



# STAFF REPORT

PLANNING AND ECONOMIC DEVELOPMENT SERVICES DEPARTMENT

<b>To:</b>	Plan Commission
<b>Subject:</b>	SB5290 Expedited Permitting Code Updates
<b>Staff Contact:</b>	Tim Thompson, Principal Planner, Jackie Churchill, Planner I
<b>Report Date:</b>	September 17, 2024
<b>Hearing Date:</b>	September 25 2024
<b>Recommendation:</b>	Approval

## I. SUMMARY

The proposed draft code amendments have been developed to update Land Use Application permitting requirements in accordance with Senate Bill 5290.

## II. RECOMMENDED ACTION

Planning staff recommend approval of these code text amendments, confirmation that they are compliant with the State Legislature's Senate Bill 5290 mandated amendments to Chapter 17G.061 Land Use Application Procedures, and a motion to take them to City Council for adoption.

## III. BACKGROUND

In 2023, Washington State Legislature passed Senate Bill 5290 to update the Local Project Review Act in order to improve project review and permitting processes. These updates include clarification on the determination of completeness procedural requirements, new permitting deadlines, and mitigation measures to prevent the City from missing the deadline. These updates amend various sections of Chapter 17G Land Use Application Procedures of the Spokane Municipal Code. The effective date for these updates is January 1, 2025.

Senate Bill 5290 updated requirements for the determination of completeness process by stipulating that the determination must be based solely on procedural requirements. SB5290 also revised the existing 120-day time period for project review, creating multiple new time periods based on permit type. Additionally, Cities are now required to refund 10-20% of permit fees if the new time periods are not met; however, local governments do not need to refund permit fees if they adopt additional measures, provided in SB5290, to expedite permit review.

## IV. PROCESS

### DEVELOPMENT CODE AMENDMENT PROCEDURE

Article III Section 21, Amendments and Repeals, of the City of Spokane Charter provides for the ability of amendments of the Charter and Spokane Municipal Code through ordinances. Title 17 is known as the Unified Development Code (UDC) and is incorporated into the Spokane Municipal Code to implement the City's Comprehensive Plan, and by reference, the requirements of the Washington State Growth Management Act (GMA). Section 17G.025.010 establishes the procedure and decision criteria that the City uses to review and amend the UDC. The City may approve amendments to the UDC if it is found that a proposed amendment is consistent with the provisions of the Comprehensive Plan, and bears a substantial relation to public health, safety, welfare, and protection of the environment.

---

## ROLE OF THE CITY PLAN COMMISSION

The proposed text amendments require a review process set forth in Section 17G.025.010(F) SMC. The Plan Commission is responsible for holding a public hearing and forwarding its findings, conclusions, and recommendations to the City Council. Utilizing the decision criteria in 17G.025 SMC, the Plan Commission may recommend approval, modification, or denial of the proposal. The Plan Commission may incorporate the facts and findings of the staff report as the basis for its recommendation to the City Council or may modify the findings as necessary to support their final recommendation.

---

## ROLE OF CITY COUNCIL

As part of the Ordinance update process, the City Council will deliberate and review the proposed text amendments, public comments and testimony, the staff report, and any Plan Commission recommendation. The final decision to approve, modify, or deny the proposed amendments rests with the City Council. Proposals adopted by ordinance after public hearings are official amendments to the Spokane Municipal Code.

## COMMUNITY ENGAGEMENT

Plan Commission Workshop     August 28, 2024

## SEPA REVIEW

The proposed amendments are categorically exempt from SEPA review under WAC 197-11-800 section 19.

## COMMENTS RECEIVED

No comments have been received.

## V. ANALYSIS

### PROPOSAL DESCRIPTION

The proposed draft code amendments have been developed to update 17G Land Use Application Procedures permitting requirements in accordance with Senate Bill 5290 which mandates that the permitting process shall be expedited and clarified.

Proposed amendments to Section 17G.061.120 Determination of a Complete Application comply with section 6 of Senate Bill 5290 and updates to RCW36.70B.070, which require that the determination of completeness procedural requirements be based solely on the completion of the procedural requirements as listed in the project permit application. Draft changes also clarify the City deadlines and mandates that

communication to the applicant must be written. In addition, Sections 17A.020.030 “C” Definitions, Section 17A.020.200 “T” Definitions, are amended to add definitions for “Counter Complete” and “Technically Complete” in order to clarify how these terms relate to state terminology.

Proposed amendments to Section 17G.061.130 Application Time Limits and 17G.061.150 Modification of Applications and Permits comply with SB 5290 Section 7 and updates to 36.70B.080, which create new permitting time periods that are dependent upon the type of Land Use permit that is being applied for. Exceptions to the time periods have also been proposed in these sections.

The proposed amendments to Section 17G.061.110 Application Requirements, Section 17G.080.040 Short Subdivisions, Section 17G.080.060 Binding Site Plan, Section 17E.020.080 Application Submittal Requirements, Section 17E.030.060 Establishment of Development Permit, Section 17E.040.080 Application Submittal Requirements, Section 17E.070.080 Application Submittal Requirements, comply with section 8 of SB 5290 and updates to RCW 36.70B.160 which mandate that local governments adopt additional measures in lieu of refunding permitting fees if the permitting time periods are missed. These proposed amendments would change Pre-development meetings from “required” to “recommended”.

## IMPLEMENTATION OF COMPREHENSIVE PLAN GOALS AND POLICIES

Section 17G.025.010 SMC establishes the review criteria for text amendments to the Unified Development Code. In order to approve a text amendment, City Council shall consider the findings and recommendations of the Plan Commission along with the approval criteria outlined in the Code. The applicable criteria are shown below in *bold and italic* with staff analysis following criteria. Review of the Comprehensive Plan goals and policies indicates that the proposal meets the approval criteria for internal consistency set forth in SMC 17G.025.010(G). Excerpts of the applicable goals and policies, and their Comprehensive Pla discussion points, are contained in **Exhibit C**.

---

### ECONOMIC DEVELOPMENT GOALS

#### **ED 7 REGULATORY ENVIRONMENT AND TAX STRUCTURE**

Goal: Create a regulatory environment and tax structure that encourage investment, nurture economic activity, and promote a good business climate.

***POLICY: ED 7.6 - Development Standards and Permitting Process***

*Periodically evaluate and improve the City of Spokane’s development standards and permitting process to ensure that they are equitable, cost-effective, timely, and meet community needs and goals*

**Staff Analysis:**

The proposed amendments implement the Comprehensive Plan Economic Development Goal 7 to nurture economic activity through the regulatory environment by complying with State law which mandates transparent and timely permitting processes. They also specifically implement policy 7.6 by creating new permitting time periods to ensure timeliness, clarify the determination of completeness process, and creating additional measures that help to expedite the Land Use Application permitting process.

## FINAL REVIEW CRITERIA

### 2. Consistency with State law: Senate Bill 5290

**Staff Analysis:** The draft amendments have been proposed in order to make updates to the Chapter 17G.061 Land Use Application Procedures code in compliance with the 2023 Senate Bill 5290. SB 5290 updated the Local Project Review Act RCW 36.70B and amended various sections including RCWs 36.70B.070, 36.70B.080, and 36.70B.160. Corresponding sections of the Unified Development Code have been updated to comply with changes to the amended RCWs.

### 3. Consistency with the Comprehensive Plan Periodic Update Requirements

**Staff Analysis:** Consistency with Senate Bill 5290 is a requirement on the Periodic Update Checklist for Fully-Planning Cities and advances our work on the required Periodic Update to the Comprehensive Plan 2026 and the required development code amendments.

### 4. *Public Health, Safety, Welfare, and Protection of the Environment.*

**Staff Analysis:** By updating requirements for the Land Use Application Procedures, the proposed amendments comply with State Law which does not adversely affect public health, safety or the welfare of the public.

## VI. CONCLUSION

Based on the facts and findings presented herein, staff concludes that the requested text amendments to the Unified Development Code 17G.061 Land Use Application Procedures satisfy the applicable criteria for approval as set forth in SMC Section 17G.025.010.

## VII. STAFF RECOMMENDATION

Following the close of public testimony and deliberation regarding conclusions with respect to the review criteria and decision criteria detailed in SMC 17G.025.010, Plan Commission will need to make a recommendation to City Council for approval, approval with modification, or denial of the requested code amendments to the Unified Development Code.

Staff **recommends approval** of the requested amendments and recommends that the Plan Commission adopt the facts and findings of the staff report.

## VIII. LIST OF EXHIBITS

- A. Summary Table of Proposed Text Amendments
- B. Proposed Draft Text
- C. Related Comprehensive Goals and Policies
- D. Findings and Conclusions

EXHIBIT A – SUMMARY TABLE OF PROPOSED TEXT AMENDMENTS

**SB 5290 Expedited Permitting Process Updates  
Proposed Text Amendment Tracker**

*The text amendment tracking sheet provides a summary of proposed changes in each section of the Spokane Municipal Code. The text amendment tracking sheet does not replace reviewing the draft code text amendments as there may be additional details and/or minor changes that were not captured in this document.*

Existing SMC Section	Corresponding sections of SB5290 and RCWs	Description of Change
<b><u>Section 17G.061.110</u> Application Requirements</b>		
Subsection 3	Section 8(2) RCW 36.70B.160	<ul style="list-style-type: none"> <li>○ Removed subsection 3 because the reference to the Central Business District is outdated.</li> <li>○ Removing 3 allows the Pre-Development Conference to be a recommendation instead of mandatory. *This is a suggested measure in SB5290 section 8 to expedite permits and 2 of 3 needed measures that can replace the mandate to partially refund fees for missing permitting deadlines.</li> </ul>
<b><u>Section 17G.080.040</u> Short Subdivisions</b>		
A. Predevelopment Meeting	Section 8(2) RCW 36.70B.160	<ul style="list-style-type: none"> <li>○ Removed reference to the Central Business District as reference is outdated.</li> <li>○ *This is a suggested measure in SB5290 section 8 to expedite permits and 2 of 3 needed measures that can replace the mandate to partially refund fees for missing permitting deadlines.</li> </ul>
<b><u>Section 17G.080.060</u> Binding Site Plan</b>		
B. Predevelopment Meeting	Section 8(2) RCW 36.70B.160	<ul style="list-style-type: none"> <li>○ Removed reference to the Central Business District as reference is outdated.</li> <li>○ *This is a suggested measure in SB5290 section 8 to expedite permits and 2 of 3 needed measures that can replace the mandate to partially refund fees for missing permitting deadlines.</li> </ul>

