, and FBC zones all parking stalls shall be within sixty feet of a planted area with L3 open area landscaping. All individual planting areas within parking lots shall be at least one hundred fifty square feet in size.
3. In residential, commercial, ~~((and))~~ center and corridor, and FBC zones all paved parking areas on a site with more than fifty cumulative parking spaces shall have plantings that satisfies one of the following options:
 - a. Option 1.
Interior landscaping consisting of L3 open area landscaping, including trees amounting to at least ten percent of the total area of the paved parking area, excluding required perimeter and street frontage strips. A minimum of one interior tree shall be planted for every six parking spaces.

b. Option 2.

Tree plantings shall be spaced in order that tree canopies cover a minimum of seventy percent of the entire paved area of the parking lot within fifteen years of project completion. Canopy coverage shall be measured in plan view, and be based on projected mature size of the selected tree species. All individual planting areas within parking lots shall be a minimum of eight feet in width, be at least one hundred fifty square feet in size, and in addition to the required trees, shall be planted with a living groundcover. See the "Landscape Plants for the Inland Northwest" issued by the Washington State University cooperative extension and the U.S. department of agriculture, available from the City planning services department, for acceptable mature tree size to be used when calculating canopy size.



Example of 70% shade cover option
(8.4% interior space used)

4. Where parking lots are located between the building and a street, the amount of required interior landscaped area shall be increased by fifty percent and the minimum amount of tree shade cover shall increase to eighty percent. Where parking lots are behind buildings, the amount of interior landscaping may be decreased by fifty percent of what the code requires and the minimum amount of tree shade cover shall decrease to fifty percent.
5. A planting strip of five feet in depth with L1 visual screen landscaping or site-obscuring decorative wood, iron, etc. fences or masonry walls at least six feet in height shall be installed along property lines where any adjacent single-family residential zone would have views of parking or service areas.
6. A minimum of two-foot setback shall be provided for all trees and shrubs where vehicles overhang into planted areas.



7. In industrial zones, parking lots, outdoor sales, and outdoor display areas that are abutting or across the street from residential zones are subject to all of the requirements of subsections (E) and (F) of this section.
8. In industrial zones, all uses in the commercial categories (see [chapter 17C.190 SMC](#), Use Category Descriptions, Article III, Commercial

Categories) are subject to the standards for uses in the general commercial (GC) zones.

9. In downtown zones an applicant must demonstrate to the director that the following required elements meet the intent of the Downtown Design Guidelines. Key design elements for these features include integrating storm water facilities, improving the pedestrian environment, and adding public amenities next to surface parking; outdoor sales and outdoor display areas so that they help to define space and contribute to a more active street environment.

- a. **Surface Parking Lot Liner Walls in the Downtown Zones.**
Surface parking lots must have a solid, decorative concrete or masonry wall adjacent to a complete street and behind a sidewalk. The wall must have a minimum height above the surface of the parking lot of two and one-half feet and a maximum height of three feet. The wall shall screen automobile headlights from surrounding properties. A wrought iron fence may be constructed on top of the wall for a combined wall and fence height of six feet. An area with a minimum width of two feet, measured from the property line, must be provided, landscaped and maintained on the exterior of the required wall. Such walls, fences, and landscaping shall not interfere with the clear view triangle. Pedestrian access through the perimeter wall shall be spaced to provide convenient access between the parking lot and the sidewalk. There shall be a pedestrian access break in the perimeter wall at least every one hundred fifty feet and a minimum of one for every street frontage. Any paving or repaving of a parking lot over one thousand square feet triggers these requirements.



Parking liner walls with plantings contribute to an interesting pedestrian environment. The parking liner wall and screen pictured above is enhanced by larger wall sections near automobile crossing points and a change in sidewalk scoring pattern. Both give cues to pedestrians and drivers.

- b. Surface parking lots in the Downtown zones are subject to the interior parking lot landscaping standard sections (F)(2) through (F)(6).
- c. The exterior boundary of all surface parking lots adjacent to any public right-of-way must include trees spaced no more than twenty-five feet apart. The leaves of the trees or any other landscaping

features at maturity shall not obscure vision into the parking lot from a height of between three and eight feet from the ground. The species of trees shall be selected from the city's street tree list. If street trees exist or are provided consistent with [SMC 17C.200.050](#) then this landscaping strip may be omitted.

- d. Outdoor sales and display areas shall contribute to an interesting streetscape by providing the following:
 - i. Monument Features or Artistic Elements along the Street Edge between the Outdoor Display Area and the Sidewalk. These shall be integrated with display area lighting and pedestrian amenities.
 - ii. Additional Streetscape Features in the Sidewalk Environment.
Items may include elements that improve the health of street trees and plantings, improve storm water management, or artistic features that improve the pedestrian environment. This may include items such as permeable pavers in the pedestrian buffer strip, increased soil volumes for street trees, suspended sidewalks around the street tree to increase the amount of un-compacted soils, and engineered soils to support larger and healthier trees.

Section 4. That SMC section 17C.200.050 is amended to read as follows:

17C.200.050 Street Tree Requirements

- A. Purpose.
To provide consistent street frontage character within the street right-of-way. The street tree standards also maintain and add to Spokane's tree canopy and enhance the overall appearance of commercial and neighborhood development. Trees are an integral aspect of the Spokane landscape and add to the livability of Spokane. They provide aesthetic and economic value to property owners and the community at large.
- B. Street Tree Implementation.
 - 1. Street trees are required along all city streets in downtown, commercial, center and corridor, industrial zones, ~~((and in))~~ residential zones, and in FBC zones.

2. Street trees shall be planted between the curb and the walking path of the sidewalk.



3. Street trees and other landscaping shall be maintained and irrigated by the adjacent property owner.
4. If a street has a uniform planting of street trees or a distinctive species within the right-of-way, then new street trees should be of a similar form, character and planting pattern.
5. For a full list of approved trees in the city of Spokane, see the urban forestry program's approved street tree list. Species selection should be guided by individual site conditions including hydrology, soil, solar orientation, and physical constraints.

C. Planting Zones.

1. Provide continuous planting strips or individual planting areas per Table 17C.200.050-1, Tree Planting Dimensional Standards.

TABLE 17C.200.050-1 Tree Planting Dimensional Standards [1]		
ZONE	CONTINUOUS PLANTING STRIP (minimum width as measured from back of curb)	INDIVIDUAL PLANTING AREA (width as measured from back of curb)
Downtown	Individual Planting Areas (tree vaults) required [1]	4 ft. minimum 6 ft. maximum [2]
CC	5 ft.	4 ft. minimum 6 ft. maximum [2]
FBC	<u>Individual Planting Areas (tree vaults) required [1]</u>	<u>5 ft [2]</u>
Commercial	5 ft.	4 ft. minimum 6 ft. maximum [2]
Industrial	6 ft.	Continuous Planting Strip required [3]
RA, RSF, RTF	6 ft.	Continuous Planting Strip required [3]
RMF, RHD	6 ft.	Continuous Planting Strip

		required [3]
School/Church Loading Zone	Not Applicable	4 ft. minimum 6 ft. maximum [2, 4]

Notes:

[1] Individual Planting Areas (tree vaults) are the standard for the Downtown and FBC Zones. Proposals for Continuous Planting Strips may be evaluated on a case by case basis.

[2] Un-compacted soils are necessary for street trees. Individual planting areas (or tree vaults) must be of a size to accommodate a minimum of 100 cubic feet of un-compacted soils per tree at a maximum depth of three feet. Refer to the Engineering Design Standards for examples of potential options in individual planting areas.

[3] Continuous Planting Strips are the standard for Industrial and Residential Zones. However, individual planting areas meeting the CC standard may be proposed and evaluated on a case by case basis in Industrial, RMF and RHD Zones.

[4] In all zones, within a school/church loading zone, street tree location may vary from the standard as long as street trees are located within the right-of-way.

[5] In all zones, when a continuous planting strip will double as a stormwater swale, the minimum width shall be 6.5 feet.

2. Continuous Planting Strips.

- a. Continuous planting strips may be planted with living ground cover or low plantings that are maintained at a height less than three feet from ground level.
- b. When auto traffic is immediately adjacent to the curb, new street trees must be planted at least three feet from the edge of the automobile travel way.



3. Individual Planting Areas.

- a. When an individual planting area is not symmetrical, the longer dimension shall run along the curb.
- b. Tree grates or plantings are acceptable. However, when there is on-street parking, a tree grate or a paved walk eighteen inches wide behind the curb are encouraged to help avoid conflicts with car doors and foot traffic. The minimum clear pedestrian walking path as required for the zone shall be maintained.

Tree Grates



Street Trees with plantings up to 3 ft.



- c. Where tree grates are used, they shall be ADA accessible and have a similar size and material as tree grates found in adjacent developments. Where tree grates are used, tree guards are encouraged for tree protection.

Tree Grate with Tree Guard



- d. Un-compacted soils are necessary for street trees. A minimum of one hundred cubic feet per tree at a maximum depth of three feet is required. See Engineering Design Standards for examples of potential options in individual planting areas and for retrofitting sidewalks.



D. Size Requirements for New Street Trees.

1. Street trees shall meet the most recent ANSI standards for a two-inch caliper tree at the time of planting
2. Larger shade trees with spreading canopies or branches are desirable where possible. Species of street trees within the public rights-of-way shall be approved by the City urban forester and reviewed by the director of engineering services.
3. If overhead power lines are present, street trees shall be limited to a mature height of twenty-five feet to avoid conflict with utility lines and

maintenance crews.

- E. Spacing Requirements for Street Tree Spacing.
The objective is to create a continuous tree canopy over the sidewalk.
1. Continuous planting strips.
Average spacing shall be twenty five feet for small and columnar trees and thirty feet for canopy trees. The planning director may allow increased spacing for exceptionally large trees or upon the recommendation of the urban forester.
 2. Individual planting areas.
Average spacing for all tree sizes and types shall be twenty-five feet. Trees planted adjacent to parallel parking stalls with meters may be spaced twenty feet apart.
 3. Street tree plantings shall consider the location of existing utilities, lighting, driveways, business entrances and existing and proposed signs. See the Engineering Design Standards for required dimensions.
- F. Clear View Zone.
Landscaped areas between the curb and sidewalk, as well as landscaped areas within the clear view triangle as defined in [SMC 17C.120.310](#) shall be maintained or plant material chosen to maintain a vertical clear view zone between three and eight feet from ground level.



Section 5: that SMC section 17C.230.100 is amended to read as follows:

17C.230.100 General Standards

- A. Where the Standards Apply.
The standards of this chapter apply to all parking areas in RA, RSF, RTF, RMF, RHD, O, OR, NR, NMU, CB, GC, Downtown, CC, ~~((and))~~ industrial ~~((zones))~~, and FBC zones, whether required by this code or put in for the convenience of property owners or users. Parking areas include those accessory to a use, part of a commercial parking use, or for a park and ride facility in the basic utilities use category. Some zoning categories have unique parking standards as provided in Table 17C.230-1.
- B. Occupancy.
All required parking areas must be completed and landscaped prior to occupancy of any structure except as provided in [chapter 17C.200 SMC](#), Landscaping and

Screening.

C. Calculations of Amounts of Required and Allowed Parking.

1. When computing parking spaces based on floor area, floor area dedicated for parking is not counted.
2. The number of parking spaces is computed based on the uses on the site. When there is more than one use on a site, the required or allowed parking for the site is the sum of the required or allowed parking for the individual uses. For joint use parking, see [SMC 17C.230.110\(B\)\(2\)](#).
3. If the maximum number of spaces allowed is less than or equal to the minimum number required, then the maximum number is automatically increased to one more than the minimum.
4. If the maximum number of spaces allowed is less than one, then the maximum number is automatically increased to one.

D. Use of Required Parking Spaces.

Required parking spaces must be available for the use of residents, customers, or employees of the use. Fees may be charged for the use of required parking spaces, except for group living and residential household living uses. Required parking spaces may not be assigned in any way to a use on another site, except for joint parking situations. Required parking spaces must be made available to employees; it cannot be restricted only to customers. See [SMC 17C.230.110\(B\)\(2\)](#). Also, required parking spaces may not be used for the parking of equipment or storage of goods or inoperable vehicles.

E. Proximity of Parking to Use.

1. Required parking spaces for all industrial and commercial zones, except center and corridor zones, must be located on the site of the use or in parking areas whose closest point is within four hundred feet of the site. In center and corridor zones, parking is required to be located within six hundred feet of the use.
2. Required parking spaces for uses in the RA, RSF, RTF, and RMF zones must be located on the site of the use. Required parking for the uses in the RHD zone must be located on the site of the use or in parking areas whose closest point is within four hundred feet of the site.

F. Stacked Parking.

Stacked or valet parking is allowed if an attendant is present to move vehicles. If stacked parking is used for required parking spaces, some form of guarantee must be filed with the City ensuring that an attendant will always be present when the lot is in operation. The requirements for minimum or maximum spaces and all parking area development standards continue to apply for stacked parking.

- G. **On-Street Parking.**
The minimum number of required parking spaces may be reduced by the number of on-street parking spaces immediately adjacent to a site's public right-of-way frontages, located on the same side of the street. The street must be paved, with sidewalks that are ADA accessible. Each complete twenty linear foot section of right-of-way where parallel parking is permitted is considered a parking space. Where parallel, diagonal or other on-street parking is marked on the street or officially designated by other means; the number of complete parking spaces that are adjacent on the same side of the street to the site's frontage are counted. An on-street parking space shall not be counted if it is restricted in its use as a designated loading, taxi or other special use zone or if parking is prohibited for more than five hours any twenty four-hour period. When calculating the number of required bicycle parking spaces per [SMC 17C.230.200](#), the number of vehicle off-street parking spaces that would be required before this reduction is applied is the figure that is used.
- H. **Curb Cuts.**
Curb cuts and access restrictions are regulated by the City engineering services department. Other zoning standards or design guidelines may apply.

Section 6: that SMC section 17C.230.120 is amended to read as follows:

17C.230.120 Maximum Allowed Parking Spaces

- A. **Purpose.**
Limiting the number of spaces allowed promotes efficient use of land, enhances urban form, encourages use of alternative modes of transportation, provides for better pedestrian movement, and protects air and water quality. The maximum ratios in this section vary with the use the parking it is accessory to. These maximums will accommodate most auto trips to a site based on typical peak parking demand for each use.
- B. **Maximum Number of Parking Spaces Allowed.**
Standards in a plan district or overlay zone may supersede the standards in this subsection.
1. **Surface Parking.**
The maximum number of parking spaces allowed is stated in Table 17C.230-1 and [Table 17C.230-2](#), except as specified in subsection (B)(2) of this section.
 2. **Structure Parking.**
Parking provided within a building or parking structure is not counted when calculating the maximum parking allowed.

