



Spokane Plan Commission Agenda

Wednesday, September 22, 2021

2:00 PM

Virtual Teleconference

808 W Spokane Falls Blvd, Spokane, WA 99201

Virtual Meeting - See Below For Information

TIMES GIVEN ARE AN ESTIMATE AND ARE SUBJECT TO CHANGE

Public Comment Period:

3 minutes each	Citizens are invited to address the Plan Commission on any topic not on the agenda.
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Commission Briefing Session:

2:00 – 2:30	<ol style="list-style-type: none"> 1. Approve 9/8/2021 meeting minutes 2. City Council Report 3. Community Assembly Liaison Report 4. President Report 5. Transportation Sub-Committee Report 6. Secretary Report 	All CM Lori Kinnear Mary Winkes Todd Beyreuther Clifford Winger Louis Meuler
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Workshops:

2:30 – 3:15	<ol style="list-style-type: none"> 1. 2022-2027 6 Year City Wide Capital Program – Consistency Review Workshops - COS links to 2022-2027 CIP draft: https://my.spokanecity.org/projects/capital-programs/ https://my.spokanecity.org/business/resources/ 	Paul Ingiosi
3:15 – 3:30	<ol style="list-style-type: none"> 2. Design Guidelines Update, City Wide, Skywalks, Public Projects 	Dean Gunderson
3:30 – 4:00	<ol style="list-style-type: none"> 3. Ray Freya Alternatives Analysis – Please review the draft Ray-Freya Alternatives Analysis report on the City Website 	Inga Note

Hearing:

4:00 – 4:20	<ol style="list-style-type: none"> 1. Floodplain Text Amendment (mandated) – SMC 17E.030 	Amanda Beck
4:20 – 4:30	<ol style="list-style-type: none"> 2. Stormwater code revisions (mandated) – SMC 17D.060 	Trey George

Commission Business:

After Hearings until 5:00pm	Comp Plan Amendment Ideas Study Session	Plan Commission
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Adjournment: The next PC meeting will be held on Wednesday, October 13, 2021

AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION: The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Council Chambers and the Council Briefing Center in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., are both wheelchair accessible. The Council Briefing Center is equipped with an audio loop system for persons with hearing loss. The Council Chambers currently has an infrared system and headsets may be checked out by contacting the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Human Resources at 509.625.6363, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or msteinolfson@spokanecity.org. Persons who are deaf or hard of hearing may contact Human Resources through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

Plan Commission Meeting Information

Wednesday, September 22, 2021

In order to comply with public health measures and Governor Inslee's *Stay Home, Stay Safe* order, the Plan Commission meeting will be held on-line.

Members of the general public are encouraged to join the on-line meeting using the following information:

Meeting Password: PlanCommission	Join Webex Meeting Online: JOIN MEETING
Meeting Number (access code): 146 443 9763	Tap to join from a mobile device (attendees only): +1-408-418-9388 United States Toll Join by phone: +1-408-418-9388 United States Toll Global call-in numbers Join from a video system or application: Dial 1464439763@spokanecity.webex.com You can also dial 173.243.2.68 and enter your meeting number Join using Microsoft Lync or Microsoft Skype for Business Dial: Dial 1464439763.spokanecity@lync.webex.com

How to participate in virtual public testimony:

Sign up to give testimony by clicking on the button below. This will take you to an online google form where you can select the hearing item on which you wish to give testimony.

[SIGN UP](#)

The form will be **open until 1:00 p.m.** on September 22, 2021. Hearings begin at 4:00 p.m. When it is your turn to testify, Plan Commission President will call your name and you can begin your testimony.

Please note that public comments will be taken during the meeting, but the public is encouraged to continue to submit their comments or questions in writing to:

Louis Meuler at plancommission@spokanecity.org

The audio proceedings of the Plan Commission meetings will be recorded, with digital copies made available upon request.

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Spokane Plan Commission - Draft Minutes

September 8, 2021

Webex Teleconference

Meeting Minutes: Meeting called to order at 2:00 PM by Todd Beyreuther

Attendance:

- Board Members Present: Todd Beyreuther (President), Greg Francis (Vice President), Michael Baker, Jesse Bank, Carole Shook, Tim Williams, Clifford Winger, Jo Anne Wright
- Board Members Not Present: none
- Non-Voting Members Present: Mary Winkes (Community Assembly Liaison), Council Member Lori Kinnear
- *Quorum Present: yes*
- Staff Members Present: Louis Meuler, Jackie Churchill, Amanda Beck, Tirrell Black, Tate Andrie, Shauna Harshman, Kevin Freibott, James Richman, Kara Odegard, Colin Quinn-Hurst, Giacobbe Byrd, Nathan Gwinn

Public Comment: Citizens are invited to address the Plan Commission on any topic not on the agenda. 3 Minutes each. **NONE**

Minutes: Minutes from August 11th, 2021 meeting approved unanimously.

Briefing Session:

1. City Council Liaison Report - Lori Kinnear

- Council Member Kinnear reported that she is working on specifics for funding the development incentives that were included in the resolution she sponsored. The resolution was meant to signal to the administration which types of housing incentives the Council supports. In the short term, Council Member Kinnear is looking at ordinances to reduce fees for Accessory Dwelling Units (ADUs) that are constructed within ½ mile from centers and corridors, as well as revamping a façade improvement grant and expanding it to any center or corridor.
- Ms. Kinnear is also working in conjunction with other City Council members on the City's budget. Her priorities include planning and sustainability items.

2. Community Assembly Liaison Report - Mary Winkes

- Ms. Winkes reported that Community Assembly sent a letter to City Council that discussed the process of adding last minute amendments to Resolutions and Ordinances and asked that City Council allow the Neighborhood Councils sufficient time to weigh-in before amendments are added.

3. Commission President Report - Todd Beyreuther

- Mr. Beyreuther stated that another workshop item was added to this meeting's agenda in order to discuss the possibility of including more Plan Commissioners in the Comprehensive Plan study session.

4. Transportation Subcommittee Report - Clifford Winger

- Mr. Winger reported that the Plan Commission Transportation Subcommittee (PCTS) did not meet in September; however, the PCTS is scheduled to meet on October 5th.

5. Secretary Report - Louis Meuler

- Mr. Meuler reported that Sylvia St. Clair resigned from the Plan Commission (PC) and now the PC has two open positions.
- The City of Spokane Planning and Economic Development Department also has a new vacancy, which brings the total Planner II position vacancies to 3. The department is currently recruiting to fill these vacancies.
- The hiring search for the Planning and Economic Development Director has begun again and there is a short list of candidates for the position.

- Steve MacDonald has been hired as Division Director for Community and Economic Development.
- Mr. Meuler also reported that the City of Spokane is currently accepting applications to amend the text or maps in the Comprehensive Plan.
- Mr. Meuler is working with City Council to schedule the next joint Plan Commission - City Council meeting which will tentatively take place in October and the 2022 Work Program will be discussed.
- He also reported that Planning is bringing forward a modification to the City's short plat fee cost. The modification will be a fee change and will be brought before City Council.

Commission Business: Appointment of Citizen Transportation Advisory Board (CTAB) member from the Plan Commission Transportation Subcommittee (PCTS) membership

The appointment of a CTAB member from the PCTS was brought before the Plan Commission. Discussion ensued and the decision of who to appoint was deferred until the next Plan Commission meeting.

- Council Member Kinnear joined meeting at 2:23pm.

Workshop(s):

1. **WSDOT - West Plains Subarea Transportation Management Plan, Phase 1, US 2 Vicinity Study**
 - Presentation provided by Bonnie Gow & Greg Figg
 - Questions asked and answered
 - Discussion ensued
2. **Floodplain Development Code Update - SMC 17E.030**
 - Presentation provided by Amanda Beck
 - Questions asked and answered
 - Discussion ensued
3. **Stormwater Code Revisions (mandated) - SMC 17D.060**
 - Presentation provided by Trey George
 - Questions asked and answered
 - Discussion ensued
4. **Sustainability Action Plan**
 - Presentation provided by Kara Odegard
 - Questions asked and answered
 - Discussion ensued
5. **Study Session Discussion - Amendments to the Comprehensive Plan**
 - Presentation provided by Todd Beyreuther, Jesse Bank, Cliff Winger
 - Questions asked and answered
 - Discussion ensued

Meeting Adjourned at 4:54 PM

Next Plan Commission Meeting scheduled for Wednesday, September 22, 2021



2022-2027

Citywide Capital Improvement Program

New Projects

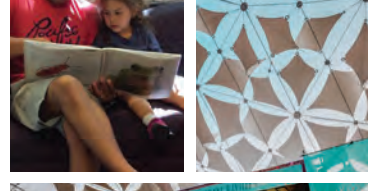
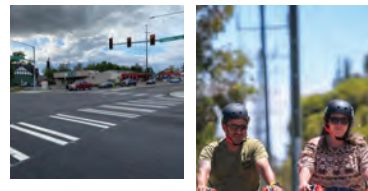


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FACILITIES MANAGEMENT

Executive Summary Report: New Projects

Facilities Management

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Fire										
Fire Facilities: Individual Bunkroom & Nursing Room Updates (AM-2021-39)										
Matrix Rating	Needs	Justification					Executive Summary			
70	1,4,5,6,7,8,11	The traditional open dorms are riddled with privacy concerns and contribute to sleep deprivation and transmission of viruses and diseases in large open spaces. Individual, gender-neutral design is based on best practices as well as a risk management concern.					Renovate existing stations to accommodate a diverse workforce to allow men and women privacy while on the job, living, and working in the station. These areas include dorm rooms, bathrooms, locker rooms, and private nursing rooms. The separate areas will allow for individual company alerting.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$460,000	\$322,400	\$335,296	\$348,708	\$362,656	\$377,162	\$2,206,222	100%	0%
Estimated Total Project Cost: \$2,206,222										
Fire Facilities: CCB Roof Replacement (AM-2021-103)										
Matrix Rating	Needs	Justification					Executive Summary			
53	1,3,5,6,11,12	The roof is deteriorating and is in dire need of replacement. Constantly having to repair for leaks that continue to occur in areas that house critical emergency systems could impact public safety. Basic risk analysis indicates it is much better to prevent a failure rather than waiting for one to occur at this facility.					The roof at Combined Communications is original and hasn't been replaced since the building was commissioned in 2003. It is a membrane roof that cannot be roofed over and requires special considerations for removal and replacement.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$52,850	\$1,000,000	\$557,163	\$0	\$0	\$0	\$0	\$1,557,163	100%	0%
Estimated Total Project Cost: \$1,610,013										

Executive Summary Report: New Projects

Facilities Management

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Fire (continued)										
Fire Facilities: CCB UPS Replacement (AM-2021-104)										
Matrix Rating	Needs	Justification						Executive Summary		
53	1,3,5,6,11,12	The UPS (Uninterruptable Power Supply) at Combined Communications has been in continual service since the building was commissioned in 2003. Typical lifespan for a UPS is 10-15 years. The system needs to be replaced as it has aged out beyond its serviceable life and parts are no longer available. The UPS is a key component in providing clean conditioned power to critical equipment housed in this facility in addition to backup power when other power systems fail. Basic risk analysis indicates it is much better to prevent a catastrophic failure rather than waiting for one to occur that would impact critical public safety systems, service, and delivery.						The UPS (Uninterruptable Power Supply) at Combined Communications has been in continual service since 2003. The system needs to be replaced as it has surpassed its serviceable life. System failure is imminent which would impact critical public safety systems, service, and delivery.		
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$50,000	\$1,200,000	\$0	\$0	\$0	\$0	\$1,250,000	100%	0%
Estimated Total Project Cost: \$1,250,000										
Fire Facilities: CCB Generator Control System Upgrade (AM-2021-105)										
Matrix Rating	Needs	Justification						Executive Summary		
48	1,3,5,6,11,12	The control system has not been updated since being put in service in 2003. This is the key component in controlling the flow of power to the building. Recent power outages at the building have revealed switch failures. Basic risk analysis indicates it is critical to prevent a failure rather than waiting for one to occur at this facility.						The generator control system at Combined Communications has been in continual service since the building was commissioned in 2003. The system is critical in controlling the path of power to the building between commercial sources and the backup generators when commercial power fails.		
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$150,000	\$0	\$0	\$0	\$0	\$0	\$150,000	100%	0%
Estimated Total Project Cost: \$150,000										

Executive Summary Report: New Projects

Facilities Management

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Fire (continued)										
Fire Facilities: HVAC and Mechanical Systems (AM-2021-95)										
Matrix Rating	Needs	Justification					Executive Summary			
48	1,3,5,6,11,12	If we continue to defer maintenance on these items, potential damages and injuries can occur to both the public and employees at these facilities.					SFD has responsibility for 16 fire stations + 5 other facilities. All facilities have levels of repair/ replacement that need attention. This project is for the most critical needs involving HVAC work. Stations 8 & 14 were completed in 2020, Stations 16 & 17 and INHS were deferred in 2021.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$309,894	\$0	\$140,000	\$0	\$0	\$0	\$0	\$0	\$140,000	100%	0%
Estimated Total Project Cost: \$449,894										
Fire Facilities: Training Center Expansion (AM-2021-77)										
Matrix Rating	Needs	Justification					Executive Summary			
141	1,2,3,4,5,7,8,9,12	The SFD has outgrown the existing footprint and capability of the Training Center. When the building was constructed initially, it was built to allow for two additional phases that would expand north with additional classrooms/cafeteria and south for restrooms and office space.					The project adds restrooms that are compliant with the Americans with Disabilities Act (ADA), staff office space, classrooms, and an expanded cafeteria area for students, meeting participants, and cadre.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$0	\$150,000	\$3,500,000	\$0	\$0	\$0	\$3,650,000	0%	100%
Estimated Total Project Cost: \$3,650,000										

Executive Summary Report: New Projects

Facilities Management

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Fire (continued)											
Fire Facilities: Logistics Warehouse for Apparatus/Equipment (AM-2021-60)											
Matrix Rating	Needs	Justification					Executive Summary				
135	1,2,3,4,5,7,11,12	The SFD Logistics division is a fully integrated supply chain providing procurement, inventory, distribution, and customer services. The Division could be realizing in cost-saving: via on-site warehouse space, integrated customer and courier services (e.g., uniforms, tools, PPE, uniforms, etc.) In 2020, the Logistics Division responded to over 2000 repair, replacement, and purchase orders for equipment, supplies, or services (e.g., COVID PPE). An on-site warehouse accomplishes the following strategic initiatives for SFD: Procurement reform and centralization – modernizing procurement policies , providing transparency, and centralizing purchasing functions with the larger organization. Strategic decision making –becoming an active participant with centralized services for better fiscal responsibility, budget planning, and projections. Workforce professionalization –promoting best business practices through timely and available procurements with on-hand accountability Performance measures – developing, tracking, and measuring performance and informing supply chain adjustments, and improve customer services . Regionalization – expanding relationships with agencies in the County to develop additional cooperative procurement opportunities (e.g., COVID and PPE distributions, equipment and pharmaceutical shortages, etc).					The Logistics Division has several de-centralized storage areas for apparatus, equipment, disposable supplies, and large caches. The Division is responsible for inventory management and asset tracking at the department's 16 fire stations & other Fire Department facilities.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$0	\$85,000	\$1,000,000	\$0	\$0	\$1,085,000	0%	100%	
Estimated Total Project Cost: \$1,085,000											
Fire Facilities: Station 7 Renovation (AM-2021-31)											
Matrix Rating	Needs	Justification					Executive Summary				
133	1,2,3,4,5,6,7,8,11,12	The station is in poor condition. Architecturally, this building is not compliant or efficient.					Fire Station 7 (1901 E First Ave) is 61-years old and in dire need of renovation to life-safety systems, bunk and living areas, and apparatus/storage areas. The project would update the station.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$200,000	\$3,000,000	\$0	\$0	\$0	\$3,200,000	0%	100%	
Estimated Total Project Cost: \$3,200,000											

Executive Summary Report: New Projects

Facilities Management

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Fire (continued)										
Fire Facilities: Training Campus Additions (AM-2021-92)										
Matrix Rating	Needs	Justification	Executive Summary							
127	1,2,4,6,7,9,11,12	Class A Burn Building- Several inspectors have evaluated the structure over 15 years. While the inspections resulted in repairs, the efforts were temporary and failed quickly under the rigors of heat and force placed upon the props during evolutions. There are many cracks, concrete degradation, and structural deficiencies that need immediate attention. Outdoor Restroom/Shelter- Restrooms utilized during live training can introduce challenges for all genders, and existing facilities allow cross-contamination into seemingly clean areas. The shelter would provide the means to use a purposefully oversized restroom (for use with PPE) and eliminate delays in evolutions. The shelter would also provide respite from inclement weather and debriefings. Type V Prop- the majority of fire incidents occur in single-family residences and searching for savable victims is a skill that requires constant practice. The SFD currently does not have a prop that is configurable to allow staff to modify the floorplan and situation. The lack of flexibility limits the training staff's ability to prepare our firefighters for the real-world situations that they will experience (tight hallways, corners, hoarding, etc).	The project adds crucial repairs to the Class A burn building, non-gender outdoor shelter/restrooms for personnel in contaminated Personal Protective Equipment (PPE), and a Type V residential prop.							
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$0	\$60,000	\$250,000	\$150,000	\$400,000	\$0	\$860,000	0%	100%
Estimated Total Project Cost: \$860,000										
Fire Facilities: Station 15 Relocation and Construction (AM-2021-93)										
Matrix Rating	Needs	Justification	Executive Summary							
108	1,2,5,7,8,11,12	The current Station 15 is over 60 years old and requires immediate upgrades and construction to gain compliance with ADA, Life/Safety Systems, and department expectations and standards for apparatus/equipment storage, privacy, and safety. The current commercial and residential growth in Northeast Spokane combined with the North-South Freeway and Railroad construction highlights the need for closer Fire/Rescue resources to the Freeway Access.	The project relocates the existing Fire Station 15 (2120 E Wellesley Ave) into a new facility on the property at Wellesley/Haven.							
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$0	\$500,000	\$0	\$9,500,000	\$0	\$0	\$10,000,000	0%	100%
Estimated Total Project Cost: \$10,000,000										

Executive Summary Report: New Projects

Facilities Management

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Fire (continued)										
Fire Facilities: Station 5 Permanent Construction (AM-2021-10)										
Matrix Rating	Needs	Justification					Executive Summary			
100	1,2,3,7,8,12	The current Station 5 was a renovated single-family home and designed, permitted, and modified as a temporary Station. The current residence lacks a required enclosed fire stairs/elevator lacks the ability for a large fire apparatus which is needed for the risk. The existing structure is non-compliant with the Americans with Disabilities Act (ADA), lacks adequate work/living space, no proper storage/repair space, and an inefficient employee health and fitness area. The current station location was a result of a temporary ordinance variance. The lack of funding to relocate has resulted in exceeding the					The purchased land is at the intersection of Cheney/Spokane and SR 195. The project constructs a station on the location to properly serve the area with career staffing in a facility capable of meeting the needs of employees and the community into the future.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$300,000	\$0	\$0	\$50,000	\$7,000,000	\$0	\$0	\$0	\$7,050,000	1%	99%
Estimated Total Project Cost: \$7,350,000										
Fire Facilities: Station Alerting System (AM-2021-82)										
Matrix Rating	Needs	Justification					Executive Summary			
80	1,2,5,12	The currently deployed system was installed pre-1990 and is outdated and beyond its service capability. Delays have occurred during all significant/high volume periods in the City and County when the existing system 'stacks' notifications or wholly failed due to volume. The new FSA system will include audible and visual devices that will deliver automatic dispatch alerts in multiple voice options to one or multiple stations in less than one second. The new system will help reduce or eliminate patient on-hold time and shave valuable seconds—even minutes—off response times. It will also increase firefighters' mental preparedness with clear and consistent vocalization of the alert, which helps units respond more quickly and efficiently. Heart attacks are the second leading cause of death for firefighters. This system will reduce cardiac stress, anxiety, optical shock, and sleep deprivation with ascending tones and zoned alerting. It will also increase firefighters' health, safety, and quality of life					The system interfaces with the Computer Aided Dispatch (CAD)/City data & radio networks, and paging system. The alert system accommodates system connections to lighting control, cell phone paging, voice radios, doorbell buttons, LED message Signs, HDTV, audio amplifiers, and speakers in the Station.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$0	\$400,000	\$0	\$0	\$0	\$0	\$400,000	0%	100%
Estimated Total Project Cost: \$400,000										

Executive Summary Report: New Projects

Facilities Management

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Fire (continued)											
Fire Facilities: Fire Station Office Renovation (AM-2021-97)											
Matrix Rating	Needs	Justification						Executive Summary			
53	1,3,5,6,11,12	If we continue to defer maintenance on these items, potential damages, injuries and health concerns can become a factor for both the public and for employees at these facilities. Better utilization/efficiency of the space will also be a benefit as a result.						The Spokane Fire Department (SFD) is responsible for 16 fire stations + 5 other facilities. All facilities have levels of repair/ replacement that need attention. This project is for critical needs involving office facilities at the majority if not all of SFD stations.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$0	\$276,908	\$312,906	\$353,584	\$399,550	\$1,342,948	0%	100%	
Estimated Total Project Cost: \$1,342,948											
Fire Facilities: Kitchen Renovations (AM-2021-101)											
Matrix Rating	Needs	Justification						Executive Summary			
53	1,3,5,6,11,12	If we continue to defer maintenance on these items, potential damages, injuries and health concerns can become a factor for both the public and for employees at these facilities.						The Spokane Fire Department (SFD) is responsible for 16 fire stations + 5 other facilities. All facilities have levels of repair/ replacement that need attention. This project is for critical needs involving kitchen facilities at the majority if not all of SFD stations.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$0	\$613,125	\$554,265	\$626,319	\$707,740	\$2,501,449	0%	100%	
Estimated Total Project Cost: \$2,501,449											
Fire Facilities: Dispatch Chiller replacement (AM-2021-98)											
Matrix Rating	Needs	Justification						Executive Summary			
48	1,3,5,6,11,12	Overall HVAC maintenance and repair needs at Combined Communications have increased as the equipment ages. The chiller is a key component in providing cooling air to the critical equipment housed in this facility. Basic risk analysis indicates it is much better to prevent a failure rather than waiting for one to occur at this facility.						The Heating, Ventilation, and Air Conditioning (HVAC) chiller at Combined Communications has been in continual service since the building was commissioned in 2003. The chiller provides cooling air to this critical facility.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$164,523	\$0	\$0	\$0	\$0	\$164,523	0%	100%	
Estimated Total Project Cost: \$164,523											