<a href="#">Section 17E.020.080</a> <b>Application Submittal Requirements – Fish &amp; Wildlife Conservation Areas</b>		
A	Section 8(2) RCW 36.70B.160	<ul style="list-style-type: none"> <li>○ Changed “required” to “recommended”</li> <li>○ *This is a suggested measure in SB5290 section 8 to expedite permits and 2 of 3 needed measures that can replace the mandate to partially refund fees for missing permitting deadlines.</li> </ul>
<a href="#">Section 17E.030.060</a> <b>Establishment of Development Permit</b>		
B	Section 8(2) RCW 36.70B.160	<ul style="list-style-type: none"> <li>○ Changed “required” to “recommended”</li> <li>○ *This is a suggested measure in SB5290 section 8 to expedite permits and 2 of 3 needed measures that can replace the mandate to partially refund fees for missing permitting deadlines.</li> </ul>
<a href="#">Section 17E.040.080</a> <b>Application Submittal Requirements – Geologically Hazardous Areas</b>		
A	Section 8(2) RCW 36.70B.160	<ul style="list-style-type: none"> <li>○ Changed “required” to “recommended”</li> <li>○ *This is a suggested measure in SB5290 section 8 to expedite permits and 2 of 3 needed measures that can replace the mandate to partially refund fees for missing permitting deadlines.</li> </ul>
<a href="#">Section 17E.070.080</a> <b>Application Submittal Requirements - Wetlands</b>		
<a href="#">Chapter 17E.070 Wetlands Protection</a> <a href="#">Section 17E.070.080</a> Application Submittal Requirements (A)	Section 8(2) RCW 36.70B.160	<ul style="list-style-type: none"> <li>○ Changed “required” to “recommended”</li> <li>○ *This is a suggested measure in SB5290 section 8 to expedite permits and 2 of 3 needed measures that can replace the mandate to partially refund fees for missing permitting deadlines.</li> </ul>

<b>Section 17G.061.120 Determination of a Complete Application</b>		
(A)	Section 6 RCW 36.70B.070	<ul style="list-style-type: none"> <li>○ Changed all instances of “procedural” to “technical” to match current City terminology.</li> <li>○ Added subsections 1 &amp; 2 <ul style="list-style-type: none"> <li>○ Subsection 1 states how days are counted.</li> <li>○ Subsection 2 states that on the 29<sup>th</sup> day after an application is submitted it is deemed technically complete if the City hasn’t issued a written statement to the contrary.</li> </ul> </li> </ul>
B. Procedures for Determination of Completeness  (2) Component Screening	Section 6 RCW 36.70B.070	<ul style="list-style-type: none"> <li>○ Amended to add that applicants will receive a written determination of counter complete or incomplete.</li> <li>○ New subsection (a) added to state that after 2 requests for corrections or more info., staff may schedule a meeting to resolve the issues and it must be within 14 days of the request.</li> <li>○ New subsection b added to state that after 3 requests for corrections, the application must be approved or denied. *This is a measure suggested by SB5290 section 8 that the City adopt to expedite permitting. This is 3 of 3 necessary measures to avoid having to refund fees in the case of missing permitting timelines.</li> </ul>
(3) Review by Interested Parties	Section 6 RCW 36.70B.070	<ul style="list-style-type: none"> <li>○ Reordered and combined subsections 3 and 4.</li> <li>○ 4 was changed to a subsection of 3 and renamed "Application Certification" and reworded to clarify that applicants will be notified in writing if the application is complete or not.</li> <li>○ a-d were moved to be subsections under (a) Application Certification (previously 4) to clarify the chronological steps of the application process and they are renumbered to i-iv.</li> <li>○ Subsection iv: removed “pursuant to paragraph D herein below” for clarity.</li> </ul>
(4) Application Certified Complete	Section 6 RCW 36.70B.070	<ul style="list-style-type: none"> <li>○ New section 4 to clarify when an application is considered technically complete.</li> </ul>
(6) Vesting	Section 6 RCW 36.70B.070	<ul style="list-style-type: none"> <li>○ Changed “certified” to “counter” complete and added that fees must be paid before the application can be vested.</li> <li>○ Added subsection (a) to state that vested applications may expire according to each permit type expiration dates found in Table 17G.061.010-1.</li> <li>○</li> </ul>



<b>Section 17G.061.130 Application Time Limits</b>		
Section A	Section 7(1)(a)-(k) RCW 36.70B.080	<ul style="list-style-type: none"> <li>○ Edited to include the state mandated permitting timelines.</li> </ul>
Section B	Section 7(1)(a)-(k) RCW 36.70B.080	<ul style="list-style-type: none"> <li>○ Additional verbiage added to clarify exceptions to the permitting timeline.</li> <li>○ B (1) amended to clarify that the timeline pause ends once the applicant has sent additional information to the City.</li> <li>○ B (4) amended to add the clause that the city may add an additional 30 days to the time period if the applicant asks for a 60 day extension or if the applicant is not responsive for more than 60 days.</li> <li>○ B (6) new subsection added to state that the time period restarts if substantial changes are made to the permit as outlined in 17G.061.150.</li> <li>○ B (7) added to clarify that Comprehensive Plan Amendments are not subject to the timeline requirements.</li> </ul>
Section C	Section 7(1)(a)-(k) RCW 36.70B.080	<ul style="list-style-type: none"> <li>○ New section to state that the City may adopt alternative timelines for different permitting scenarios and types.</li> </ul>
<b>Section 17G.061.150 Modification of Applications and Permits</b>		
Section A(1)(a)		<ul style="list-style-type: none"> <li>○ Amended by adding the word “minor” for clarity.</li> </ul>
<b>Section 17A.020.030 “C” Definitions</b>		
“C” Definitions		<ul style="list-style-type: none"> <li>○ Added a definition of “Counter Complete” to clarify that counter complete and technically complete are different.</li> </ul>
<b>Section 17A.020.200 “T” Definitions</b>		
“T” Definitions		<ul style="list-style-type: none"> <li>○ Added a definition of “Technically Complete”.</li> </ul>



## 1. Title 17A Administration

### Chapter 17A.020 Definitions

#### Section 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 and economic development 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. City Engineer.

The Director of the Engineering Services department, or their designee for approval authority.

#### M. Clear Street Width.

The width of a street from curb to curb minus the width of on-street parking lanes.

#### N. 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.

#### O. Clear View Triangle.

1. A clear view maintained within a triangular space at the corner of a lot so that it does not obstruct the view of travelers upon the streets.

KEEP CURRENT IMAGE

2. Intersection of local and arterial: A 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 when the arterial speed limit is 40 mph or greater the dimensions of the triangle shall be determined by Street Department staff using AASHTO's A Policy on Geometric Design as a reference.

KEEP CURRENT IMAGE

3. Alleys: A right isosceles triangle having sides of seven feet measured along the right-of-way line of an alley and:
  - a. the inside line of the sidewalk; or
  - b. if there is no sidewalk, a line seven feet inside the curb line.

KEEP CURRENT IMAGE

#### P. Clear Zone.

The roadside area free of obstacles, starting at the edge of the traveled way.

#### Q. 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.

#### R. Cliffs.

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.

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.

S. 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.

T. Collector Arterial.

Collector arterials (consisting of Major and Minor Collectors) collect and distribute traffic from local streets to principal and minor arterials. They serve both land access and traffic circulation.

U. Co-location.

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

V. Colony.

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

W. Commercial Driveway.

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

X. Commercial Vehicle.

Any vehicle the principal use of which is the transportation of commodities, merchandise, produce, freight, animals, or passengers for hire.

Y. Commission – Historic Landmarks.

The City/County historic landmarks commission.

Z. Community Banner.

See SMC 17C.240.015.

#### AA. 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.

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.

A community meeting does not constitute an open record hearing.

The proceedings at a community meeting may be recorded and a report or recommendation shall be included in the permit application file.

#### AB. 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.

#### AC. Counter Complete

A land use application is counter complete if the application contains the documents and information required by SMC 17G.061.110 and required fees have been paid. This is the first step in the Land Use Application Determination of Completeness as outlined in 17G.061.120 and the department may request additional information, documents, or studies before certifying the application as technically complete.

#### ~~((AG))~~ AD. 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.

#### ~~((AD))~~ AE. 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.

The type of landscaping, L1, L2, or L3, is required to be labeled.



It is not a requirement to designate the scientific name of plant materials on the conceptual landscape plan.

((AE)) AF. 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.

((AF)) AG. 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).

((AG)) AH. 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.

((AH)) AI. 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.

((AI)) AJ. 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.

~~((AJ))~~ AK. 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.

~~((AK))~~ AL. 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.

~~((AL))~~ AM. 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.

~~((AM))~~ AN. Container.

Any vessel of sixty gallons or less in capacity used for transporting or storing critical materials.

~~((AN))~~ AO. 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.

~~((AO))~~ AP. Contributing Resource

Contributing resource is any building, object, structure, or site which adds to the historical integrity, architectural quality, or historical significance of the local or federal historic district within which the contributing resource is located.

~~((AP))~~ AQ. 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.

~~((AQ))~~ AR. 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.

~~((AR))~~ AS. Copy.

See SMC 17C.240.015.

~~((AS))~~ AT. Cottage Housing.

A grouping of residential units with a common open space.

~~((AT))~~ AU. Council.

The city council of the City of Spokane.

~~((AU))~~ AV. 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.

~~((AV))~~ AW. Courtyard apartments.

Three or more attached dwelling units arranged on two or three sides of a yard or court.

~~((AW))~~ AX. 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.

~~((AX))~~ AY. Creep.

Slow, downslope movement of the layer of loose rock and soil resting on bedrock due to gravity.

((AY)) AZ. Critical Amount.

The quantity component of the definition of critical material.

((AZ)) BA. Critical Aquifer Recharge Areas (CARA).

Critical aquifer recharge areas (CARA) include locally identified aquifer sensitive areas (ASA) and wellhead protection areas.

((BA)) BB. 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.

((BB)) BC. 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.

((BG)) BD. 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.

~~((B))~~ BE. 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.

~~((B))~~ BF. Critical Materials Handbook.

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.

1. 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.

~~((B))~~ BG. 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.

~~((B))~~ BH. 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.061.070(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.061.110.
- e. Application for rezoning SMC 17G.061.110.
- f. Application for conditional permit SMC 17G.061.110.
- 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.

~~((B))~~ BI. Critical Review Applicant.

A person or entity seeking a critical review action.

~~((B))~~ BJ. 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.

~~((BJ))~~ BK. 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.

~~((BK))~~ BL. 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.

~~((BL))~~ BM. Curb Ramp.

A ramp constructed in the sidewalk to provide an accessible route from the sidewalk to the street.

~~((BM))~~ BN. 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.

Date Passed: Monday, November 20, 2023

Effective Date: Monday, January 1, 2024

ORD C36459 Section 3

## Title 17A Administration

### Chapter 17A.020 Definitions

#### Section 17A.020.200 "T" Definitions

##### A. Technically Complete

A term to describe a land use application that is certified as complete. A land use application will be deemed technically complete once all steps in 17G.061.120 Land Use Application Procedures for Determination of Completeness have been satisfied and all requested information has been correctly submitted to the City. This definition applies to applications determined procedurally complete as defined by RCW 36.70B.070.

##### ~~(A)~~ B. Temporary Erosion and Sediment Control Measures.

Erosion and sediment control devices used to provide temporary stabilization of a site, usually during construction or ground disturbing activities, before permanent devices are installed.

##### ~~(B)~~ C. Temporary Sign.

A sign placed on a structure or the ground for a specifically limited period of time as provided in SMC 17C.240.240(G).