**TABLE 17C.230-1
PARKING SPACES BY ZONE [1]
(Refer to Table 17C.230-2 for Parking Spaces Standards by Use)**

ZONE	SPECIFIC USES	REQUIREMENT
RA, RSF, RTF, RMF, RHD O, OR, NR, NMU, CB, GC, Industrial	All Land Uses	Minimum and maximum standards are shown in Table 17C.230-2 .
CC1, CC2, CC3 [2]	Nonresidential	Minimum ratio is 1 stall per 1,000 gross square feet of floor area. Maximum ratio is 4 stalls per 1,000 gross square feet of floor area.
	Residential	Minimum ratio is 1 stall per 1,000 gross square feet of floor area or a minimum of 1 stall per dwelling unit, whichever is less. Maximum ratio is the same as for nonresidential uses.
CC4 [2]	Nonresidential	Minimum ratio is 2 stalls per 1,000 gross square feet of floor area. Maximum ratio is 4 stalls per 1,000 gross square feet of floor area.
	Residential	Minimum ratio is 1 stall per 1,000 gross square feet of floor area or a minimum of 1 stall per dwelling unit, whichever is less. Maximum ratio is the same as for nonresidential uses.
Downtown [2]	All Land Uses	See the Downtown Parking Requirement Map 17C.230-M1 to determine if parking is required. Minimum ratio for areas shown on the map that require parking is 1 stall per 1,000 gross square feet of floor area or a minimum of 1 stall per dwelling unit, whichever is less. Maximum ratio is 3 stalls per 1,000 gross square feet of floor area.
<u>FBC [2]</u>	<u>All Land Uses</u>	<u>See SMC 17C.123.040, Hamilton Form Based Code for off-street parking requirements.</u>

Overlay	All Land Uses	No off-street parking is required. See the No Off-Street Parking Required Overlay Zone Map 17C.230-M2 and No Off-Street Parking Required Overlay Zone Map 17C.230-M3 .
<p>[1] Standards in a plan district or overlay zone may supersede the standards of this table.</p> <p>[2] See exceptions in SMC 17C.230.130, CC and Downtown Zone Parking Exceptions.</p>		

Section 7: that SMC section 17C.230.130 is amended to read as follows:

17C.230.130 Parking Exceptions

- A. In center and corridor (~~and~~) downtown (~~zones~~), and FBC CA1, CA2, and CA3 zones any new building or building addition with a floor area less than three thousand square feet shall have no parking requirement.
- B. The director may approve ratios that are higher than the maximum or lower than the minimum if sufficient factual data is provided to indicate that a different amount is appropriate. The applicant assumes the burden of proof. Approval of parking above the maximum shall be conditioned upon increasing the amount of required landscaping by thirty percent. Approval of parking below the minimum shall be conditioned upon the project contributing towards a pedestrian and transit supportive environment both next to the immediate site and in the surrounding area. When determining if a different amount of parking is appropriate, the director shall consider the proximity of the site to frequent transit service, the intensity of the zoning designation of the site and surrounding sites, and the character of the proposed use.
- C. If property owners and businesses establish a parking management area program with shared parking agreements, the director may reduce or waive parking requirements.
- D. Except in the residential single-family and residential two-family zones existing legal nonconforming buildings that do not have adequate parking to meet the standards of this section are not required to provide off-street parking when remodeling which increases the amount of required parking occurs within the existing structure.

**TABLE 17C.230-2
PARKING SPACES BY USE
(Refer to Table 17C.230-1 for Parking Space Standards by Zone)
CU = Conditional Use**

RESIDENTIAL CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
Group Living		1 per 4 residents	None
Residential Household Living		1 per unit plus 1 per bedroom after 3 bedrooms; 1 per Accessory Dwelling Unit (ADU); Single Resident Occupancy (SRO) are exempt	None
COMMERCIAL CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
Adult Business		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Commercial Outdoor Recreation		20 per acre of site	30 per acre of site
Commercial Parking		Not applicable	None
Drive-through Facility		Not applicable	None
Major Event Entertainment		1 per 8 seats or per CU review	1 per 5 seats or per CU review
Office	General Office	1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
	Medical/Dental Office	1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Quick Vehicle Servicing		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Retail Sales and Service	Retail, Personal Service, Repair-oriented	1 per 330 sq. ft. of floor area	1 per 200 sq. ft. of floor area
	Restaurants and Bars	1 per 250 sq. ft. of floor area	1 per 60 sq. ft. of floor area

	Health Clubs, Gyms, Lodges, Meeting Rooms and similar continuous entertainment, such as Arcades and Bowling Alleys	1 per 330 sq. ft. of floor area	1 per 180 sq. ft. of floor area
	Temporary Lodging	1 per rentable room; for associated uses such as Restaurants, see above	1.5 per rentable room; for associated uses such as Restaurants, see above
	Theaters	1 per 4 seats or 1 per 6 feet of bench area	1 per 2.7 seats or 1 per 4 feet of bench area
	Retail sales and services of large items, such as appliances, furniture and equipment	1 per 1,000 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Mini-storage Facilities		Same as Warehouse and Freight Movement	Same as Warehouse and Freight Movement
Vehicle Repair		1 per 750 sq. ft. of floor area	1 per 200 sq. ft. of floor area
INDUSTRIAL CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
Industrial Services, Railroad Yards, Wholesale Sales		1 per 1,000 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Manufacturing and Production		1 per 1,000 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Warehouse and Freight Movement		1 per 1,000 sq. ft. of floor area for the first 3,000 sq. ft. of floor area and then 1 per 3,500 sq. ft.	1 per 200 sq. ft. of floor area

		of floor area thereafter	
Waste-related		Per CU review	Per CU review
INSTITUTIONAL CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
Basic Utilities		None	None
Colleges		1 per 600 sq. ft. of floor area exclusive of dormitories, plus 1 per 4 dorm rooms	1 per 200 sq. ft. of floor area exclusive of dormitories, plus 1 per 2.6 dorm room
Community Service		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Daycare		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Medical Centers		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Parks and Open Areas		Per CU review for active areas	Per CU review for active areas
Religious Institutions		1 per 100 sq. ft. of main assembly area or per CU review	1 per 60 sq. ft. of main assembly area
Schools	Grade, Elementary, Junior High	1 per classroom	2.5 per classroom
	High School	7 per classroom	10.5 per classroom
OTHER CATEGORIES			
USE CATEGORIES	SPECIFIC USES	MINIMUM PARKING	MAXIMUM PARKING
Agriculture		None or per CU review	None or per CU review
Aviation and Surface Passenger Terminals		Per CU review	Per CU review
Detention Facilities		Per CU review	Per CU review
Essential Public Facilities		Per CU review	Per CU review
Wireless Communication Facilities		None or per CU review	None or per CU review

Rail Lines and Utility Corridors		None	None
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Section 8: that SMC section 17C.230.140 is amended to read as follows:

17C.230.140 Development Standards

A. Purpose
The parking area layout standards are intended to promote safe circulation within the parking area and provide for convenient entry and exit of vehicles.

B. Where These Standards Apply
The standards of this section apply to all vehicle areas whether required or excess parking.

C. Improvements

1. Paving.
In order to control dust and mud, all vehicle areas must be surfaced with a minimum all-weather surface. Such surface shall be specified by the city engineer. Alternatives to the specified all-weather surface may be provided, subject to approval by the city engineer. The alternative must provide results equivalent to paving. All surfacing must provide for the following minimum standards of approval:

- a. Dust is controlled.
- b. Stormwater is treated to City standards; and
- c. Rock and other debris is not tracked off-site.

The applicant shall be required to prove that the alternative surfacing provides results equivalent to paving. If, after construction, the City determines that the alternative is not providing the results equivalent to paving or is not complying with the standards of approval, paving shall be required.

2. Striping.
All parking areas, except for stacked parking, must be striped in conformance with the parking dimension standards of subsection (E) of this section, except parking for single-family residences, duplexes, and accessory dwelling units.

3. Protective Curbs Around Landscaping.
All perimeter and interior landscaped areas must have continuous, cast in place, or extruded protective curbs along the edges. Curbs separating landscaped areas from parking areas may allow stormwater runoff to pass through them. Tire stops, bollards or other protective barriers may be used

at the front ends of parking spaces. Curbs may be perforated or have gaps or breaks. Trees must have adequate protection from car doors as well as car bumpers. This provision does not apply to single-family residence, duplexes and accessory dwelling units.

D. Stormwater Management

Stormwater runoff from parking lots is regulated by the engineering services department.

E. Parking Area Layout

1. Access to Parking Spaces.

All parking areas, except stacked parking areas, must be designed so that a vehicle may enter or exit without having to move another vehicle.

2. Parking Space and Aisle Dimensions.

a. Parking spaces and aisles in RA, RSF, RTF, RHD, FBC CA4, O, OR, NR, NMU, CB, GC, and industrial zones must meet the minimum dimensions contained in Table 17C.230-3.

b. Parking spaces and aisles in Downtown ((and)) CC, and FBC CA1, CA2, CA3 zones must meet the minimum dimensions contained in Table 17C.230-4.

c. In all zones, on dead end aisles, aisles shall extend five feet beyond the last stall to provide adequate turnaround.

3. Parking for Disabled Persons.

The city building services department regulates the following disabled person parking standards and access standards through the building code and the latest ANSI standards for accessible and usable buildings and facilities:

a. Dimensions of disabled person parking spaces and access aisles.

b. The minimum number of disabled person parking spaces required.

c. Location of disabled person parking spaces and circulation routes.

d. Curb cuts and ramps including slope, width and location; and

e. Signage and pavement markings.

4. A portion of a standard parking space may be landscaped instead of paved, as follows:

a. The landscaped area may be up to two feet of the front of the space as measured from a line parallel to the direction of the bumper of a vehicle using the space, as shown in Figure 17C.230-3. Any vehicle overhang must be free from interference from sidewalks, landscaping, or other required elements.

b. Landscaping must be ground cover plants; and

- c. The landscaped area counts toward parking lot interior landscaping requirements and toward any overall site landscaping requirements. However, the landscaped area does not count toward perimeter landscaping requirements.
5. Engineering Services Department Review
The engineering services department reviews the layout of parking areas for compliance with the curb cut and access restrictions of [chapter 17H.010 SMC](#).

Table 17C.230-3
RA, RSF, RTF, RMF, RHD, FBC CA4, O, OR, NR, NMU, CB, GC and Industrial Zones
Minimum Parking Space and Aisle Dimensions [1, 2]

Angle (A)	Width (B)	Curb Length (C)	1-way Aisle Width (D)	2-way Aisle Width (D)	Stall Depth (E)
0° (Parallel)	8 ft.	20 ft.	12 ft.	22 ft.	8 ft.
30°	8 ft. 6 in.	17 ft.	12 ft.	22 ft.	15 ft.
45°	8 ft. 6 in.	12 ft.	12 ft.	22 ft.	17 ft.
60°	8 ft. 6 in.	9 ft. 9 in.	16 ft.	22 ft.	18 ft.
90°	8 ft. 6 in.	8 ft. 6 in.	22 ft.	22 ft.	18 ft.

Notes:

[1] See Figure 17C.230-4.

[2] Dimensions of parking spaces for the disabled are regulated by the building code. See [SMC 17C.230.140\(E\)\(3\)](#).

**Table 17C.230-4
Downtown ((and)) CC, FBC CA1, CA2, and CA3 Zones
Minimum Parking Space and Aisle Dimensions [1, 2]**

Angle (A)	Width (B)	Curb Length (C)	1-way Aisle Width (D)	2-way Aisle Width (D)	Stall Depth (E)
0° (Parallel)	8 ft.	20 ft.	12 ft.	20 ft.	8 ft.
30°	8 ft. 6 in.	17 ft.	12 ft.	20 ft.	15 ft.
45°	8 ft. 6 in.	12 ft.	12 ft.	20 ft.	17 ft.
60°	8 ft. 6 in.	9 ft. 9 in.	16 ft.	20 ft.	17 ft. 6 in.
90°	8 ft. 6 in.	8 ft. 6 in.	20 ft.	20 ft.	16 ft.

Notes:

[1] See Figure 17C.230-4.

[2] Dimensions of parking spaces for the disabled are regulated by the building code. See [SMC 17C.230.140\(E\)\(3\)](#).