Executive Summary Report: New Projects

Facilities Management

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Fire (continued)											
Fire Facilities: Roof Replacement Station 1 (AM-2021-102)											
Matrix Rating	Needs	Justification					Executive Summary				
48	1,3,5,6,11,12	The roof at Fire Station 1 has increasingly needed extensive and expensive repairs due to degradation of the roof surface. Water leaks have the potential to cause expensive internal water damage to the building.					The roof at Fire Station 1 is in need of replacement.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$320,000	\$0	\$0	\$0	\$0	\$0	\$320,000	0%	100%
Estimated Total Project Cost: \$320,000											
Fire Facilities: Bay Door Motors and Safety Systems Upgrade (AM-2021-96)											
Matrix Rating	Needs	Justification					Executive Summary				
48	1,3,5,6,12	If we continue to defer maintenance on these items, potential damages and injuries can become a factor for both the public and for employees at these facilities.					The Spokane Fire Department (SFD) is responsible for 16 fire stations + 5 other facilities. All facilities have levels of repair/ replacement that need attention. This project is for the most critical needs involving the bay door motors and associated safety systems at all 16 fire stations.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$78,522	\$41,633	\$43,302	\$45,020	\$15,609	\$224,086	0%	100%	
Estimated Total Project Cost: \$224,086											
Fire Facilities: Station Shower Upgrade (AM-2021-100)											
Matrix Rating	Needs	Justification					Executive Summary				
48	1,3,5,6,11,12	If we continue to defer maintenance on these items, potential damages, injuries and health concerns can become a factor for both the public and for employees at these facilities.					The Spokane Fire Department (SFD) is responsible for 16 fire stations + 5 other facilities. All facilities have levels of repair/ replacement that need attention. This project is for the most critical needs involving shower facilities at the majority if not all of SFD stations.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$0	\$230,432	\$239,580	\$249,163	\$194,387	\$913,562	0%	100%	
Estimated Total Project Cost: \$913,562											

Executive Summary Report: New Projects

Facilities Management

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

General Fund											
Citywide HVAC Controls Upgrade Phase 1 (AM-2021-38)											
Matrix Rating	Needs	Justification	Executive Summary								
114	1,2,3,4,5,6,9,10,11	Currently, HVAC techs do not have any remote access. In an emergency, they have to come to site to make changes to the HVAC. This makes it inefficient and potentially dangerous in a smoky or chemical emergency situation.	This is an HVAC controls update with graphics that allows the HVAC technicians to monitor and make corrections to HVAC systems in all city-owned buildings.								
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$407,000	\$593,000	\$0	\$0	\$0	\$0	\$0	\$1,000,000	100%	0%
Estimated Total Project Cost: \$1,000,000											
City-Owned Buildings ADA Restrooms Updates (AM-2021-108)											
Matrix Rating	Needs	Justification	Executive Summary								
50	2	Restrooms will be out of ADA compliance once baby changing tables are added. A retrofit will need to be completed to accept baby table changing stations.	Retrofit city owned building restrooms to meet Americans with Disabilities Act (ADA) requirements. With addition to baby changing stations some restrooms will need to be retrofitted to accept the changing tables. This is an ordinance that we need to comply to.								
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$150,000	\$0	\$0	\$0	\$0	\$0	\$0	\$150,000	100%	0%
Estimated Total Project Cost: \$150,000											

Executive Summary Report: New Projects

Facilities Management

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Solid Waste Management											
CNG Compressor (AM-2021-52)											
Matrix Rating	Needs	Justification					Executive Summary				
103	1,2,3,5,7,11,12	As Solid Waste Collection's diesel vehicles reach the end of their useful life, they are being replaced with CNG fueled vehicles. To accommodate the additional CNG vehicles, additional capacity is needed for fueling. The original CNG station built in 2015 was built with room to add additional fueling stations when appropriate. Another large CNG compressor is needed once the fleet exceeds fifty vehicles to allow adequate time for overnight fueling.					Expand the existing Compressed Natural Gas (CNG) fuel station that was built in 2015 to accommodate additional CNG vehicles.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$100,000	100%	0%
Estimated Total Project Cost: \$100,000											

Streets											
Street Department Snow Maintenance Facility Improvements (AM-2021-90)											
Matrix Rating	Needs	Justification					Executive Summary				
30	3,4,5	Equipment used by the street department would last longer being stored inside while not being used. Facilities and equipment for making brine would provide alternative materials used for winter maintenance with economic and environmental benefits.					Equipment Storage Buildings and Brine Production Equipment				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$500,000	\$1,000,000	\$0	\$0	\$0	\$0	\$0	\$1,500,000	100%	0%
Estimated Total Project Cost: \$1,500,000											

Executive Summary Report: New Projects

Facilities Management

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Wastewater Management											
Maintenance and Warehouse Roof Membrane Replacement (AM-2021-85)											
Matrix Rating	Needs	Justification					Executive Summary				
80	1,2,3,5	The Maintenance and Warehouse Building is experiencing roofing failures, allowing weather and water exposure of critical equipment including electrical controls. Replacing the roof membrane will preserve critical function of plant equipment.					This project would renew the roof membrane for the existing Maintenance and Warehouse building areas at the Riverside Park Water Reclamation Facility (RPWRF).				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$200,000	\$0	\$0	\$0	\$0	\$0	\$200,000	100%	0%
Estimated Total Project Cost: \$200,000											

Water											
Water Dept. Ops Facility Maintenance and Renovation (AM-2021-69)											
Matrix Rating	Needs	Justification					Executive Summary				
15	1	Water Dept. has identified unacceptable air quality conditions, unfavorable office space conditions, lack of storage, unacceptable levels of access, undersized bathroom facilities, etc.					Facility upgrades are required for industrial hygiene mitigation, office space, bathroom space, and storage requirements.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$200,000	\$1,100,000	\$1,000,000	\$0	\$0	\$0	\$0	\$2,300,000	100%	0%
Estimated Total Project Cost: \$2,300,000											

Executive Summary Report: New Projects

Facilities Management

Executive Summary Category Totals							
	2022	2023	2024	2025	2026	2027	Grand Total
Estimated Funding	\$3,157,000	\$6,895,608	\$16,332,394	\$12,148,761	\$2,036,742	\$1,694,448	\$42,264,953
Unfunded / Unidentified	0%	27%	92%	97%	82%	78%	75%
Unfunded / Identified	0%	0%	0%	0%	0%	0%	0%
Funded	100%	73%	8%	3%	18%	22%	25%

SPOKANE FIRE DEPARTMENT

Executive Summary Report: New Projects

Fire

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Fire

No New Projects

Executive Summary Category Totals							
	2022	2023	2024	2025	2026	2027	Grand Total
Estimated Funding	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Unfunded / Unidentified	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%
Unfunded / Identified	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%
Funded	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%

INNOVATION AND
TECHNOLOGY
SERVICES DEPARTMENT
(ITSD)

Executive Summary Report: New Projects

Innovation and Technology Services

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Data Center										
Nutanix Virtual Infrastructure Expansion (IT-2021-56)										
Matrix Rating	Needs	Justification					Executive Summary			
48	1,5,6,7,11,12	The Nutanix virtual server platform contains over 90% of the City's application and other servers. New application acquisitions and upgrades increase the compute and storage resource requirements. In order to be fiscally responsible and keep initial acquisition costs low and reasonable, the current systems were selected based on conservative sizing with the intention to increase the platforms in the outyears as needed driven by business requirements. This is a planned increase.					Add additional compute and storage node to Nutanix virtual server platform.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$40,000	\$0	\$0	\$0	\$0	\$0	\$40,000	100%	0%
Estimated Total Project Cost: \$40,000										
Disaster Recovery Datacenter Infrastructure (IT-2021-57)										
Matrix Rating	Needs	Justification					Executive Summary			
40	1,3,5,7,12	The disaster recovery/business continuity (DR/BC) site will provide IT services at an alternate location in the event of a natural or man-made disruption of City-wide critical services at the production site. The design will provide near instantaneous restoration of services where possible so that city applications and systems can remain operational to minimize business and citizen impacts.					Deploy a secondary disaster recovery (DR) datacenter to mirror the production datacenter at CCB. The secondary datacenter will include a Nutanix virtual server array, a NetApp file storage array, a Cohesity backup platform, and software to replicate the production environment to the DR site.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$0	\$1,342,000	\$0	\$0	\$0	\$0	\$1,342,000	100%	0%
Estimated Total Project Cost: \$1,342,000										

Executive Summary Report: New Projects

Innovation and Technology Services

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Network										
P1F North Route Redundant Internet (IT-2021-86)										
Matrix Rating	Needs	Justification					Executive Summary			
97	1,4,5,6,7,8,9,1 1,12	PRIORITY 1 FIBER PROJECT: This project will provide a high speed, diverse Internet route out of Spokane. It will match our current bandwidth on our primary route. Our current redundant Internet bandwidth is limited to 100Mb, can't be expanded, and won't be able to support our needs long term. This project also removes dependency on US Bank that houses the majority of regional Internet connectivity and is a single route out of the area. Lastly, it creates a geographically diverse path to Seattle and to Portland and is critical for our cloud services.					Complete route from N Newport Hwy to NoaNet point of presence (POP) at the Bonneville Power Administration (BPA) site to access diverse outbound route on NoaNet fiber.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$200,000	\$0	\$0	\$0	\$0	\$0	\$200,000	100%	0%
Estimated Total Project Cost: \$200,000										
PF5 Fire Station 1 to Cowley Fiber Increase (IT-2021-88)										
Matrix Rating	Needs	Justification					Executive Summary			
97	1,4,5,6,7,8,9,1 1,12	PRIORITY 5 FIBER PROJECT: This will connect 72 unused existing strands between Fire Station 1 and the CCB. The current connections are getting close to low available strand count. In the near future, we need to connect a total of 32 strands to create 40Gb connections to the core, which is nearly half of the proposed strand count increase. The additional strand count will also support CSO tanks connectivity and the ability to reroute traffic due to fiber cuts.					Connect 72 existing unused fiber strands			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$32,000	\$0	\$0	\$0	\$0	\$0	\$32,000	100%	0%
Estimated Total Project Cost: \$32,000										

Executive Summary Report: New Projects

Innovation and Technology Services

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Network (continued)										
P3F City Hall to Fire Station 1 Fiber Increase (IT-2021-89)										
Matrix Rating	Needs	Justification						Executive Summary		
97	1,4,5,6,7,8,9,11,12	In order to connect new facilities in Riverfront Park, fiber strands between City Hall and Fire Station 1 were redirected leaving 18 strands unused. Fire Station 1 is the connection point between City facilities and services. Reconnecting these strands will increase fiber availability in one of the most critical and consumed fiber runs in the City. It will also improve quality of service between the two locations, address single points of failure, and allow us to more rapidly recover from fiber failures by rerouting traffic to the restored strands.						PRIORITY 3 FIBER PROJECT: Reconnect 18 strands of fiber that were cut and abandoned in place during Riverfront Park redevelopment.		
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$7,500	\$0	\$0	\$0	\$0	\$0	\$7,500	100%	0%
Estimated Total Project Cost: \$7,500										
Cisco Network Hardware Upgrades (IT-2021-55)										
Matrix Rating	Needs	Justification						Executive Summary		
78	1,3,4,5,7,8,11,12	Many network switches, routers, and remote site hardware across the City of Spokane infrastructure are out of vendor support and will stop receiving hardware support, software upgrades, or security updates. The hardware targeted in the 2022 phase of this project is nearly 10 years old and this project will bring them into compliance as well as position the City for an increased security posture. The vendor has announced EOS for vulnerability and security issues and software bug fix development so the hardware must be replaced before the end of security patch development in 2023.						The 2022 phase of the network hardware upgrade project will replace 40 Cisco 3850 switches and other hardware at various locations to include City Hall, SPD, and Fire facilities.		
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$749,370	\$0	\$400,000	\$0	\$0	\$0	\$0	\$0	\$400,000	100%	0%
Estimated Total Project Cost: \$1,149,370										

Executive Summary Report: New Projects

Innovation and Technology Services

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Network (continued)											
P2F Greene St. Bridge (IT-2021-106)											
Matrix Rating	Needs	Justification					Executive Summary				
74	1,4,5,6,8,9	PRIORITY 2 FIBER PROJECT: Installing conduit across bridges is a high priority goal and will support leasing opportunities and redundant paths to facilities. It is not cost effective or feasible to install conduit after bridge work is completed.					Install fiber conduit in the Greene St. bridge during reconstruction of the bridge.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$50,000	\$0	\$0	\$0	\$0	\$0	\$0	\$50,000	100%	0%
Estimated Total Project Cost: \$50,000											
PF4 Spokane Falls Blvd Conduit and Fiber (IT-2021-87)											
Matrix Rating	Needs	Justification					Executive Summary				
69	1,5,7,8,9,12	The current path is owned by Avista and is at maximum capacity. It is possible that an Avista need to increase their fiber may require us to vacate their conduit in the future. The second conduit run is owned by CenturyLink. By completing the missing sections of the conduit along Spokane Falls Blvd., we will also be able to lease space in a high value					PRIORITY 4 FIBER PROJECT: Add conduit and fiber along Spokane Falls Blvd from City Hall to Division where conduit does not currently exist.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$135,000	\$0	\$0	\$0	\$0	\$0	\$0	\$135,000	100%	0%
Estimated Total Project Cost: \$135,000											

Executive Summary Report: New Projects

Innovation and Technology Services

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Network (continued)											
Cisco Phone System Upgrade (IT-2021-53)											
Matrix Rating	Needs	Justification						Executive Summary			
55	1,3,4,5,8,11	The existing phone system is over 11 years old and needs to be upgraded to the current hardware and software to maintain technical and security support from the vendor. The vendor has already announced the end of software patching development. Security vulnerability support is available until 2024; however, we will be unable to renew hardware support for part of the platform in 2023. The vendor is expected to announce end of life milestones for the rest of the platform soon.						Upgrade the existing Cisco Call Manager and voice servers and associated software			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$110,000	\$0	\$0	\$0	\$0	\$0	\$0	\$110,000	100%	0%
Estimated Total Project Cost: \$110,000											
City Hall Network Uninterruptible Power Supply Upgrades (IT-2021-54)											
Matrix Rating	Needs	Justification						Executive Summary			
33	1,3,5,11,12	There are UPSs on the 2nd and 6th floors that provide emergency battery backup to the network hardware that provides user and remote facility connectivity. The hardware is over 10 years old and is experiencing battery failures and other issues.						Replace two network UPSs with upgraded hardware and update the electrical.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$65,000	\$0	\$0	\$0	\$0	\$0	\$0	\$65,000	100%	0%
Estimated Total Project Cost: \$65,000											

Executive Summary Report: New Projects

Innovation and Technology Services

Executive Summary Category Totals							
	2022	2023	2024	2025	2026	2027	Grand Total
Estimated Funding	\$1,039,500	\$1,342,000	\$0	\$0	\$0	\$0	\$2,381,500
Unfunded / Unidentified	0%	0%	NaN%	NaN%	NaN%	NaN%	0%
Unfunded / Identified	0%	0%	NaN%	NaN%	NaN%	NaN%	0%
Funded	100%	100%	NaN%	NaN%	NaN%	NaN%	100%

SPOKANE PUBLIC LIBRARY

Executive Summary Report: New Projects

Library

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Library

No New Projects

Executive Summary Category Totals							
	2022	2023	2024	2025	2026	2027	Grand Total
Estimated Funding	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Unfunded / Unidentified	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%
Unfunded / Identified	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%
Funded	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%

PARKS & RECREATION DEPARTMENT

Executive Summary Report: New Projects

Parks and Recreation

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Parks

No New Projects

Executive Summary Category Totals							
	2022	2023	2024	2025	2026	2027	Grand Total
Estimated Funding	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Unfunded / Unidentified	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%
Unfunded / Identified	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%
Funded	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%

SPOKANE POLICE DEPARTMENT

Executive Summary Report: New Projects

Police

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Police

No New Projects

Executive Summary Category Totals							
	2022	2023	2024	2025	2026	2027	Grand Total
Estimated Funding	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Unfunded / Unidentified	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%
Unfunded / Identified	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%
Funded	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%

SOLID WASTE COLLECTION DEPARTMENT

Executive Summary Report: New Projects

Solid Waste Collection

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Solid Waste Collection

No New Projects

Executive Summary Category Totals							
	2022	2023	2024	2025	2026	2027	Grand Total
Estimated Funding	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Unfunded / Unidentified	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%
Unfunded / Identified	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%
Funded	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%

SPOKANE SOLID WASTE DISPOSAL

Executive Summary Report: New Projects

Solid Waste Disposal

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Solid Waste Disposal

No New Projects

Executive Summary Category Totals							
	2022	2023	2024	2025	2026	2027	Grand Total
Estimated Funding	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Unfunded / Unidentified	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%
Unfunded / Identified	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%
Funded	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%	NaN%

STREET DEPARTMENT

Executive Summary Report: New Projects

Street

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Pedestrian and Bikeways										
Division Street Pedestrian Hybrid Beacons (STR-2021-4)										
Matrix Rating	Needs	Justification					Executive Summary			
15	1	Improve safety of existing pedestrian crossings.					Construct pedestrian hybrid beacons (PHB) to improve safety of pedestrian and bicycle crossings of Division St.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$30,900	\$203,600	\$1,478,200	\$0	\$0	\$0	\$0	\$1,681,800	100%	0%
Estimated Total Project Cost: \$1,712,700										
Boone Ave. Protected Bike Lanes - Howard to Ruby (STR-2021-3)										
Matrix Rating	Needs	Justification					Executive Summary			
15	1	Provide a lower stress bike route.					Study to consider alternatives for implementing protected bike lanes.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$75,000	\$0	\$0	\$0	\$0	\$0	\$75,000	100%	0%
Estimated Total Project Cost: \$75,000										
Driscoll - Alberta - Cochran Sidewalk (STR-2021-5)										
Matrix Rating	Needs	Justification					Executive Summary			
15	1	A high pedestrian activity corridor that is lacking sidewalk for most of the project limits.					Construction of infill sidewalk and Americans with Disabilities Act (ADA) curb ramps.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$50,000	\$175,000	\$1,475,000	\$0	\$0	\$0	\$0	\$1,650,000	100%	0%
Estimated Total Project Cost: \$1,700,000										

Executive Summary Report: New Projects

Street

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Street Capital										
44th Avenue - Crestline to Altamont (STR-2021-1)										
Matrix Rating	Needs	Justification					Executive Summary			
15	1	Pave an existing unpaved, planned arterial route. Improve arterial connectivity and provide alternative routes.					Strip pave unpaved section of planned Arterial roadway.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$100,000	\$800,000	\$0	\$0	\$0	\$0	\$0	\$800,000	100%	0%
Estimated Total Project Cost: \$900,000										
Riverside Ave., Grant to Sherman (STR-2021-6)										
Matrix Rating	Needs	Justification					Executive Summary			
15	1	Complete the road network in the U District Bridge, south landing area.					Construction complete street improvements, paving, curb, sidewalk and drainage.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$285,000	\$170,000	\$0	\$0	\$0	\$0	\$0	\$170,000	100%	0%
Estimated Total Project Cost: \$455,000										
Strong Road - Five Mile to Austin (STR-2021-2)										
Matrix Rating	Needs	Justification					Executive Summary			
15	1	Provide complete streets improvements and reconstructed pavement section to serve recent and continued development on Five Mile Prairie. Reconstruct rural roadway originally built as a County road.					Reconstruct roadway section, construct curb, sidewalk, drainage and bike facilities.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$0	\$0	\$0	\$0	\$50,000	\$100,000	\$150,000	43%	57%
Estimated Total Project Cost: \$150,000										

Executive Summary Report: New Projects

Street

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Vehicle and Equipment											
U-Bit Truck 10 Year Overhaul in 2022 (STR-2021-91)											
Matrix Rating	Needs	Justification					Executive Summary				
15	5,6	To verify the mechanical integrity of the truck, ensure it is safe to operate and extend the life of the vehicle deferring the cost of replacement.					U-Bit Truck used to inspect bridges is due for a 10 year inspection/overhaul to be completed by Aspen Aerial in Duluth, MN in 2022.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$300,000	\$0	\$0	\$0	\$0	\$0	\$0	\$300,000	100%	0%
Estimated Total Project Cost: \$300,000											
Replace 6-Wheel Pothole Truck #427354 - 2022 (STR-2021-50)											
Matrix Rating	Needs	Justification					Executive Summary				
10	5,6	Truck is used to repair potholes on roads throughout the City of Spokane.					Replace 6-wheel pothole truck #427354 in 2022.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$213,000	\$0	\$0	\$0	\$0	\$0	\$0	\$213,000	100%	0%
Estimated Total Project Cost: \$213,000											
Replace Regenerative Street Sweeper in 2027 (STR-2021-64)											
Matrix Rating	Needs	Justification					Executive Summary				
5	5,6	Sweeper is used to clean streets for maintenance and keep the city in compliance with PM10 environmental requirements.					Replace regenerative Street Sweeper.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$400,000	\$400,000	100%	0%
Estimated Total Project Cost: \$400,000											