##### ~~(C)~~ D. Temporary Structure.

A structure approved for location on a lot by the department for a period not to exceed six months with the intent to remove such structure after the time period expires.

##### ~~(D)~~ E. Tenant Space.

Portion of a structure occupied by a single commercial lease holder with its own public entrance from the exterior of the building or through a shared lobby, atrium, mall, or hallway and separated from other tenant spaces by walls.

##### ~~(E)~~ F. Through Pedestrian Zone.

The portion of a sidewalk that is intended for pedestrian travel and is entirely free of permanent and temporary objects.

##### ~~(F)~~ G. Tideland.



Land on the shore of marine water bodies between the line of ordinary high tide and the line of extreme low tide.

((G)) H. Total Maximum Daily Load (TMDL).

A calculation of the maximum amount of a pollutant that a water body can receive and still meet water quality standards, and an allocation of that amount to the pollutant's sources. A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and non point sources. The calculation shall include a margin of safety to ensure that the water body can be used for the purposes the state has designated. The calculation shall also account for seasonable variation in water quality. Water quality standards are set by states, territories, and tribes. They identify the uses for each water body, for example, drinking water supply, contact recreation (swimming), and aquatic life support (fishing), and the scientific criteria to support that use. The Clean Water Act, section 303, establishes the water quality standards and TMDL programs.

((H)) I. [Deleted].

((I)) J. [Deleted].

((J)) K. [Deleted].

((K)) L. Tracking.

The deposition of sediment onto paved surfaces from the wheels of vehicles.

((L)) M. Tract.

A piece of land created and designated as part of a land division that is not a lot, lot of record or a public right-of-way. Tracts are created and designated for a specific purpose. Land uses within a tract are restricted to those uses consistent with the stated purpose as described on the plat, in maintenance agreements, or through conditions, covenants and restrictions (CC&Rs).

((M)) N. Traveled Way.

The area of street which is intended to carry vehicular traffic, excluding any shoulders.

((N)) O. Triplex.

A building that contains three dwelling units on the same lot that share a common wall or common floor/ceiling.

((O)) P. Type I Application.

An application for a project permit that is subject to an administrative approval and is not categorically exempt from environmental review under chapter 43.21C RCW (SEPA) and the City of Spokane Environmental Ordinance chapter 17E.050 SMC, and does not require a public hearing. Type I applications are identified in Table 17G.061.010-1 in chapter 17G.061 SMC. These applications may include, but are not limited to, building permits and grading permits.

((P)) Q. Type II Application.

An application for a project permit that is subject to an administrative decision of a department director, that may or may not be categorically exempt from chapter 43.21C RCW (SEPA), and does not require a public hearing. The Type II applications are identified in Table 17G.061.010-1 in chapter 17G.061 SMC. These applications may include, but are not limited to, short plats, binding site plans, shoreline substantial development permits, and some conditional use permits; provided, the planning director may require conditional use permits which are otherwise characterized as Type II applications under this title to be submitted and processed as Type III applications when the director issues written findings that the Type III process is in the public interest.

((Q)) R. Type III Application.

An application for a project permit that is subject to a quasi-judicial decision of the hearing examiner that may or may not be categorically exempt from chapter 43.21C RCW (SEPA) and the City of Spokane Environmental Ordinance chapter 17E.050 SMC and requires a public hearing. Type III applications are identified in Table 17G.061.010-1 in chapter 17G.061 SMC. These applications may include, but are not limited to, rezones, conditional use permits, preliminary long plats, or shoreline conditional use permits.

Date Passed: Monday, November 20, 2023

Effective Date: Monday, January 1, 2024

ORD C36459 Section 10

## Title 17E Environmental Standards

### Chapter 17E.020 Fish and Wildlife Conservation Areas

#### Section 17E.020.080 Application Submittal Requirements

- A. A pre-development conference is recommended (~~required~~) for all regulated activities proposed in potential fish and wildlife habitat conservation areas and associated buffers per chapter 17G.061 SMC. The pre-development conference is intended to acquaint an applicant with standards, requirements, investigation procedures, best management practice and potential review procedures prior to making application.
- B. A critical areas checklist is required at the time of application for all regulated activities proposed in fish and wildlife habitat areas and associated buffers per SMC 17G.061.110(C).
- C. All activities identified in SMC 17E.020.050 shall meet the following application submittal requirements in addition to the application submittal requirements specified in other codes. The director may modify the submittal requirements based upon reasonable documentation, including BAS, needed to ensure compliance with this chapter, provided no construction activity, clearing or grading has taken place. A written summary of analysis and findings shall be included in any staff report or decision on the underlying permit.

#### 1. Topographic Survey.

A topographic site plan, prepared and stamped by a State of Washington licensed surveyor, is required for sites that include a wetland or its buffer. The

- a. Existing topography at two-foot contour intervals on-site, on adjacent lands within twenty-five feet of the site's property lines, and on the full width of abutting public and private rights-of-way and easements.
- b. Terrain and stormwater-flow characteristics within the site, on adjacent sites within twenty-five feet of the site's property lines, and on the full width of abutting public and private rights-of-way and easements.
- c. Location of areas with significant amounts of vegetation, and specific location and description of all trees with trunks six inches or greater

in diameter measured four feet, six inches above the ground, and noting their species.

- d. Location and boundaries of all existing site improvements on the site, on adjacent lands within twenty-five feet of the site's property lines, and on the full width of abutting public and private rights-of-way and easements. This shall include the amounts of developmental coverage, including all impervious surfaces (noting total square footage and percentage of site occupied).
- e. Location of all grading activities in progress, and all natural and artificial drainage control facilities or systems in existence or on adjacent lands on the site, within twenty-five feet of the site's property lines, and in the full width of abutting public and private rights-of-way and easements.
- f. Location of all existing utilities (water, sewer, gas, electric, phone, cable, etc.), both above and below ground, on the site, on adjacent lands within twenty-five feet of the site's property lines and in the full width of abutting public rights-of-way; and
- g. Such additional existing physical elements information for the site and surrounding area as required by the director to complete review of a project subject to the standards of this chapter.

## 2. Additional Site Plan Information.

The following site plan information shall also be required for sites that include landslide-prone, flood-prone, riparian corridor, wetland and steep slope areas or their buffers. Information related to the location and boundaries of critical areas and required buffer delineations shall be prepared by qualified professionals with training and experience in their respective area of expertise as demonstrated to the satisfaction of the director.

- a. Location and boundaries of all critical areas and related buffers on the site and on adjacent lands within twenty-five feet of the site's property lines, noting both total square footage and percentage of site.
- b. Location and identification of all riparian corridors and wetlands within one hundred feet of the site's property lines.
- c. Location and boundaries of all proposed site improvements on the site, on adjacent lands within twenty-five feet of the site's property lines, and on the full width of abutting public and private rights-of-way and easements. This shall include the amount of proposed land

disturbing activities, including amounts of developmental coverage, impervious surfaces and construction activity areas (noting total square footage and percentage of site occupied).

- d. Location of all proposed grading activities and all proposed drainage control facilities or systems on the site or on adjacent lands within twenty-five feet of the site's property lines, and on the full width of abutting public and private rights-of-way and easements.
- e. Location of all proposed utilities (water, sewer, gas, electric, phone, cable, etc.), both above and below ground, on the site, on adjacent lands within twenty-five feet of the site's property lines, in the full width of abutting public rights-of-way, and any proposed extension required to connect to existing utilities, and proposed methods and locations for the proposed development to hook-up to these services; and
- f. Such additional site plan information related to the proposed development as required by the director to complete review of a project subject to the standards of this chapter.

### 3. Technical Reports.

Technical reports and other studies and submittals shall be prepared as required by the director detailing soils, geological, hydrological, drainage, plant ecology and botany, and other pertinent site information. The reports, studies and submittals shall be used to condition development to prevent potential harm and to protect the critical nature of the site, adjacent properties and the drainage basin.

Date Passed: Monday, December 3, 2007

Effective Date: Sunday, January 6, 2008

ORD C34147 Section 6

## [Title 17E](#) Environmental Standards

### [Chapter 17E.030](#) Floodplain Management

#### [Section 17E.030.060](#) Establishment of Development Permit

##### A. Development Permit Required.

A development permit shall be obtained before construction or development begins within any area of special flood hazard established in [SMC 17E.030.050\(B\)](#). The permit shall be for all structures including manufactured homes, as defined in [chapter 17A.020 SMC](#) and for all development, including fill and other activities also as defined in [chapter 17A.020 SMC](#).

##### B. A pre-development conference as set forth in [chapter 17G.061 SMC](#) is recommended (~~required~~) for all development proposed in areas identified as potential critical areas within the City of Spokane, including areas of special flood hazard established in [SMC 17E.030.050\(B\)](#).

##### C. Application for Floodplain Development Permit.

Application for a floodplain development permit shall be made on forms furnished by the City and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions and elevations of the area in question: existing or proposed structures, fill, storage of materials, drainage facilities and the location of foregoing. Specifically, the following information is required:

1. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures recorded on a current elevation certificate with Section B completed by the Floodplain Administrator;
2. Elevation in relation to mean sea level to which any structure has been floodproofed;
3. Where a structure is to be floodproofed, certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in [SMC 17E.030.130](#);
4. Description of the extent to which a watercourse will be altered or relocated as a result of proposed development;
5. A completed critical areas checklist as established at [chapter 17G.061 SMC](#);

6. A completed environmental checklist, unless the Floodplain Administrator as designated in [SMC 17E.030.070](#) has determined that the project is categorically exempt from [chapter 17E.050 SMC](#);
7. Where development is proposed in a floodway, an engineering analysis indication no rise of the Base Flood Elevation; and
8. Any other such information that may be reasonably required by the Floodplain Administrator in order to review the application, including all studies, reports and information required by reviewing departments or agencies to fully disclose potential environmental impacts of the proposal. These studies are required to demonstrate acceptance by the applicable department or agencies prior to the application being certified complete.

D. Fee Processing.

Floodplain development permits shall be processed as set forth in [chapter 17G.061 SMC](#).

E. Fee Schedule.

The fees for processing a floodplain development permit are set forth in [SMC 8.02.066\(F\)](#).

Date Passed: Monday, October 25, 2021

Effective Date: Thursday, December 2, 2021

ORD C36118 Section 3

## Title 17E Environmental Standards

### Chapter 17E.040 Spokane Geologically Hazardous Areas

#### Section 17E.040.080 Application Submittal Requirements

- A. A pre-development conference is recommended ((required)) for all regulated activities proposed in geologically hazardous areas and associated buffers per chapter 17G.061 SMC. The pre-development conference is intended to acquaint an applicant with standards, requirements, investigation procedures, best management practice and potential review procedures prior to making application.
- B. All activities identified in SMC 17E.040.050 shall meet the following application submittal requirements in addition to the application submittal requirements specified in other codes. The director may modify the submittal requirements based upon reasonable documentation, including BAS, needed to ensure compliance with this chapter, provided no construction activity, clearing or grading has taken place. A written summary of analysis and findings shall be included in any staff report or decision on the underlying permit.