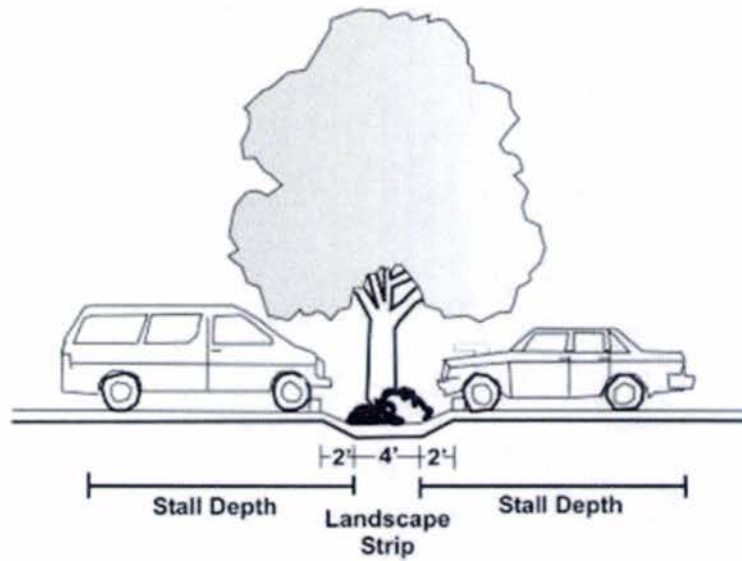


Figure 17C.230-3 Landscaped area at front of parking space

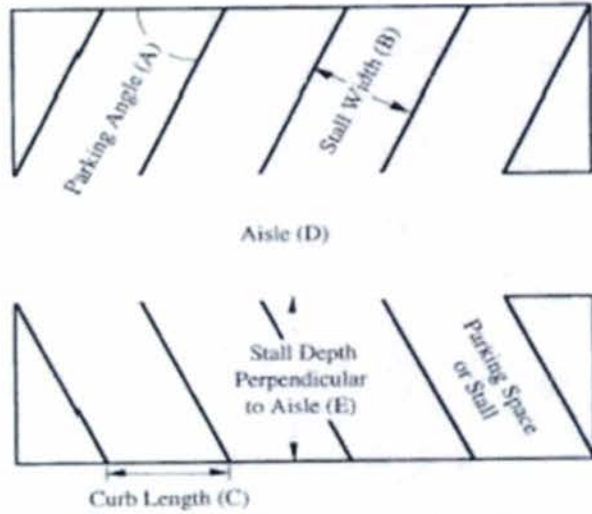
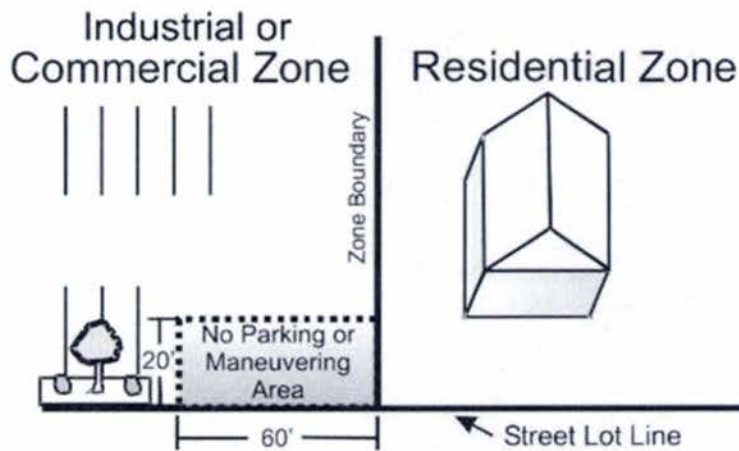


Figure 17C.230-4 Parking Dimension Factors

F. Parking Area Setbacks and Landscaping

1. For parking areas on sites abutting residential zoning districts, parking spaces or maneuvering areas for parking spaces, other than driveways that are perpendicular to the street, are not allowed within the first twenty feet from a street lot line for the first sixty feet from the boundary of the residential zoning district.



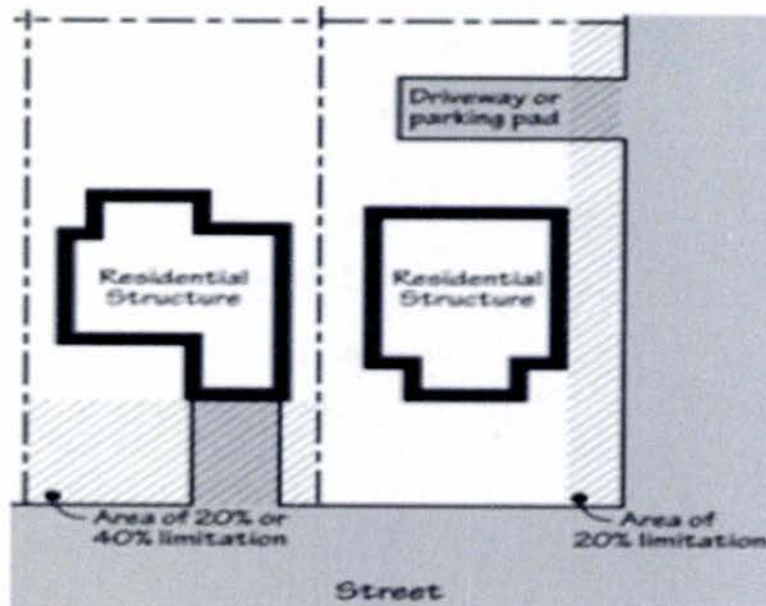
2. All landscaping must comply with the standards of chapter 17C.200 SMC, Landscaping and Screening.

Section 9: that SMC section 17C.230.145 is amended to read as follows:

17C.230.145 Development Standards for Residential Uses

A. Purpose

The size and placement of vehicle parking areas are regulated in order to enhance the appearance of neighborhoods.



B. Structures These Regulations Apply To

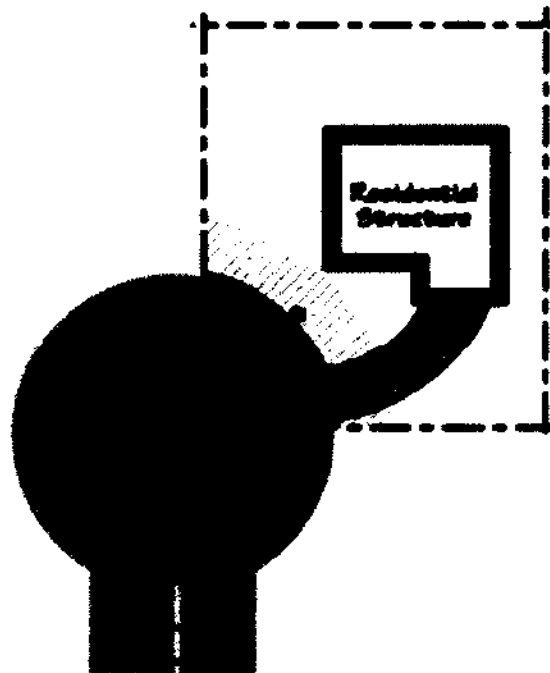
The regulations of this section apply to residential uses in the RA, RSF, RTF, RMF, ((and)) RHD, FBC CA4 zones. The regulations apply to required and excess parking areas. Parking for mobile home parks is regulated in [chapter 17C.345 SMC](#), Manufactured Homes and Manufactured Home Parks.

C. Parking Area Locations

1. Required Parking.
Required parking spaces are not allowed within the first twenty feet from a front lot line or within side street lot line setback.
2. Non-required Parking.
Non-required parking spaces for personal passenger vehicles may be located in the first twenty feet from a front lot line or the side lot line setback in a driveway. The vehicle cannot overhang or block the sidewalk.
3. Utility trailers, motorized recreations vehicles and non-motorized accessory recreational vehicles cannot be stored in the first twenty feet from the front lot line nor the side street line.

4. Driveway Width.

- a. In the RA and RSF zones, no more than forty percent of the land area between the front lot line and the front building line may be paved or used for vehicle areas. In addition, on corner lots, no more than twenty percent of the land area between the side street lot line and the side street building line may be paved or used for vehicle areas. As an exception to the area limitations in this subparagraph, a lot is allowed at least a nine-foot wide vehicle area.
- b. In the RTF, RMF, ((and)) RHD, FBC CA4 zones, no more than twenty percent of the land area between the front lot line and the front building line may be paved or used for vehicle areas. In addition, on corner lots no more than twenty percent of the land area between the side street lot line and the side street building line may be paved or used for vehicle areas. As an exception to the area limitations in this paragraph, a lot is allowed at least a nine-foot wide vehicle area.
- c. Exception.
Driveway coverage in the residential zones may exceed the size limitations of (4)(a) and (4)(b) above when the subject property is located on a principal arterial and the increase in site coverage is due to inadequate maneuvering area for the safe exit of vehicles from the site. The exception to driveway coverage is reviewed by the engineering services department as a portion of the driveway access permit.



5. Parking in Garages.
Parking in garages is subject to the garage setback standards of the base zone, overlay zone or plan district.

D. Parking Space Sizes

A parking space must be at least nine feet by eighteen feet. The minimum driveway width on private property is nine feet.

E. Paving

1. Generally.

All driveways and parking areas must be covered in an all weather surface.

2. Exceptions.

a. Gravel surfaces may be approved by engineering services when the abutting street is not paved, and the applicant executes a covenant agreeing to pave the area if the street is paved in the future.

b. Utility trailers, motorized recreational vehicles and non-motorized accessory recreational vehicles may be stored on unpaved surfaces. A gravel surface is not required.

Section 10: that SMC section 17C.230.200 is amended to read as follows:

17C.230.200 Bicycle Parking

A. Purpose.

Bicycle parking is required to encourage the use of bicycles by providing safe and convenient places to park bicycles.

1. Bicycle parking facilities, either off-street or in the street right-of-way, shall be provided in RMF, RHD, CC1, CC2, CC3, CC4, O, OR, NR, NMU, CB, GC, and industrial zones for any new use which requires twenty or more automobile parking spaces according to [Table 17C.230-1](#) or [Table 17C.230-2](#). All bicycle parking facilities in the street right-of-way shall conform to City engineering services department standards.

a. The number of required bicycle parking spaces shall be five percent of the number of required off-street auto parking spaces.

b. When any covered automobile parking is provided, all bicycle parking shall be covered.

2. Within downtown and FBC CA1, CA2, CA3, zones bicycle parking facilities, either off-street or in the street right-of-way, shall be provided.

The number of spaces shall be the largest amount based on either subsections (a) or (b) below.

- a. The number of required bicycle parking spaces shall be five percent of the number of off-street auto parking spaces being provided, whether the auto parking spaces are required by code or not.
 - b. A minimum of one bicycle parking space shall be provided for every ten thousand square feet of building area. When a building is less than ten thousand square feet in building area at least one bicycle parking space shall be provided.
 - c. When any covered automobile parking is provided, all bicycle parking shall be covered.
 - d. All bicycle parking facilities in the street right-of-way shall conform to City engineering services department standards.
3. Bicycle parking facilities accessory to nonresidential uses shall be located on the lot or within eight hundred feet of the lot. Bicycle parking accessory to residential uses shall be located on-site. Bicycle parking facilities shared by more than one use are encouraged. Bicycle and automobile parking areas shall be separated by a barrier or painted lines.

Section 11: that SMC section 17A.020.010 is amended to read as follows:

17A.020.010 "A" Definitions

- A. **Abandoned Sign Structure.**
A sign structure where no sign has been in place for a continuous period of at least six months.
- B. **Aboveground Storage Tank or AST.**
Any one or connected combination of tanks that is used to contain an accumulation of liquid critical materials and the aggregate volume of which (including the volume of piping connected thereto) is more than sixty gallons and the entire exterior surface area of the tank is above the ground and is able to be fully visually inspected. Tanks located in vaults or buildings that are to be visually inspected are considered to be aboveground tanks.
- C. **Accepted.**
A project for which the required plans have been found to be technically adequate.
- D. **Accessory Dwelling Unit (ADU).**
An accessory dwelling unit is a separate additional living unit, including separate

kitchen, sleeping, and bathroom facilities, attached or detached from the primary residential unit, on a single-family lot. ADUs are known variously as:

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

E. Accessory Structure.

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

1. Accessory structures may be attached or detached from the primary structure.
2. Examples of accessory structures include:
 - a. Garages,
 - b. Decks,
 - c. Fences,
 - d. Trellises,
 - e. Flagpoles,
 - f. Stairways,
 - g. Heat pumps,
 - h. Awnings, and
 - i. Other structures.
3. See also SMC 17A.020.160 ("Primary Structure").

F. Accessory Use.

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

G. Activity.

See Regulated Activity.

H. Administrative Decision.

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

I. Adult Bookstore or Adult Video Store.

1. A commercial establishment which, as one of its principal business activities, offers for sale or rental for any form of consideration any

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

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

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

J. Adult Business.

An "adult bookstore or adult video store," an "adult entertainment establishment,"

or a "sex paraphernalia store."

K. Adult Entertainment Establishment.

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

L. Adult Family Home.

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

M. Agency or Agencies.

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

N. Agricultural Activities.

1. Pursuant to WAC 173-26-020(3)(a), agricultural uses and practices including, but not limited to:
 - a. Producing, breeding, or increasing agricultural products;
 - b. Rotating and changing agricultural crops;
 - c. Allowing land used for agricultural activities to lie fallow in which it is plowed and tilled but left unseeded;
 - d. Allowing land used for agricultural activities to lie dormant as a result of adverse agricultural market conditions;
 - e. Allowing land used for agricultural activities to lie dormant because the land is enrolled in a local, state, or federal conservation program, or the land is subject to a conservation easement;
 - f. Conducting agricultural operations; maintaining, repairing, and replacing agricultural equipment;

- g. Maintaining, repairing, and replacing agricultural facilities, provided that the replacement facility is not closer to the shoreline than the original facility; and
 - h. Maintaining agricultural lands under production or cultivation.
 - 2. The City of Spokane shoreline master program defines agriculture activities as:
 - a. Low-intensity agricultural use is defined as passive grazing and plant cultivation; or
 - b. High-intensity agricultural use includes such activities as feedlots, feed mills, packing plants, agricultural processing plants or warehouse for the purpose of processing, packing, and storage of agricultural products.

- O. **Agricultural Land.**
 Areas on which agricultural activities are conducted as of the date of adoption of the updated shoreline master program pursuant to the State shoreline guidelines as evidenced by aerial photography or other documentation. After the effective date of the SMP, land converted to agricultural use is subject to compliance with the requirements herein.

- P. **AKART.**
 An acronym for "all known, available, and reasonable methods to control toxicants" as used in the sense of the state Water Pollution Control Act and RCW 90.48.520 thereof. AKART shall represent the most current methodology that can be reasonably required for preventing, controlling, or abating the pollutants associated with a discharge. The concept of AKART applies to both point and nonpoint sources of pollution.

- Q. **Alkali Wetlands.**
 Alkali wetlands means wetlands characterized by the occurrence of shallow saline water. In eastern Washington, these wetlands contain surface water with specific conductance that exceeds three thousand micromhos/cm. They have unique plants and animals that are not found anywhere else in eastern Washington such as the alkali bee. Conditions within these wetlands cannot be easily reproduced through compensatory mitigation.

- R. **Ailey.**
 See "Public Way" (SMC 17A.020.160).

- S. **Alteration.**
 A physical change to a structure or site.
 - 1. Alteration does not include normal maintenance and repair or total demolition.

2. Alteration does include the following:
 - a. Changes to the facade of a building.
 - b. Changes to the interior of a building.
 - c. Increases or decreases in floor area of a building; or
 - d. Changes to other structures on the site, or the development of new structures.

- T. Alteration of Plat, Short Plat, or Binding Site Plan.
The alteration of a previously recorded plat, short plat, binding site plan, or any portion thereof, that results in a change to conditions of approval or the deletion of existing lots or the change of plat or lot restrictions or dedications that are shown on the recorded plat. An alteration does not include a boundary line adjustment subject to [SMC 17G.080.030](#).

- U. Alternative or Post-incarceration Facility.
A group living use where the residents are on probation or parole.