Executive Summary Report: New Projects

Street

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Vehicle and Equipment (continued)											
Replace 2 Wausau Segment Snow Plows in 2027 (STR-2021-66)											
Matrix Rating	Needs	Justification					Executive Summary				
5	5	Snow plows are used to clear city streets of snow during the winter months. Plows are necessary to replace plows that are at end of life.					Replace 2 Wausau Segment snow plows in 2027				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$40,000	\$40,000	100%	0%
Estimated Total Project Cost: \$40,000											
Replace 4 Front end loaders in 2027 (STR-2021-63)											
Matrix Rating	Needs	Justification					Executive Summary				
5	5	Front end loaders are used for street maintenance to clear snow from streets, cleanup of storm debris and complete summer maintenance activities.					Replace 3-4 front end loaders in 2027.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$800,000	\$800,000	100%	0%
Estimated Total Project Cost: \$800,000											
6-Wheel Traffic Control Truck with Attenuator - 2022 (STR-2021-51)											
Matrix Rating	Needs	Justification					Executive Summary				
5	5	Truck is necessary to support maintenance activities done by the City of Spokane Street crews throughout the city year round.					Purchase new 6 Wheel Traffic Control Truck with Attenuator in 2022				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$120,000	\$0	\$0	\$0	\$0	\$0	\$0	\$120,000	100%	0%
Estimated Total Project Cost: \$120,000											

Executive Summary Report: New Projects

Street

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Vehicle and Equipment (continued)											
Replace 6-Wheel Crackseal Truck in 2023 (STR-2021-58)											
Matrix Rating	Needs	Justification					Executive Summary				
5	6	To support crack sealing crews doing maintenance work on asphalt streets.					Replace 6-wheel truck with flatbed used for crack sealing.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$100,000	\$0	\$0	\$0	\$0	\$0	\$100,000	100%	0%
Estimated Total Project Cost: \$100,000											
Replace 2 Each: 6-Wheel Dump Trucks - 2027 (STR-2021-67)											
Matrix Rating	Needs	Justification					Executive Summary				
5	5	Dump trucks are used during winter and summer supporting maintenance activities.					Replace 2 each 6-wheel dump trucks in 2027.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$413,000	\$413,000	100%	0%
Estimated Total Project Cost: \$413,000											
Replace F-250 Radio Truck in 2023 (STR-2021-59)											
Matrix Rating	Needs	Justification					Executive Summary				
0		Replace Equipment that is at end of life with newer equipment					Replace F250 Radio Truck in 2023				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$60,000	\$0	\$0	\$0	\$0	\$0	\$60,000	100%	0%
Estimated Total Project Cost: \$60,000											

Executive Summary Report: New Projects

Street

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Replace 4 F350 pickups in 2027 (STR-2021-65)										
Matrix Rating	Needs	Justification					Executive Summary			
0	6	Pickups are used to complete street maintenance work. Replacement is necessary to equipment is at end of life and replace with more current equipment.					Replace 4 each 1 Ton Pickups			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$250,000	\$250,000	100%	0%

Estimated Total Project Cost: \$250,000

Executive Summary Category Totals							
	2022	2023	2024	2025	2026	2027	Grand Total
Estimated Funding	\$2,056,600	\$3,113,200	\$0	\$0	\$50,000	\$2,003,000	\$7,222,800
Unfunded / Unidentified	0%	0%	NaN%	NaN%	0%	4%	1%
Unfunded / Identified	0%	0%	NaN%	NaN%	0%	0%	0%
Funded	100%	100%	NaN%	NaN%	100%	96%	99%

WASTEWATER MANAGEMENT DEPARTMENT

Executive Summary Report: New Projects

Wastewater

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Collections Capital										
Future Development Sewer Upgrades (WWM-2021-11)										
Matrix Rating	Needs	Justification					Executive Summary			
30	1,5,7	It is important to upgrade our sewer system as opportunities become available. Developer projects provide an opportunity and oftentimes costs savings.					Sewer improvement projects in coordination with developer projects.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$1,500,000	100%	0%
Estimated Total Project Cost: \$1,500,000										
West Plains Sewer Lift Station (WWM-2021-15)										
Matrix Rating	Needs	Justification					Executive Summary			
25	1,7	As development continues to the west, the lift station will be required push sewage to the east where it can drain via gravity.					This project is a new regional sewage lift station to serve the West Plains area. Sewer inverts are too low in this area of the West Plains to convey the sewage east into the City's system. There is an expectation that development will participate in the construction funding.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$400,000	\$0	\$0	\$0	\$0	\$5,000,000	\$5,400,000	7%	93%
Estimated Total Project Cost: \$5,400,000										

Executive Summary Report: New Projects

Wastewater

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Collections Vehicles and Equipment										
Closed Circuit Television Inspection Truck 2027 (WWM-2021-28)										
Matrix Rating	Needs	Justification					Executive Summary			
117	1,2,3,4,5,6,7,11	To maintain the capacity and integrity of the wastewater collection system.					This truck is used to inspect all new Storm and Sanitary sewer pipes as well as routine inspection of existing infrastructure for blockages and structural condition.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$350,000	\$350,000	100%	0%
Estimated Total Project Cost: \$350,000										
10 Yard Dump Truck 2027 (WWM-2021-29)										
Matrix Rating	Needs	Justification					Executive Summary			
102	1,2,3,5,6,7,11	To maintain the integrity and the capacity of the Sanitary Sewer System.					These trucks are used in the repair process of sanitary and storm sewer systems throughout the city and assist other departments with construction or snow removal requirements.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$350,000	\$350,000	100%	0%
Estimated Total Project Cost: \$350,000										
Catch Basin Cleaner 2027 (WWM-2021-30)										
Matrix Rating	Needs	Justification					Executive Summary			
102	1,2,3,5,6,7,11	To maintain the integrity and the capacity of the Storm System.					These trucks are used to clean Storm inlets throughout the city and assist other departments with construction or general pumping requirements.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$500,000	\$500,000	100%	0%
Estimated Total Project Cost: \$500,000										

Executive Summary Report: New Projects

Wastewater

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Collections Vehicles and Equipment (continued)										
WWC SCADA Equipment Upgrades (WWM-2021-37)										
Matrix Rating	Needs	Justification					Executive Summary			
77	1,2,5,11	Equipment will reach end of support and will need to be replaced and upgraded					Replace and upgrade existing SCADA equipment			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$0	\$10,000	\$10,000	\$120,000	\$30,000	\$30,000	\$200,000	100%	0%
Estimated Total Project Cost: \$200,000										
8- F150 4x4 2023 - 2027 (WWM-2021-45)										
Matrix Rating	Needs	Justification					Executive Summary			
73	1,2,5,11	To maintain, repair, rehabilitate sanitary and stormwater infrastructure. Inspection of capital and private projects and snow removal.					These trucks is used for a variety of tasks of by multiple crews			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$0	\$115,000	\$70,000	\$0	\$35,000	\$70,000	\$290,000	100%	0%
Estimated Total Project Cost: \$290,000										
Engineer Tech Equipment (WWM-2021-46)										
Matrix Rating	Needs	Justification					Executive Summary			
68	1,2,3,11	Engineering Techs need to be able to accurately locate and measure assets for consistent and accurate map of infrastructure.					Upgrade existing GPS equipment and new LIDAR capability used by Engineer Techs to locate and map assets.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$0	\$100,000	\$0	\$0	\$0	\$0	\$100,000	100%	0%
Estimated Total Project Cost: \$100,000										

Executive Summary Report: New Projects

Wastewater

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

RPWRF Maintenance											
Maintenance/Warehouse HVAC Access Stairs (WWM-2021-84)											
Matrix Rating	Needs	Justification					Executive Summary				
80	1,2,5,6	The HVAC equipment currently has only ladder access and crews must access it routinely.					This project will add a stairway to the HVAC equipment that serves the Maintenance and Warehouse areas. This equipment is roof mounted and needs routine service. This project needs to consider the safety aspect- a tall vertical ladder is the only current access. Risks increase during bad weather.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$80,000	\$0	\$0	\$0	\$0	\$0	\$0	\$80,000	100%	0%
Estimated Total Project Cost: \$80,000											
Seal Discrete Auto-analyzer (WWM-2021-83)											
Matrix Rating	Needs	Justification					Executive Summary				
65	1,2	The Discrete Analyzer analyzes numerous contaminants, including ammonia and nitrogen, which are monitoring requirements for the NPDES permit. Improved technology allows the lab personnel to test at lower detection limits of contaminants. New analyzer equipment will be needed to keep us in compliance.					This will be the purchase of new, improved laboratory equipment.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$70,000	\$0	\$0	\$0	\$0	\$0	\$0	\$70,000	100%	0%
Estimated Total Project Cost: \$70,000											

Executive Summary Report: New Projects

Wastewater

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

RPWRF Vehicles and Equipment											
Biosolids Front End Loader (WWM-2021-72)											
Matrix Rating	Needs	Justification						Executive Summary			
70	1,2,5	Biosolids generated at the Riverside Park Water Reclamation Facility are applied to private farmland in accordance with Federal and State regulations. Replacement of Biosolids moving equipment is necessary to maintain the reliability necessary to meet Biosolids application regulations. This project is the purchase of a front end loader to replace the one that has reached the end of its service life. The loader is used in rough conditions: daily use, rough dirt roads and fields. The service life is approximately 5 to 6						Equipment being replaced is a Biosolids Front End Loader.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$225,000	\$0	\$0	\$0	\$0	\$0	\$225,000	100%	0%
Estimated Total Project Cost: \$225,000											

Stormwater											
Study - Downtown Stormwater Relief Phase 2 (WWM-2021-17)											
Matrix Rating	Needs	Justification						Executive Summary			
87	1,2,3,5,11,12	The downtown area generates large amounts of runoff due to the impervious nature of the area. This runoff drains to the combined system and overwhelms the sanitary system during storm events. This project will present solutions to separate runoff from the system and create capacity in the sanitary system.						This project is a study that will analyze potential stormwater separation solutions in the downtown area. These solutions, once implemented, will create additional capacity in the sanitary sewer system.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$75,000	\$75,000	\$0	\$0	\$0	\$0	\$150,000	100%	0%
Estimated Total Project Cost: \$150,000											

Executive Summary Report: New Projects

Wastewater

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Stormwater (continued)										
Washington Basin Stormwater Separation (WWM-2021-18)										
Matrix Rating	Needs	Justification					Executive Summary			
77	1,2,5,11	This project is necessary to remove untreated stormwater from the Spokane River and improve water quality.					This project will construct stormwater facilities throughout the basin to separate stormwater from the Washington outfall, the City's second largest stormwater outfall to the Spokane River.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$0	\$0	\$0	\$0	\$300,000	\$3,000,000	\$3,300,000	100%	0%
Estimated Total Project Cost: \$3,300,000										
Drywell Rehabilitation in Wellhead Protection Zones (WWM-2021-20)										
Matrix Rating	Needs	Justification					Executive Summary			
27	1,5,11	This project is necessary to protect the aquifer from contamination.					There are drywells located within wellhead protection zones that do not meet current Underground Injection Control (UIC) requirements. This project will rehabilitate or replace those drywells to meet current requirements and help protect the aquifer.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$0	\$0	\$0	\$200,000	\$1,000,000	\$1,000,000	\$2,200,000	25%	0%
Estimated Total Project Cost: \$2,200,000										

Executive Summary Category Totals							
	2022	2023	2024	2025	2026	2027	Grand Total
Estimated Funding	\$800,000	\$775,000	\$405,000	\$570,000	\$1,615,000	\$10,550,000	\$14,715,000
Unfunded / Unidentified	0%	0%	0%	0%	0%	47%	34%
Unfunded / Identified	0%	0%	0%	26%	46%	7%	11%
Funded	100%	100%	100%	74%	54%	45%	55%

WATER DEPARTMENT

Executive Summary Report: New Projects

Water

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Source Wells and Booster Stations											
Northwest Terrace PRV's (WAT-2021-13)											
Matrix Rating	Needs	Justification					Executive Summary				
30	1,5,7	This project will increase capacity in the Indian Trail area and North Hill Pressure Zone.					This initial analysis will identify the pressure reducing valve station that will allow for increased transmission main capacity in Indian Trail for the North Hill Pressure Zone. The valve would reduce pressures from Low Pressure Zone to Northwest Terrace.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$10,000	\$0	\$0	\$0	\$0	\$0	\$0	\$10,000	100%	0%
Estimated Total Project Cost: \$10,000											
Study-Well Transmission Optimization (WAT-2021-14)											
Matrix Rating	Needs	Justification					Executive Summary				
28	1,6,11	Demand and growth as well as a new well station have changed how we deliver water to the various pressure zones. This study will inform on whether there may be a more efficient way to do that than what we are currently doing.					This study will inform on the best way for the City to optimize transmission from the various well stations. There may be scenarios where it would be more efficient for one pressure zone to be pulling from a well that currently does not feed that zone.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$100,000	\$50,000	\$0	\$0	\$0	\$0	\$0	\$150,000	100%	0%
Estimated Total Project Cost: \$150,000											
Highland Booster Capacity Improvements (WAT-2021-12)											
Matrix Rating	Needs	Justification					Executive Summary				
30	1,5,7,11	The project is necessary to maintain levels of service to this pressure zone.					Modeling and analysis has determined that additional pumping capacity is needed to supply water to the Highland Reservoir.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$0	\$0	\$0	\$500,000	\$5,000,000	\$5,500,000	0%	100%	
Estimated Total Project Cost: \$5,500,000											

Executive Summary Report: New Projects

Water

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Vehicles and Equipment											
Chlorine Truck (WAT-2021-74)											
Matrix Rating	Needs	Justification					Executive Summary				
15	1	Replacement of aging fleet vehicles for reliability and safety. Current vehicles and equipment are reaching the end of useful life and are showing increased maintenance costs.					Replacement of Chlorine truck used in the disinfection of parts and equipment necessary for water system operation.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$130,000	\$0	\$0	\$0	\$0	\$0	\$0	\$130,000	100%	0%
Estimated Total Project Cost: \$130,000											
Light Vehicles (WAT-2021-75)											
Matrix Rating	Needs	Justification					Executive Summary				
15	1	Replacement of aging fleet vehicles for reliability and safety. Current vehicles and equipment are reaching the end of useful life and are showing increased maintenance costs.					Replacement of 2 light vehicles in 2023 for the Water Quality Coordinator and the Upriver Superintendent. Vehicles are at the end of useful life and require replacement.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$130,000	\$0	\$0	\$0	\$0	\$0	\$130,000	100%	0%
Estimated Total Project Cost: \$130,000											
Mechanics Truck (WAT-2021-73)											
Matrix Rating	Needs	Justification					Executive Summary				
15	1	Vehicles are necessary for the completion of mechanics duties to maintain the water system and hydroelectric facilities.					Replacement of 2 mechanics trucks in consecutive years.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$115,000	\$115,000	\$0	\$0	\$0	\$0	\$230,000	100%	0%
Estimated Total Project Cost: \$230,000											

Executive Summary Report: New Projects

Water

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Vehicles and Equipment (continued)										
Skid Steer Loader With Broom (WAT-2021-70)										
Matrix Rating	Needs	Justification					Executive Summary			
15	1	Excavations in tight spaces are difficult with large equipment. A skid steer is more maneuverable and limits the damage due to surrounding surface.					Purchase of a new Skid Steer loader to be used for excavations in confined areas and cleanup at upriver dam.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$80,000	\$0	\$0	\$0	\$0	\$0	\$80,000	100%	0%
Estimated Total Project Cost: \$80,000										
Upriver Dam Maintenance Boat (WAT-2021-71)										
Matrix Rating	Needs	Justification					Executive Summary			
15	1	Safely and efficiently maintaining a large spillway dam on the Spokane River requires a dedicated maintenance boat capable of carrying and towing large equipment and appurtenances and a stable work platform.					A boat is required for maintenance of the Upriver Dam Hydroelectric Project spillway gates, concrete, boat barriers, inspections, emergencies, and operations.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$50,000	\$0	\$0	\$0	\$0	\$0	\$50,000	100%	0%
Estimated Total Project Cost: \$50,000										

Executive Summary Report: New Projects

Water

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Water Mains										
Ray St., 17th to 11th Ave, Main Replacement (WAT-2021-16)										
Matrix Rating	Needs	Justification					Executive Summary			
40	1,4,6	The existing transmission main is in poor shape, and at the end of its useful life. A pipe assessment has confirmed its condition.					The 1936 steel water main will be replaced with 36-inch ductile iron pipe in coordination with the street reconstruction project. This is an integrated project.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$308,080	\$100,000	\$536,920	\$350,000	\$0	\$0	\$0	\$0	\$886,920	100%	0%
Estimated Total Project Cost: \$1,295,000										
Future Development Water Projects (WAT-2021-22)										
Matrix Rating	Needs	Justification					Executive Summary			
30	1,5,6	The water system requires upgrades. Often there are cost savings by performing these upgrades when development construction is happening.					This project assigns dollars to potential water system improvements that could be made in conjunction with developer projects. These projects will be defined as development occurs.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$250,000	\$1,500,000	100%	0%
Estimated Total Project Cost: \$1,500,000										
Palouse/Freya Roundabout (WAT-2021-34)										
Matrix Rating	Needs	Justification					Executive Summary			
30	1,4	The project will help to provide connectivity and redundancy within the water system and will relocate water infrastructure as needed for the roundabout.					This project will extend a 12-inch waterline around the proposed roundabout approximately 850-feet to the northwest to Thor St. Work will also include relocating existing water within the footprint of the proposed roundabout as needed. This is an integrated project.			
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified
		2022	2023	2024	2025	2026	2027	Total		
\$0	\$0	\$0	\$25,000	\$0	\$0	\$0	\$0	\$25,000	100%	0%
Estimated Total Project Cost: \$25,000										

Executive Summary Report: New Projects

Water

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Water Mains (continued)											
Northwest Terrace Transmission Main (WAT-2021-25)											
Matrix Rating	Needs	Justification					Executive Summary				
25	1,7	There is limited transmission main capacity in Indian Trail and this alleviates that issue.					This project will construct an 18-inch transmission main along HWY 291 to relieve demands from Indian Trail transmission by supplying most of the water from the Low to Northwest Terrace Pressure Zones. This is an integrated project with the Francis/Assembly roundabout.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$50,000	\$0	\$0	\$0	\$0	\$0	\$0	\$50,000	100%	0%
Estimated Total Project Cost: \$50,000											
Latah Booster to Thorpe Reservoir Transmission Main (WAT-2021-26)											
Matrix Rating	Needs	Justification					Executive Summary				
25	1,7	To meet demands to fill the new Thorpe reservoir. These demands include both domestic and fire flow.					Additional transmission main capacity is required between Latah Booster and Thorpe reservoir. Once the new reservoir is constructed, additional flow will be pushed through the pipes exceeding their capacity. This new pipe will create sufficient capacity to fill the new reservoir.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$0	\$0	\$0	\$800,000	\$8,000,000	\$8,800,000	0%	100%	
Estimated Total Project Cost: \$8,800,000											
Latah-9th and Pine Transmission Main (WAT-2021-23)											
Matrix Rating	Needs	Justification					Executive Summary				
25	1,7	This project would provide necessary additional capacity for the southwestern portion of the city.					This project constructs a new transmission main connecting the Latah Booster and 9th and Pine reservoir. This new transmission main will allow additional water to be piped to the southwest part of the city and meet demands. Design will begin in 2028 with construction in 2029.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$250,000	\$250,000	0%	100%	
Estimated Total Project Cost: \$250,000											

Executive Summary Report: New Projects

Water

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Water Mains (continued)											
Westbow Transmission Main - Thomas Mallen to Spotted (WAT-2021-27)											
Matrix Rating	Needs	Justification					Executive Summary				
25	1,7	The new pipe is necessary to deliver the required water to the Thomas Mallon tank to supply the Plains Pressure Zone.					This project will construct a new transmission main connecting the new Plains Booster and Thomas Mallon tank. Both development and intertie agreements with Fairchild AFB will require additional transmission to the reservoir and the Plains Pressure Zone. The existing pipe does not have capacity.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$0	\$0	\$0	\$800,000	\$8,000,000	\$8,800,000	0%	100%	
Estimated Total Project Cost: \$8,800,000											

Water Maintenance											
AMI Collector Installation for Smart Metering (WAT-2021-68)											
Matrix Rating	Needs	Justification					Executive Summary				
15	1	For the on-going effort of implementing smart metering tech.					Includes purchasing of equipment and contracting for installation, set-up and programming.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$1,000,000	\$0	\$0	\$0	\$0	\$0	\$1,000,000	100%	0%	
Estimated Total Project Cost: \$1,000,000											

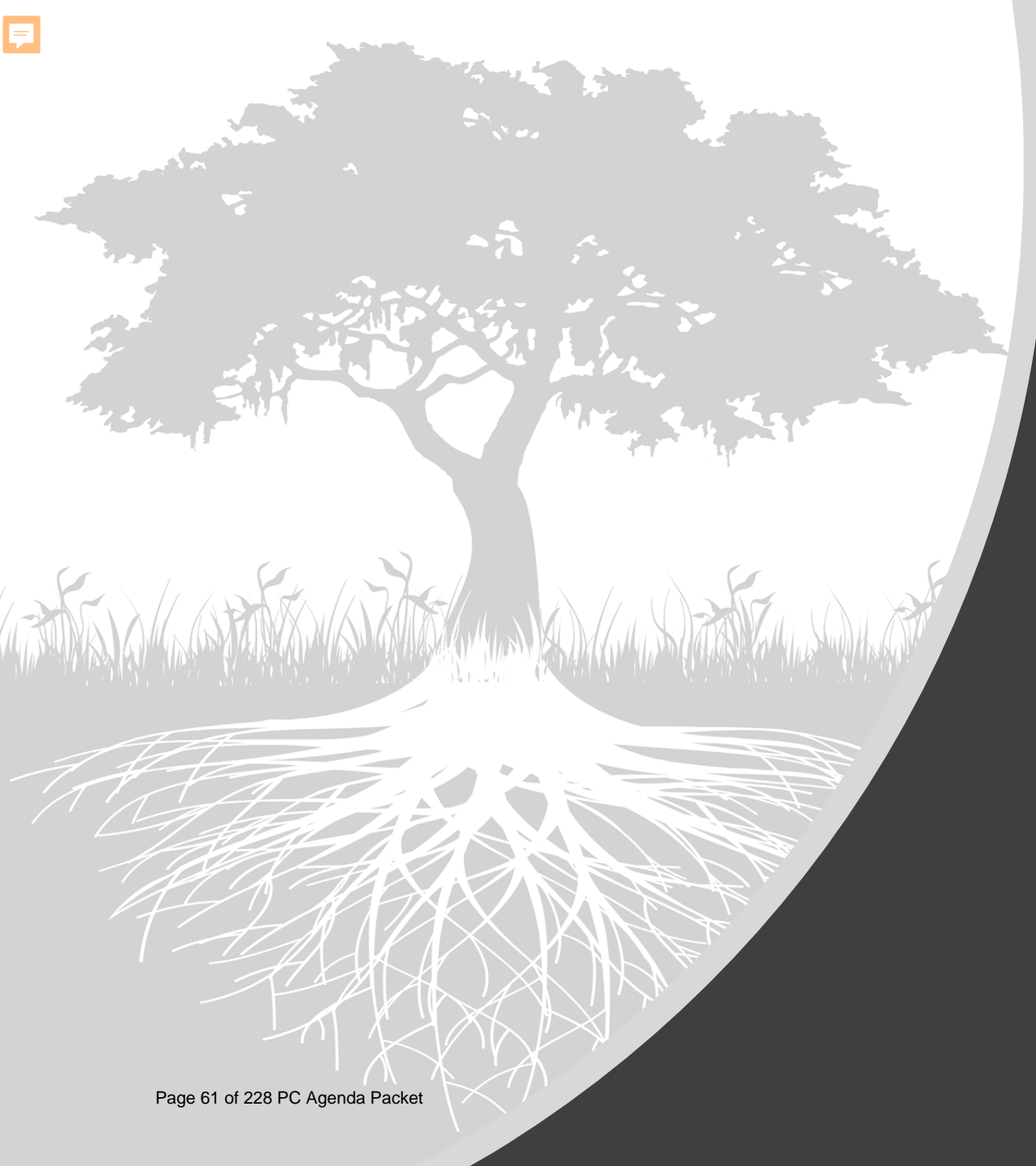
Electric Vehicle (EV) Charging Station Development (WAT-2021-62)											
Matrix Rating	Needs	Justification					Executive Summary				
15	1	Necessary before purchase and use of all-electric vehicles.					Electric Vehicle (EV) charging station development.				
Prior Spending	2021	Estimated Funding							Percentage Funded*	Percentage Unfunded and Unidentified	
		2022	2023	2024	2025	2026	2027	Total			
\$0	\$0	\$0	\$0	\$0	\$0	\$300,000	\$1,000,000	\$1,300,000	100%	0%	
Estimated Total Project Cost: \$1,300,000											

Executive Summary Report: New Projects

Water

* This percentage measures the level of actual financial commitment for the project. 100% would equate to the total cost of the project.