#### 1. Topographic Survey.

A topographic site plan, prepared and stamped by a State of Washington licensed surveyor, is required for sites that include a geohazard or its buffer. The topographic site plan shall include the following existing physical elements:

- a. Existing topography at two-foot contour intervals on-site, on adjacent lands within twenty-five feet of the site's property lines, and on the full width of abutting public and private rights-of-way and easements.
- b. Terrain and stormwater-flow characteristics within the site, on adjacent sites within twenty-five feet of the site's property lines, and on the full width of abutting public and private rights-of-way and easements.
- c. Location of areas with significant amounts of vegetation, and specific location and description of all trees with trunks six inches or greater in diameter measured four feet, six inches above the ground, and noting their species.
- d. Location and boundaries of all existing site improvements on the site, on adjacent lands within twenty-five feet of the site's property lines, and on the full width of abutting public and private rights-of-way and easements.



easements. This shall include the amounts of developmental coverage, including all impervious surfaces (noting total square footage and percentage of site occupied).

- e. Location of all grading activities in progress, and all natural and artificial drainage control facilities or systems in existence or on adjacent lands on the site, within twenty-five feet of the site's property lines, and in the full width of abutting public and private rights-of-way and easements.
- f. Location of all existing utilities (water, sewer, gas, electric, phone, cable, etc.), both above and below ground, on the site, on adjacent lands within twenty-five feet of the site's property lines and in the full width of abutting public rights-of-way; and
- g. Such additional existing physical elements information for the site and surrounding area as required by the director to complete review of a project subject to the standards of this chapter.

## 2. Additional Site Plan Information.

The following site plan information shall also be required for sites that include landslide-prone, flood-prone, riparian corridor, wetland and steep slope areas or their buffers. Information related to the location and boundaries of critical areas and required buffer delineations shall be prepared by qualified professionals with training and experience in their respective area of expertise as demonstrated to the satisfaction of the director.

- a. Location and boundaries of all critical areas and related buffers on the site and on adjacent lands within twenty-five feet of the site's property lines, noting both total square footage and percentage of site.
- b. Location and identification of all riparian corridors and wetlands within one hundred feet of the site's property lines.
- c. Location and boundaries of all proposed site improvements on the site, on adjacent lands within twenty-five feet of the site's property lines, and on the full width of abutting public and private rights-of-way and easements. This shall include the amount of proposed land disturbing activities, including amounts of developmental coverage, impervious surfaces and construction activity areas (noting total square footage and percentage of site occupied).
- d. Location of all proposed grading activities and all proposed drainage control facilities or systems on the site or on adjacent lands within

twenty-five feet of the site's property lines, and on the full width of abutting public and private rights-of-way and easements.

- e. Location of all proposed utilities (water, sewer, gas, electric, phone, cable, etc.), both above and below ground, on the site, on adjacent lands within twenty-five feet of the site's property lines, in the full width of abutting public rights-of-way, and any proposed extension required to connect to existing utilities, and proposed methods and locations for the proposed development to hook-up to these services; and
- f. Such additional site plan information related to the proposed development as required by the director to complete review of a project subject to the standards of this chapter.

### 3. Technical Reports.

Technical reports and other studies and submittals, including the geohazard evaluation and mitigation plan described in [SMC 17E.040.090](#) below, shall be prepared as required by the director detailing soils, geological, hydrological, drainage, plant ecology and botany, and other pertinent site information. The reports, studies and submittals shall be used to condition development to prevent potential harm and to protect the critical nature of the site, adjacent properties and the drainage basin.

Date Passed: Monday, December 3, 2007

Effective Date: Sunday, January 6, 2008

ORD C34149 Section 8

## Title 17E Environmental Standards

### Chapter 17E.070 Wetlands Protection

#### Section 17E.070.080 Application Submittal Requirements

- A. A pre-development conference is recommended (~~required~~) for all regulated activities proposed in potential wetland areas and associated buffers per chapter 17G.061 SMC. The pre-development conference is intended to acquaint an applicant with standards, requirements, investigation procedures, best management practice, and potential review procedures prior to submitting an application.
- B. All activities identified in SMC 17E.070.040 shall meet the following application submittal requirements in addition to the application submittal requirements specified in other codes. The director may modify the submittal requirements based upon reasonable documentation, including BAS, needed to ensure compliance with this chapter, provided no construction activity, clearing, or grading has taken place. A written summary of analysis and findings shall be included in any staff report or decision on the underlying permit.
1. Wetlands Report. This report shall include a written assessment and accompanying maps of the impacted wetland including, at a minimum, wetland delineation and rating as determined by SMC 17E.070.100; existing wetland acreage; proposed wetland impacts; alternatives to wetlands impacts; proposed wetland buffer; vegetative, faunal and hydrological characteristics; soil and substrate conditions and topographic elevations; and shall be submitted as a part of the permit application.
  2. Topographic Survey. To the extent not provided in the wetlands report, a topographic site plan, prepared and stamped by a State of Washington licensed surveyor, is required for sites that include a wetland or its buffer. The topographic site plan shall include the following existing physical elements:
    - a. Existing topography at two-foot contour intervals on-site, on adjacent lands within twenty-five feet of the site's property lines, and on the full width of abutting public and private rights-of-way and easements;
    - b. Terrain and stormwater-flow characteristics within the site, on adjacent sites within twenty-five feet of the site's property lines, and on the full width of abutting public and private rights-of-way and easements;

- c. Location of areas with significant amounts of vegetation, and specific location and description of all trees with trunks six inches or greater in diameter at breast height (dbh) measured four feet, six inches above the ground, and noting their species;
  - d. Location and boundaries of all existing site improvements on the site, on adjacent lands within twenty-five feet of the site's property lines, and on the full width of abutting public and private rights-of-way and easements. This shall include the amounts of developmental coverage, including all impervious surfaces (noting total square footage and percentage of site occupied);
  - e. Location of all ongoing grading activities as well as all natural and artificial drainage control facilities or systems in existence on the site or on adjacent lands, within twenty-five feet of the site's property lines, and in the full width of abutting public and private rights-of-way and easements;
  - f. Location of all existing utilities (water, sewer, gas, electric, phone, cable, etc.), both above and below ground, on the site, on adjacent lands within twenty-five feet of the site's property lines and in the full width of abutting public rights-of-way; and
  - g. Additional information on existing physical elements on the site and surrounding area as required by the director to inform a complete review of a project subject to the standards of this chapter.
3. Additional Site Plan Information. To the extent not provided in the wetlands report, the following site plan information shall also be required for sites that include wetlands and their buffers. Information related to the location and boundaries of wetlands and required buffer delineations shall be prepared by qualified professionals with training and experience in their respective area of expertise as demonstrated to the satisfaction of the director.
- a. Location and boundaries of all wetlands and wetland buffer on the site and on adjacent lands within twenty-five feet of the site's property lines, noting both total square footage and percentage of site;
  - b. Location and identification of all wetlands within one hundred feet of the site's property lines;

- c. Location and boundaries of all proposed site improvements on the site, on adjacent lands within twenty-five feet of the site's property lines, and on the full width of abutting public and private rights-of-way and easements. This shall include the amount of proposed land disturbing activities, including amounts of developmental coverage, impervious surfaces and construction activity areas (noting total square footage and percentage of site occupied);
  - d. Location of all proposed grading activities and all proposed drainage control facilities or systems on the site or on adjacent lands within twenty-five feet of the site's property lines, and on the full width of abutting public and private rights-of-way and easements;
  - e. Location of all proposed utilities (water, sewer, gas, electric, phone, cable, etc.), both above and below ground, on the site, on adjacent lands within twenty-five feet of the site's property lines, in the full width of abutting public rights-of-way, and any proposed extension required to connect to existing utilities, and proposed methods and locations for the proposed development to hook-up to these services; and
  - f. Such additional site plan information related to the proposed development as required by the director to inform a complete review of a project subject to the standards of this chapter.
4. Technical Reports. To the extent not provided in the wetlands report, technical reports and other studies and submittals shall be prepared as required by the director detailing on site soils, geology, hydrology, drainage, plant ecology and botany, and other pertinent site information. The reports, studies and submittals shall be used to condition development to prevent potential harm and to protect the critical nature of the site, adjacent properties, and the drainage basin.

Date Passed: Monday, June 19, 2017

Effective Date: Sunday, July 30, 2017

ORD C35508 Section 7

## Title 17G Administration and Procedures

### Chapter 17G.061 Land Use Application Procedures

#### Section 17G.061.110 Application Requirements

##### A. Predevelopment Meeting.

###### 1. Purpose.

Predevelopment meetings are not intended to be an exhaustive review of all regulations or potential issues for a given application. Predevelopment meetings have two purposes:

- a. acquaint City staff and other agencies with a proposed development and to generally advise the applicant of applicable regulations, design guidelines and design review processes, and policies impacting the proposal; and
  - b. acquaint the applicant with the applicable provisions of these procedures, minimum submission requirements and other plans or regulations which may impact the proposal.
2. The City may, when applicable, apply additional relevant laws to the application subsequent to a predevelopment meeting.
  3. ~~((Predevelopment meetings are required for any development proposal in the central business district. The Planning Director or Building Official, as appropriate, may waive this requirement.))~~
  4. Predevelopment meetings are recommended for Type II and III applications, and Type I project permit applications in the centers and corridors (CC) zones.

##### B. Community Meeting.

All Type III applications and Type II applications where indicated in [Table 17G.061.010-1](#) are required to hold a community meeting regarding the proposed application. The applicant or their representative shall conduct the community meeting.

1. Timing.

The meeting shall occur no more than one hundred twenty days prior to application and before the application is accepted by the City.

2. Notice.

Notice for the community meeting shall be posted fourteen days prior to the meeting. Public notice of a community meeting shall be provided as required in [SMC 17G.061.210](#).

3. Combining with Traffic Study.

When a traffic study is required as a part of an application, the scoping meeting for a traffic study may be combined with the community meeting.

4. Meeting Summary.

The applicant shall provide a summary of the meeting at the time of submission of the application. Other attendees of the community meeting may also submit a summary of the meeting issues to the decision-maker. The meeting summary shall consist of the following:

- a. A digital recording of the meeting proceedings; and
- b. List of attendees; and
- c. A copy of the notice of community meeting; and
- d. Affidavits of posting/ mailing the notice.

C. General Requirements.

Applications shall include the following:

1. Predevelopment meeting summary, if required under subsection (A).
2. Filing fees as required under [chapter 8.02 SMC](#).
3. Application documents supplied by the City, including but not limited to:

- a. General application form;
  - b. Supplemental application form;
  - c. Environmental checklist, if required under [chapter 17E.050 SMC](#);
4. A site plan drawn to scale showing:
  - a. Property dimensions;
  - b. location and dimensions of all existing and proposed physical improvements;
  - c. location and type of landscaping;
  - d. walkways and pedestrian areas;
  - e. off-street parking areas and access drives;
  - f. refuse facilities; and
  - g. significant natural features, such as slopes, trees, rock outcrops, and critical areas.
5. Required copies of documents, plans, or maps (as set forth in the application checklist).
6. Written narrative identifying consistency with the applicable policies, regulations, and criteria for approval of the permit requested.
7. Other plans, such as building elevations, landscaping plans, or sign plans, which are determined by the permitting department to be necessary to support the application.
8. Additional application information as requested by the permitting department, which may include, but is not limited to, the following:
  - a. geotechnical studies;
  - b. hydrologic studies;



- c. critical area studies;
- d. noise studies;
- e. air quality studies;
- f. visual analysis; and
- g. transportation impact studies.