- V. Alternative Tower Structure ("Stealth" Technology).
Manmade trees, clock towers, bell steeples, light poles, flag poles, and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers (see also "Low Visual Impact Facility"—[SMC 17A.020.120](#)).

- W. Antenna Array (Wireless Communication Antenna Array).
 1. One or more rods, panels, discs, or similar devices used for the transmission or reception of radio frequency (RF) signals, which may include omni-directional antenna (whip), directional antenna (panel), and parabolic antenna (dish).
 2. Wireless communication antenna array shall be considered an accessory use provided they are located upon an existing structure.

- X. Antenna Height.
The vertical distance measured from the base of the antenna support structure at grade to the highest point of the structure including the antenna.

- Y. Antenna Support Structure.
Any pole, telescoping mast, tower tripod, or any other structure that supports a device used in the transmitting and/or receiving of electromagnetic waves.

- Z. API 653.
The American Petroleum Institute's standards for tank inspection, repair, alteration, and reconstruction.

AA. Appeal.

A request for review of the interpretation of any provision of Title 17 SMC.

AB. Appeal – Standing For.

As provided under RCW 36.70C.060, persons who have standing are limited to the following:

1. The applicant and the owner of property to which the land use decision is directed; and
2. Another person aggrieved or adversely affected by the land use decision, or who would be aggrieved or adversely affected by a reversal or modification of the land use decision. A person is aggrieved or adversely affected within the meaning of this section only when all of the following conditions are present:
 - a. The land use decision has prejudiced or is likely to prejudice that person;
 - b. That person's asserted interests are among those that the local jurisdiction was required to consider when it made the land use decision;
 - c. A judgment in favor of that person would substantially eliminate or redress the prejudice to that person caused or likely to be caused by the land use decision; and
 - d. The petitioner has exhausted his or her administrative remedies to the extent required by law (RCW 36.70C.060).

AC. Applicant.

An application for a permit, certificate, or approval under the land use codes must be made by or on behalf of all owners of the land and improvements. "Owners" are all persons having a real property interest. Owners include:

1. Holder of fee title or a life estate;
2. Holder of purchaser's interest in a sale contract in good standing;
3. Holder of seller's interest in a sale contract in breach or in default;
4. Grantor of deed of trust;
5. Presumptively, a legal owner and a taxpayer of record;
6. Fiduciary representative of an owner;
7. Person having a right of possession or control; or
8. Any one of a number of co-owners, including joint, in common, by entireties, and spouses as to community property.

- AD. Application – Complete.
An application that is both counter-complete and determined to be substantially complete as set forth in [SMC 17G.060.090](#).
- AE. Aquaculture.
The farming or culture of food fish, shellfish, or other aquatic plants or animals in freshwater or saltwater areas, and may require development such as fish hatcheries, rearing pens and structures, and shellfish rafts, as well as use of natural spawning and rearing areas. Aquaculture does not include the harvest of free-swimming fish or the harvest of shellfish not artificially planted or maintained, including the harvest of wild stock geoducks on DNR-managed lands.
- AF. Aquatic Life.
Shall mean all living organisms, whether flora or fauna, in or on water.
- AG. Aquifer or Spokane Aquifer.
A subterranean body of flowing water, also known as the Spokane-Rathdrum Aquifer, that runs from Pend Oreille Lake to the Little Spokane River.
- AH. Aquifer Sensitive Area (ASA).
That area or overlay zone from which runoff directly recharges the aquifer, including the surface over the aquifer itself and the hillside areas immediately adjacent to the aquifer. The area is shown in the map adopted as part of [SMC 17E.050.260](#).
- AI. Aquifer Water Quality Indicators.
Common chemicals used for aquifer water quality screening. These are:
1. Calcium,
 2. Magnesium,
 3. Sodium,
 4. Total hardness,
 5. Chloride,
 6. Nitrate-nitrogen, and
 7. Phosphorus.
- AJ. Archaeological Areas and Historical Sites.
Sites containing material evidence of past human life, such as structures and tools and/or cultural sites with past significant historical events. These sites are a nonrenewable resource and provided a critical educational link with the past.
- AK. Architectural feature

Ornamental or decorative feature attached to or protruding from an exterior wall or roof, including cornices, eaves, belt courses, sills, lintels, bay windows, chimneys, and decorative ornaments.

AL. Architectural Roof Structure

Minor tower or turret extending from the cornice or main roof line of a building, typically highlighting a primary corner or building entry. For purposes of the FBC, such features may not be occupied.

~~((AK.))~~ AM. Area of Shallow Flooding.

A designated AO or AH Zone on the Flood Insurance Rate Map (FIRM).

1. The base flood depths range from one to three feet.
2. A clearly defined channel does not exist.
3. The path of flooding is unpredictable and indeterminate.
4. Velocity flow may be evident.
5. AO is characterized as sheet flow and AH indicates ponding.

~~((AL.))~~ AN. Area of Special Flood Hazard.

The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.

~~((AM.))~~ AO. Arterial.

See:

1. "Principal Arterials" – SMC 17A.020.160,
2. "Minor Arterials" – SMC 17A.020.130,
3. "Collector Arterial" – SMC 17A.020.030, or
4. "Parkway" – SMC 17A.020.160.

~~((AN.))~~ AP. Assisted Living Facility.

A multi-family residential use licensed by the state of Washington as a boarding home pursuant to chapter 18.20 RCW, for people who have either a need for assistance with activities of daily living (which are defined as eating, toileting, ambulation, transfer [e.g., moving from bed to chair or chair to bath], and bathing) or some form of cognitive impairment but who do not need the skilled critical care provided by nursing homes.

1. An "assisted living facility" contains multiple assisted living units.

2. An assisted living unit is a dwelling unit permitted only in an assisted living facility.

~~((AQ-))~~ AQ. Attached Housing.

Two or more dwelling units that are single-family residences on individual lots attached by a common wall at a shared property line. These include:

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

~~((AP-))~~ AR. Attached Structure.

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

1. The common wall must be shared for at least fifty percent of the length of the side of the principal dwelling.
2. A breezeway is not considered a common wall.
3. Structures including garages, carports, and house additions attached to the principal dwelling unit with a breezeway are still detached structures for purposes of this chapter and its administration.

~~((AQ-))~~ AS. Available Capacity.

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

~~((AR-))~~ AT. Average Grade Level.

Means the average of the natural or existing topography of the portion of the lot, parcel, or tract of real property on that part of the lot to be occupied by the building or structure as measured by averaging the elevations at the center of all exterior walls of the proposed structure.

AU. Awning

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

Section 12: that SMC section 17A.020.020 is amended to read as follows:

17A.020.020 "B" Definitions

- A. **Backed Sign.**
A sign where the faces of the sign are parallel or within twenty degrees of parallel to each other.
- B. **Balloon Sign.**
A sign that is blown up with air or gas.
- C. **Bank Carving.**
The incorporation of masses of alluvium or other weak bank materials into a stream channel because of undermining, usually in high flow stages.
- D. **Bank Erosion.**
The incorporation of masses of alluvium or other weak bank materials into a stream channel.
- E. **Bankfull Width.**
1. For streams, the measurement of the lateral extent of the water surface elevation perpendicular to the channel at bankfull depth. In cases where multiple channels exist, bankfull width is the sum of the individual channel widths along the cross-section.
 2. For lakes, ponds, and impoundments, line of mean high water.
 3. For periodically inundated areas of associated wetlands, line of periodic inundation, which will be found by examining the edge of inundation to ascertain where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland.
- F. **Banner.**
A sign made of fabric or other similar non-rigid material with no enclosing framework or electrical components that is supported or anchored on two or more edges or at all four corners. Banners also include non-rigid signs anchored along one edge, or two corners, with weights installed that reduce the reaction of the sign to wind. See also Flag.
- G. **Bas-relief**
Sculptural form in which shapes or figures are carved in a flat surface and project only slightly from the background.
- ((G-)) **H. Base Flood.**
1. The flood having a one percent chance of being equaled or exceeded in any given year, also referred to as the "one hundred year flood."
 2. Designation on maps always includes the letters A or V.

- ((H-)) L. **Basement.**
The portion of a building having its floor sub-grade (below ground level) on all sides.
- ((I-)) J. **Bedrock.**
Means a general term for rock, typically hard, consolidated geologic material that underlies soil or other unconsolidated, superficial material or is exposed at the surface.
- ((J-)) K. **Bee.**
Any stage of development of the common domestic honeybee, *Apis mellifera* species.
- ((K-)) L. **Beekeeper.**
A person owning, possession, or controlling one or more colonies of bees.
- ((L-)) M. **Best Available Science.**
Current scientific information used in the process to designate, protect, or restore critical areas, which is derived from a valid scientific process.
- ((M-)) N. **Best Management Practices.**
The utilization of methods, techniques, or products that have been demonstrated to be the most effective and reliable in minimizing environmental impacts.
- ((N-)) O. **Bikeways/Pathways.**
Facilities designated for use by commuters and recreational users on foot or bicycle. The following types of bikeway facilities are identified and further defined in the Spokane Regional Pedestrian/Bikeway Plan published by the Spokane Regional Transportation Council:
1. Residential bikeway.
 2. Shared-use lane.
 3. Paved shoulder.
 4. Bicycle lane.
 5. Shared-use pathway.
- ((O-)) P. **Binding Site Plan – Final.**
A drawing to a scale which:
1. identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters provided in SMC 17G.080.060;

2. contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land; and
3. contains provisions making any development be in conformity with the site plan.
4. A binding site plan can only be used on property zoned commercial or industrial.

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

Binding Site Plan – Preliminary.

A neat and approximate drawing of a proposed binding site plan showing the general layout of streets, alleys, lots, blocks, and other elements required by this chapter. The preliminary binding site plan shall be the basis for the approval or disapproval of the general layout of a binding site plan.

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

Block.

A group of lots, tracts, or parcels within well-defined and fixed boundaries. Blocks shall be recognized as closed polygons, bordered by street right-of-way lines, addition lines, or a combination of the two, unless an alley is desired, in which case a block is comprised of two closed polygons bordered by street and alley right-of-way lines.

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

Block Frontage.

All of the property fronting on one side of a street that is between intersecting or intercepting streets, or that is between a street and a water feature, or end of a dead end street. An intercepting street determines only the boundary of the block frontage on the side of the street which it intercepts.

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

Board.

The board of county commissioners of Spokane County.

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

Boating Facilities.

Boating facilities include uses for boat or launch ramps. Boating facility use generally requires shoreline modification with impacts to the shoreline both waterward and landward of the ordinary high-water marks.

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

Boundary Line Adjustment.

A division made for the purpose of adjusting boundary lines which does not create any additional lot, tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site.

~~(V-)~~ W. Breakaway Wall.
A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

~~(W-)~~ X. Breezeway.
A breezeway is a roofed passageway joining two separate structures.

~~(X-)~~ Y. Building.
1. A "building" is a structure, or part, used or intended for supporting or sheltering any use or occupancy.
2. The term includes "factory-built structure" and "mobile home."
3. "Building" does not include a recreational vehicle.
4. "Building" means a structure that has a roof and is enclosed on at least fifty percent of the area of its sides for purposes of administration of zoning provisions.

Z. Building Base
The plinth or platform upon which a building wall appears to rest, helping establish pedestrian-scaled elements and aesthetically tying the building to the ground.

~~(Y-)~~ AA. Building Coverage.
Building coverage is the total amount of ground area covered by a structure or structures.
1. For purposes of calculating building coverage, covered porches, covered decks, pergolas, trellis, or other feature covering a deck, patio or porch are considered structures and included in the building coverage calculations.
2. Building coverage also includes uncovered horizontal structures such as decks, stairways, and entry bridges that are more than forty-two inches above grade.
3. The calculation of building coverage includes the measurements of structures from the exterior wall including protrusions such as bay windows, but does not include the eave overhang.

~~(Z-)~~ AB. Building Envelope.
The area of a lot that delineates where a building may be placed.

- AC. Building Frontage
The length of any side of a building which fronts on a public street, measured in a straight line parallel with the abutting street
- AD. Build-to Line
An alignment establishing a certain distance from the property line (street right-of- way line) along which the building is required to be built.
- ((AA-)) AE. Bulkhead.
 A solid or open pile wall erected generally parallel to and near the ordinary high-water mark for the purpose of protecting adjacent uplands from water or erosion. Bulkheads are considered a "hard" shoreline stabilization measure.

Section 13: that SMC section 17A.020.030 is amended to read as follows:

17A.020.030 "C" Definitions

- A. Candidate Species.
 A species of fish or wildlife, which is being reviewed, for possible classification as threatened or endangered.
- B. Carport.
 A carport is a garage not entirely enclosed on all sides by sight-obscuring walls and/or doors.
- C. Cellular Telecommunications Facility.
 They consist of the equipment and structures involved in receiving telecommunication or radio signals from mobile radio communications sources and transmitting those signals to a central switching computer that connects the mobile unit with the land-based telephone lines.
- D. Central Business District.
 The general phrase "central business district" refers to the area designated on the comprehensive plan as the "downtown" and includes all of the area encompassed by all of the downtown zoning categories combined.
- E. Certificate of Appropriateness.
 Written authorization issued by the commission or its designee permitting an alteration or significant change to the controlled features of a landmark or landmark site after its nomination has been approved by the commission.
- F. Certificate of Capacity.
 A document issued by the planning services department indicating the quantity of

capacity for each concurrency facility that has been reserved for a specific development project on a specific property. The document may have conditions and an expiration date associated with it.

- G. **Certified Erosion and Sediment Control Lead (CESCL).**
An individual who is knowledgeable in the principles and practices of erosion and sediment control. The CESCL shall have the skills to assess the:
1. site conditions and construction activities that could impact the quality of stormwater, and
 2. effectiveness of erosion and sediment control measures used to control the quality of stormwater discharges.
- The CESCL shall have current certification through an approved erosion and sediment control training program that meets the minimum training standards established by the Washington State department of ecology.
- H. **Change of Use.**
For purposes of modification of a preliminary plat, "change of use" shall mean a change in the proposed use of lots (e.g., residential to commercial).
- I. **Channel Migration Zone (CMZ).**
A corridor of variable width that includes the current river plus adjacent area through which the channel has migrated or is likely to migrate within a given timeframe, usually one hundred years.
- J. **Channelization.**
The straightening, relocation, deepening, or lining of stream channels, including construction of continuous revetments or levees for the purpose of preventing gradual, natural meander progression.
- K. **City.**
The City of Spokane, Washington.
- L. **Clear Street Width.**
The width of a street from curb to curb minus the width of on-street parking lanes.
- M. **Clear Pedestrian Zone**
Area reserved for pedestrian traffic; typically included herein as a portion of overall sidewalk width to be kept clear of obstructions to foot traffic.
- ~~((M.))~~ **N.** **Clear Zone.**
An unobstructed, relatively flat area provided beyond the edge of the traveled way for the recovery of errant vehicles.
- ~~((N.))~~ **O.** **Clearing.**
The removal of vegetation or plant cover by manual, chemical, or mechanical means. Clearing includes, but is not limited to, actions such as

cutting, felling, thinning, flooding, killing, poisoning, girdling, uprooting, or burning.

