

ORDINANCE NO. C _____

An ordinance relating to street development standards for the Unified Development Code; amending chapter 17C.200 of division C of title 17 of the Spokane Municipal Code; amending chapter 12.02.0202.

WHEREAS, the City of Spokane is updating Chapter 3 of the Design Standards, and as such must ensure consistency with Chapter 17C.200 and Title 12; -- Now, Therefore,

WHEREAS, Copy from 17A.010

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That section 17C.200.050 of the Spokane Municipal Code is amended to read as follows:

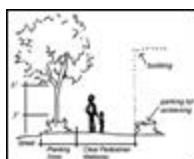
17C.200.050 Street Tree Requirements

A. Purpose.

To provide consistent street frontage character within the street right-of-way. The street tree standards also maintain and add to Spokane's tree canopy and enhance the overall appearance of commercial and neighborhood development. Trees are an integral aspect of the Spokane landscape and add to the livability of Spokane. They provide aesthetic and economic value to property owners and the community at large.

B. Street Tree Implementation.

1. Street trees are required along all city streets in downtown, commercial, center and corridor, industrial, residential and FBC zones.
2. Street trees shall be planted between the curb and the walking path of the sidewalk.



3. Street trees, tree grates and other landscaping shall be maintained and irrigated by the adjacent property owner. If the adjacent property owner fails to maintain the adjacent street trees and other landscaping, the City may perform the required tree and other landscaping work at the abutting property owner's expense as referenced in SMC 12.02.0210(B)(2).
4. If a street has a uniform planting of street trees or a distinctive species within the right-of-way, then new street trees should be of a similar form, character and planting pattern.
5. For a full list of approved trees in the city of Spokane, see the urban forestry program's approved street tree list. Species selection should be guided by individual site conditions including hydrology, soil, solar orientation, and physical constraints

Need to add the remainder of this section to finalize the draft ordinance

Section 2. That section 12.01.010 of the Spokane Municipal Code is amended to read as follows:

12.01.010 Sidewalk Maintenance – Owner's Responsibility

- A. Every owner and occupant of premises shall keep the sidewalk area including tree grates and any and all frontage improvements adjacent to any portion of the real property (including corners) in good and safe condition and repair at all times.
- B. Where the director of engineering services determines there has been a failure to comply with this section, the director may send written notice to the premises advising of the violation. If the violation is not corrected, the director may proceed to remove or repair the condition, at the owner's and/or occupant's sole expense and liability.

Section 3. That section 12.02.0202 of the Spokane Municipal Code is amended to read as follows:

12.02.0202 Overhanging Vegetation to be Removed

Owners of property within the City must prune ~~((remove or destroy))~~ all trees, plants, shrubs, or vegetation, or parts thereof, which overhang any sidewalk (8 feet of required clearance) or street (14 feet of required clearance) or which are growing thereon in such a manner as to obstruct or impair the free and full use of the sidewalk or street by the public. If pruning cannot remedy the obstruction, removal will be required. Such condition is declared a nuisance and subject to the process and provisions under [SMC 12.02.0210](#).

PASSED BY THE CITY COUNCIL on September 25, 2020.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date