Executive Summary Category Totals							
	2022	2023	2024	2025	2026	2027	Grand Total
Estimated Funding	\$2,206,920	\$920,000	\$365,000	\$250,000	\$2,650,000	\$22,500,000	\$28,891,920
Unfunded / Unidentified	0%	0%	0%	0%	79%	94%	81%
Unfunded / Identified	0%	0%	0%	0%	0%	0%	0%
Funded	100%	100%	100%	100%	21%	6%	19%

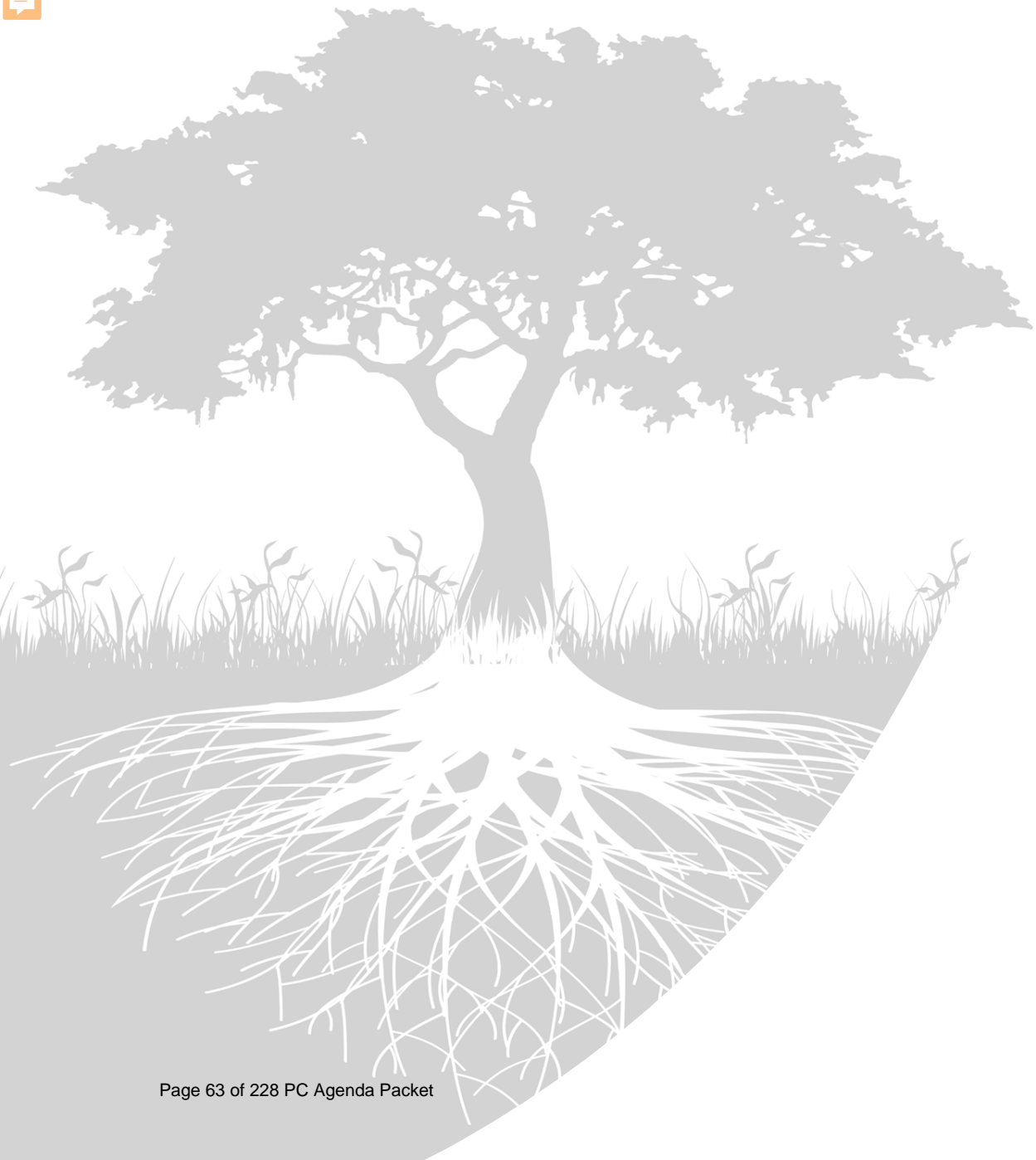


design review



***Give me a place to stand
and with a lever
I will move the whole world.***

Archimedes



Downtown Projects

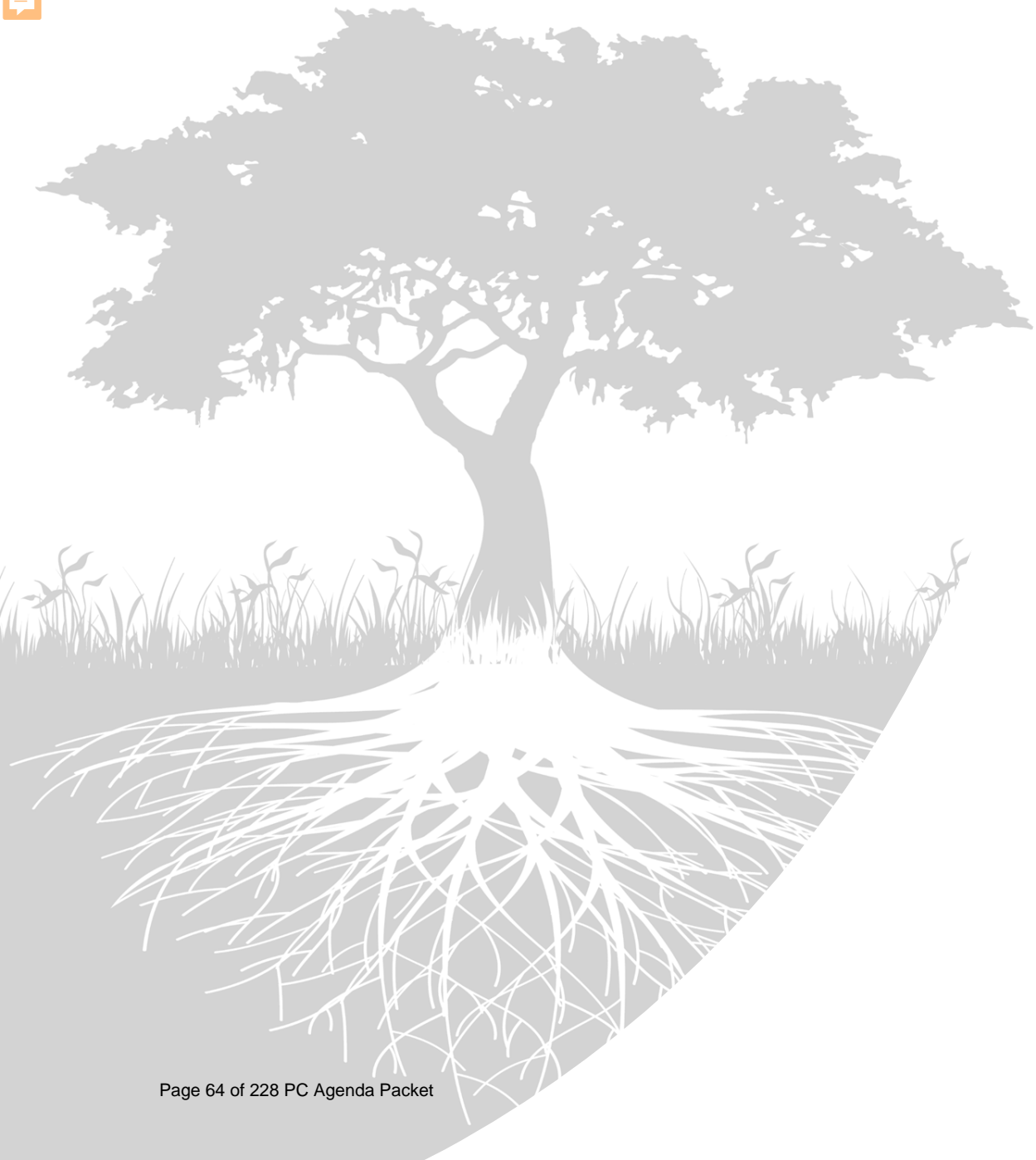
Mini-storage Projects

Public Projects

Skywalks

Planned Unit Developments

City-wide (for all others)



- 1** **select**
- 2** **research**
- 3** **outreach**
- 4** **report**
- 5** **write**
- 6** **adopt**