((Q-)) P.

Cliffs.

1. A type of habitat in the Washington department of fish and wildlife (WDFW) priority habitat and species system that is considered a priority due to its limited availability, unique species usage, and significance as breeding habitat. Cliffs are greater than twenty-five feet high and below five thousand feet elevation.
2. A "cliff" is a steep slope of earth materials, or near vertical rock exposure. Cliffs are categorized as erosion landforms due to the processes of erosion and weathering that produce them. Structural cliffs may form as the result of fault displacement or the resistance of a cap rock to uniform downcutting. Erosional cliffs form along shorelines or valley walls where the most extensive erosion takes place at the base of the slope.

((P-)) Q.

Closed Record Appeal Hearing.

A hearing, conducted by a single hearing body or officer authorized to conduct such hearings, that relies on the existing record created during a quasi-judicial hearing on the application. No new testimony or submission of new evidence and information is allowed.

((Q-)) R.

Collector Arterial.

A relatively low speed street serving an individual neighborhood.

1. Collector arterials are typically two-lane roads with on-street parking.
2. Their function is to collect and distribute traffic from local access streets to principal and minor arterials.

((R-)) S.

Co-location.

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

((S-)) T.

Colony.

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

((F-)) U.

Commercial Driveway.

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

- ~~((U-))~~ V. Commercial Vehicle.
Any vehicle the principal use of which is the transportation of commodities, merchandise, produce, freight, animals, or passengers for hire.
- ~~((V-))~~ W. Commission – Historic Landmarks.
The City/County historic landmarks commission.
- ~~((W-))~~ X. Community Banner.
A temporary banner made of sturdy cloth or vinyl that is not commercial advertising that has the purpose of the promotion of a civic event, public service announcement, holiday decorations, or similar community and cultural interests and is placed on a structure located in the public right-of-way, subject to procedures authorized by city administrator.
- ~~((X-))~~ Y. Community Meeting.
An informal meeting, workshop, or other public meeting to obtain comments from the public or other agencies on a proposed project permit prior to the submission of an application.
1. A community meeting is between an applicant and owners, residents of property in the immediate vicinity of the site of a proposed project, the public, and any registered neighborhood organization or community council responsible for the geographic area containing the site of the proposal, conducted prior to the submission of an application to the City of Spokane.
 2. A community meeting does not constitute an open record hearing.
 3. The proceedings at a community meeting may be recorded and a report or recommendation shall be included in the permit application file.
- ~~((Y-))~~ Z. Compensatory Mitigation.
Replacing project-induced wetland losses or impacts, and includes, but is not limited to, the following:
1. Restoration.
The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former or degraded wetland. For the purpose of tracking net gains in wetland acres, restoration is divided into re-establishment and rehabilitation.
 2. Re-establishment.
The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former wetland. Re-establishment results in a gain in wetland acres (and functions). Activities

- could include removing fill material, plugging ditches, or breaking drain tiles.
3. **Rehabilitation.**
The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural or historic functions of a degraded wetland. Rehabilitation results in a gain in wetland function but does not result in a gain in wetland acres. Activities could involve breaching a dike to reconnect wetlands to a floodplain or return tidal influence to a wetland.
 4. **Creation (Establishment).**
The manipulations of the physical, chemical, or biological characteristics present to develop a wetland on an upland or deepwater site where a wetland did not previously exist. Establishment results in a gain in wetland acres. Activities typically involve excavation of upland soils to elevations that will produce a wetland hydroperiod, create hydric soils, and support the growth of hydrophytic plant species.
 5. **Enhancement.**
The manipulation of the physical, chemical, or biological characteristics of a wetland site to heighten, intensify, or improve specific function(s) or to change the growth stage or composition of the vegetation present. Enhancement is undertaken for specified purposes such as water quality improvement, flood water retention, or wildlife habitat. Enhancement results in a change in some wetland functions and can lead to a decline in other wetland functions, but does not result in a gain in wetland acres. Activities typically consist of planting vegetation, controlling non-native or invasive species, modifying site elevations or the proportion of open water to influence hydroperiods, or some combination of these activities.
 6. **Protection/Maintenance (Preservation).**
Removing a threat to, or preventing the decline of, wetland conditions by an action in or near a wetland. This includes the purchase of land or easements, repairing water control structures or fences or structural protection such as repairing a barrier island. This term also includes activities commonly associated with the term preservation. Preservation does not result in a gain of wetland acres, may result in a gain in functions, and will be used only in exceptional circumstances.

((Z)) AA.

Comprehensive Plan.

The City of Spokane comprehensive plan, a document adopted pursuant to chapter 36.70A RCW providing land use designations, goals and

policies regarding land use, housing, capital facilities, housing, transportation, and utilities.

- ((AA)) AB. Conceptual Landscape Plan.
A scale drawing showing the same information as a general site plan plus the location, type, size, and width of landscape areas as required by the provisions of [chapter 17C.200 SMC](#).
1. The type of landscaping, L1, L2, or L3, is required to be labeled.
 2. It is not a requirement to designate the scientific name of plant materials on the conceptual landscape plan.
- ((AB)) AC. Concurrency Certificate.
A certificate or letter from a department or agency that is responsible for a determination of the adequacy of facilities to serve a proposed development, pursuant to [chapter 17D.010 SMC](#), Concurrency Certification.
- ((AG)) AD. Concurrency Facilities.
Facilities for which concurrency is required in accordance with the provisions of this chapter. They are:
1. transportation,
 2. public water,
 3. fire protection,
 4. police protection,
 5. parks and recreation,
 6. libraries,
 7. solid waste disposal and recycling,
 8. schools, and
 9. public wastewater (sewer and stormwater).
- ((AD)) AE. Concurrency Test.
The comparison of an applicant's impact on concurrency facilities to the available capacity for public water, public wastewater (sewer and stormwater), solid waste disposal and recycling, and planned capacity for transportation, fire protection, police protection, schools, parks and recreation, and libraries as required in [SMC 17D.010.020](#).
- ((AE)) AF. Conditional Use Permit.
A "conditional use permit" and a "special permit" are the same type of permit application for purposes of administration of this title.
- ((AF)) AG. Condominium.
Real property, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real property is not a condominium unless

the undivided interests in the common elements are vested in unit owners, and unless a declaration and a survey map and plans have been recorded pursuant to chapter 64.34 RCW.

- ((AG)) AH. Confidential Shelter.
Shelters for victims of domestic violence, as defined and regulated in chapter 70.123 RCW and WAC 248-554. Such facilities are characterized by a need for confidentiality.
- ((AH)) AI. Congregate Residence.
A dwelling unit in which rooms or lodging, with or without meals, are provided for nine or more non-transient persons not constituting a single household, excluding single-family residences for which special or reasonable accommodation has been granted.
- ((AI)) AJ. Conservancy Environments.
Those areas designated as the most environmentally sensitive and requiring the most protection in the current shoreline master program or as hereafter amended.
- ((AJ)) AK. Container.
Any vessel of sixty gallons or less in capacity used for transporting or storing critical materials.
- AL. Context Areas
Established by the Regulating Plan, Context Area designations describe and direct differing functions and features for areas within FBC limits, implementing community goals for the built environment.
- ((AK)) AM. Conveyance.
In the context of [chapter 17D.090 SMC](#) or [chapter 17D.060 SMC](#), this term means a mechanism for transporting water from one point to another, including pipes, ditches, and channels.
- ((AL)) AN. Conveyance System.
In the context of [chapter 17D.090 SMC](#) or [chapter 17D.060 SMC](#), this term means the drainage facilities and features, both natural and constructed, which collect, contain and provide for the flow of surface and stormwater from the highest points on the land down to receiving water. The natural elements of the conveyance system include swales and small drainage courses, streams, rivers, lakes, and wetlands. The constructed elements of the conveyance system include gutters, ditches, pipes, channels, and most flow control and water quality treatment facilities.
- ((AM)) AO. Copy.
Letters, characters, illustrations, logos, graphics, symbols, writing, or any

combination thereof designed to communicate information of any kind, or to advertise, announce or identify a person, entity, business, business product, or to advertise the sale, rental, or lease of premises.

- ((AN)) AP. Cottage Housing.
1. A grouping of individual structures where each structure contains one dwelling unit.
 2. The land underneath the structures is not divided into separate lots.
 3. A cottage housing development may contain no less than six and no more than twelve individual structures in addition to detached accessory buildings for storing vehicles. It may also include a community building, garden shed, or other facility for use of the residents.
- ((AQ)) AQ. Council.
The city council of the City of Spokane.
- ((AP)) AR. County.
Usually capitalized, means the entity of local government or, usually not capitalized, means the geographic area of the county, not including the territory of incorporated cities and towns.
- ((AQ)) AS. Covenants, Conditions, and Restrictions (CC&Rs).
A document setting forth the covenants, conditions, and restrictions applicable to a development, recorded with the Spokane County auditor and, typically, enforced by a property owner's association or other legal entity.
- ((AR)) AT. Creep.
Slow, downslope movement of the layer of loose rock and soil resting on bedrock due to gravity.
- ((AS)) AU. Critical Amount.
The quantity component of the definition of critical material.
- ((AT)) AV. Critical Areas.
Any areas of frequent flooding, geologic hazard, fish and wildlife habitat, aquifer sensitive areas, or wetlands as defined under [chapter 17E.010 SMC](#), [chapter 17E.020 SMC](#), [chapter 17E.030 SMC](#), [chapter 17E.040 SMC](#), and [chapter 17E.070.SMC](#).
- ((AU)) AW. Critical Facility.
A facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to:
1. schools;

2. nursing homes;
3. hospitals;
4. police;
5. fire;
6. emergency response installations; and
7. installations which produce, use, or store hazardous materials or hazardous waste.

((AV)) AX. Critical Material.

1. A compound or substance, or class thereof, designated by the division director of public works and utilities which, by intentional or accidental release into the aquifer or ASA, could result in the impairment of one or more of the beneficial uses of aquifer water and/or impair aquifer water quality indicator levels. Beneficial uses include, but are not limited to:
 - a. domestic and industrial water supply,
 - b. agricultural irrigation,
 - c. stock water, and
 - d. fish propagation.

Used herein, the designation is distinguished from state or other designation.

2. A list of critical materials is contained in the Critical Materials Handbook, including any City modifications thereto.

((AW)) AY. Critical Material Activity.

A land use or other activity designated by the manager of engineering services as involving or likely to involve critical materials.

A list of critical materials activities is contained in the Critical Materials Handbook.

((AX)) AZ. Critical Materials Handbook.

1. The latest edition of a publication as approved and amended by the division director of public works and utilities from time to time to accomplish the purposes of this chapter. The handbook is based on the original prepared by the Spokane water quality management program ("208") coordination office, with the assistance of its technical advisory committee. It is on file with the director of engineering services and available for public inspection and purchase.
2. The handbook, as approved and modified by the division director of public works and utilities , contains:
 - a. a critical materials list,
 - b. a critical materials activities list, and

- c. other technical specifications and information.
3. The handbook is incorporated herein by reference. Its provisions are deemed regulations authorized hereunder and a mandatory part of this chapter.

~~((AY))~~ BA. Critical Review.

The process of evaluating a land use permit request or other activity to determine whether critical materials or critical materials activities are involved and, if so, to determine what appropriate measures should be required for protection of the aquifer and/or implementation of the Spokane aquifer water quality management plan.

~~((AZ))~~ BB. Critical Review Action.

1. An action by a municipal official or body upon an application as follows:
 - a. Application for a building permit where plans and specifications are required, except for Group R and M occupancies (SMC 17G.010.140 and SMC 17G.010.150).
 - b. Application for a shoreline substantial development permit (SMC 17G.060.070(B)(1)).
 - c. Application for a certificate of occupancy (SMC 17G.010.170).
 - d. Application for a variance or a certificate of compliance (SMC 17G.060.070(A) or SMC 17G.060.070(B)(1)).
 - e. Application for rezoning (SMC 17G.060.070(A)).
 - f. Application for conditional permit (SMC 17G.060.070(A)).
 - g. Application for a business license (SMC 8.01.120).
 - h. Application for a permit under the Fire Code (SMC 17F.080.060).
 - i. Application for a permit or approval requiring environmental review in an environmentally sensitive area (SMC 17E.050.260).
 - j. Application for connection to the City sewer or water system.
 - k. Application for construction or continuing use of an onsite sewage disposal system (SMC 13.03.0149 and SMC 13.03.0304).
 - l. Application for sewer service with non-conforming or non-standard sewage (SMC 13.03.0145, SMC 13.03.0314, and SMC 13.03.0324).

- m. Application involving a project identified in [SMC 17E.010.120](#).
 - n. Issuance or renewal of franchise; franchisee use of cathodic protection also requires approval or a franchise affecting the City water supply or water system.
 - o. Application for an underground storage tank permit ([SMC 17E.010.210](#)); and
 - p. Application for permit to install or retrofit aboveground storage tank(s) ([SMC 17E.010.060\(A\)](#) and [SMC 17E.010.400\(D\)](#)).
2. Where a particular municipal action is requested involving a land use installation or other activity, and where said action is not specified as a critical review action, the City official or body responsible for approval may, considering the objectives of this chapter, designate such as a critical review action and condition its approval upon compliance with the result thereof.

((BA)) BC. Critical Review Applicant.
A person or entity seeking a critical review action.

((BB)) BD. Critical Review Officer – Authority.

- 1. The building official or other official designated by the director of public works and utilities.
- 2. For matters relating to the fire code, the critical review officer is the fire official.
- 3. The critical review officer carries out and enforces the provisions of this chapter and may issue administrative and interpretive rulings.
- 4. The critical review officer imposes requirements based upon this chapter, regulations, and the critical materials handbook.
- 5. The officer may adopt or add to any requirement or grant specific exemptions, where deemed reasonably necessary, considering the purpose of this chapter.