#### D. Additional Requirements

The following Type II and III applications shall meet these requirements in addition to the provisions of subsection (B) of this section:

1. Shoreline – Substantial Development Permit, Conditional Use Permit and Variance.
  - a. Name, address, and phone number of the applicant. The applicant should be the owner of the property or the primary proponent of the project and not the representative of the owner or primary proponent.
  - b. Name, address, and phone number of the applicant's representative if other than the applicant.
  - c. Name, address, and phone number of the property owner, if other than the applicant.
  - d. Location of the property. This shall, at a minimum, include the property address and identification of the section, township and range to the nearest quarter, quarter section or latitude and longitude to the nearest minute.
  - e. Identification of the name of the shoreline (water body) with which the site of the proposal is associated.
  - f. General description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project.
  - g. General description of the property as it now exists, including its physical characteristics and improvements and structures.

- h. General description of the vicinity of the proposed project, including identification of the adjacent uses, structures and improvements, intensity of development and physical characteristics.
- i. A site development plan consisting of maps and elevation drawings, drawn to an appropriate scale to depict clearly all required information, photographs and text which shall include:
  - i. the boundary of the parcels(s) of land upon which the development is proposed;
  - ii. the ordinary high-water mark of all water bodies located adjacent to or within the boundary of the project. This may be an approximate location, provided that for any development where a determination of consistency with the applicable regulations requires a precise location of the ordinary high-water mark, the mark shall be located precisely and the biological and hydrological basis for the location as indicated on the plans shall be included in the development plan. Where the ordinary high-water mark is neither adjacent to or within the boundary of the project, the plan shall indicate the distance and direction to the nearest ordinary high-water mark of a shoreline;
  - iii. existing and proposed land contours. The contours shall be at intervals sufficient to accurately determine the existing character of the property and the extent of proposed change to the land that is necessary for the development. Areas within the boundary that will not be altered by the development may be indicated as such and contours approximated for that area;
  - iv. a delineation of all wetland areas that will be altered or used as a part of the development;
  - v. the dimensions and locations of all existing and proposed structures and improvements, including but not limited to: buildings, paved or graveled areas, roads, utilities, material stockpiles or surcharge, and stormwater management facilities;

- vi. an inventory of the existing vegetation on the proposed project site, including the location, type, size, and condition, pursuant to [SMC 17E.060.240](#), Shoreline Vegetation Inventory;
- vii. a landscape plan prepared and stamped by a licensed landscape architect, registered in the state of Washington;
- viii. where applicable, plans for development of areas on or off the site as mitigation for impacts associated with the proposed project shall be included;
- ix. quality, source and composition of any fill material that is placed on the site, whether temporary or permanent;
- x. quantity, composition and destination of any excavated or dredged material;
- xi. vicinity map showing the relationship of the property and proposed development or use to roads, utilities, existing developments, and uses on adjacent properties;
- xii. where applicable, a depiction of the impacts to views from existing residential uses;
- xiii. on all variance applications, the plans shall clearly indicate where development could occur without the approval of a variance, the physical features and circumstances of the property that provide a basis for the request, and the location of adjacent structures and uses.

## 2. Certificate of Compliance.

- a. Site plan is to be prepared by a licensed surveyor; and
- b. Copies of building permits or other data necessary to demonstrate the building was erected in good faith and all reasonable efforts comply with the code.

## 3. Plans-in-lieu of Compliance.

- a. Alternative development plan designed in conformance with the applicable development regulations; and
  - b. A written narrative of how the proposed development plan is superior, or more innovative, or provides greater public benefit.
4. Preliminary Plat, Short Plat, and Binding Site Plan. As provided in [chapter 17G.080 SMC](#).
5. PUD.
  - a. Profiles of any structures more than one story, shown in relation to finished grade.
  - b. Location, dimension, and boundary of proposed open space.
  - c. Site plan demonstrating compliance with Title 17C SMC including signs, off-street parking, structure height, building coverage, yards, density, screening, buffering, and lighting.
6. Skywalk.
  - a. A legal description of airspace to be occupied.
  - b. Architectural and engineering plans.
  - c. Artist's rendering of the proposed skywalk; and
  - d. Written narrative of the access for the public from the street, other buildings, and other skywalks.
  - e. Acceptance of the final design review recommendations.
  - f. Location and design of all wayfinding signage to be placed to ensure public access.
7. Floodplain – Floodplain Development Permit and Variance.

As provided in [chapter 17E.030 SMC](#).

Date Passed: Monday, November 20, 2023

Effective Date: Monday, January 1, 2024

ORD C36459 Section 35

## Title 17G Administration and Procedures

### Chapter 17G.061 Land Use Application Procedures

#### A. Determination of Completeness.

Within twenty-eight days of receiving a project permit application, the department shall determine if the application is technically complete (RCW 36.70B.070) as outlined on the project permit application. Additional information or studies may be required, or project modifications may be undertaken subsequent to the technical review of the application by the City.

1. The number of days is measured by counting every calendar day.

2. If a written determination to the contrary is not provided by the 29<sup>th</sup> day, the application shall be deemed technically complete. However, this does not prevent the City from requesting additional information or studies after the application is deemed technically complete.

#### B. Procedures for Determination of Completeness.

The following steps outline the process for the department to determine that an application is complete.

##### 1. Counter Complete.

The department shall conduct a preliminary, immediate review to determine if the application filed with the City contains the documents and information required by SMC 17G.061.110. If the department determines the application does not contain the required documents and information, the application including fees shall be returned to the applicant.

##### 2. Component Screening.

If the application appears to contain required documents, the department shall accept the application and within seven days, conduct a detailed review and determine if any additional information is necessary to process the application. If the department determines the application is missing required components, or is inadequate in other ways, ~~the application including any fees shall be returned to~~

~~the applicant. the applicant shall be sent a written determination outlining the necessary components that are needed to make the application counter complete.~~

~~a. If the department issues a second request for corrections or information, staff may schedule a meeting to meet with the applicant to attempt to resolve the outstanding issues. The meeting must be scheduled within 14 days of the second request.~~

~~b. If a meeting does not resolve the issues and the department proceeds with a third request for additional information or corrections, the application must be approved or denied upon receiving the additional information or corrections.~~

### 3. Review by Interested Agencies.

If the application, after the detailed review, is found to contain the required components and supporting documents, the application and supporting documents shall be forwarded to (i) interested City departments, (ii) agencies of local, state, or federal governments that may have jurisdiction over some aspect of the application, and (iii) the individual(s) designated pursuant to SMC 4.27.010(D) to receive written notice on behalf of the neighborhood council in which the project is located and to any neighborhood council whose geographic boundaries are located within a 600-foot radius of the project, at the address for such departments, agencies, and neighborhood council designee(s) on file with the department, for review to ensure compliance with state laws, ordinances and concurrency requirements. Interested departments, agencies, and the neighborhood council shall be given fourteen days to provide comments on a permit application. All written comments will be forwarded to the applicant at the end of the fourteen day comment period. Comments submitted after the fourteen day comment period will be forwarded to the applicant, subject to RCW 36.70B.070.

~~a. If review agencies require additional information to continue processing the application, the applicant shall be notified in writing.~~

~~b. Required information must be provided within sixty days from the notification by the department. The applicant may submit a written request for additional time to the director; any time extensions shall be in writing. If the information is not received within the sixty days (or as otherwise agreed to), the application and a portion of the fees shall be returned to the applicant, pursuant to chapter 8.02 SMC.~~

~~c. Within fourteen days of the submission of the additional information identified by the review agency, the department shall notify the applicant whether the studies are adequate or what additional information is necessary.~~

~~d. If the neighborhood council submits written comments on an application, the department shall provide a written response to the chairperson, with copy to the applicant, no later than the date on which the application is certified complete pursuant to paragraph D herein below.~~

4. a. Application Certified Complete. Certification.

~~Within seven days of the expiration of the interested agency comment period, ((if no additional information was required, or the information required under subsection (3) is acceptable,)) the department shall provide a written determination stating either that the application is technically complete or that the application is technically incomplete. ((certify the application complete. Applications requiring review by the hearing examiner are forwarded to the hearing examiner upon being certified as complete.))~~

~~((a-))~~ i. If review agencies require additional information to continue processing the application, the applicant shall be notified in writing.

~~((b-))~~ ii. Required information must be provided within sixty days from the notification by the department. The applicant may submit a written request for additional time to the director; any time extensions shall be in writing. If the information is not received within the sixty days (or as otherwise agreed to), the application and a portion of the fees shall be returned to the applicant, pursuant to chapter 8.02 SMC.

~~((c-))~~ iii. Within fourteen days of the submission of the additional information identified by the review agency, the department shall notify the applicant whether the studies are adequate or what additional information is necessary.

~~((d-))~~ iv. If the neighborhood council submits written comments on an application, the department shall provide a written response to the chairperson, with copy to the applicant, no later than the date on which the application is certified complete pursuant to paragraph D herein below.

4. Technically Complete Application

1. Within seven days of the expiration of the interested agency comment period, if no additional information was required, or the information required under subsection (3) is acceptable, the department shall provide a written determination stating either that the application is certified as technically complete or still technically incomplete.

5. Notice of Application.



Within fourteen days of the issuance of a determination of a complete application, a notice of application shall be provided for Type I, II and III project permit applications in accordance with this section (RCW 36.70B.110.2), except that notice of application is not required for short subdivision applications involving minor engineering review as defined in SMC 17G.080.040(C)(2). The notice of application shall follow the public notice requirements contained in SMC 17G.061.210. The notice of application may be combined with the notice of public hearing, if a hearing has been scheduled by notice of application. The date, time, place and type of hearing, SEPA determination and SEPA appeal deadline (using the optional DNS process) are required to be added to the notice of application if this provision is used (RCW 36.70B.110(2)(f)).

#### 6. Vesting.

Applications shall be considered vested at the time the application is ~~((certified))~~ complete and all fees have been paid, the vesting date shall be the date of application submission. If the application is not complete when filed or information is not timely provided as set forth in subsection (2) or (3), the application shall not be considered complete for purposes of vesting or other statutory compliance dates.

##### a. Expiration of Vested applications

1. Vested applications remain in effect unless no action is taken to complete the project and the date of expiration is reached. A list of permit expiration dates can be found in [Table 17G.061.010-1](#).