design review

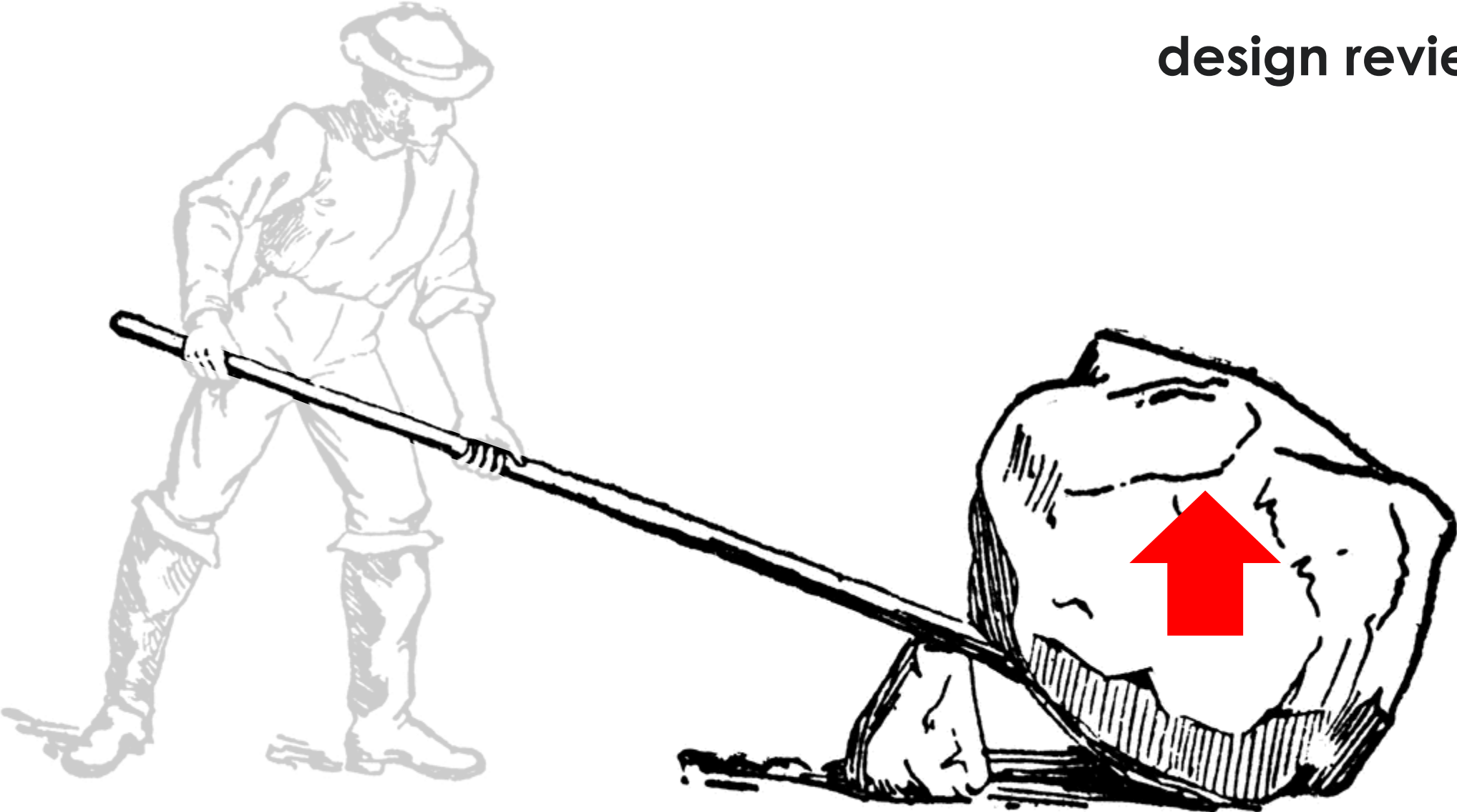


Design Review Board

Project



design review



project

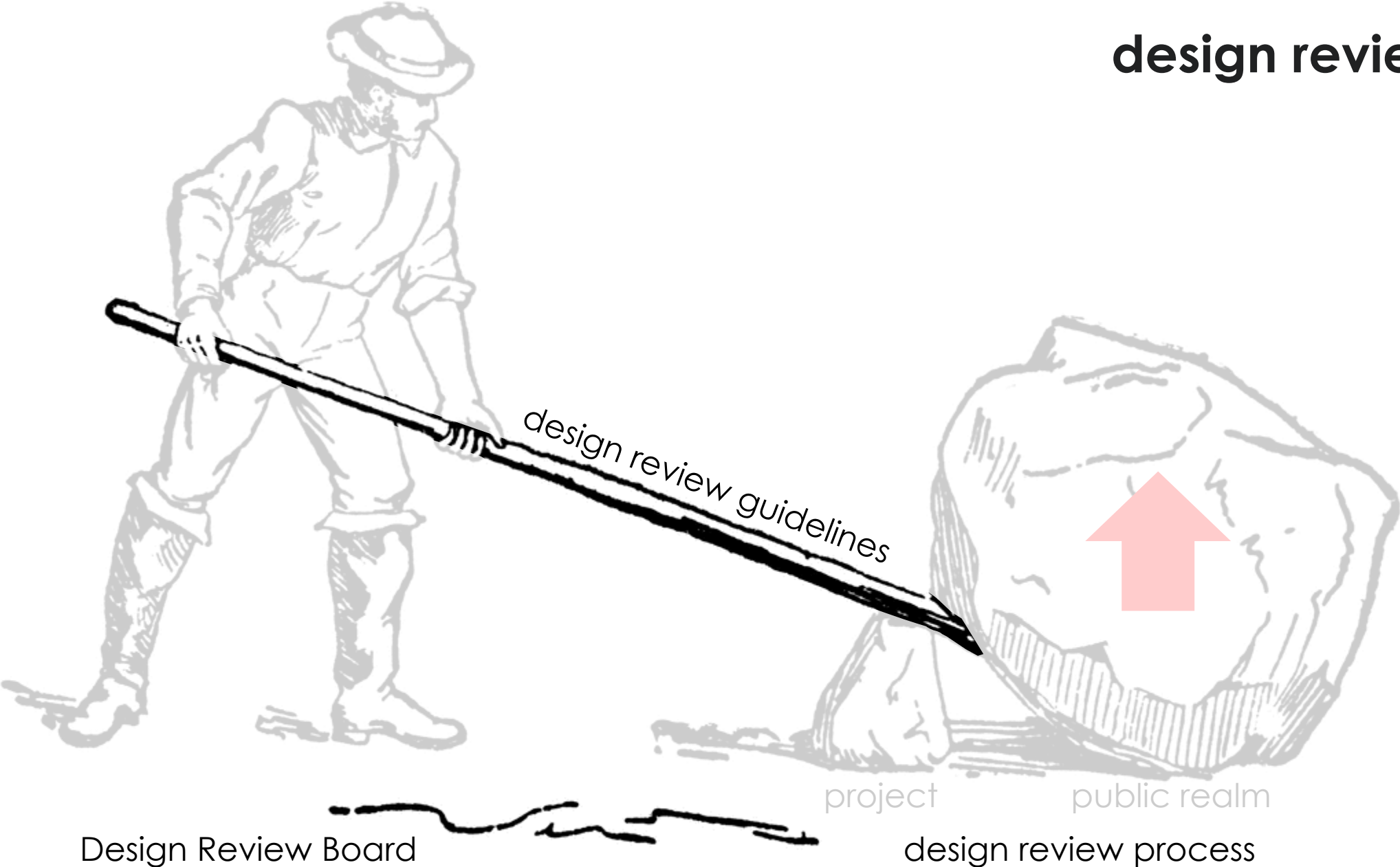
public realm

Design Review Board

design review process

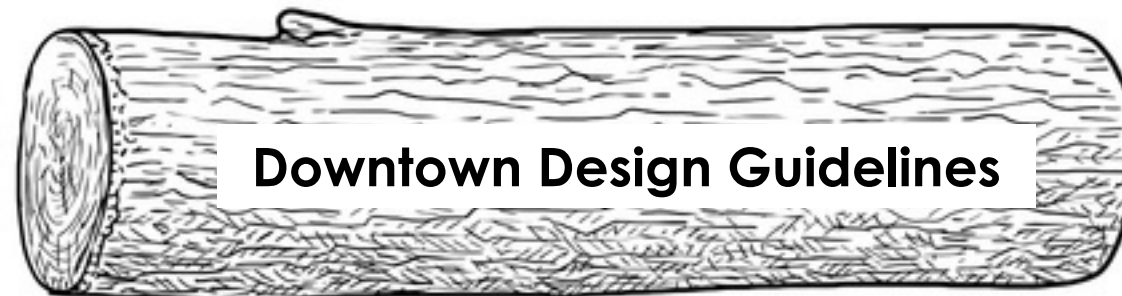


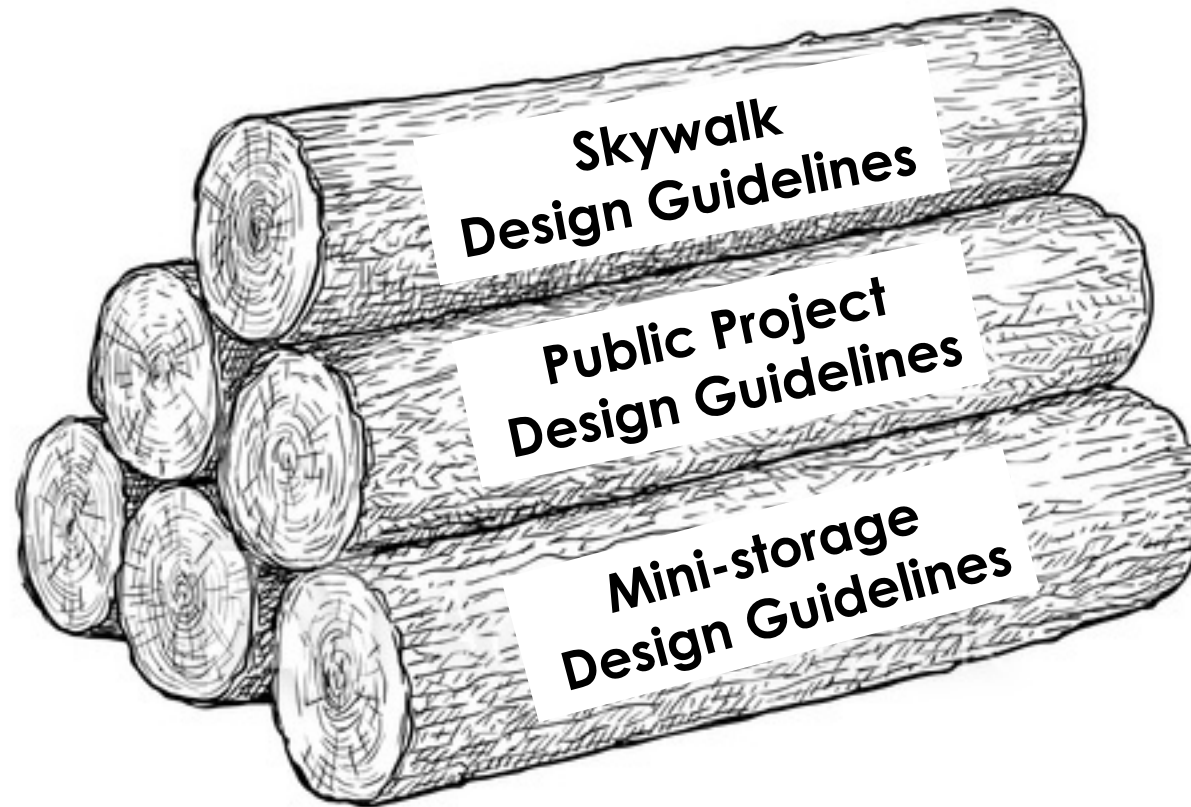
design review





design review





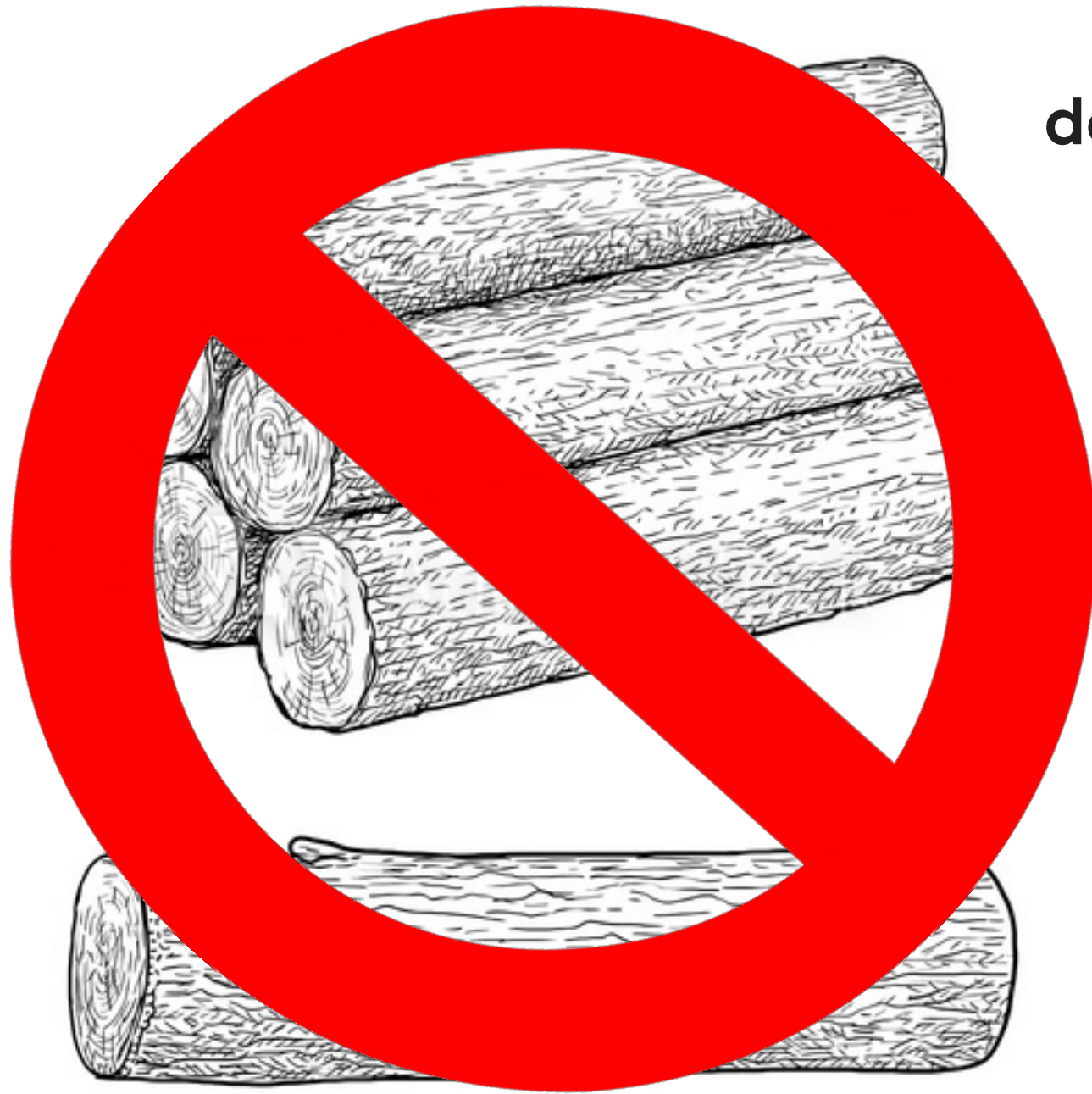
design review





design review





design review



design review

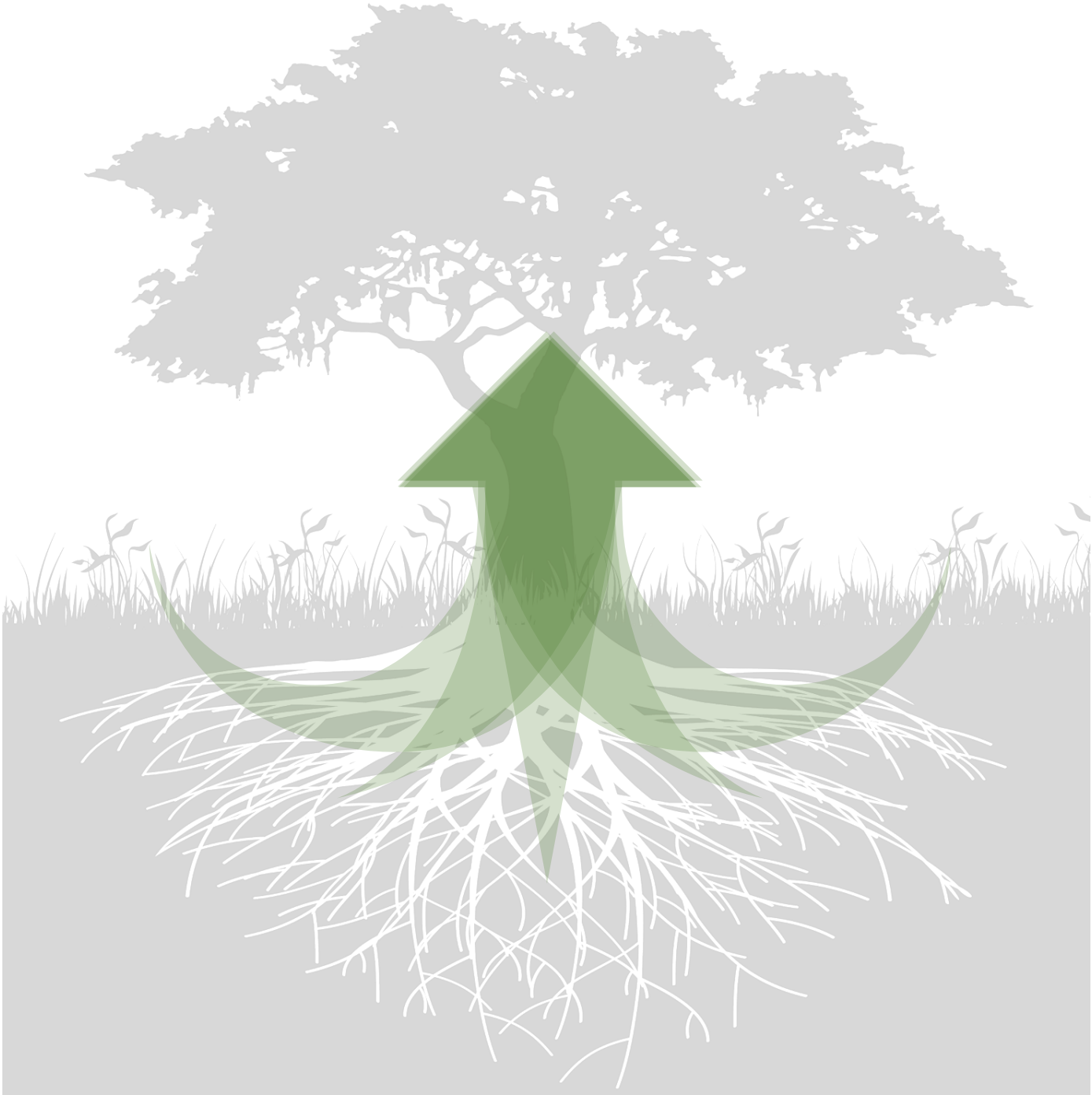


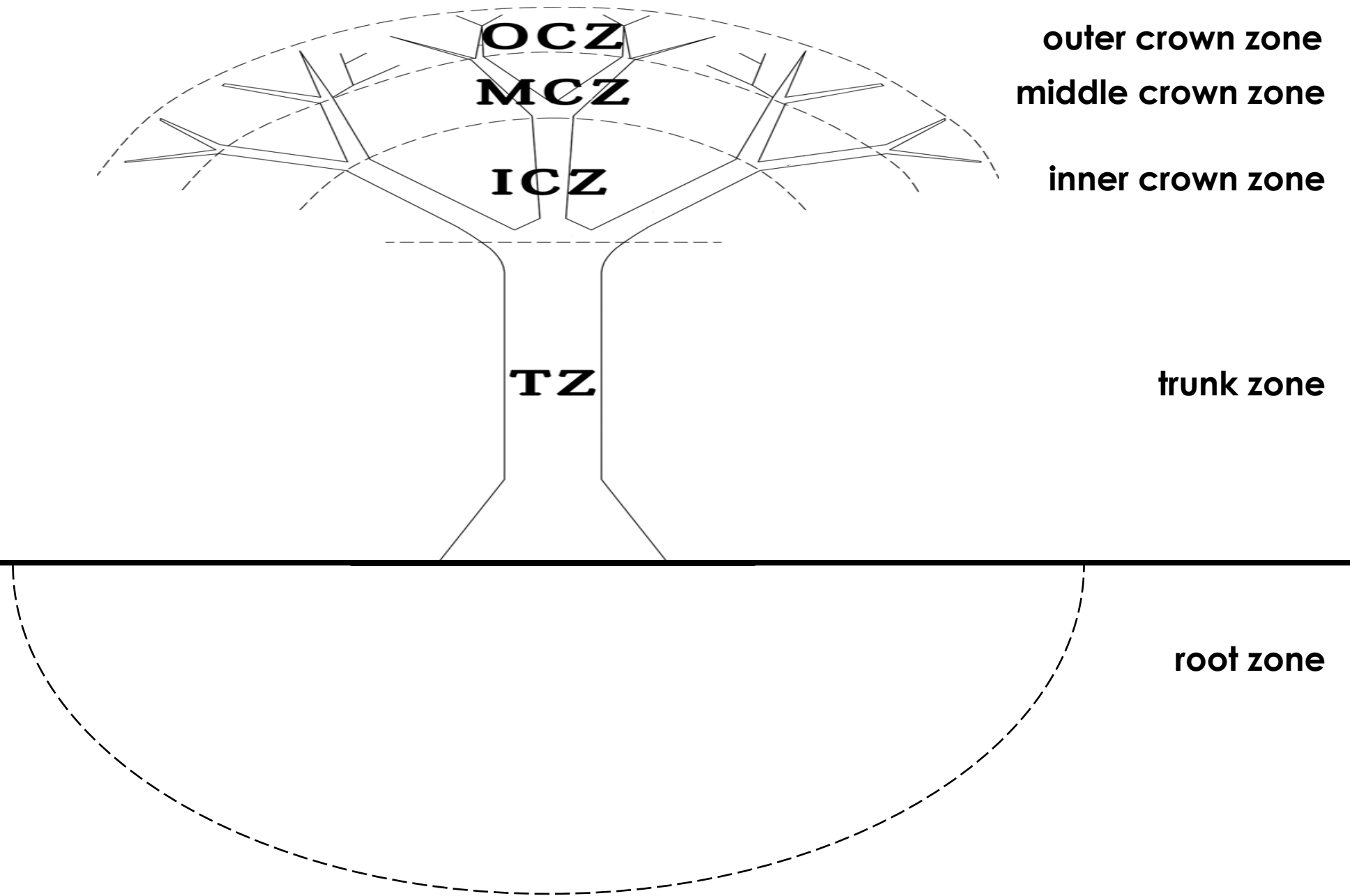


**design
guidelines**

design
review

community
vision







individual guidelines
guideline categories

project types

**projects subject to
design review**

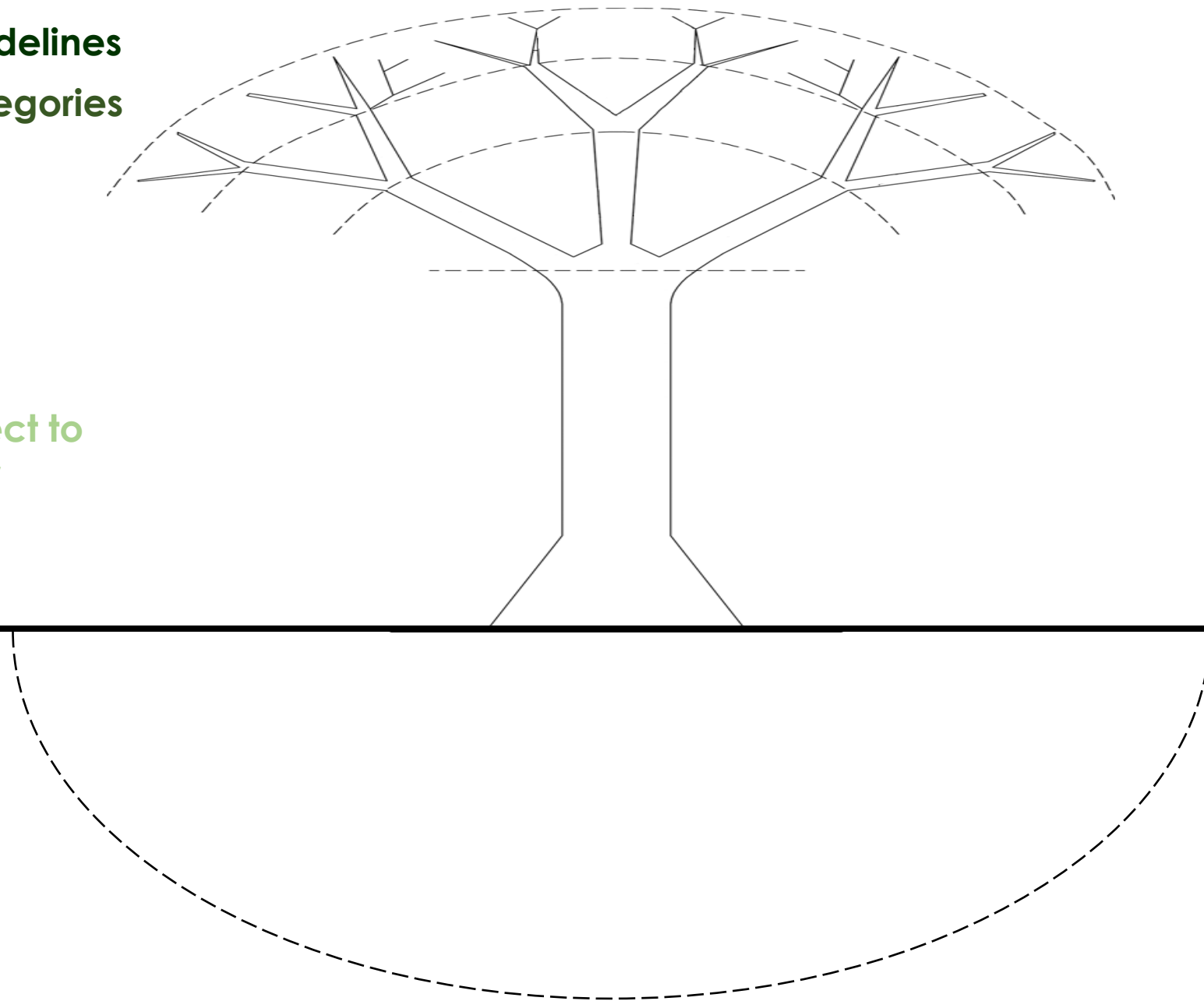
city plans

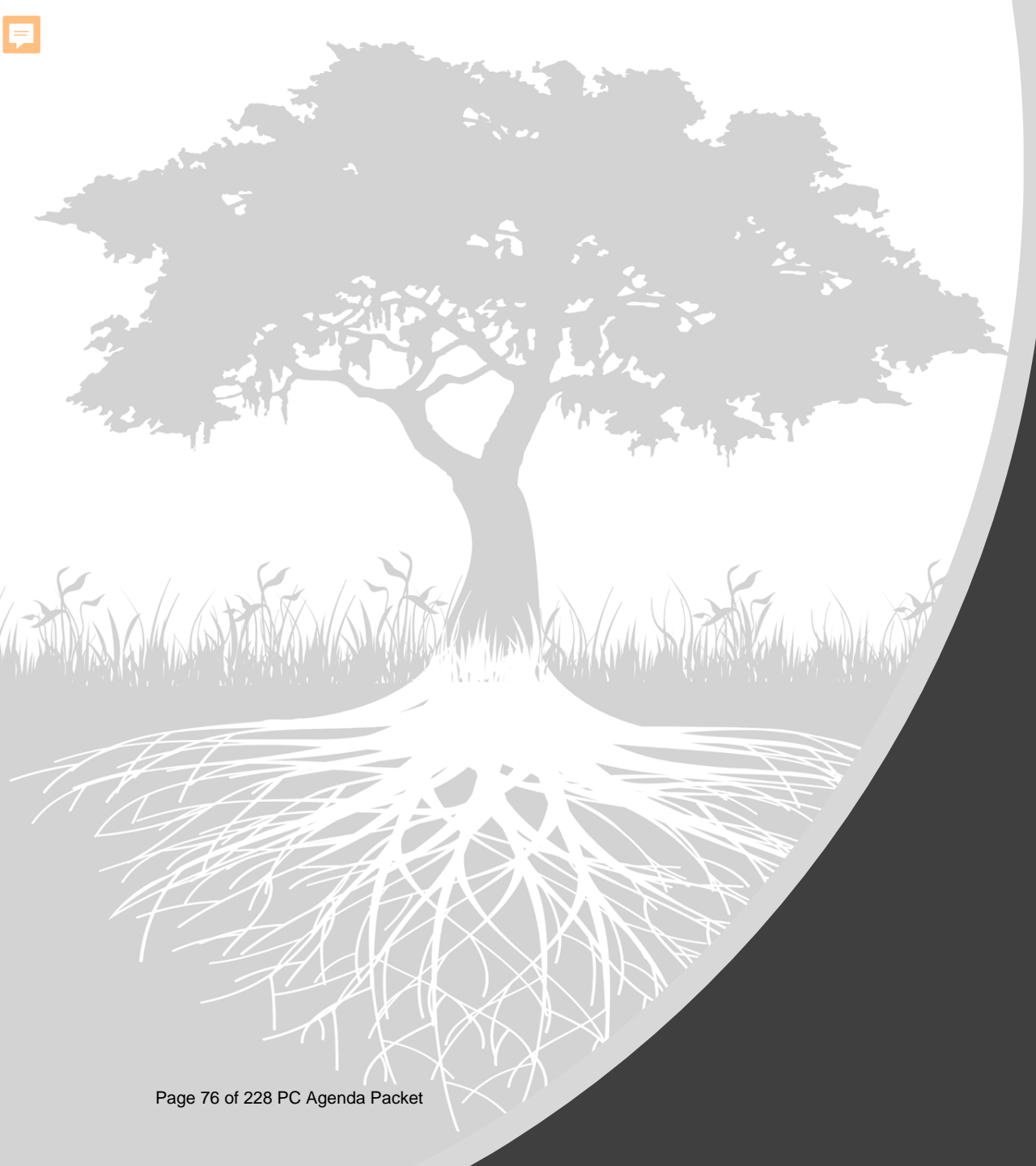
leaves
branches

limbs

trunk

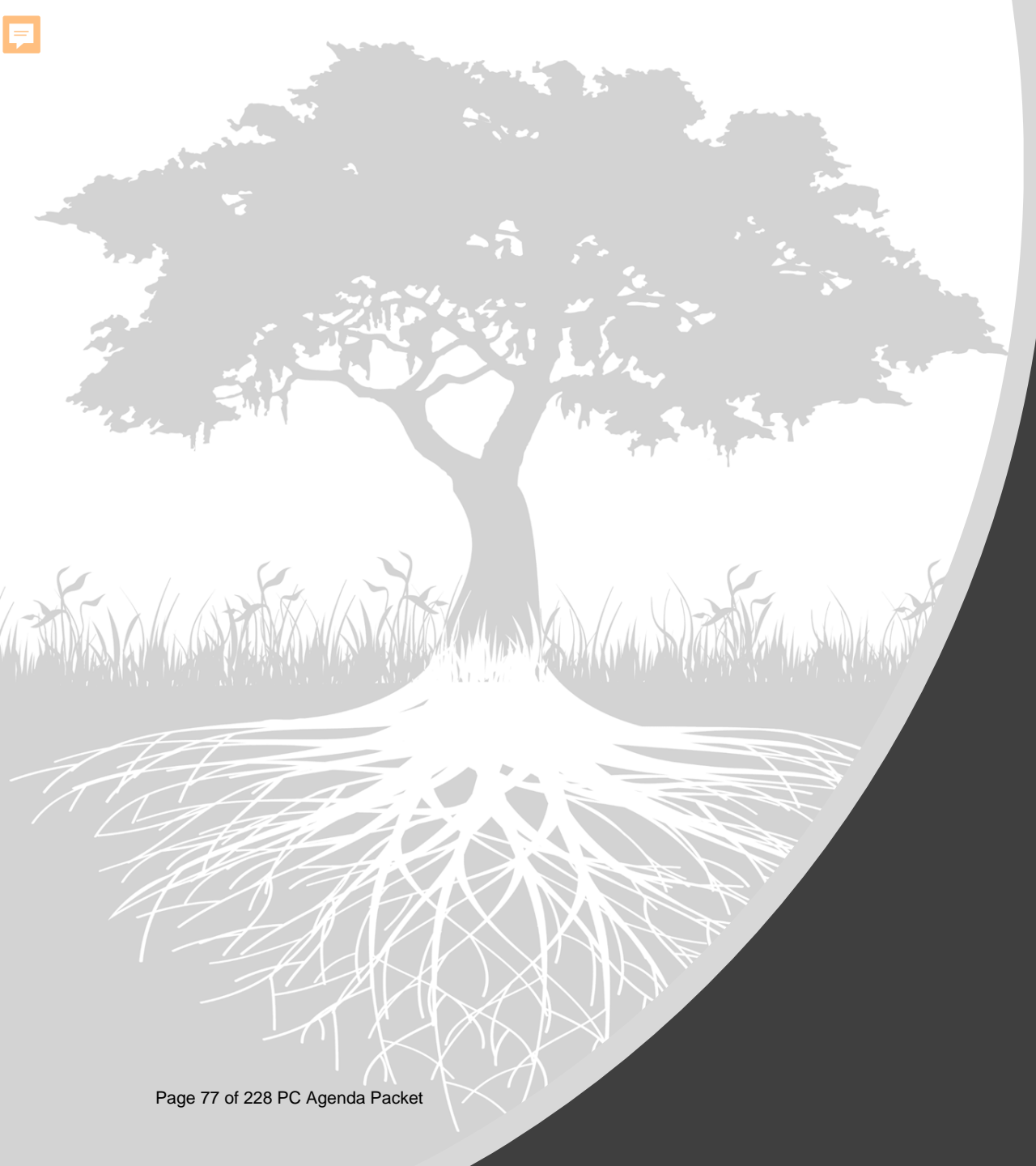
roots





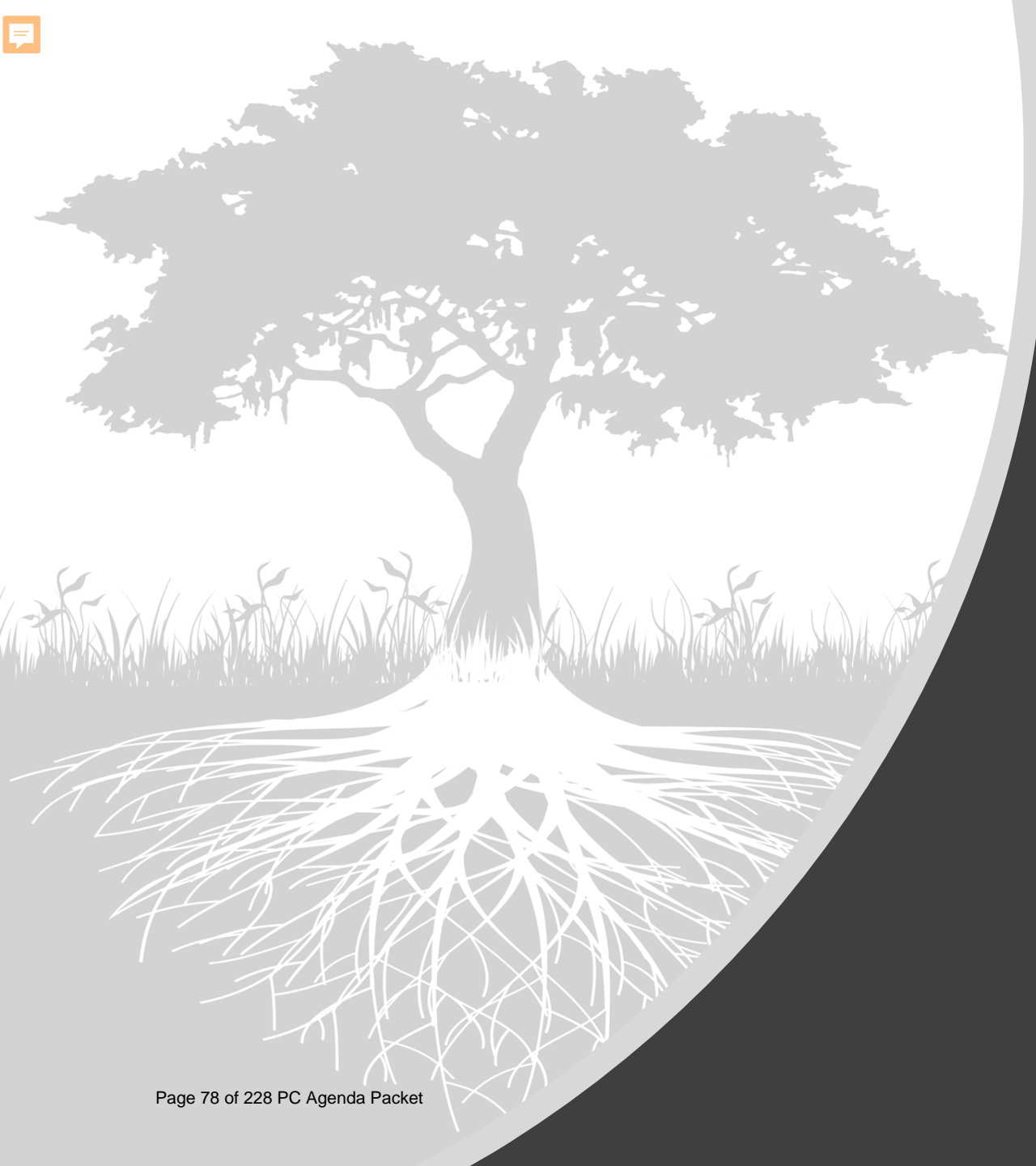
categories

- urban design
- public amenities
- pedestrian environment
- architectural expression
- access & screening



category

- **guidelines**
 - **detailed description**
 - **key points**
 - **related guidelines**

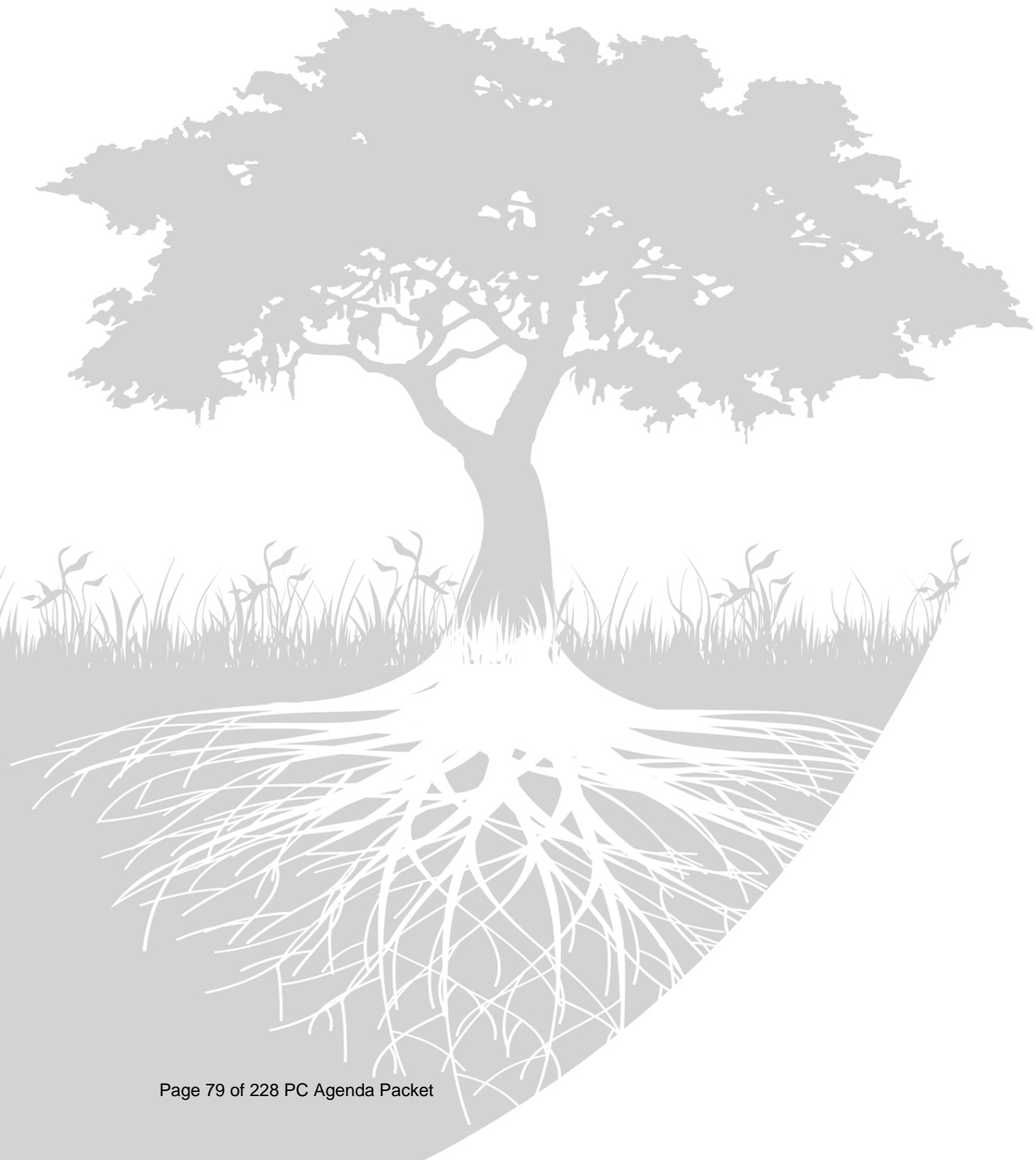


timeline

**Plan Commission
workshop on full drafts:
October 27th**

**Plan Commission
Recommendation:
November 10th**

**Full adoption by City
Council before end of the
year.**



thank you!



STAFF REPORT

PLANNING AND ECONOMIC DEVELOPMENT SERVICES DEPARTMENT

To:	City Plan Commission
Subject:	Floodplain Management Text Amendment
Staff Contact:	Amanda Beck, AICP, Assistant Planner II (509) 625-6414 abeck@spokanecity.org
Report Date:	September 13, 2021
Hearing Date:	September 22, 2021
Recommendation:	Approval

I. SUMMARY

This City-initiated text amendment is a State mandated review and update to the City's floodplain regulations. Proposed amendments would affect sections of Chapter 17A.020, Definitions, and various sections of Chapter 17E.030, Floodplain Management. The text amendment is intended to align the City's floodplain regulations with state and federal regulations, which have undergone recent changes.

II. BACKGROUND

Congress initiated the National Flood Insurance Program (NFIP) in 1968 under the National Flood Insurance Act to relieve the burden of disaster relief on the national treasury, and state and local tax bases. The NFIP is administered by the Federal Insurance Administration (FIA), which is part of the Federal Emergency Management Agency (FEMA). In 1973 Congress added several provisions to strengthen the NFIP under the Flood Disaster Protection Act. Through the provision of the 1973 act FEMA has been able to provide additional incentives to communities to join the program by substantially increasing the amount of flood insurance coverage available and providing penalties for communities and individuals that choose not to join the NFIP that are subsequently flooded.

The National Flood Insurance Program makes available affordable flood insurance to residents within communities that adopt approved floodplain management regulations. Communities that do not participate in the NFIP do not qualify for certain flood disaster relief.

The City of Spokane entered into the NFIP emergency program in 1973, and the following year the FIA provided a Flood Hazard Boundary Map which was a preliminary delineation of flood hazard areas within the City. By 1980 the City was accepted in the NFIP regular program and received its initial Flood Insurance Rate Maps (FIRMs) by 1982. In 2010, FEMA conducted an updated Flood Insurance Study of Spokane County which effectively updated all of the FIRMs for Spokane County. FIRMs delineate areas adjacent to rivers or other bodies of water that are subjected to flood risks and an insurance rate is determined for each area. The 100-year flood determines the geographic jurisdiction of NFIP-related programs. FEMA's new Digital FIRMs (DFIRMs) delineate flood insurance rate zones, limits of the 100-year floodway and floodplain, and often the limits to the 500-year floodplain as well.

The Department of Ecology is the state lead for floodplain management and FEMA's partner in enforcing floodplain management for Washington State. State statutes that address flood hazard management are outlined in Title 86 of the Revised Code of Washington, particularly [RCW 86.16](#) Floodplain Management, as well as [Chapter 173-158](#) of the Washington Administrative Code, and the Growth Management Act ([RCW 36.70A](#)).

Ecology updated the Flood Damage Prevention Ordinance Washington Model (commonly referred to as the *FEMA Model Ordinance*) on December 9, 2019. Additionally, in 2020 FEMA announced two significant policy changes. First, FEMA Policy #104-008-03 released February 2020 put forward updated design and performance standards for agricultural and accessory structures located within the Special Flood Hazard Areas (SFHAs, or the floodplain). Second, in August 2020 FEMA rescinded Region X's fish enhancement structures in the floodway policy, which had been enacted to allow for the completion of habitat restoration or fish habitat enhancement projects by allowing communities a rise in the floodway for fish habitat restoration/enhancement projects. This policy was applicable for FEMA Region X covering Washington, Oregon, Idaho, and Alaska.

Changes in FEMA policy, and subsequently to the Code of Federal Regulations [Title 44](#), as well as revisions to the minimum State requirements contained in the *FEMA Model Ordinance* necessitate a review of the Spokane Municipal Code to ensure that adopted regulations meet both federal and state changes. As such, City staff have been working with Ecology to review SMC Chapters 17A.020 and 17E.030 to ensure the City is compliant, and to continue participation in the NFIP. The last review of City regulations was completed in 2013 in conjunction with the Department of Ecology. Ecology staff conducted a FEMA Community Assistance Visit for a comprehensive assessment of the City's floodplain regulations to ensure compliance with the NFIP requirements, and the City's regulations were deemed in compliance.

III. PROCESS

TEXT AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE

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 amendment requires 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 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

The City Council will also conduct a review process considering the proposed text amendment, public comments and testimony, the staff report, and the Plan Commission's recommendation. The final decision to approve, modify, or deny the proposed amendment rests with the City Council. Proposals adopted by ordinance after public hearings are official amendments to the Spokane Municipal Code.

COMMUNITY ENGAGEMENT

To ensure broad dissemination of a proposal and its alternatives, public meetings or other provisions for public comment and discussion should be held for text amendments. This also ensures that proposed amendments meet both City and State guidelines concerning public engagement.

City staff held internal and external opportunities for the public to review the proposed changes, as noted below:

- A project page on the City website with up-to-date information about events and project progress (<https://my.spokanecity.org/projects/2021-floodplain-management-update/>)
- Urban Experience Committee briefing (July 12, 2021)
- Plan Commission Workshop (July 14, 2021)
- Internal review group (July 27, 2021)
- Inclusion at the Community Assembly (August 5, 2021)
- City [blog post](#) highlighting the virtual open house (July 26, 2021)
- Virtual open house held via Webex (August 19, 2021)
- Plan Commission Workshop (September 8, 2021)

PUBLIC NOTIFICATION AND SEPA REVIEW