((BC)) BE. Critical Review Statement.
A checklist, disclosure form, or part of an application for a critical review action, disclosing the result of critical review. Where not otherwise provided as part of the application process, the critical review officer may provide forms and a time and place to file the statement.

((BD)) BF. Cumulative Impacts.
The combined, incremental effects of human activity on ecological or critical area functions and values. Cumulative impacts result when the effects of an action are added to or interact with other effects in a

particular place and within a particular time. It is the combination of these effects, and any resulting environmental degradation, that should be the focus of cumulative impact analysis and changes to policies and permitting decisions.

- ((BE)) BG. Curb Ramp.
A ramp constructed in the sidewalk to allow wheelchair access from the sidewalk to the street.
- ((BF)) BH. Cutbank.
The concave bank of a moving body of water that is maintained as a steep or even overhanging cliff by the actions of water at its base.

Section 14: that SMC section 17A.020.050 is amended to read as follows:

17A.020.050 "E" Definitions

- A. Early Notice.
The lead agency's response to an applicant stating whether it considers issuance of a determination of significance likely for the applicant's proposal (Mitigated Determination of Nonsignificance [DNS] procedures).
- B. Easement.
A right granted by a property owner to specifically named parties or to the public for the use of certain land for specified purposes.
- C. Ecological Functions.
Or "shoreline functions" means the work performed or role played by the physical, chemical, and biological processes that contribute to the maintenance of the aquatic and terrestrial environments that constitute the shoreline's natural ecosystem. See WAC 173-26-201(2)(c).
- D. Eave
The lower border of a roof that overhangs the wall, typically associated with exposed sloped roof elements.
- ((D-)) E. Ecologically Intact Shorelines.
Those shoreline areas that retain the majority of their natural shoreline functions, as evidenced by the shoreline configuration and the presence of native vegetation. Generally, but not necessarily, ecologically intact shorelines are free of structural shoreline modifications, structures, and intensive human uses. In forested areas, they generally include native vegetation with diverse plant communities, multiple canopy layers, and the presence of large woody debris available for recruitment to adjacent water

bodies. Recognizing that there is a continuum of ecological conditions ranging from near natural conditions to totally degraded and contaminated sites, this term is intended to delineate those shoreline areas that provide valuable functions for the larger aquatic and terrestrial environments which could be lost or significantly reduced by human development. Ecologically intact status of a shoreline is determined on a case-by-case basis.

- ~~((E-))~~ E. Economic Hardship.
An owner's inability to make reasonable economic use of a historic structure as determined pursuant to SMC 17D.040.230.
- ~~((F-))~~ G. Ecosystem-wide Processes.
The suite of naturally occurring physical and geologic processes of erosion, transport, and deposition; and specific chemical processes that shape landforms within a specific shoreline ecosystem and determine both the types of habitat and the associated ecological functions.
- ~~((G-))~~ H. Electric Sign.
Any sign containing electrical wiring, lighting, or other electrical components, but not including signs illuminated by a detached exterior light source.
- ~~((H-))~~ I. Elevated Building.
For insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.
- ~~((I-))~~ J. Emergent Wetland.
A wetland with at least thirty percent of the surface area covered by erect, rooted, herbaceous wetland vegetation as the uppermost vegetative strata.
- K. Enclosed Roof Structure
Conditioned, occupiable structure extending beyond the roof line of a building; commonly termed a penthouse. For purposes of the HFBC, Enclosed Roof Structures must be set back from the parapet of a building to qualify for height limit exceptions.
- ~~((J-))~~ L. Endangered Species.
A wildlife species whose prospects for survival are in immediate danger because of a loss or change in habitat, exploitation, predation, competition, disease, disturbance, or contamination and that are designated as such by a governmental agency.

- ~~((K-))~~ M. Enhancement.
See "Compensatory Mitigation" (SMC 17A.020.030).
- ~~((L-))~~ N. Erosion.
The wearing away of the ground surface as a result of mass wasting or the movement of wind, water, soil, and/or ice.
- ~~((M-))~~ O. Essential Habitat.
Habitat necessary for the survival of federally listed threatened, endangered and sensitive species and state listed priority species.
- ~~((N-))~~ P. Ex Parte Communication.
Any oral or written communication made by any person, including a City employee or official, pertaining to a matter that is or will be within the jurisdiction of the hearing examiner made outside of a public record.
- ~~((O-))~~ Q. Existing Manufactured Home Park or Subdivision – Floodplain.
A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before July 1, 2004.
- ~~((P-))~~ R. Exotic.
Any species of plants or animals that are not indigenous and are foreign to the planning area.
- ~~((Q-))~~ S. Expansion to an Existing Manufactured Home Park or Subdivision – Floodplain.
The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.
- ~~((R-))~~ T. Extirpation.
The local destruction of or extermination of a species.
- ~~((S-))~~ U. Extraordinary Hardship.
That the strict application of the provisions of this code and/or rules adopted to implement this code would prevent all economically viable use of the property.

Section 15: that SMC section 17A.020.060 is amended to read as follows:

17A.020.060 "F" Definitions

- A. **Facade.**
All the wall planes of a structure as seen from one side or view. For example, the front facade of a building would include all of the wall area that would be shown on the front elevation of the building plans.
- B. **Facade Easement.**
A use interest, as opposed to an ownership interest, in the property of another. The easement is granted by the owner to the City or County and restricts the owner's exercise of the general and natural rights of the property on which the easement lies. The purpose of the easement is the continued preservation of significant exterior features of a structure.
- C. **Facility and Service Provider.**
The department, district, or agency responsible for providing the specific concurrency facility.
- D. **Factory-built Structure.**
 1. "Factory-built housing" is any structure designed primarily for human occupancy, other than a mobile home, the structure or any room of which is either entirely or substantially prefabricated or assembled at a place other than a building site.
 2. "Factory-built commercial structure" is a structure designed or used for human habitation or human occupancy for industrial, educational, assembly, professional, or commercial purposes, the structure or any room of which is either entirely or substantially prefabricated or assembled at a place other than a building site.
- E. **Fair Market Value.**
The open market bid price for conducting the work, using the equipment and facilities, and purchase of the goods, services, and materials necessary to accomplish the development. This would normally equate to the cost of hiring a contractor to undertake the development from start to finish, including the cost of labor, materials, equipment and facility usage, transportation and contractor overhead, and profit. The fair market value of the development shall include the fair market value of any donated, contributed, or found labor, equipment, or materials.
- F. **Fascia Sign.**
A single-faced sign attached flush to a building or other structure or a sign consisting of light projected onto a building or other structure. Fascia signs do not include signs that are attached to or projected onto structures defined as sign structures by this chapter.
- G. **Feasible (Shoreline Master Program).**

1. For the purpose of the shoreline master program, means that an action, such as a development project, mitigation, or preservation requirement, meets all of the following conditions:
 - a. The action can be accomplished with technologies and methods that have been used in the past in similar circumstances, or studies or tests have demonstrated in similar circumstances that such approaches are currently available and likely to achieve the intended results;
 - b. The action provides a reasonable likelihood of achieving its intended purpose; and
 - c. The action does not physically preclude achieving the project's primary intended legal use.
2. In cases where these guidelines require certain actions, unless they are infeasible, the burden of proving infeasibility is on the applicant.
3. In determining an action's infeasibility, the reviewing agency may weigh the action's relative public costs and public benefits, considered in the short- and long-term time frames.

H. Feature.

To give special prominence to.

I. Feeder Bluff.

Or "erosional bluff" means any bluff (or cliff) experiencing periodic erosion from waves, sliding, or slumping, and/or whose eroded sand or gravel material is naturally transported (littoral drift) via a driftway to an accretion shoreform; these natural sources of beach material are limited and vital for the long-term stability of driftways and accretion shoreforms.

J. Fill.

The addition of soil, sand, rock, gravel, sediment, earth retaining structure, or other material to an area waterward of the ordinary high-water mark in wetlands, or on shorelands in a manner that raises the elevation or creates dry land.

K. Financial Guarantee.

A secure method, in a form and in an amount both of which are acceptable to the city attorney, providing for and securing to the City the actual construction and installation of any improvements required in connection with plat and/or building permit approval within a period specified by the City, and/or securing to the City the successful operation of the improvements for two years after the City's final inspection and acceptance of such improvements. There are two types of financial guarantees under [chapter 17D.020 SMC](#), Financial Guarantees: Performance guarantee and performance/warranty retainer.

L. Fish Habitat.

A complex of physical, chemical, and biological conditions that provide the life-

supporting and reproductive needs of a species or life stage of fish. Although the habitat requirements of a species depend on its age and activity, the basic components of fish habitat in rivers, streams, ponds, lakes, estuaries, marine waters, and near-shore areas include, but are not limited to, the following:

1. Clean water and appropriate temperatures for spawning, rearing, and holding.
2. Adequate water depth and velocity for migrating, spawning, rearing, and holding, including off-channel habitat.
3. Abundance of bank and in-stream structures to provide hiding and resting areas and stabilize stream banks and beds.
4. Appropriate substrates for spawning and embryonic development. For stream- and lake-dwelling fishes, substrates range from sands and gravel to rooted vegetation or submerged rocks and logs. Generally, substrates must be relatively stable and free of silts or fine sand.
5. Presence of riparian vegetation as defined in this program. Riparian vegetation creates a transition zone, which provides shade and food sources of aquatic and terrestrial insects for fish.
6. Unimpeded passage (i.e., due to suitable gradient and lack of barriers) for upstream and downstream migrating juveniles and adults.

M. Flag.

A sign made of fabric or other similar non-rigid material supported or anchored along only one edge or supported or anchored at only two corners. If any dimension of the flag is more than three times as long as any other dimension, it is classified and regulated as a banner regardless of how it is anchored or supported. See also "Banner."

N. Float.

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

O. Flood Insurance Rate Map or FIRM.

The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the City.

P. Flood Insurance Study (FIS).

The official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.

Q. Flood or Flooding.

A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland waters; or

2. The unusual and rapid accumulation of runoff of surface waters from any source.
- R. Flood-proofing.
Structural provisions, changes, adjustments, or a combination thereof, to buildings, structures, and works in areas subject to flooding in order to reduce or eliminate the damages from flooding to such development and its contents, as well as related water supplies and utility facilities.
- S. Floodway.
The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
- T. Floor Area.
The total floor area of the portion of a building that is above ground. Floor area is measured from the exterior faces of a building or structure. Floor area does not include the following:
1. Areas where the elevation of the floor is four feet or more below the lowest elevation of an adjacent right-of way.
 2. Roof area, including roof top parking.
 3. Roof top mechanical equipment.
 4. Attic area with a ceiling height less than six feet nine inches.
 5. Porches, exterior balconies, or other similar areas, unless they are enclosed by walls that are more than forty-two inches in height, for fifty percent or more of their perimeter; and
 6. In residential zones, FAR does not include mechanical structures, uncovered horizontal structures, covered accessory structures, attached accessory structures (without living space), detached accessory structures (without living space).
- U. Floor Area Ratio (FAR).
The amount of floor area in relation to the amount of site area, expressed in square feet. For example, a floor area ratio of two to one means two square feet of floor area for every one square foot of site area.
- V. Focused Growth Area.
Includes mixed-use district centers, neighborhood centers, and employment centers.
- W. Form-Based Code; FBC; FBC Limits
The Form-Based Code; physical limits or boundaries where the Hamilton Form-Based Code applies. FBC Limits are expressed in SMC 17C.123.
- ~~(W)~~ X. Frame Effect.
A visual effect on an electronic message sign applied to a single frame to

transition from one message to the next. This term shall include, but not be limited to scrolling, fade, and dissolve. This term shall not include flashing.

~~((X.))~~ Y. Freestanding Sign.
A sign on a frame, pole, or other support structure that is not attached to any building.

~~((Y.))~~ Z. Frontage.
The full length of a plot of land or a building measured alongside the road on to which the plot or building fronts. In the case of contiguous buildings individual frontages are usually measured to the middle of any party wall.

Section 15: that SMC section 17A.020.070 is amended to read as follows:

17A.020.070 "G" Definitions

- A. Gabions.
Works composed of masses of rock, rubble, or masonry tightly enclosed usually by wire mesh so as to form massive blocks. They are used to form walls on beaches to retard wave erosion or as foundations for breakwaters or jetties.
- B. Garage.
1. A covered structure designed to provide shelter for vehicles, and which is accessory to a use in these structure types:
 - a. houses,
 - b. attached houses,
 - c. duplexes, or
 - d. mobile homes.
 2. Carports are considered garages.
 3. Floor area adjacent to the space designed to provide shelter for vehicles, if not entirely separated from the garage area by floor-to-ceiling walls, is considered part of the garage.
 4. A garage may be attached to or detached from another structure.
- C. Garage Wall Length.
The garage wall length is determined by measuring the length of the specific side of a structure that is backed by garage space. The garage wall length is not limited to the length of the garage door; it includes all the length on the specified side of a structure between the walls of the garage (see Figure 17A.020.070.A). For carports, the garage wall length is determined by measuring the length

extending from the outer edges of the roof. (See Figure 17A.020.070.B)

Figure 17A.020.070.A

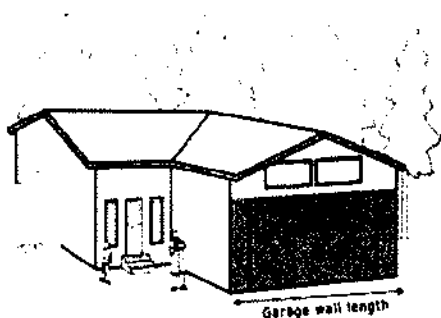
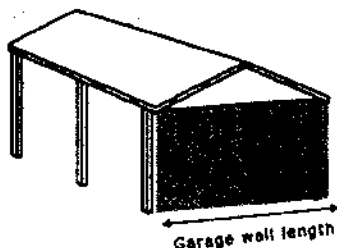


Figure 17A.020.070.B



D. General Site Plan.

1. An informal map of a proposed subdivision; or
2. A scale drawing showing the:
 - a. actual dimensions and shape of the site to be built upon;
 - b. size and location of existing buildings on the site to the nearest foot; and
 - c. location and dimensions of proposed building(s), structure(s) and alteration(s).

E. Genetic Diversity.

The variety of different genes within a species. The larger the variety of genes in the gene pool of a species, or the less related the breeding individuals are, the greater the chances of that species surviving various adversities, such as disease.