Date Passed: Monday, November 20, 2023

Effective Date: Monday, January 1, 2024

ORD C36459 Section 35

Title 17G Administration and Procedures

Chapter 17G.061 Land Use Application Procedures

Section 17G.061.130 Application Time Limits

A. A decision on permit applications subject to this chapter shall ~~((be made within one hundred twenty days of submission of a complete application as set forth in SMC 17G.061.130.))~~ not exceed the following for each type of permit (RCW 36.70B.080:

1. 65 days for permits which do not require public notice.
2. 100 days for permits which require public notice, and
3. 170 days for permits which require public notice and a public hearing.
4. The number of days is measured by counting every calendar day.
5. A summary of the application types and requirements can be found in Table 17G.061.010.

B. ~~((The following shall be excluded when calculating this time period:))~~ The number of days an application is in review with the City shall be calculated from the day the application is deemed technically complete as determined under RCW 36.70B.070 to date a final decision is issued on the project permit application. The number of days shall be calculated by counting every calendar day and excluding the following time periods:

1. Any period during which the applicant has been requested by the department to correct plans, perform required studies, or provide additional required information due to the applicant's inaccurate or insufficient information and the day when additional information is submitted by the applicant.
2. Any period during which an environmental impact statement is being prepared.
3. Any period for administrative appeals of land use permits.
4. ~~((Any extension for any reasonable period mutually agreed upon in writing between the applicant and the department (RCW 36.70B.080(1)).))~~ Time periods may be extended for 30 days in the following cases:

a. If the applicant informs the City in writing that the applicant would like to suspend the review of the project for more than 60 days; or

b. If the applicant is not responsive for more than 60 consecutive days after the additional information has been requested to further process the application.

5. If the permit requires approval of a new fully contained community as provided in RCW 36.70A.350, or a master planned resort as provided in RCW 36.70A.360, or the siting of an essential public facility as provided in RCW 36.70A.200.

6. The time periods shall start over if an applicant proposes a substantial modification to an application as described in Section 17G.061.150 Modification of Applications and Permits.

7. Annual amendments to the comprehensive plan are not subject to the requirements of this section.

C. The City may, by adoption of an ordinance or resolution, modify the time periods to add permit types, change permit names or types in each category, address how consolidated review time frames may be different than permits submitted individually and address how projects of a certain size or type may be differentiated as provided for in RCW 36.70B.140.

Date Passed: Monday, November 20, 2023

Effective Date: Monday, January 1, 2024

ORD C36459 Section 35

## Title 17G Administration and Procedures

### Chapter 17G.061 Land Use Application Procedures

#### Section 17G.061.150 Modification of Applications and Permits

##### A. Modification of Complete Application.

1. Proposed modifications to an application, which the department has previously found to be complete, will be treated as follows:
  - a. Minor ((M)) modifications proposed by the department to an application shall not be considered a new application.
  - b. If the applicant proposes substantial modifications to an application, as determined by the department, the application may be considered a new application. The new application shall conform to the requirements of all statutes and ordinances in effect at the time the new application is submitted. A substantial modification may include but is not limited to the following:
    - i. change in use;
    - ii. increase in density;
    - iii. increase in site area; or
    - iv. changes that increase or significantly modify the traffic pattern for the proposed development.

##### B. Limitations on Refiling of Application.

1. Applications for a land use permit pursuant to Title 17 SMC on a specific site shall not be accepted if a similar permit has been denied on the site within the twelve months prior to the date of submittal of the application. The date of denial shall be considered the date the decision was made on an appeal, if an appeal was filed or the date of the original decision if no appeal was filed.
2. The twelve-month time period may be waived or modified if the director finds that special circumstances warrant earlier reapplication. The director shall consider the following in determining whether an application for permit is similar to, or substantially the same as, a previously denied application:

- a. An application for a permit shall be deemed similar if the proposed use of the property is the same, or substantially the same, as that which was considered and disallowed in the earlier decision.
- b. An application for a permit shall be deemed similar if the proposed application form and site plan (i.e., building layout, lot configuration, dimensions) are the same, or substantially the same, as that which was considered and disallowed in the earlier decision; and
- c. An application for a variance, exception, or waiver shall be deemed similar if the special circumstances which the applicant alleges as a basis for the request are the same, or substantially the same, as those considered and rejected in the earlier decision. In every instance, the burden of proving that an application is not similar shall be upon the applicant.

#### C. Modifications or Revisions to Shoreline Permits.

1. A permit revision is required whenever the applicant proposes substantive changes to the design, terms, or conditions of a project from that which is approved in the permit. Changes are substantive if they materially alter the project in a manner that relates to its conformance to the terms and conditions of the permit, the shoreline master program and/or the policies and provisions of chapter 90.58 RCW.
2. Changes which are not substantive in effect do not require approval of a revision. When an applicant seeks to revise a permit, the director shall request from the applicant detailed plans and text describing the proposed changes in the permit.
3. If the director determines that the proposed changes are within the scope and intent of the original permit as defined in WAC 173-27-100(2) and are consistent with the shoreline master program and the Shoreline Management Act, the director may approve a revision.
4. If the proposed changes are not within the scope and intent of the original permit, the applicant shall apply for a new permit in the manner provided for in this chapter.
5. Revisions to permits may be authorized after original permit authorization has expired under RCW 90.58.143. The purpose of such revisions shall be limited to authorization of changes which are consistent with WAC 173-27 and which would not require a permit for the development or change proposed under the terms of the Shoreline Management Act, this section and the shoreline master program. If the proposed change constitutes substantial

development then a new permit is required. This shall not be used to extend the time requirements or to authorize substantial development beyond the time limits of the original permit.

6. If the sum of the revision and any previously approved revisions under former WAC 173-14-064 or WAC 173-27-100 violate the provisions that they are “within the scope and intent of the original permit,” the director shall require that the applicant apply for a new permit.
7. The revision approval, including the revised site plans and text consistent with the provisions of WAC 173-27-180 as necessary to clearly indicate the authorized changes, and the final ruling on consistency with this section shall be filed with the department of ecology. In addition, the director shall notify parties of record of their action.
8. If the revision to the original permit was a conditional use or variance, which was conditioned by the department of ecology, the director shall submit the revision to the department of ecology for its approval, approval with conditions, or denial, indicating that the revision is being submitted under the requirements of this section. Ecology shall render and transmit to the City and the applicant its final decision within fifteen days of the date of the department of ecology’s receipt of the submittal from the director. The director shall notify parties of record of the department of ecology’s final decision.
9. The revised permit is effective immediately upon final decision by the director, or when reviewed by the department of ecology, pursuant to subsection (7), then upon final action by the department of ecology.
10. Appeals shall be in accordance with RCW 90.58.180 and shall be filed with the shorelines hearings board within twenty-one days from the date of receipt of the revision approved by the director, or when appropriate under subsection (7), the date ecology’s final decision is transmitted to the City and the applicant. Appeals shall be based only upon contentions of noncompliance with the provisions of subsection (2). Construction undertaken pursuant to that portion of a revised permit not authorized under the original permit is at the applicant’s own risk until the expiration of the appeals deadline. If an appeal is successful in proving that a revision is not within the scope and intent of the original permit, the decision shall have no bearing on the original permit.

#### D. Modification to a Building Permit Subject to a Type II or III Approval.

In issuing building permits for construction under an approved site plan, the building official may, with concurrence of the Planning Director , permit minor adjustments of the location and/or dimensions of buildings, parking areas, and roadways as long

as such adjustments do not change any points of ingress or egress to the site unless approved by the director of engineering services, change any perimeter setbacks, or exceed the density authorized in the permit. No modification of an approved application may be considered approved unless specifically provided in writing.

1. The Planning Director may, without public notice, modify an approved site plan, if all the following criteria are met:
  - a. The use will remain the same.
  - b. The total site coverage or total area covered by buildings will not increase.
  - c. The use will continue to comply with all conditions of approval imposed by the original decision.
  - d. The use will comply with all of the requirements of the land use regulations applicable to it and the property on which it is or will be located.
2. Any modification of an approved site plan not consistent with the standards of subsection (B)(1) of this section may be approved only pursuant to the procedures for granting the original Type II or III approval.

#### E. Modification of Shoreline Permit.

1. Recision and Remanding of Shoreline Permit.
  - a. After providing notice to the permittee and the public and also holding a public meeting, the Planning Director may rescind or suspend a permit if any of the conditions in RCW 90.58.140(8) exist.
  - b. Under the conditions listed in RCW 90.58.180, shoreline permits may be remanded back to the City by the Shorelines Hearings Board.
2. Other Modification of Shoreline Permit.
  - a. A permit revision is required whenever the applicant proposes substantive changes to the design, terms, or conditions of a project from that which is approved in the permit. Changes are substantive if they materially alter the project in a manner that relates to its conformance to the terms and conditions of the permit, the shoreline master program and/or the policies and provisions of chapter 90.58 RCW.

- b. Changes which are not substantive in effect do not require approval of a revision. When an applicant seeks to revise a permit, the director shall request from the applicant detailed plans and text describing the proposed changes in the permit.
- c. If the director determines that the proposed changes are within the scope and intent of the original permit as defined in WAC 173-27-100(2) and are consistent with the shoreline master program and the Shoreline Management Act, the director may approve a revision.
- d. If the proposed changes are not within the scope and intent of the original permit, the applicant shall apply for a new permit in the manner provided for in this chapter.
- e. Revisions to permits may be authorized after original permit authorization has expired under RCW 90.58.143. The purpose of such revisions shall be limited to authorization of changes which are consistent with WAC 173-27 and which would not require a permit for the development or change proposed under the terms of the Shoreline Management Act, this section and the shoreline master program. If the proposed change constitutes substantial development then a new permit is required. This shall not be used to extend the time requirements or to authorize substantial development beyond the time limits of the original permit.
- f. If the sum of the revision and any previously approved revisions under former WAC 173-14-064 or WAC 173-27-100 violate the provisions that they are “within the scope and intent of the original permit,” the director shall require that the applicant apply for a new permit.
- g. The revision approval, including the revised site plans and text consistent with the provisions of WAC 173-27-180 as necessary to clearly indicate the authorized changes, and the final ruling on consistency with this section shall be filed with the department of ecology. In addition, the director shall notify parties of record of their action.
- h. If the revision to the original permit was a conditional use or variance, which was conditioned by the department of ecology, the director shall submit the revision to the department of ecology for its approval, approval with conditions, or denial, indicating that the revision is being submitted under the requirements of this section. Ecology shall render and transmit to the City and the applicant its final decision within fifteen days of the date of the department of ecology’s receipt of the submittal from the director. The director shall notify parties of record of the department of ecology’s final decision.



- i. The revised permit is effective immediately upon final decision by the director, or when reviewed by the department of ecology, pursuant to subsection (7), then upon final action by the department of ecology.
  
- j. Appeals shall be in accordance with RCW 90.58.180 and shall be filed with the shorelines hearings board within twenty-one days from the date of receipt of the revision approved by the director, or when appropriate under subsection (7), the date ecology's final decision is transmitted to the City and the applicant. Appeals shall be based only upon contentions of noncompliance with the provisions of subsection (2). Construction undertaken pursuant to that portion of a revised permit not authorized under the original permit is at the applicant's own risk until the expiration of the appeals deadline. If an appeal is successful in proving that a revision is not within the scope and intent of the original permit, the decision shall have no bearing on the original permit.