As outlined in Section 17G.025.010 SMC, proposals to amend the UDC shall be noticed in the *Official Gazette* and to interested parties prior to the Plan Commission review, and this shall include the SEPA checklist. Similarly, a public notice published in the *Spokesman-Review* fourteen days prior to the Plan Commission public hearing is required to be completed.

This application was properly noticed pursuant to Section 17G.025.010(E). See Exhibit 2 for the SEPA Determination of Nonsignificance. Noted below are the public noticing activities:

- Notice of Intent to Adopt submitted to the Department of Commerce (June 21, 2021)
- Notice of Intent to Adopt pursuant to 17G.025.010 SMC, which included the SEPA Checklist, emailed to City departments, Local, County, Tribal, and State contacts (August 13, 2021)
- SEPA Determination of Nonsignificance (DNS) issued (September 2, 2021), the comment period ended on September 16, 2021
- Notice of Public Hearing for the Plan Commission was published in the *Spokesman-Review* on September 8 and 15, 2021.

COMMENTS RECEIVED

Written and emailed comments received are provided to the Plan Commission. At the time of this writing staff has not received any comments on the proposed text amendment.

IV. ANALYSIS

PROPOSAL DESCRIPTION

This City-initiated text amendment is a State mandated review and update to the City's floodplain regulations. Proposed amendments would affect sections of Chapter 17A.020, Definitions, and various sections of Chapter 17E.030, Floodplain Management. Due to revisions from the Federal Emergency Management Agency (FEMA), and updates from the Department of Ecology to the Washington State *FEMA Model Ordinance*, the City is required to update floodplain regulations no later than December 31, 2021. As the state lead for floodplain management, City staff worked closely with Ecology to complete this review and amendment.

This proposed text amendment is to the Unified Development Code (UDC) Chapter 17A.020 Sections [17A.020.010](#) "A" Definitions, [17A.020.020](#) "B" Definitions, [17A.020.040](#) "D" Definitions, [17A.020.060](#) "F" Definitions, [17A.020.080](#) "H" Definitions, [17A.020.130](#) "M" Definitions, , [17A.020.140](#) "N" Definitions, and [17A.020.190](#) "S" Definitions; and Chapter 17E.030 Sections [17E.030.030](#) Floodplain Management Purpose, [17E.030.050](#) General Provisions, [17E.030.060](#) Establishment of Development Permit, [17E.030.070](#) Designation of the Local Administrator, [17E.030.080](#) Duties and Responsibilities of the Local Administrator, [17E.030.090](#) Variance Procedure - Hearing Examiner, [17E.030.100](#) Variances, [17E.030.120](#) Resource Material, [17E.030.130](#) General Standards, [17E.030.140](#) Specific Standards, [17E.030.150](#) Before Regulatory Floodway, [17E.030.160](#) Floodways, and [17E.030.170](#) Standards for Shallow Flooding Areas (AO Zones). The text amendment is intended to align the City's floodplain regulations with State and Federal regulations, which have undergone recent changes. Floodplain regulations are meant to allow appropriate use and enjoyment of land within the floodplain while protecting life and property.

See Exhibit 1 for the draft ordinance with strike-through text and proposed changes.

FINAL REVIEW CRITERIA

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 as well as the approval criteria outlined in the Code. The applicable criteria are shown below in ***bold italic*** with staff analysis following each criteria.

A. The proposed amendment is consistent with the applicable provisions of the comprehensive plan.

The proposed text amendment is internally consistent with applicable supporting documents of the Comprehensive Plan as follows:

Land Use Policy LU 5.4 – Natural Features and Habitat Protection. *Ensure development is accomplished in a manner that protects significant natural features and wildlife habitat.*

Staff Analysis: Meeting the FEMA and Department of Ecology minimum standards to manage development within the floodplain will ensure structures within the floodplain are built to withstand flood events, while protecting the ecosystem benefits of the floodplain, creating a more resilient community. Updating the City's regulations also ensures continued participation in the National Flood Insurance Program.

Natural Environment Goal 19 – Flood Hazard Management. *Protect life and property from flooding and erosion by directing development away from flood hazard areas.*

Staff Analysis: The City of Spokane has flood hazard areas that are subject to periodic inundation that may result in loss of life and property, cause health and safety hazards, disrupt commerce and governmental services, and cause extraordinary public expenditures for flood protection and relief and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare. Updating the Floodplain Management regulations ensures that existing and future structures are retrofitted or built to withstand flood events according to the 100-year flood plain or their corresponding flood zone, while maintaining the ability of the floodplain to absorb excess water along Latah Creek and the Spokane River.

Shoreline Master Program Goal SMP 6 – Flood Hazard Reduction. *Prevent and minimize flood damage in shoreline areas to protect ecological functions, shoreline habitat, lives, and public and private property.*

Staff Analysis: Flood losses may be caused by the cumulative effect of obstructions in areas of the floodplain that increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated, or otherwise protected from flood damage also contribute to losses during flood events. Part of this review and update with the Department of Ecology is to ensure that the City's internal review process of permits confirms structures meet these minimum requirements while assessing the impact to the floodplain and Spokane's wetlands through the project level SEPA reviews and consistency with other development regulations (e.g. Critical Areas, the Shoreline Master Program, Building Code).

B. The proposed amendment bears a substantial relation to public health, safety, welfare, and protection of the environment.

Staff Analysis: The City's floodplain regulations are written to protect life and safety by ensuring that our community is building and recovering safer, stronger, and smarter. Two core premises guide regulation. First, mapping and understanding flood risk within the community. The first component is necessary to then apply a regulatory criterion for development in identified flood-prone areas to avoid or minimize flood damage. Floodplain management mitigates for the impact of flooding on development (e.g. to minimize damage to buildings) and the effects of development on flooding (e.g. to avoid increasing flood levels or diverting floodwater onto adjacent properties).

V. CONCLUSION

Based on the facts and findings presented herein, staff concludes that the proposed text amendment satisfies the applicable criteria for approval as set forth in Section [17G.025.010](#) SMC. To comply with RCW 36.70A.370 the proposed text amendment has been evaluate to ensure proposed changes do not result in unconstitutional takings of private property. Additionally, this is a State mandated update to City regulations to continue participation in FEMA's National Flood Insurance Program.

VI. RECOMMENDED ACTION

Staff recommends **approval of the proposed text amendment.**

VII. LIST OF EXHIBITS

1. Draft Ordinance
2. SEPA Determination of Nonsignificance
3. WA State Model Ordinance Checklist

ORDINANCE NO. _____

AN ORDINANCE relating to Administration Definitions; amending Spokane Municipal Code (SMC) Sections 17A.020.010, 17A.020.020, 17A.020.040, 17A.020.060, 17A.020.080, 17A.020.130, 17A.020.140, and 17A.020.190.