F. Geologically Hazardous Area.

An area that because of its susceptibility to erosion, sliding, or other geological events is not suited to siting commercial, residential, or industrial development consistent with public health or safety concerns.

G. Geotechnical Report.

1. Or "geotechnical analysis" means a scientific study or evaluation conducted by a qualified professional that includes a description of the ground and surface hydrology and geology, the affected land form and its susceptibility to mass wasting, erosion, and other geologic hazards or processes, conclusions, and recommendations regarding the effect of the proposed development on geologic conditions, the adequacy of the site to be developed, the impacts of the proposed development, alternative approaches to the proposed development, and measures to mitigate potential site-specific and cumulative geological and hydrological impacts of the proposed development, including the potential adverse impacts to adjacent and down-current properties.
Geotechnical reports shall conform to accepted technical standards and must be prepared by qualified professional engineers or geologists who have professional expertise about the regional and local geology and processes.

H. Glazing

Glass as used in building façades, including windows, transoms and glass portions of storefronts.

~~((H-))~~ L.

Grade.

The "grade" of a building is defined in the International Building Code, Sec. 502.1 as a grade plane representing the average of finished ground level adjoining the building of exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six feet (one thousand eight hundred twenty-nine mm) from the building, between the building and a point six feet (one thousand eight hundred twenty-nine mm) from the building.

~~((H-))~~ J.

Groins.

A bank of shore-protection structure in the form of a barrier oblique to primary motion of water, deigned to control movement of bed material.

~~((J-))~~ K.

Ground Disturbing Activity.

Any activity that results in a change in the existing soil cover (both vegetative and non-vegetative) and/or the existing soil topography. Ground disturbing activities include, but are not limited to demolition, construction, clearing, grading, filling, logging, and excavation.

~~((K-))~~ L.

Ground Water.

Water in a saturated zone or stratum beneath the surface of the land or below a surface water body.

- ~~((L-))~~ M. Group Living Structure.
A structure that contains sleeping areas and at least one set of cooking and sanitary facilities that is used as a residence for group living uses.

Section 16: that SMC section 17A.020.090 is amended to read as follows:

17A.020.090 "I" Definitions

- A. Illegal Discharge.
Any direct or indirect non-storm water discharge to MS4.
- B. Illicit Connection(s).
Any man-made conveyance that is connected to the MS4 in violation of [chapter 17D.060 SMC](#).
- C. Illicit Discharge.
This term is covered in [SMC 17D.060.190](#).
- D. Illuminated Wall Highlights.
Lighted areas that highlight a building's architectural or structural features and that do not convey a message or image. Illuminated wall highlights can either be created by light projected onto a feature or highlighting a feature with neon tubing or other light fixture.
- E. Impact Fee.
A charge or fee assessed by the City which mitigates all or any portion of a direct impact.
- F. Impermeable Sediment.
Sediment restricting the flow of water.
- G. Impervious Surface
Ground surfaces and coverings composed of water-impenetrable materials such as asphalt, concrete, brick, stone and rooftops.
- ~~((G-))~~ H. Improvements.
Improvements require under conditions of approval such as streets, drainage facilities, and utilities.
- ~~((H-))~~ I. Incentives.
Such rights or privileges as may from time to time exist to compensate the owner for the imposition of controls on a designated district or landmark.
- ~~((I-))~~ J. In-ground Storage Tank (IST).
Any one or a connected combination of tanks that is used to contain an accumulation of liquid critical materials, the aggregate of which (including the volume of piping connected thereto) is more than sixty gallons that is

situated to any degree within the ground, and the entire exterior surface of the tank cannot be fully visually inspected. The surface area of tank located above the ground will be treated as an aboveground storage tank (AST), and the area below the ground will be treated as an underground storage tank (UST).

((J-)) K.

In-kind Compensation.

The restoration or replacement of a wetland with hydrogeomorphic characteristics closely approximating those of a specified wetland.

((K-)) L.

Inner Gorge Slope.

Canyon walls created by a combination of stream downcutting/undercutting and mass wasting on the slope walls. Inner gorges may show evidence of recent movement, such as landslides, surface erosion, vertical tracks of disturbance vegetation, or areas that are concave in contour and/or profile. The steepness of inner gorges varies with the underlying materials. Slope gradients as gentle as about twenty-eight degrees (fifty-three percent) can be unstable in gorges, cut into incompetent bedrock, weathered materials or unconsolidated deposits. A minimum vertical height of ten feet is usually applied to distinguish between inner gorges and slightly incised streams. The top edge of an inner gorge is typically distinguished by a distinct break in slope. The upper boundary of an inner gorge is assumed to be a line along the first break in slope of at least ten degrees (seventeen percent).

((L-)) M.

In-stream Structure.

A structure placed by humans within a stream or river waterward of the ordinary high-water mark that either causes or has the potential to cause water impoundment or the diversion, obstruction, or modification of water flow. In-stream structures may include those for hydroelectric generation, irrigation, water supply, flood control, transportation, utility service transmission, fish habitat enhancement, or other purpose.

((M-)) N.

Infiltration.

The downward entry of water into the immediate surface of soil.

((N-)) O.

Integral Curb and Gutter.

Concrete curb and gutter which is formed and placed as one unit.

((O-)) P.

"Interior Noise Level" means the average level of sound expressed in decibels (dB) measured in any habitable room with exterior windows and doors closed.

((P-)) Q.

Interpretive Signs.

A sign that identifies historic buildings or sites where important events

occurred or which serve educational, cultural, historical, or scientific purposes.

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

Interstitial Monitoring.

A method of leak detection based on determining if there has been a failure of one of the containment layers surrounding an interstitial space. Monitoring methods may include the:

1. detection of pressure changes within the space;
2. detection of vapors from the contained material within the space; or
3. physical detection of contained material, or water from outside the container, within the space.

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

Interstitial Space.

The volume between two separate layers of a secondary or multiple containment system. The space may be filled with air or other gas or it may be filled with a porous material.

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

Invasive Species.

A species that is:

1. non-native (or alien) to city of Spokane; and
2. whose introduction causes or is likely to cause economic or environmental harm, or harm to human health.

Invasive species can be plants, animals, and other organisms (e.g., microbes). Human actions are the primary means of invasive species introductions.

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

Isolated Wetlands.

Those wetlands which:

1. are outside of and not contiguous to any hundred-year floodplain of a lake, river, or stream; and
2. have no contiguous hydric soil or hydrophytic vegetation between the wetland and any waters of the United States.

Section 17: that SMC section 17A.020.150 is amended to read as follows:

17A.020.150 "O" Definitions

A. Object.

A thing of functional, aesthetic, cultural, historical or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.

B. Off-site Compensation.

Restoration or replacement of a wetland within its primary drainage basin, but not adjacent to the site on which a wetland has been or will be degraded. Locations

within the City and in the same drainage are preferred and required when feasible. Spokane County locations in reasonable proximity and preferably in the same drainage will be considered when no practicable City location exists.

- C. On-site Compensation.
Restoration or replacement of wetland at or very near the site where a wetland has been or will be degraded by a regulated activity.
- D. On-site Stormwater Facilities.
1. Physical improvements or design characteristics on a premises with a function to control, prevent, diminish, dissipate, treat, deflect or slow down the rate and/or volume of stormwater runoff or flows entering the public right-of-way, the public sanitary or storm sewer system, or to reduce flooding and erosion on public or private property.
 2. Examples include, but are not limited to, catch basins, pipes, ponds, impoundments, inlets and drains, as well as biotic or landscaping components such as grassy swales, drainage areas, easements, or other kinds of onsite drainage systems.
- E. Open Record Hearing.
A hearing, conducted by a single hearing body or officer authorized to conduct such hearings, that creates a record through testimony and submission of evidence and information (RCW 36.70B.050(2)).
- F. Open Roof Structure
A non-conditioned, open structure typically providing shade and casual gathering space and incorporating a pergola, arbor or trellis. For purposes of the HFBC, Open Roof Structures may include partial-height screen walls on no more than one side.
- ~~((F-))~~ G. Open Water Component.
Wetlands having any areas of standing water present for more than one month at any time of the year without emergent, scrub-shrub or forested vegetation. Open water includes any aquatic beds.
- ~~((G-))~~ H. Ordinance.
The ordinance, resolution, rules or other procedure used by the City of Spokane, Spokane County, Spokane regional health district, and Spokane County air pollution control authority to adopt regulatory requirements.
- ~~((H-))~~ I. Ordinary High Water Mark.
The mark that is found by examining the bed and banks of a water body and ascertaining where the presence and action of waters are so common and usual and so long continued in all ordinary years as to mark upon the soil and vegetation a character distinct from that of the abutting upland.

((I-)) J. Ordinary Repair and Maintenance.
Work the purpose and effect of which is to correct any deterioration or decay of, or damage to, the real property or structural appurtenance thereon and to restore the same, as nearly as may be practicable, to the condition prior to the occurrence of such deterioration, decay or damage.

((J-)) K. Outdoor Display.

1. The outdoor display of products, vehicles, equipment and machinery for sale or lease.
2. Outdoor display is an outdoor showroom for customers to examine and compare products.
3. There is variety or a distinction among the goods on display, through different products, brands or models.
4. The display area does not have to be visible to the street.
5. Exterior display does not include goods that are being stored or parked outside. It does not include damaged or inoperable vehicles, vehicles or equipment being serviced, bulk goods and materials, and other similar products. Outdoor display does not include car and boat sales and leasing when such vehicles are not accessible to customers to inspect and compare; this situation is considered outdoor storage.
6. Examples of uses that often have outdoor display are car and boat sales and leasing, and plant nurseries.
7. See also, "Outdoor Work Activities and Outdoor Storage."

((K-)) L. Outdoor Storage.

1. The outdoor storage of goods that generally have little or no differentiation by type or model.
2. The goods may be for sale or lease, but if so, they are the type that customers generally do not inspect and compare.
3. Outdoor storage also includes the outdoor storage of goods for sale, lease or rent that may be differentiated by type or model, but that are not accessible for customers to inspect or compare.
4. Outdoor storage includes the storage of raw or finished goods (packaged or bulk), including:
 - a. gases, oil, chemicals, gravel, building materials, packing materials, salvage goods, machinery, tools and equipment;
 - b. vehicles that are for sale, lease or rent, which are not accessible to the customer to inspect or compare;
 - c. vehicles that have been unloaded at port facilities and are waiting transport to off-site locations; and

- d. other similar items.
- 5. The storage of recreational vehicles outdoors is also considered outdoor storage.
- 6. Damaged or inoperable vehicles or vehicles which have missing parts, that are kept outside, are also included as outdoor storage.
- 7. Examples of uses that often have outdoor storage are lumberyards, wrecking yards, tool and equipment rental, bark chip and gravel sales, car dealerships or car rental establishments and port facilities.
- 8. See also "Outdoor Display" and "Outdoor Work Activities."

~~((L-))~~ M.

Outdoor Work Activities.

- 1. Include the outdoor processing, assembly or fabrication of goods; the maintenance, repair and salvage of vehicles and equipment; and other similar activities that generally have an industrial orientation.
- 2. Outdoor work activities do not include normal pick-up and deliveries to a site, parking, excavation and fills, outdoor eating areas, outdoor recreation or outdoor markets.
- 3. See "Outdoor Display" and "Outdoor Storage."

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

Out-of-kind Compensation.

The restoration or creation of a wetland with vegetation and other characteristics not resembling those of a specified wetland.

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

Owner/Ownership Interest.

Owners are all persons having a real property interest. Owners include with respect to real property:

- 1. holder of fee title or a life estate;
- 2. holder of purchaser's interest in a sale contract in good standing;
- 3. holder of seller's interest in a sale contract in breach or in default;
- 4. grantor of deed of trust;
- 5. presumptively, a legal owner and a taxpayer of record;
- 6. fiduciary representative of an owner;
- 7. person having a right of possession or control; or
- 8. any one of a number of co-owners, including joint, in common, by entireties and spouses as to community property.

Section 18: that SMC section 17A.020.160 is amended to read as follows:

17A.020.160 "P" Definitions

- A. **Painted Wall Highlights.**
Painted areas that highlight a building's architectural or structural features and that do not convey a message or image.
- B. **Painted Wall Sign.**
A sign applied to a building wall with paint or a thin layer of vinyl, paper, or similar material adhered directly to the building surface and that has no sign structure.
- C. **Parcel.**
See "Lot" (SMC 17A.020.120).
- D. **Parkway.**
1. A street serving as a principal, minor, or collector arterial, typically with recreational or scenic opportunities.
2. Parkways will often have landscaped medians.
- E. **Party of Record.**
Any person who has appeared at a hearing of the hearing examiner by presenting testimony or making written comment.
- F. **Paved Area.**
1. An uncovered, hard-surfaced area or an area covered with a perforated hard surface (such as "Grasscrete") that is able to withstand vehicular traffic or other heavy-impact uses.
2. Graveled areas are not paved areas.
- G. **Pedestrian Buffer Strips (PBS).**
A hard-surfaced or planted area(s) between travel or parking lanes and sidewalks, also called planting strips. PBS improves safety by separating vehicles and pedestrians and provide space for drainage, street trees and snow storage.
- H. **Pedestrian Path**
A continuous, unobstructed, reasonably direct route between an on-site parking lot and a Primary Building Entry designed and suitable for pedestrian use. Minimum requirements for Pedestrian Paths are listed in Section 17C.123.040 of the FBC.
- I. **Pedestrian-Scaled Fixtures (lighting)**
Pole-mounted light fixtures placed and designed to illuminate foot-traffic areas including exterior lots, pathways or sidewalks. For purposes of the HFBC, Pedestrian-Scaled Fixtures are defined by height as measured from ground to bottom of shade or bulb.