Date Passed: Monday, November 20, 2023

Effective Date: Monday, January 1, 2024

ORD C36459 Section 35

## Title 17G Administration and Procedures

### Chapter 17G.080 Subdivisions

#### Section 17G.080.040 Short Subdivisions

##### A. Predevelopment Meeting

A predevelopment meeting (~~((is required if the proposal is located in the central business district, unless waived by the director, and))~~) is recommended for all other proposals prior to submittal of the application. The purpose of a predevelopment meeting is to acquaint the applicant with the applicable provisions of this chapter, minimum submission requirements and other plans or regulations, which may impact the proposal.

##### B. Preliminary Short Plat Application and Map Requirements

1. Applications for approval of a preliminary short subdivision shall be filed with the director. All applications shall be submitted on forms provided for such purpose by the department. The director may waive specific submittal requirements determined to be unnecessary for review of the application. The application shall include the following:
  - a. The general application.
  - b. The supplemental application.
  - c. The environmental checklist, if required under [chapter 17E.050 SMC](#).
  - d. Title report no older than thirty days from issuance from the title company.
  - e. The filing fees as required under [chapter 8.02 SMC](#).
  - f. The required number of documents, plans or maps drawn to a minimum scale of one-inch equals one hundred feet, on a sheet twenty-four by thirty-six inches, as set forth in the application checklist.

- g. A written narrative identifying consistency with the applicable policies, regulations and criteria for approval of the permit requested; and
- h. Additional application information which may be requested by the permitting department and may include, but is not limited to, the following: geotechnical studies, hydrologic studies, critical area studies, noise studies, air quality studies, visual analysis and transportation impact studies.
- i. One copy of the predevelopment conference notes (if applicable); and
- j. One copy of the notification district map.

## 2. Contents of Preliminary Short Plat Map

The preliminary short plat shall be prepared by a land surveyor and shall show the following:

- a. Plat name and the name of any subdivision to be replatted.
- b. The name, mailing address and phone number of the owner and the person with whom official contact should be made regarding the application.
- c. Surveyor's name, mailing address, and phone number.
- d. Legal description.
- e. Section, township, and range
- f. Vicinity map.
- g. North arrow, scale and date.
- h. Datum plane.
- i. Acreage.
- j. Number of lots, proposed density, and number of housing units.

- k. Zoning designation.
- l. The boundary lines of the proposed subdivision.
- m. City limits and section lines.
- n. Park or open space (if proposed).
- o. Existing topography at two-foot maximum interval.
- p. The boundaries and approximate dimensions of all blocks and lots, along with the following information:
  - i. the numbers proposed to be assigned each lot and block;
  - ii. the dimensions, square footage, and acreage of all proposed lots and tracts; and
  - iii. for residential lots zoned R1 or R2, the proposed Middle Housing types, included single-unit detached houses, and total number of proposed units on all proposed lots.
- q. Proposed names of streets.
- r. The location and widths of streets, alleys, rights-of-way, easements (both public and private), turn around and emergency access, parks and open spaces.
- s. Conditions of adjacent property, platted or unplatted, and if platted, giving the name of the subdivision. If the proposed short plat is the subdivision of a portion of an existing plat, the approximate lines of the existing plat are to be shown along with any and all recorded covenants and easement
- t. The names and address of the record owners and taxpayers of each parcel adjoining the subdivision.
- u. Indicate any street grades in excess of eight percent.
- v. The location and, where ascertainable, sizes of all permanent buildings, wells, wellhead protection areas, sewage disposal systems, water courses, bodies of water, flood zones, culverts,

bridges, structures, overhead and underground utilities, railroad lines, and other features existing upon, over or under the land proposed to be subdivided, and identifying any which are to be retained or removed.

- w. Proposed one-foot strips for right-of-way conveyed to the City, in cases where a proposed public street or alley abuts unplatted land.
- x. If a body of water forms the boundary of the plat, the ordinary high water mark as defined in chapter 90.58 RCW.
- y. Critical areas as defined in chapters [17E.020](#), [17E.030](#), [17E.070](#) and [17G.030 SMC](#).
- z. Significant historic, cultural or archaeological resources; and
- aa. If the proposal is located in an irrigation district, the irrigation district name.

### C. Review of Preliminary Short Plat

1. The application shall be reviewed in accordance with the procedures set forth in chapter 17G.061 SMC for a Type II application, except an application that meets the requirements for minor engineering review as provided in subsection (2) of this section shall be excluded from the public notice requirements contained in SMC 17G.06210 and public comment period under SMC 17G.061.220.
2. Minor Engineering Review.
  - a. A preliminary short plat application may qualify for a Minor Engineering Review if it meets all of the following conditions:
    - i. The application is categorically exempt from chapter 43.21C RCW (SEPA);
    - ii. There is direct water and sewer main lot frontage on an existing and improved public right-of-way;
    - iii. No extensions of public water, sewer, or other utility services will be needed;

- iv. No public easements for water, sewer, or other utility service exists on the lot;
  - v. The lot is not situated in a Special Drainage District as defined in [SMC 17D.060.130](#); and
  - vi. Public utility mains do not exist on the lot.
- b. The City Engineer is authorized to waive conditions ii through vi of the subsection (a) if the application substantially meets the intent of the Minor Engineering Review.

#### D. Public Notice And Public Comment.

All public notice of the application and opportunities for public comment shall be given in accordance with the procedures set forth in [chapter 17G.061 SMC](#) for a Type II application.

##### 1. Exceptions.

- a. A short plat that meets the requirements of Minor Engineering Review as provided in subsection (C)(2) of this section shall not require a notice of application.
- b. A short plat that is categorically exempt from SEPA and results in four or fewer lots shall not require a posted or signed notice of application.

#### E. Preliminary Short Plat Approval Criteria.

Prior to approval of a short plat application, the director shall find the application to be in the public use and interest, conform to applicable land use controls and the comprehensive plan of the City, and the approval criteria set forth in [chapter 17G.061 SMC](#). The director has the authority to approve or disapprove a proposed preliminary short plat under the provisions of this chapter, subject to appeal as provided in [chapters 17F.050](#) and [17G.061 SMC](#).

#### F. Final Short Plat Review Procedure

- 1. The subdivider shall submit to the director for review the following:

- a. A final short plat, prepared by a registered land surveyor licensed in the state of Washington, consistent with the approved preliminary short plat.
  - b. A title report less than thirty days old confirming that the title of the lands as described and shown on said plat is in the name of the owners signing the certificate or instrument of dedication.
  - c. Covenants, conditions and restrictions, if applicable; and
  - d. Fees pursuant to [chapter 8.02 SMC](#).
2. Within thirty days, unless the applicant has consented to a longer period of time, of receipt of a proposed final short plat, the director shall review the plat for conformance with all conditions of the preliminary short plat approval, the requirements of this chapter and that arrangements have been made to insure the construction of required improvements. If all such conditions are met, the director shall approve the final short plat and authorize the recording of the plat. If all conditions are not met, the director shall provide the applicant in writing a statement of the necessary changes to bring the final short plat into conformance with the conditions.
  - a. If the final short plat is required to be resubmitted, the subdivider is required to provide the following:
    - b. A cover letter addressing the corrections, additions or modifications required.
    - c. Title report no older than thirty days from issuance of a title company conforming that the title of the lands as described and shown on said plat is in the name of the owners signing the certificate or instrument of dedication; and
    - d. The required number of copies of the corrected final short plat map.
3. If the final short plat is approved, the surveyor causes the plat to be signed by the Spokane county treasurer and file of record with the Spokane county auditor. The surveyor is required to file the

appropriate number of mylar and bond copies of the recorded short plat with the director.

#### G. Final Short Plat Map Requirements

The subdivider shall submit to the director a final short plat in the same form and with the same content as the preliminary short plat, as provided in subsections (B)(1) and (2) of this section, with the following exceptions or additional requirements:

1. A final short plat shall contain all the information required of the preliminary plat, except the following:

- a. Show existing buildings.
- b. Show existing utility lines and underground structures.
- c. Show the topographical elevations; or
- d. Contain the names and addresses of adjoining landowners.

2. The final short plat shall include the following:

a. Surveyor's certificate, stamp, date and signature, as follows:

The following land surveyor's certificate to be shown on each sheet of the plat: "I, \_\_\_\_\_ registered land surveyor, hereby certify the plat of \_\_\_\_\_, as shown hereon, is based upon actual field survey of the land described and that all angles, distances, and courses are correctly shown and that all non fronting lot corners are set as shown on the plat. Monuments and fronting lot corners shall be set upon completion of the utility and street improvements.

Signed \_\_\_\_\_(Seal)"

b. A certification by the city treasurer, as applicable:

- i. "I hereby certify that the land described by this plat, as of the date of this certification, is not subject to any local improvement assessments. Examined and approved, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.



---

City of Spokane Treasurer”

- ii. “I hereby certify that the land described by this plat, as of the date of this certificate, is not subject to any delinquent local improvement assessment. Future installments, if any, shall remain due and payable and it shall be the responsibility of the owners to initiate the segregation of the LID assessment. Examined and approved, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

---

City of Spokane Treasurer”

- iii. “A preliminary local improvement assessment exists against this property. It shall be the responsibility of the owner’s to initiate the segregation of the LID assessment. After this assessment is finalized, it shall be due and payable. Examined and approved this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

---

City of Spokane Treasurer”

- c. The certification by the planning director, as follows:

“This plat has been reviewed on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ and is found to be in full compliance with all the conditions of approval stipulated in the Hearing Examiner’s/Planning Director’s approval of the preliminary plat # - -PP/SP.

---

City of Spokane Planning Director”

- d. The certification by the city engineer, as follows:

“Approved as to compliance with the survey data, the design of public works and provisions made for constructing the

improvements and permanent control monuments this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

City of Spokane Engineer”

e. The certification by the Spokane county treasurer, as follows:

“I hereby certify that the land described in this plat, as of the date of this certification, is not subject to any outstanding fees or assessments. Examined and approved \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

Spokane County Treasurer”

f. The certification by the Spokane county auditor on each page of the final short plat including the time, date, book and page number of the recording of the final mylar.

g. Signature of every owner certifying that:

- i. the plat is made with the free consent and in accordance with the desires of the owners of the land;
- ii. the plat is made with the free consent and in accordance with the desires of the owners of the land;
- iii. the owners are the owners of the property and the only parties having interest in the land and is not encumbered by any delinquent taxes or assessments;
- iv. the owners adopt the plan of lots, blocks and streets shown;
- v. owner dedicates to the City and the City’s permittees the easements shown for utilities and cable television purposes;
- vi. owner dedicates to the City the streets, alleys and other public places, including slope and construction easements

and waives all claims for damages against any governmental authority including, without limitation, the City which may be occasioned to the adjacent land by the establishment, construction, drainage and maintenance of any public way so dedicated; and

vii. owner conveys to the City as general City property the buffer strips adjoining unplatted property.

h. The drawing shall:

- i. be a legibly drawn, printed or reproduced permanent map;
- ii. if more than one sheet is required, each sheet shall show sheet numbers for the total sheets;
- iii. have margins that comply with the standards of the Spokane county auditor;
- iv. show in dashed lines the existing plat being replatted, if applicable;
- v. show monuments in accordance with [SMC 17G.080.020\(H\)\(1\)](#);
- vi. include any other information required by the conditions of approval; and
- vii. include any special statements of approval required from governmental agencies, including those pertaining to flood hazard areas, shorelines, critical areas and connections to adjacent state highways.