WHEREAS, the flood hazard areas of the City of Spokane are subject to periodic inundation that may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare; and

WHEREAS, these flood losses may be caused by the cumulative effect of obstructions in areas of special flood hazards that increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated, or otherwise protected from flood damage also contribute to the flood loss; and

WHEREAS, the Legislature of the State of Washington has delegated the responsibility to local communities to adopt floodplain management regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, as a condition of participation in the National Flood Insurance Program (NFIP), the City of Spokane is required to adopt and enforce a flood hazard reduction ordinance that meets the minimum requirements of the NFIP and State of Washington minimum floodplain management regulations; and

WHEREAS, adoption of floodplain regulations consistent with state and federal rules can reduce annual flood insurance premiums for City residents; and

WHEREAS, the most recent update to the City's floodplain regulations occurred in 2011; and

WHEREAS, the Federal Emergency Management Agency (FEMA) and the Washington Department of Ecology recently prepared an updated Flood Damage Prevention Ordinance Washington Model that includes all the minimum standards required as a condition of participation in the NFIP; and

WHEREAS, in order to maintain participation in the NFIP and allow City of Spokane residents to obtain flood insurance and other types of federal disaster aid, the City must adopt an updated floodplain ordinance that meets current state and NFIP standards by December 31, 2021; and

WHEREAS, the City complied with RCW 36.70A.370 in the adoption of this Ordinance; and

WHEREAS, on June 21, 2021 the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the UDC pursuant to RCW 36.70A.106; and

WHEREAS, a State Environmental Policy Act (“SEPA”) Checklist was prepared and a Determination of Non-Significance (“DNS”) was issued on September 2, 2021, for the proposed amendment. The fourteen-day public comment period ended on September 16, 2021; and

WHEREAS, the Plan Commission held a workshop session to study the proposed amendment on July 14, 2021 and September 8, 2021; and

WHEREAS, prior to the Plan Commission public hearing, staff requested comments from agencies and departments and the required public notices were published in the Spokesman-Review on September 8 and 15, 2021. The proposed UDC amendment was available for public review on the Planning and Development Services website at <https://my.spokanecity.org/projects/2021-floodplain-management-update/>; and

WHEREAS, on September 22, 2021 the City Plan Commission held a public hearing on the proposed UDC amendment and heard testimony from the public; and

WHEREAS, consistent with SMC 17G.025.010, the Plan Commission found that (i) the proposed amendment is consistent with applicable provisions of the City of Spokane Comprehensive Plan, and (ii) the proposed amendment bears a substantial relation to public health, safety, welfare, and protection of the environment; and

WHEREAS, following a public hearing, the Plan Commission recommended approval of a number of minor and clarifying amendments to the Spokane Municipal Code regarding floodplain regulations, following the procedures set forth in SMC 17G.025.010; and

WHEREAS, the Plan Commission’s Findings of Fact, Conclusions, and Recommendations regarding the 2021 Floodplain Management Text Amendment, together with the Plan Commission’s entire files relating to the same, are hereby incorporated into this ordinance.

Now, Therefore, The City of Spokane does ordain:

Section 1. That Section 17A.020.010 SMC is amended to read as follows:

17A.020.010 “A” Definitions

A. Abandoned Sign Structure.

See [SMC 17C.240.015](#).

B. Aboveground Storage Tank or AST.

Any one or connected combination of tanks that is used to contain an accumulation of liquid critical materials and the aggregate volume of which (including the volume of piping connected thereto) is more than sixty gallons and the entire exterior surface area of the tank is above the ground and is able to be fully visually inspected. Tanks located in vaults or buildings that are to be visually inspected are considered to be aboveground tanks.

C. Accepted.

A project for which the required plans have been found to be technically adequate.

D. Accessory Dwelling Unit (ADU).

An accessory dwelling unit is a separate additional living unit, including separate kitchen, sleeping, and bathroom facilities, attached or detached from the primary residential unit, on a single-family lot. ADUs are known variously as:

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

E. Accessory Structure.

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

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

F. Accessory Use.

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

G. Activity.

See Regulated Activity.

H. Administrative Decision.

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

I. Adult Bookstore or Adult Video Store.

1. A commercial establishment which, as one of its principal business activities, offers for sale or rental for any form of consideration any one or more of the following: books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, digital video discs, slides, or other visual representations which are characterized by their emphasis upon the display of “specified anatomical areas,” as defined in [SMC 17A.020.190](#), or “specified sexual activities,” as defined in [SMC 17A.020.190](#). A “principal business activity” exists where the commercial establishment meets any one or more of the following criteria:
 - a. At least thirty percent of the establishment’s displayed merchandise consists of said items; or
 - b. At least thirty percent of the retail value (defined as the price charged to customers) of the establishment’s displayed merchandise consists of said items; or
 - c. At least thirty percent of the establishment’s revenues derive from the sale or rental, for any form of consideration, of said items; or
 - d. The establishment maintains at least thirty percent of its floor space for the display, sale, and/or rental of said items (aisles and walkways used to access said items, as well as cashier stations where said items are rented or sold, shall be included in “floor space maintained for the display, sale, and/or rental of said items”); or
 - e. The establishment maintains at least five hundred square feet of its floor space for the display, sale, and/or rental of said items (aisles and walkways used to access said items, as well as cashier stations where said items are rented or sold, shall be included in “floor space maintained for the display, sale, and/or rental of said items”); or
 - f. The establishment regularly offers for sale or rental at least two thousand of said items; or
 - g. The establishment regularly features said items and regularly advertises itself or holds itself out, in any medium, by using “adult,” “XXX,” “sex,” “erotic,” or substantially similar language, as an establishment that caters to adult sexual interests.

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

J. Adult Business.

An “adult bookstore or adult video store,” an “adult entertainment establishment,” or a “sex paraphernalia store.”

K. Adult Entertainment Establishment.

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

L. Adult Family Home.

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

M. Agency or Agencies.

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

N. Agricultural Activities.

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

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

O. Agricultural Land.

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

P. AKART.

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

Q. Alkali Wetlands.

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

R. All Weather Surface.

A road surface which emergency vehicles and typical passenger vehicles can pass in all types of weather. If unpaved, the top course should be six inches minimum of compacted crushed rock meeting standards for a roadway surface.

S. Alley.

See “Public Way” ([SMC 17A.020.160](#)).

T. Alteration.

A physical change to a structure or site.

1. Alteration does not include normal maintenance and repair or total demolition.
2. Alteration does include the following:
 - a. Changes to the facade of a building.
 - b. Changes to the interior of a building.
 - c. Increases or decreases in floor area of a building; or
 - d. Changes to other structures on the site, or the development of new structures.

U. Alteration of Plat, Short Plat, or Binding Site Plan.

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

V. Alteration of Watercourse.

Any action that will change the location of the channel occupied by water within the banks of any portion of a riverine waterbody.

((V)) W. Alternative or Post-incarceration Facility.

A group living use where the residents are on probation or parole.

((W)) X. [Deleted]

((X)) Y. [Deleted]

((Y)) Z. [Deleted]

((Z)) AA. API 653.

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

((AA)) AB. Appeal.

A request for review of the interpretation of any provision of [Title 17 SMC](#).

((AB)) AC. Appeal – Standing For.

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

1. The applicant and the owner of property to which the land use decision is directed; and
2. Another person aggrieved or adversely affected by the land use decision, or who would be aggrieved or adversely affected by a reversal or modification of the land use decision. A person is aggrieved or adversely affected within the meaning of this section only when all of the following conditions are present:
 - a. The land use decision has prejudiced or is likely to prejudice that person;

- b. That person's asserted interests are among those that the local jurisdiction was required to consider when it made the land use decision;
- c. A judgment in favor of that person would substantially eliminate or redress the prejudice to that person caused or likely to be caused by the land use decision; and
- d. The petitioner has exhausted his or her administrative remedies to the extent required by law (RCW 36.70C.060).

~~((AG))~~ AD. Applicant.

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

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

~~((AD))~~ AE. Application – Complete.

An application that is both counter-complete and determined to be substantially complete as set forth in [SMC 17G.060.090](#).

~~((AE))~~ AF. Aquaculture.

The farming or culture of food fish, shellfish, or other aquatic plants or animals in freshwater or saltwater areas, and may require development such as fish hatcheries, rearing pens and structures, and shellfish rafts, as well as use of natural spawning and rearing areas. Aquaculture does not include the harvest of free-swimming fish or the harvest of shellfish not artificially planted or maintained, including the harvest of wild stock geoducks on DNR-managed lands.

~~((AF))~~ AG. Aquatic Life.

Shall mean all living organisms, whether flora or fauna, in or on water.

~~((AG))~~ AH. Aquifer or Spokane Aquifer.

A subterranean body of flowing water, also known as the Spokane-Rathdrum Aquifer, that runs from Pend Oreille Lake to the Little Spokane River.

~~((AH))~~ AI. Aquifer Sensitive Area (ASA).

That area or overlay zone from which runoff directly recharges the aquifer, including the surface over the aquifer itself and the hillside areas immediately adjacent to the aquifer. The area is shown in the map adopted as part of [SMC 17E.050.260](#).

((A~~I~~)) AJ. Aquifer Water Quality Indicators.

Common chemicals used for aquifer water quality screening. These are:

1. Calcium,
2. Magnesium,
3. Sodium,
4. Total hardness,
5. Chloride,
6. Nitrate-nitrogen, and
7. Phosphorus.

((A~~J~~)) AK. Archaeological Areas and Historical Sites.

Sites containing material evidence of past human life, such as structures and tools and/or cultural sites with past significant historical events. These sites are a nonrenewable resource and provided a critical educational link with the past.

((A~~K~~)) AL. Architectural feature.

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

((A~~L~~)) AM. Architectural Roof Structure.

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

1. Area of Shallow Flooding.
A designated AO or AH Zone on the Flood Insurance Rate Map (FIRM).
2. The base flood depths range from one to three feet.
3. A clearly defined channel does not exist.
4. The path of flooding is unpredictable and indeterminate.
5. Velocity flow may be evident.
6. AO is characterized as sheet flow and AH indicates ponding.

((A~~M~~)) AN. Area of Shallow Flooding.

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

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

((A~~N~~)) AO. ((A))Area of Special Flood Hazard.

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

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

See:

1. "Principal Arterials" – [SMC 17A.020.160](#),
2. "Minor Arterials" – [SMC 17A.020.130](#), or
3. "Collector Arterial" – [SMC 17A.020.030](#).

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

The emphasis of architectural elements, such as windows, balconies, and entries that create a complementary pattern or rhythm, dividing the buildings into smaller identifiable pieces.

~~((AQ))~~ AR. Assisted Living Facility.

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

1. An "assisted living facility" contains multiple assisted living units.
2. An assisted living unit is a dwelling unit permitted only in an assisted living facility.

~~((AR))~~ AS. Attached Housing.

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

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

~~((AS))~~ AT. Attached Structure.

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

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

~~((AT))~~ AU. Available Capacity.

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

((AU)) AV. Average Grade Level.

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

((AV)) AW. Awning

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

Section 2. That Section 17A.020.020 SMC is amended to read as follows:

17A.020.020 “B” Definitions

A. Backed Sign.

See [SMC 17C.240.015](#).

B. Balloon Sign.

See [SMC 17C.240.015](#).

C. Bank Carving.

The incorporation of masses of alluvium or other weak bank materials into a stream channel because of undermining, usually in high flow stages.

D. Bank Erosion.

The incorporation of masses of alluvium or other weak bank materials into a stream channel.

E. Bankfull Width.

1. For streams, the measurement of the lateral extent of the water surface elevation perpendicular to the channel at bankfull depth. In cases where multiple channels exist, bankfull width is the sum of the individual channel widths along the cross-section.
2. For lakes, ponds, and impoundments, line of mean high water.
3. For periodically inundated areas of associated wetlands, line of periodic inundation, which will be found by examining the edge of inundation to ascertain where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland.

F. Banner.

See [SMC 17C.240.015](#).

G. Bas-relief.

Sculptural form in which shapes or figures are carved in a flat surface and project only slightly from the background.

H. Base Flood.

((4.)) The flood having a one percent chance of being equaled or exceeded in any given year, also referred to as the “one hundred year flood.”

~~((2. Designation on maps always includes the letters A or V.))~~

I. Base Flood Elevation (BFE)

The elevation to which floodwater is anticipated to rise during the base flood.

((J)) J. Basement.

The portion of a building having its floor sub-grade (below ground level) on all sides.

((K)) K. Bedrock.

Means a general term for rock, typically hard, consolidated geologic material that underlies soil or other unconsolidated, superficial material or is exposed at the surface.

((L)) L. Bee.

Any stage of development of the common domestic honeybee, *Apis mellifera* species.

((M)) M. Beekeeper.

A person owning, possession, or controlling one or more colonies of bees.

((N)) N. Best Available Science.

Current scientific information used in the process to designate, protect, or restore critical areas, which is derived from a valid scientific process.

((O)) O. Best Management Practices.

The utilization of methods, techniques, or products that have been demonstrated to be the most effective and reliable in minimizing environmental impacts.

((P)) P. Bicycle Facilities

Facilities designated for use by bicyclists and sometimes by other non-motorized users. The following types of bikeway facilities are identified and further defined in the Comprehensive Plan:

1. Bike-Friendly Route.
2. Shared lane.
3. Neighborhood Greenway.
4. Bicycle lane, both striped and physically protected.
5. Shared-use pathway.

((Q)) Q. Binding Site Plan – Final.

A drawing to a scale which:

1. identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters provided in [SMC 17G.080.060](#);
2. contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land; and

3. contains provisions making any development be in conformity with the site plan.
4. A binding site plan can only be used on property zoned commercial or industrial.

((Q)) R. Binding Site Plan – Preliminary.

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

((R)) S. Block.

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

((S)) T. Block Frontage.

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

((T)) U. Board.

The board of county commissioners of Spokane County.

((U)) V. Boating Facilities.

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

((V)) W. Boundary Line Adjustment.

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

((W)) X. Breakaway Wall.

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

((X)) Y. Breezeway.

A breezeway is a roofed passageway joining two separate structures.

((Y)) Z. Building.

1. A “building” is a structure, or part, used or intended for supporting or sheltering any use or occupancy.

2. The term includes “factory-built structure” and “mobile home.”
3. “Building” does not include a recreational vehicle.
4. “Building” means a structure that has a roof and is enclosed on at least fifty percent of the area of its sides for purposes of administration of zoning provisions.

((Z)) AA. Building Base.

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

((AA)) AB. Building Coverage.

Building coverage is the total amount of ground area covered by a structure or structures.

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

((AB)) AC. Building Envelope.

The area of a lot that delineates where a building may be placed.

((AG)) AD. Building Frontage.

The length of any side of a building which fronts on a public street, measured in a straight line parallel with the abutting street

((AD)) AE. Build-to Line.

An alignment establishing a certain distance from the property line (street right-of-way line) along which the building is required to be built.

((AE)) AF. Bulkhead.

A solid or open pile wall erected generally parallel to and near the ordinary high-water mark for the purpose of protecting adjacent uplands from water or erosion. Bulkheads are considered a “hard” shoreline stabilization measure.

Section 3. That Section 17A.020.040 SMC is amended to read as follows:

17A.020.040 “D” Definitions

A. Day.

A calendar day. A time period expressed in a number of days is computed by excluding the first day and including the last day. When an act to be done requires

a City business day, and the last day by which the act may be done is not a City business day, then the last day to act is the following business day.

B. Debris Flow.

Slow moving, sediment gravity flow composed of large rock fragments and soil supported and carried by a mud-water mixture.

C. Debris Slide.

A shallow landslide within rock debris with the slide usually occurring within a relatively narrow zone.

D. “Decibel (dB)” means the measure of sound pressure or intensity.

E. Dedication.

The deliberate appropriation of land, or an easement therein, by its owner for any general and public uses, reserving to the owner no rights other than those that are compatible with the full exercise and enjoyment of the public uses for which the property has been devoted, and accepted for such use by or on behalf of the public. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat, short plat, or binding site plan showing the dedication thereon or by dedication deed to the City. The acceptance by the public shall be evidenced by the approval of such plat, short plat, binding site plan, or at the City’s option, by the City recording such dedication deed with the Spokane County auditor.

F. Degraded Wetland.

A wetland altered through impairment of some physical or chemical property which results in reduction of one or more wetland functions and values.

G. Demolition or Partial Demolition.

The destruction, removal, or relocation, in whole or in part, of a building or structure or a significant feature of a building or structure that is of important historical character. Demolition (or partial demolition) does not include the removal of past additions for the express purpose of restoration of a structure to its historic appearance, form, or function. Demolition (or partial demolition) does not include the destruction or removal of portions of a building or structure that are not significant to defining its historic character. This exclusion is valid so long as the demolition is done as part of a design review application approved pursuant to chapter 17C.040 SMC.

H. Density.

The number of housing units per acre as permitted by the zoning code.

I. Denuded.

Land that has had the natural vegetative cover or other cover removed leaving the soil exposed to mechanical and chemical weathering.

J. Department.

Any of the departments of engineering services, planning services, fire department, or parks and recreation for which responsibility has been assigned by charter or code for administration.

K. Design Departure.

Any change that is sought to modify or waive a design requirement (R) or waive a design presumption (P) contained within the design standards. The design departure process is found in chapter [17G.030 SMC](#), Design Departures.

L. Design Criteria.

A set of design parameters for development which apply within a design district, sub-district, or overlay zone. The provisions are adopted public statements of intent and are used to evaluate the acceptability of a project's design.

M. Design Review Board.

The design review board is defined in chapter [4.13 SMC](#). The design review board was previously named design review committee. Any reference to design review committee is the same as a reference to the design review board.

N. Designation.

The declaration of a building, district, object, site, or structure as a landmark or historic district.

O. Desired Character.

The preferred and envisioned character (usually of an area) based on the purpose statement or character statement of the base zone, overlay zone, or plan district. It also includes the preferred and envisioned character based on any adopted subarea plans or design criteria for an area.

P. Detailed Site Plan.

A general site plan to which the following detailed information has been added:

1. Natural vegetation, landscaping, and open spaces.
2. Ingress, egress, circulation, parking areas, and walkways.
3. Utility services.
4. Lighting.
5. Signs.
6. Flood plains, waterways, wetlands, and drainage.
7. Berms, buffers, and screening devices; and
8. Such other elements as required in this chapter.

Q. Developable Area.

Land outside of a critical area and associated buffer including wetlands, fish and wildlife habitat conservation areas, riparian habitat area, landslide areas, steep slope areas, floodplain, floodway, shallow flooding, channel migration zone, and associated buffers, or any other restricted area on a particular piece of property.

R. Development.

Any proposed land use, zoning, or rezoning, comprehensive plan amendment, annexation, subdivision, short subdivision, planned unit development, planned area development, binding site plan, conditional use permit, special use permit, shoreline

development permit, or any other property development action permitted or regulated by the Spokane Municipal Code.

S. Development – Shoreline.

“Development” for shoreline regulations shall be defined by WAC 173-27-030(6) as amended to read “Development” means a use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or minerals; bulkheading; driving of piling; placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to the act at any stage of water level. "Development" does not include dismantling or removing structures if there is no other associated development or redevelopment.

T. Development ((Activity))– Floodplain.

Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.

U. Development Approval.

Any recommendation or approval for development required or permitted by this code.

V. Development Codes.

The state-adopted codes, boiler and pressure vessel, building, electrical, elevator, fire, mechanical, plumbing, and related publications adopted by the City, along with other provisions of this code that relate to private access to, use and obstruction of public right-of-way, and engineering standards that relate to private construction of public utilities and facilities.

W. Development Permit.

Any permit issued by the City authorizing construction, including a building permit, conditional use permit, substantial development permit, or other permit required by the City.

X. Development Plan, Site.

The final site plan that accompanied a recommendation or approval for development permitted by this code and that may identify standards for bulk and location of activities, infrastructure and utilities specific to the development.

Y. Dike.

An artificial embankment placed at a stream mouth or delta area to hold back sea water for purposes of creating and/or protecting arable land from flooding.

Z. Direct Impact.

An impact upon public facilities that has been identified as a direct consequence or result of a proposed development.

AA. Directional.

Any of the four basic compass directions, abbreviated as follows: N, S, E, W, SE, NE, SW, NW shall also be considered as a directional. A directional is placed in front of the root roadway name.

AB. Directional Sign.

See [SMC 17C.240.015](#).

AC. Director.

The administrative official of the department responsible for compliance with this code, the development codes, and the land use codes. These include the director of building services, director of engineering services, and the director of planning services.

AD. Discharge (n).

In the context of chapter [17D.090 SMC](#) or chapter [17D.060 SMC](#), this term means runoff, excluding offsite flows, leaving a proposed development through overland flow, built conveyance systems, or infiltration facilities.

AE. Discharge (v).

In the context of chapter [17D.090 SMC](#) or chapter [17D.060 SMC](#), this term means any disposal, injection, dumping, spilling, pumping, emitting, emptying, leaching, or placing of any material so that such material enters and exits from the MS4 or from any other publicly owned or operated drainage system that conveys storm water. The term includes other verb forms, where applicable.

AF. Discharger.

In the context of chapter [17D.090 SMC](#) or chapter [17D.060 SMC](#), this term means any person that discharges to the City's MS4 or any other publicly owned or operated drainage system that conveys, manages, or disposes of stormwater flows.

AG. District.

A geographically definable area, urban or rural, small or large, possessing a significant concentration, linkage, or continuity of buildings, objects, sites, and/or structures united by past events or aesthetically by plan or physical development.

AH. Disturbance Area.

In the context of chapter [17D.090 SMC](#) or chapter [17D.060 SMC](#), this term means an area where soils are exposed or disturbed by development, both existing and proposed. The disturbance area includes staging and storage areas, structures, and areas needed for vehicle access and maneuvering.

AI. Dock.

All platform structures or anchored devices in or floating upon water bodies to provide moorage for pleasure craft or landing for water-dependent recreation.

AJ. Documented Habitat.

Habitat classified by state or federal agencies as critical to the survival of endangered or threatened or sensitive animal, fish, or plant species.

AK. Domestic Animal.

1. Large Domestic Animals.

- a. Animals including, but not limited to, horses, donkeys, burros, llamas, alpacas, bovines, goats, sheep, swine, and other animals or livestock of similar size and type.
 - b. Young of horses, mules, donkeys, burros, and llamas under one year in age.
 - c. Bovines under ten months in age.
 - d. Sheep, goats, and swine under three months in age are not included when counting large animals.
2. Small Domestic Animals.
- a. Fowl including, but not limited to, chickens, guinea hens, geese, ducks, turkeys, pigeons, and other fowl not listed or otherwise defined.
 - b. Mink, chinchilla, nutria, gnawing animals in general, and other animals of similar size and type.
 - c. Small livestock are defined as:
 - i. swine- breeds include miniature Vietnamese, Chinese or oriental pot-bellied pigs (*sus scrofa vittatus*),
 - ii. other small pig breeds such as Kunekune, Choctaw, and Guinea hogs,
 - iii. all breeds of goats excluding mature large meat breeds such as Boers, and
 - iv. all breeds of sheep excluding mature large meat breeds such as Suffolk or Hampshire sheep.
 - v. No horned rams shall be permitted as a small livestock.
 - vi. Under no circumstance shall a small livestock exceed thirty-six inches shoulder height or one hundred and fifty pounds in weight.
 - d. Young small animals, livestock or fowl under three months in age are not included when counting small animal, livestock or fowl.