- J. Pedestrian-Scaled Signs
Permanent, first-floor, exterior signs designed and placed to address pedestrian traffic; may be mounted flush with or projecting from a column, building wall, awning or transom.
- ~~((H-))~~ K. Pedestrian Street.
 A street designated on the official zoning map as a pedestrian street where development standards are required to promote a pedestrian friendly street. Pedestrian streets offer a pleasant and safe walking environment.
 Design features include minimal interruptions of the sidewalk by driveways, publicly usable site furnishing such as benches, tables, and bike racks, and visually interesting buildings close to the sidewalk.
- ~~((I-))~~ L. Performance Guarantee.
 A "financial guarantee" providing for and securing to the City the actual construction and installation of the required improvements.
- ~~((J-))~~ M. Performance/Warranty Retainer.
 A "financial guarantee" both providing for and securing to the City the actual construction and installation of such improvements, and securing to the City the successful operation of the improvements for two years after the City's final inspection and acceptance of the improvements.
- ~~((K-))~~ N. Permanent Erosion and Sediment Control Measures.
 A combination of plants, mulch, sod, matting, erosion control blankets, and permanent structures that will provide long-term soil stabilization.
- ~~((L-))~~ O. Permanent Sign.
 Any sign not classified as a temporary sign.
- ~~((M-))~~ P. Permanent Stabilization.
 See Permanent Erosion and Sediment Control Measures.
- ~~((N-))~~ Q. Permeable Sediment.
 Sediment permitting the flow of water.
- ~~((O-))~~ R. Person.
 Any natural person, whether acting individually or in a representative capacity, partnership, joint venture, corporation, or other legal entity.
- ~~((P-))~~ S. Pier.
 Any platform structure, fill, or anchored device in or floating upon water bodies to provide moorage for watercraft engaged in commerce, including,

but not limited to, wharves, mono-buoys, quays, ferry terminals, and fish weighing station.

~~((Q-))~~ I.

Pitched Roof Sign.

A sign attached to a roof with a pitch of one-to-four or greater and placed parallel to the building wall.

~~((R-))~~ U.

Planned Capacity.

For all capital facilities, except transportation, capacity for a concurrency facility that does not exist, but for which the necessary facility construction, expansion, or modification project is contained in the current adopted City of Spokane comprehensive plan, capital improvement program and scheduled to be completed within six years. (RCW 36.70A.020).

~~((S-))~~ V.

Planned Capacity for Transportation Facilities.

Capacity for transportation facilities, including roads and transit, that does not exist, but where transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development.

1. These strategies may include:
 - a. increased public transportation service,
 - b. ride sharing programs,
 - c. demand management, and
 - d. other transportation systems management strategies.
2. For transportation facilities, "concurrent with the development" shall mean that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years (RCW 36.70A.070(6)(b)).

~~((T-))~~ W.

Planned Unit Development (PUD).

1. A planned unit development is a project permit for an overlay zone, approved by the hearing examiner, which does not fully comply with all of the development standards of the base zone in which it is located, but is approved based on superior or innovative design.
2. The City may permit a variety of types, design, and arrangement of structures and enable the coordination of project characteristics with features of a particular site in a manner consistent with the public health, safety, and welfare.

~~((U-))~~ X.

Plans.

Planning documents, which are developed by the various departments of the City, pertaining to the orderly development of public facilities.

- Y. Planting Zone
Area for street trees, ground cover or other plantings; typically included herein as a portion of overall sidewalk width reserved for locating permanent trees and tree grates.
- ~~((V-))~~ Z. Plat – Final.
A map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets, alleys, or other divisions and dedications and containing all elements and requirements set forth in this chapter and chapter 58.17 RCW.
- ~~((W-))~~ AA. Plat – Preliminary.
1. A neat and approximate drawing of a proposed subdivision showing the general layout of streets, alleys, lots, blocks, and other elements of a subdivision required by this chapter and chapter 58.17 RCW.
 2. The preliminary plat shall be the basis for the approval or disapproval of the general layout of a subdivision.
- ~~((X-))~~ AB. Plaza.
1. Areas generally open to the public on a controlled basis and used for passive recreational activities and relaxation.
 2. Plazas are paved areas typically provided with amenities, such as seating, drinking, and ornamental fountains, art, trees, and landscaping, for use by pedestrians.
- AC. Plinth
The base or platform upon which a building wall or column appears to rest, helping establish pedestrian-scaled elements and aesthetically tying the building to the ground.
- ~~((Y-))~~ AD. Pollutant.
Any substance which is prohibited or limited by applicable laws or regulations, which is released or discharged in conjunction with development.
Any substance that causes or contributes to violation of water quality standards, released or discharged.
- ~~((Z-))~~ AE. Pollution.
Contamination, or other alteration of the physical, chemical, or biological properties of wetlands, or such discharge of any liquid, gaseous, solid, radioactive, or other substance into wetlands as will or is likely to cause a nuisance or render such wetlands harmful, detrimental, or injurious to the public health, safety, or welfare, or to domestic, commercial, industrial,

agricultural, recreational, or other legitimate beneficial uses, or to livestock, wildlife, fish, native vegetation, or other aquatic life.

- ~~((AA-))~~ AF. Potential Geologically Hazardous Areas.
Areas designated on maps maintained in the City's planning services department. They are classified "potential" because they have not been confirmed by field investigation nor do they necessarily include the full extent of all geologically hazardous areas within the City. The maps are intended to alert property owners, purchasers, developers, etc., to the possible existence of significant geological hazards, which may warrant further geotechnical study.
- ~~((AB-))~~ AG. Practicable Alternative.
An alternative that is available and capable of being carried out after taking into consideration cost, existing technology, and logistics in light of overall project purposes and having less impact to critical areas. It may involve using an alternative site in the general region that is available to the applicant and may feasibly be used to accomplish the project.
- ~~((AG-))~~ AH. Predevelopment Meetings.
Meetings between City or agency staff and an applicant or their representatives prior to formal submission of a detailed application. They are intended to provide an overview of the regulatory requirements, application process, and procedural submission requirements.
- AI. Principal Buildings
Where multiple buildings occupy a single lot, those buildings that are associated with the prevailing use of that site
- AJ. Primary Building Entry
Access or entrance of first rank, importance or value, visually associated with the prevailing ground-floor use of a building.
- ~~((AD-))~~ AK. Primary Building Walls.
Any exterior building wall that faces a street and contains a public entrance to the occupant's premises or tenant space. If an individual tenant space does not have a street facing wall, or does not have a street facing wall containing a public entrance, then the primary building wall for that individual tenant space is any wall containing a public entrance that faces a parking area on the site. (See Figure 1, SMC 17C.240.130, Primary Building Walls)
- ~~((AE-))~~ AL. Primary Container.
The container that is in direct contact with the material of concern during the course of normal transport, use, or storage.

- ~~((AF-))~~ AM. Primary Drainage Basin.
The basin of the stream or tributary within which a project is proposed, not including basins of major tributaries. For the purpose of this regulation the primary drainage basin of:
1. Latah Creek is not a part of the primary drainage basin of the Spokane River,
 2. Marshall Creek is not a part of the primary drainage basin of Latah Creek.
- ~~((AG-))~~ AN. Primary Structure.
1. A structure or combination of structures of chief importance or function on a site. In general, the primary use of the site is carried out in a primary structure.
 2. The difference between a primary and accessory structure is determined by comparing the size, placement, similarity of design, use of common building materials, and the orientation of the structures on a site.
- ~~((AH-))~~ AO. Primary Use.
1. An activity or combination of activities of chief importance on the site. One of the main purposes for which the land or structures are intended, designed or ordinarily used.
 2. A site may have more than one primary use.
- ~~((AI-))~~ AP. Principal Arterials.
A four- to six-lane street serving as a primary facility for access between the central business district, major employment districts, and major shopping centers.
- ~~((AJ-))~~ AQ. Priority Habitats.
Habitat areas determined by WDFW to have unique or significant value to many species and that meet one or more of the following criteria:
1. High wildlife density.
 2. High species diversity.
 3. Important wildlife breeding habitat.
 4. Important wildlife seasonal ranges.
 5. Important movement corridors.
 6. Limited availability.
 7. High vulnerability to habitat alteration.
- ~~((AK-))~~ AR. Priority Species.
A wildlife species requiring protective measures for their perpetuation due to their population status, their sensitivity to habitat alteration, and/or their recreational importance.

- ~~((AL-))~~ AS. Private Street.
Roadway which is not controlled or maintained by a public authority, and which serve two or more properties.
- ~~((AM-))~~ AT. Project Permit or Project Permit Application.
Any land use or environmental permit or license required for a project action, including, but not limited to, building permits, short plats, subdivisions, binding site plans, planned unit developments, conditional uses, shoreline substantial development permits, site plan review, permits, or approvals required by the critical area ordinance, and site specific rezones authorized by a comprehensive plan or subarea plan, but excluding the adoption or amendment of a comprehensive plan, subarea plan, or development regulations, except as otherwise specifically identified under RCW 36.70B.140.
- ~~((AN-))~~ AU. Projecting Sign.
A sign attached to and projecting out from a building face or wall, generally at right angles to the building. Projecting signs include signs that are totally in the right-of-way, partially in the right-of-way, or fully on private property.
- ~~((AQ-))~~ AV. Protected Species.
A general classification of animals by WDFW that includes all those species not classified as listed, game, fur-bearing, or non-protected. This also includes all birds not classified as game or non-protected.
- ~~((AR-))~~ AW. Proximity.
That two or more properties are either adjacent or separated by a street or alley.
- ~~((AQ-))~~ AX. Public Access.
The public's right to get to and use the City's public waters, the water/land interface and associated shoreline area. It includes physical access that is either lateral (areas paralleling the shore) or perpendicular (an easement or public corridor to the shore), and/or visual access facilitated by means such as scenic streets and overlooks, viewing towers, and other public sites or facilities.
- ~~((AR-))~~ AY. Public Facilities.
Any City-owned, operated, or contracted public facility or service in whole, or in part, whether existing or planned, including, but not limited to:
1. parks,
 2. recreation facilities,
 3. playgrounds,
 4. streets,
 5. transportation facilities,

6. open spaces,
7. fire facilities,
8. storm water drainage ponds, and
9. all such appurtenances and improvements.

~~((AS-))~~ AZ. Public Property.
Any City-owned real property, air space, or other interest in real estate, including streets, alleys, or other public rights-of-way, owned by or controlled by this municipality or any other governmental unit.

~~((AT-))~~ BA. Public Way.

1. A dedicated "public way" is a tract of land:
 - a. conveyed or reserved by deed,
 - b. dedicated by plat, or
 - c. acquired by decree of court,
 - d. which has been accepted and dedicated by action of the city council to the public right-of-way and for secondary use as an easement for public utilities.
2. An "alley" is a public way, usually not exceeding sixteen feet in width, designed or intended to provide secondary access to abutting properties.

Section 19: that SMC section 17A.020.220 is amended to read as follows:

17A.020.220 "V" Definitions

- A. Variance.
A grant of relief from the requirements of this chapter that permits construction in a manner that would otherwise be prohibited by Title 17 SMC.
- B. Vegetative Classes.
Certain types of wetlands as defined by the U.S. fish and wildlife service's classification of wetlands and deepwater habitats of the United States, FWS/OBS-79-31 (Cowardin et al., 1979) and which are at least one-half acre in size or comprise at least ten percent of the entire wetland.
- C. Vehicle-Scaled Fixtures (lighting)
Pole-mounted light fixtures placed and designed to illuminate vehicular-traffic areas including exterior lots, driveways and roadways. For purposes of the HFBC, Pedestrian-Scaled Fixtures are defined by height as measured from ground to bottom of shade or bulb

~~((G-))~~ D. Vehicle Types.

1. Commercial Vehicle.
See "Commercial Vehicle" (SMC 17A.020.030).
2. Motor Vehicle.
Vehicles that have their own motive power and that are used for the transportation of people or goods on streets. Motor vehicle includes:
 - a. motorcycles,
 - b. passenger vehicles,
 - c. trucks, and
 - d. recreational vehicleswith motive power. See also Passenger Vehicle, Recreational Vehicle, and Truck.
3. Passenger Vehicle.
 - a. A motor vehicle designed to carry ten persons or less including the driver.
 - b. Passenger vehicle also includes motor vehicles designed to carry ten persons or less that are constructed either on a truck chassis or with special features for occasional off-road use.
 - c. Passenger vehicle includes vehicles commonly called cars, minivans, passenger vans, and jeeps.
 - d. Passenger vehicle is intended to cover the vehicles defined as passenger cars and multi-purpose passenger vehicles by the National Highway Traffic Safety Administration in Title 49 of the Code of Federal Regulations, Chapter V, Section 571.3. See also Recreational Vehicle, and Truck.
4. Recreational Vehicle.
See "Recreational Vehicle" (SMC 17A.020.180).
5. Truck.
 - a. A motor vehicle which is designed primarily for the movement of property or special purpose equipment, or a motor vehicle that is designed to carry more than ten persons.
 - b. Truck includes vehicles commonly called trucks, pick-ups, delivery vans, buses, motor homes, and other similar vehicles.
 - c. Truck is intended to cover the vehicles defined as trucks and buses by the National Highway Traffic Safety Administration in Title 49 of the Code of Federal Regulations, Chapter V, Section 571.3.
 - d. Trucks are divided into three categories by size as stated below.

- i. Light Truck.
Light trucks are trucks and similar vehicles with single rear axles and single rear wheels.
- ii. Medium Truck.
Medium trucks are trucks and similar vehicles, other than truck tractors, with single rear axles and dual rear wheels. Truck tractors are in the "Heavy Truck" category.
- iii. Heavy Truck.
Heavy trucks are trucks, including truck tractors, and similar vehicles with two or more rear axles.
- iv. Utility Trailer.
A vehicle designed to be pulled by a motor vehicle which is used to carry property, trash, or special equipment and that is sixteen feet or less in length. Boat trailers are included as utility trailers. Utility trailers that are longer than sixteen feet in length are considered industrial vehicles and are regulated as heavy trucks.
- e. See also Passenger Vehicle, and Recreational Vehicle.

~~((D-))~~ E. Vernal Wetland System.
Seasonal depressional wetlands typically occurring high in the drainage that derive their hydrology from rainfall and snow and a small immediate watershed. Vernal systems are formed as a result of accumulation of surface water in an isolated basin that at no time of the year would have a natural inlet or outlet and water is entirely absent from the surface part of the year.

~~((E-))~~ F. Vested.
The right to development or continue development in accordance with the laws, rules, and other regulations in effect at the time vesting is achieved.

~~((F-))~~ G. Video Display Method.
A video display method is a method of display characterized by real-time, full-motion imagery.

((G-)) H.

Vulnerable Species.

Those species susceptible to significant population declines because they are uncommon either within a specific area or statewide, have a very limited distribution, or have special space or habitat requirements.

Section 20: Severability Clause. If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, the decision shall not affect the validity of the remaining portions of this ordinance.

PASSED BY THE CITY COUNCIL ON 01.12.2015, 2015.

Ben Stubb

Council President

Approved as to form:

Jared

Assistant City Attorney

Attest:

Yuri L. Hester

City Clerk

David A. Cawson

Mayor

01.26.2015

Date

02.25.2015

Effective Date