H. Filing.

Once the final plat has been reviewed, approved and signed by the applicable departments, the applicant shall file the final short plat with the county auditor within ten days of approval. No permits shall be issued for a proposed lot until the required conformed copies of the short plat have been submitted to the planning services department.

I. Redivision.

No land within the boundaries of a short subdivision may be further divided in any manner which will create additional lots within a period of five years except by subdivision in accordance with [SMC 17G.080.050](#).

Date Passed: Monday, November 20, 2023

Effective Date: Monday, January 1, 2024

ORD C36459 Section 42

## Title 17G Administration and Procedures

### Chapter 17G.080 Subdivisions

#### Section 17G.080.060 Binding Site Plan

##### A. Purpose.

The purpose of this section is to allow for the more flexible creation of lots within an overall development site plan.

##### B. Predevelopment Meeting.

A predevelopment meeting is recommended (~~required~~) if the proposal is located in the central business district, unless waived by the director, and is recommended for all other proposals prior to submittal of the application. The purpose of a predevelopment meeting is to acquaint the applicant with the applicable provisions of this chapter, minimum submission requirements and other plans or regulations, which may impact the proposal.

##### C. Preliminary Binding Site Plan Application and Map Requirements.

1. A binding site plan may be used for divisions of land in all zones. Applications for approval of a preliminary binding site plan shall be filed with the director. All applications shall be submitted on forms provided for such purpose by the department. The director may waive specific submittal requirements determined to be unnecessary for review of the application. The application shall be same in form and contents as a short plat as provided in SMC 17G.080.040(B)(1).
2. Contents of Preliminary Binding Site Plan.

The preliminary binding site plan shall be prepared by a land surveyor and shall be the same in form and content as a short plat as provided in SMC 17G.080.040(B)(2) with the following additions:

- a. Proposed building footprints;
- b. Proposed street accesses;

- c. Proposed parking and internal vehicle circulation;
- d. Proposed pedestrian pathways;
- e. Proposed landscaped areas; and
- f. Proposed stormwater facilities.

#### D. Public Notice

All public notice of the application shall be given in accordance with the procedures set forth in [chapter 17C.061 SMC](#) for a Type II application.

#### E. Departmental Review of Preliminary Binding Site Plan

The application shall be reviewed in accordance with the procedures set forth in [chapter 17G.061 SMC](#) for a Type II application.

#### F. Preliminary Binding Site Plan Decision Criteria

Prior to approval of the application, the director shall find the application to be in the public use and interest, conform to applicable land use controls and the comprehensive plan of the City, and the decision criteria set forth in [SMC 17G.080.025](#). The director has the authority to approve or disapprove a proposed preliminary binding site plan under the provisions of this chapter, subject to appeal as provided in [chapter 17G.061 SMC](#).

#### G. Final Binding Site Plan Review Procedure

The final binding site plan procedures shall be the same in form as the short plat review procedure as provided in [SMC 17G.080.040\(G\)](#).

#### H. Final Binding Site Plan Requirements.

The subdivider shall submit to the director a final binding site plan in the same form and with the same content as the preliminary binding site plan, with the following exceptions or additional requirements:

1. A final binding site plan shall contain all the information required of the preliminary plan, except the following:
  - a. Show existing buildings.

- b. Show existing utility lines and underground structures.
  - c. Show the topographical elevations; or
  - d. Contain the names and addresses of adjoining landowners.
2. The final binding site plan shall include the signatory statements as provided in [SMC 17G.080.040\(G\)\(2\)](#).

#### I. Filing

Once the final binding site plan has been reviewed, approved and signed by the applicable departments, the applicant shall file the final binding site plan with the county auditor within ten days of final approval. No permits shall be issued for a proposed lot until the required conformed copies of the binding site plan have been submitted to the department.

#### J. Creation of Additional Lots in Final Binding Site Plan

A survey may be filed following the recording of a final binding site plan to create additional lots within the boundaries of the final binding site plan, consistent with the preliminary binding site plan approval, conditions and expiration provisions ([SMC 17G.080.020\(C\)](#)). The survey shall be reviewed and approved by the director pursuant to subsections (F) and (G) of this section. In addition, the survey shall conform to the following:

1. Title shall state: "Amendment to BSP- \_\_\_\_ - \_\_\_\_."
2. The binding site plan file number shall be referenced.
3. A distinct wide boundary line shall delineate the boundary of the lot(s) being created. The boundary of the binding site plan shall be indicated and any lot(s) that have been created by filing of the final binding site plan and/or record of survey.
4. Each lot shall be numbered consecutively, and the size of each lot shall be indicated on the survey; and
5. A revision block listing all previously recorded surveys and the date of recording.

Date Passed: Monday, November 20, 2023

Effective Date: Monday, January 1, 2024

ORD C36459 Section 44



## EXHIBIT C – RELATED COMPREHENSIVE PLAN GOALS AND POLICIES

### **Goal ED 7 REGULATORY ENVIRONMENT AND TAX STRUCTURE**

Goal: Create a regulatory environment and tax structure that encourage investment, nurture economic activity, and promote a good business climate.

#### **Policy ED 7.6 Development Standards and Permitting Process**

*Periodically evaluate and improve the City of Spokane's development standards and permitting process to ensure that they are equitable, cost-effective, timely, and meet community needs and goals*



**CITY OF SPOKANE PLAN COMMISSION  
FINDINGS OF FACT, CONCLUSIONS, AND RECOMMENDATIONS  
REGARDING SB 5290 EXPEDITED PERMITTING CODE UPDATES**

A recommendation of the City of Spokane Plan Commission to the City Council to approve amendments to amendments to Title 17 of the Spokane Municipal Code to update land use application procedures which clarify, expedite, and consolidate the land use permitting process in accordance with Senate Bill 5290. Specifically amending Section 17A.020.030 “C” Definitions, Section 17A.020.200 “T” Definitions, Section 17E.020.080 Application Submittal Requirements, Section 17E.030.060 Establishment of Development Permit, Section 17E.040.080 Application Submittal Requirements, Section 17E.070.080 Application Submittal Requirements, Section 17G.061.110 Application Requirements, Section 17G.061.120 Determination of a Complete Application, Section 17G.061.130 Application Time Limits, Section 17G.061.150 Modification of Applications and Permits, Section 17G.080.040 Short Subdivisions, Section 17G.080.060 Binding Site Plan, and other matters properly related thereto.

**FINDINGS OF FACT:**

- A. The City of Spokane adopted a Comprehensive Plan in May of 2001 that complies with the requirements of the Growth Management Act (GMA) as set forth in RCW 36.70A.
- B. The proposed text amendments are mandated by State Legislature in order to be in compliance with Senate Bill 5290 which amends land use application procedures in order to expedite the land use permitting process.
- C. Consistency with Senate Bill 5290 is a requirement on the Periodic Update Checklist for Fully-Planning Cities and advances our work on the required Periodic Update to the Comprehensive Plan 2026 and the required development code amendments.
- D. The proposed text amendments do not significantly alter the outcome and purpose of the Unified Development Code and therefore remain consistent with the City of Spokane’s Comprehensive Plan.
- E. Public notice and communication began in August 2024 and included the following:
  1. A Plan Commission workshop on August 28, 2024.
  2. A Plan Commission Public Hearing on September 25, 2024.
- F. No public comment was received.
- G. On August 28, 2024, the City of Spokane Plan Commission held a workshop to discuss draft language, and review and evaluate with city staff alternatives to proposed text changes.
- H. On August 09, 2024, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Unified Development Code pursuant to RCW 36.70A.106.
- I. The proposed text amendments are categorically exempt from SEPA under WAC 197-11-8000 article 19 under procedural actions.

## Findings of Fact, Conclusion, and Recommendation

- J. A legal notice of public hearing was published in the *Spokesman-Review* on September 11, 2024 and September 18, 2024.
- K. The proposed text amendments were drafted and reviewed consistent with the requirements of RCW 36.70A.370 to assure protection of private property rights.
- L. Amendments to the Unified Development Code Title 17 are subject to the review and recommendation by the City of Spokane Plan Commission.
- M. The Plan Commission held a public hearing on September 25, 2024, to obtain public comments on the proposed amendments. No comments were received.
- N. The City of Spokane Plan commission adopts the findings and analysis set forth in the staff report prepared for the proposal.
- O. The City of Spokane Plan Commission finds that the proposed text amendments meet the decision criteria established in SMC 17G.025.010(G).

### **CONCLUSIONS:**

Based upon the draft text amendments, staff report and analysis (which is hereby incorporated into these findings, conclusions, and recommendations), SEPA review, agency and public comments received, and public testimony presented, the Spokane Plan Commission makes the following conclusions with respect to the proposed Paper Cuts Q1 2024 Code Amendments:

1. The Plan Commission finds that the proposed amendments bear a substantial relation to the public health, safety, welfare, and protection of the environment pursuant to the requirements outlined in SMC 17G.025.010(G).
2. The proposed text amendments will implement the goals and policies of the City of Spokane Comprehensive Plan.
3. Interested agencies and the public have had opportunities to participate throughout the process and persons desiring to comment were given an opportunity to comment.
4. The Plan Commission finds that the proposed amendments are consistent with the applicable provisions of the Comprehensive Plan.

### **RECOMMENDATION:**

In the matter of the ordinances pertaining to the proposed text amendments, amending the Unified Development Code of the City of Spokane.

As based on the above listed findings and conclusions, by unanimous vote of - in favor to - not in favor, the Spokane Plan Commission takes the following actions:

1. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to Section 17A.020.030 "C" Definitions.
2. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to Section 17A.020.200 "T" Definitions.
3. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to [Section 17E.020.080](#) Application Submittal Requirements.

Findings of Fact, Conclusion, and Recommendation

4. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to [Section 17E.030.060](#) Establishment of Development Permit.
5. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to [Section 17E.040.080](#) Application Submittal Requirements.
6. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to [Section 17E.070.080](#) Application Submittal Requirements.
7. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to [Section 17G.061.110](#) Application Requirements.
8. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to [Section 17G.061.120](#) Determination of a Complete Application.
9. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to [Section 17G.061.130](#) Application Time Limits.
10. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to [Section 17G.061.150](#) Modification of Applications and Permits.
11. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to [Section 17G.080.040](#) Short Subdivisions.
12. Recommends to the Spokane City Council the **APPROVAL** of the proposed amendments to [Section 17G.080.060](#) Binding Site Plan.
  
13. Authorizes the President to prepare and sign on the Commission's behalf a written decision setting forth the Plan Commission's findings, conclusions, and recommendations on the proposed amendments.

---

**Greg Francis, President**

**Spokane Plan Commission**

**Date:**