AL. Drainage Ditch.

An artificially created watercourse constructed to drain surface or ground water. Ditches are graded (man-made), channels installed to collect and convey runoff from fields and roadways. Ditches may include irrigation ditches, waste ways, drains, outfalls, operational spillways, channels, stormwater runoff facilities, or other wholly artificial watercourses, except those that directly result from the modification to a natural watercourse. Ditches channels that support fish are considered to be streams.

AM. Dredge Spoil.

The material removed by dredging.

AN. Dredging.

The removal, displacement, and disposal of unconsolidated earth material such as silt, sand, gravel, or other submerged material from the bottom of water bodies; maintenance dredging and other support activities are included in this definition.

AO. Drift Cell.

Or “drift sector” or “littoral cell” means a particular reach of marine shore in which littoral drift may occur without significant interruption and which contains any natural sources of such drift and also accretion shore forms created by such drift.

AP. Driveway.

An all-weather surface driveway structure as shown in the standard plans.

AQ. Duplex.

A building that contains two primary dwelling units on one lot. The units must share a common wall or common floor/ceiling.

AR. Dwelling Unit.

A building, or a portion of a building, that has independent living facilities including provisions for sleeping, cooking, and sanitation, and that is designed for residential occupancy by a group of people. Buildings with more than one set of cooking facilities are considered to contain multiple dwelling units unless the additional cooking facilities are clearly accessory, such as an outdoor grill.

Section 4. That Section 17A.020.060 SMC is amended to read as follows:

17A.020.060 “F” Definitions

A. Facade.

All the wall planes of a structure as seen from one side or view. For example, the front facade of a building would include all of the wall area that would be shown on the front elevation of the building plans.

B. Facade Easement.

A use interest, as opposed to an ownership interest, in the property of another. The easement is granted by the owner to the City or County and restricts the owner’s exercise of the general and natural rights of the property on which the easement lies. The purpose of the easement is the continued preservation of significant exterior features of a structure.

C. Facility and Service Provider.

The department, district, or agency responsible for providing the specific concurrency facility.

D. Factory-built Structure.

1. “Factory-built housing” is any structure designed primarily for human occupancy, other than a mobile home, the structure or any room of which is

either entirely or substantially prefabricated or assembled at a place other than a building site.]

2. "Factory-built commercial structure" is a structure designed or used for human habitation or human occupancy for industrial, educational, assembly, professional, or commercial purposes, the structure or any room of which is either entirely or substantially prefabricated or assembled at a place other than a building site.

E. Fair Market Value.

The open market bid price for conducting the work, using the equipment and facilities, and purchase of the goods, services, and materials necessary to accomplish the development. This would normally equate to the cost of hiring a contractor to undertake the development from start to finish, including the cost of labor, materials, equipment and facility usage, transportation and contractor overhead, and profit. The fair market value of the development shall include the fair market value of any donated, contributed, or found labor, equipment, or materials.

F. Fascia Sign.

See [SMC 17C.240.015](#).

G. Feasible (Shoreline Master Program).

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

H. Feature.

To give special prominence to.

I. Feeder Bluff.

Or "erosional bluff" means any bluff (or cliff) experiencing periodic erosion from waves, sliding, or slumping, and/or whose eroded sand or gravel material is naturally transported (littoral drift) via a driftway to an accretion shoreform; these

natural sources of beach material are limited and vital for the long-term stability of driftways and accretion shoreforms.

J. Fill.

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

K. Financial Guarantee.

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

L. Fish Habitat.

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

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

M. Flag.

See [SMC 17C.240.015](#).

N. Float.

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

O. Flood Insurance Rate Map or FIRM.

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

P. Flood Insurance Study (FIS).

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

Q. Flood or Flooding.

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

a. The overflow of inland waters; ((øø))

((2-)) b. The unusual and rapid accumulation of runoff of surface waters from any source((-)); or

c. Mudslides or mudflows, which are proximately caused by flooding as defined in section (1)(b) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in section (1)(a) of this definition.

R. Flood Elevation Study.

An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide or mudflow, and/or flood-related erosion hazards. Also known as a Flood Insurance Study (FIS).

S. Flood Insurance Rate Map (FIRM).

The official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

T. Floodplain or Flood Prone Area.

Any land area susceptible to being inundated by water from any source. See "Flood or Flooding."

U. Floodplain administrator.

The community official designated by title to administer and enforce the floodplain management regulations.

~~((S))~~ V. Floodway.

1. ((The area, as identified in the shoreline master program, that either:)) As identified in the Shoreline Master Program:, the area that either:

a. The floodway is the area that either

i. has been established in federal emergency management agency flood insurance rate maps or floodway maps; or

ii. consists of those portions of a river valley lying streamward from the outer limits of a watercourse upon which flood waters are carried during periods of flooding that occur with reasonable regularity, although not necessarily annually, said floodway being identified, under normal condition, by changes in surface soil conditions or changes in types or quality of vegetative ground cover condition, topography, or other indicators of flooding that occurs with reasonable regularity, although not necessarily annually.

b. Regardless of the method used to identify the floodway, the floodway shall not include those lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or maintained under license from the federal government, the state, or a political subdivision of the state.

2. For floodplain management purposes, the floodway is the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as "Regulatory Floodway."

~~((T))~~ W. Floor Area.

The total floor area of the portion of a building that is above ground. Floor area is measured from the exterior faces of a building or structure. Floor area does not include the following:

1. Areas where the elevation of the floor is four feet or more below the lowest elevation of an adjacent right-of way.
2. Roof area, including roof top parking.
3. Roof top mechanical equipment.
4. Attic area with a ceiling height less than six feet nine inches.
5. Porches, exterior balconies, or other similar areas, unless they are enclosed by walls that are more than forty-two inches in height, for fifty percent or more of their perimeter; and
6. In residential zones, FAR does not include mechanical structures, uncovered horizontal structures, covered accessory structures, attached

accessory structures (without living space), detached accessory structures (without living space).

((U)) X. ((Flood-proofing)) Flood Proofing.

~~((Structural provisions, changes, adjustments, or a combination thereof, to buildings, structures, and works in areas subject to flooding in order to reduce or eliminate the damages from flooding to such development and its contents, as well as related water supplies and utility facilities.))~~ Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. Flood proofed structures are those that have the structural integrity and design to be impervious to floodwater below the Base Flood Elevation.

((V)) Y. Floor Area Ratio (FAR).

The amount of floor area in relation to the amount of site area, expressed in square feet. For example, a floor area ratio of two to one means two square feet of floor area for every one square foot of site area.

((W)) Z. Focused Growth Area.

Includes mixed-use district centers, neighborhood centers, and employment centers.

((X)) AA. Frame Effect.

A visual effect on an electronic message sign applied to a single frame to transition from one message to the next. This term shall include, but not be limited to scrolling, fade, and dissolve. This term shall not include flashing.

((Y)) AB. Freestanding Sign.

See [SMC 17C.240.015](#).

((Z)) AC. Frontage.

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

AD. Functionally Dependent Water-Use.

A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long term storage or related manufacturing facilities.

Section 5. That Section 17A.020.080 SMC is amended to read as follows:

17A.020.080 “H” Definitions

A. Habitat.

What plants and animals call "home." Habitat for a particular plant or animal consists of the elements it needs to survive. These elements may be tied to temperature, water, soil, sunlight, source of food, refuge from predators, place to reproduce and other living and non-living factors. (taken from department of fish and wildlife).

B. Habitat Blocks.

Sections of habitat, such as grasslands, forest lands, or riparian areas. These can be either adjacent to other sections, or blocks, of habitat or isolated within urban areas.

C. Habitat Conservation.

Protection or preservation of habitat by various means, such as regulation or acquisition.

D. Habitat Fragmentation.

The separation or breakup of a habitat area into smaller sections or habitat blocks by activities, such as development, logging, and agriculture, often resulting in degraded habitat due to blocked migration corridors and decreased access to water and feeding areas. It can also create isolated populations of wildlife and a decrease in their genetic diversity.

E. Habitat Management Plan.

A fish and wildlife management plan developed to preserve and protect the ecological conditions and habitat specific to a particular site or location. Habitat management plans incorporate best management practices.

F. Hazard Tree.

Any tree that is susceptible to immediate fall due to its condition (damaged, diseased, or dead) or other factors, and which, because of its location, is at risk of damaging permanent physical improvements to property or causing personal injury.

G. Hazardous Material.

Any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the physical, chemical or biological properties described in WAC 173-303-090 or WAC 173-303-100.

H. Hearing Officer.

1. A person or reviewing body appointed by the mayor to consider appeals under [SMC 17E.010.140](#).
2. The officer makes reasonable rules and procedures for the conduct of the hearings authorized hereunder.

I. Height.

The height of a building is as defined in the International Building Code, Sec. 502.1 as "building height," the vertical distance from grade plane to the average height

of the highest roof surface. Building height for structures in the residential zones is referenced in [SMC 17C.110.215](#), Building Height.

J. High Quality Vegetative Buffer.

A wetland buffer comprised of multilevel dense native vegetation including shrubs.

K. Highest Adjacent Grade.

The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

((K)) L. Historic Landmark.

An historic site, object, building or structure designated pursuant to this chapter that serves as an example of the cultural, historical, architectural or archaeological development of Spokane and Spokane County.

((J)) M. Historic Preservation Officer (HPO).

The person charged with the daily operation of the historic preservation office and who:

1. under the administrative direction of the director of planning, community and economic development, conducts the work program of the City/County historic preservation office; and
2. serves as the primary staff person for the City/County landmarks commission.

N. Historic Structure

For purposes of the floodplain regulations in [chapter 17E.030 SMC](#), any structure that is:

1. Listed individually in the National Register of Historic Places, as maintained by the Department of Interior, or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior, or
 - b. Directly by the Secretary of the Interior in states without approved programs.

((L)) Q. Hive.

Any Langstroth type structure with movable-frames intended for the housing of a bee colony. A hive typically consists of a cover, honey supers, brood chambers and a bottom board.

((M)) P. Homeowners' Association.

Any combination or group of persons or any association, corporation or other entity that represents homeowners residing in a short subdivision, subdivision, or planned unit development. A homeowners' association shall be an entity legally created under the laws of the State of Washington.

((N)) Q. House.

A detached dwelling unit located on its own lot.

((O)) R. Household.

A housekeeping unit consisting of:

3. an individual;
4. two or more related persons as defined in [SMC 17A.020.180\(M\)](#);
5. a group of two or more disabled residents protected under the Federal Fair Housing Amendment Act of 1988;
6. adult family homes as defined under Washington State law; or
7. a group living arrangement where six or fewer residents receive support services such as counseling, foster care or medical supervision at the dwelling unit by resident or non-resident staff; and
8. up to six residents not related by blood or marriage who live together in a single-family dwelling, or in conjunction with any of the above individuals or groups, shall also be considered a household.
9. For purposes of this section, minors living with parent, legal custodian (including a foster parent), or legal guardian shall not be counted as part of the maximum number of residents.
10. Any limitation on the number of residents resulting from this definition shall not be applied in a manner inconsistent with the Fair Housing Amendment Act of 1988, 42 U.S.C. 360, et seq., the Washington law Against Discrimination, Chapter 49.60 RCW, and/or the Washington Housing Policy Act, RCW 46.63.220.

((P)) S. Household Pet.

Any animal such as a cat, dog, rabbit, or bird (canary, parakeet, etc.), amphibian/reptile (turtle, lizard, etc.), rodent (rat, mouse, gerbil, etc.), or tropical fish that lives in or is kept within a residence or on a property contain the owner's residence. Young household pets under the age of four months are not included when counting household pets.

((Q)) T. Hydraulic Project Approval (HPA).

A permit issued by the State department of fish and wildlife for modifications to waters of the State in accordance with RCW 77.55.

((R)) U. Hydric Soil.

Soil that is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part. The presence of hydric soil shall be determined following the methods described in the Field Indicators of Hydric Soils in the United States 6.0 or as amended.

((S)) V. Hydrophytic Vegetation.

Macrophytic plant life growing in water or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content. The presence of hydrophytic vegetation shall be determined following the methods described in the Washington State Wetland Identification and Delineation Manual.

Section 6. That Section 17A.020.130 SMC is amended to read as follows:

17A.020.130 “M” Definitions

A. Main Assembly Area.

The principal room for persons gathering for religious services.

B. Maintenance.

Or “repair” means those usual activities required to prevent a decline, lapse, or cessation from a lawfully established condition or to restore the character, scope, size, and design of a serviceable area, structure, or land use to a state comparable to its previously authorized and undamaged condition. This does not include any activities that change the character, scope, or size of the original structure, facility, utility, or improved area beyond the original design.

C. Manufactured Home.

1. “Manufactured home” is a single-family dwelling unit constructed after June 15, 1976, built in accordance with department of housing and urban development Manufactured Home Construction and Safety Standards Act, which is a national, preemptive building code.
2. “Manufactured home accessory structure” is any attached or detached addition to a manufactured home, such as an awning, basement, carport, garage, porch, or storage structure, which is ordinarily appurtenant.

D. Manufactured Home Park.

Two or more manufactured homes or mobile homes used as dwelling units on a single parcel or lot.

E. Marquee Sign.

See [SMC 17C.240.015](#).

F. Marsh.

A low, flat wetland area on which the vegetation consists mainly of herbaceous plants such as cattails, bulrushes, tules, sedges, skunk cabbage, or other hydrophytic plants. Shallow water usually stands on a marsh at least during part of the year.

G. Mean Annual Flow.

The average flow of a river or stream (measured in cubic feet per second) from measurements taken throughout the year. If available, flow data for the previous ten years should be used in determining mean annual flow.

H. Mean Sea Level.

For purposes of the National Flood Insurance Program, the vertical datum to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

((H)) I. Mining.

The extraction and removal of sand, gravel, minerals, or other naturally occurring material from the earth for economic use.

((I)) J. Minor Arterials

A street providing service for trips of moderate length, connecting the principal arterial system to local streets, generally prioritizing mobility over access, and providing intra-community circulation.

((J)) K. Mitigation – Mitigate.

An action which avoids a negative adverse impact and is reasonable and capable of being accomplished.

((K)) L. Mitigation – Mitigation Sequencing.

The use of any or all of the following actions listed in descending order of preference:

1. Avoiding the impact altogether by not taking a certain action or parts of an action.
2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts.
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
5. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; or
6. Monitoring the impact and the compensation project and taking appropriate corrective measures.

Mitigation may include a combination of the above measures.

((L)) M. Mobile Home.

A factory-built dwelling built prior to June 15, 1976, to standards other than the housing and urban development code, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state. Mobile homes have not been built since introduction of the housing and urban development Manufactured Home Construction and Safety Standards Act.

((M)) N. Mobile Home Park.

Any real property which is rented or held out for rent to others for the placement of two or more mobile homes, manufactured homes, or park models for the primary purpose of production of income, except where such real property is rented or held out for rent for seasonal recreational purpose only and is not intended for year-round occupancy.

((N)) O. Modification to a Preliminary Plat, Short Plat, or Binding Site Plan.

A change, prior to recording, of an approved preliminary plat, preliminary short plat, or binding site plan that includes, but is not limited to, the addition of new lots or tracts, or a change of the boundaries or dimensions of lots or tracts.

((O)) P. Modular Home.

A single-family dwelling unit (which may be in the form of a factory-built or manufactured housing permit as well as a standard building permit) constructed in a factory in accordance with International Building Code and bearing the appropriate gold insignia indicating such compliance. The term includes "pre-fabricated," "panelized," and "factory-built" units.

((P)) Q. Modulation.

A measured and proportioned inflection in a building's face. Articulation, modulation, and their interval create a sense of scale important to residential buildings.

((Q)) R. Monitoring.

Periodic evaluation of a wetlands restoration, creation, or enhancement site or habitat management plan area to determine changes at the site, such as vegetation growth, hydrologic changes, soil development, and use of the site by birds and animals.

((R)) S. Monument.

A physical survey monument as shown in the City's standard plans.

((S)) T. Monument Sign.

[See SMC 17C.240.015.](#)

((T)) U. Multi-family Residential Building.

A common wall dwelling or apartment house that consists of three or more dwelling units.

((U)) V. Multiple Containment.

A means of spill or leak control involving a containment structure having one or more layers of material between the primary container and the environment.

1. Containment layers must be resistant to the material stored.
2. The volume within the containment system must be at least as large as the primary container.
3. Containment layers may be separated by an interstitial space.

((V)) W. Municipal Separate Storm Sewer System (MS4).

A conveyance, or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains):

1. owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of wastes, stormwater, or other wastes, including special districts under state law such as sewer district, flood control district, or drainage district, designated and approved management agency under section 208 of the Clean Water Act that discharges to water of the United States;
2. designed or used for collecting or conveying stormwater;
3. which is not a combined sewer; and
4. which is not part of a publicly owned treatment works (POTW) as defined at 40 CFR (Code of Federal Regulation) 122.2.

((W)) X. MUTCD.

The U.S. department of transportation Manual on Uniform Traffic Control Devices.

Section 7. That Section 17A.020.140 SMC is amended to read as follows:

Section 17A.020.140 “N” Definitions

- A. National Pollutant Discharge Elimination System (NPDES).
The national program for issuing, modifying, revoking, and reissuing, terminating, monitoring, and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the Federal Clean Water Act, for the discharge of pollutants to surface waters of the state from point sources. These permits are referred to as NPDES permits and, in Washington State, are administered by the Washington State department of ecology.
- B. National Register.
The register maintained pursuant to P.L. 89-655, 80 Stat. 915, as amended.
- C. Native Plant Community.
The collective product of individual plants indigenous to a particular locale responding to shared habitats.
- D. Native Vegetation.
Plant species, which are indigenous to the planning area.
- E. Natural Location of Drainage Systems.
The location of those predominate channels, swales, and pre-existing and established systems as defined by the earliest documented topographic contours existing for the subject property, either from maps or photographs, site inspections or other appropriate means.
- F. New Construction – Floodplain.
~~((Structures for which the date of complete application for permit commenced on or after July 1, 2004.))~~ For the purposes of determining insurance rates, structures

for which the “start of construction” commenced on or after the effective date of an initial Flood Insurance Rate Map or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, “new construction” means structures for which the “start of construction” commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

G. New Manufactured Home Park or Subdivision – Floodplain.(A)

A manufactured home park or subdivision for which a complete application, as defined by [SMC 17G.060.090](#), for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the permit for the individual unit.

H. NFPA 30.

The National Fire Prevention Association’s flammable and combustible liquids code.

I. “Noise level reduction (NLR)” means the amount of noise reduction required through construction and incorporation of sound reduction materials and design to reduce interior noise levels.

J. “Noise reduction coefficient (NRC)” means the arithmetic average of the sound absorption coefficients of a material at 250, 500, 1,000, and 2,000 Hz.

K. No Net Loss of Shoreline Ecological Functions.

A public policy goal that means the maintenance of the aggregate total of the City’s shoreline ecological functions at its current level of environmental resource productivity. As a development and/or mitigation standard, no net loss requires that the impacts of a particular shoreline development and/or use, whether permitted or exempt, be identified and prevented or mitigated, such that it has no resulting adverse impacts on shoreline ecological functions or processes. Each project shall be evaluated based on its ability to meet the no net loss standard commensurate with its scale and character.

L. Nominal Driveway Width.

The driveway width measured at the face of curb, from driveway joint to driveway joint, as shown in the standard plans.

M. Nomination.

The process by which a building, district, object, site, or structure is recommended for placement on a register.

N. Nonbuildable Tract.

Land reserved for specified uses including, but not limited to:

1. reserve tracts,
2. recreation,
3. open space,
4. critical areas,
5. surface water retention,
6. utility facilities and access.

Nonbuildable tracts are not considered lots or building sites.

O. Nonconforming Development.

An element of a development, such as a setback, height, or parking area, that was created in conformance with development regulations but which subsequently, due to a change in the zone or zoning regulations, is no longer in conformance with the current applicable development standards.

P. Nonconforming Sign.

[See SMC 17C.240.015.](#)

Q. Nonconforming Situation.

A nonconforming residential density, nonconforming development or nonconforming use. A situation may be nonconforming in more than one aspect. For example, a site may contain a nonconforming use and also have some nonconforming development.

R. Nonconforming Use.

A use or the amount of floor area of a use that was allowed by right when established or a use that obtained a required land use approval when established, that is now prohibited in the zone due to a subsequent change in the zone or zoning regulations.

S. Non-water Oriented Uses.

A use that is not water-dependent, is not water-related, and is not water-enjoyment. Non-water oriented uses have little or no relationship to the shoreline and are not considered priority uses under the shoreline management act. Any use that does not meet the definition of water-dependent, water-related, or water-enjoyment is classified as non-water oriented.

T. Noxious Weeds.

Those plants which are non-native, highly destructive, and competitive as defined by chapter 17.10 RCW, or as amended.

U. Nursing Home.

A residence, licensed by the state, that provides full-time convalescent and/or chronic care for individuals who, by reason of chronic illness or infirmity, are unable to care for themselves.

1. No care for the acutely ill or surgical or obstetrical services shall be provided in such a residence.
2. This definition excludes hospitals or sanitariums.

Section 8. That Section 17A.020.190 SMC is amended to read as follows:

17A.020.190 “S” Definitions

A. Salmonid.

Belonging to the family of Salmonidae, including the salmons, trouts, chars, and whitefishes.

B. Sandwich Board Sign.

[See SMC 17C.240.015.](#)

C. Scrub-shrub Wetland.

An area of vegetated wetland with at least thirty percent of its surface area covered by woody vegetation less than twenty feet in height at the uppermost strata.

D. Secondary Building Walls.

Exterior building walls that are not classified as primary building walls.

E. Secondary Containment.

A means of spill or leak containment involving a second barrier or tank constructed outside the primary container and capable of holding the contents of the primary container.

F. Sediment.

Mineral or organic matter deposited as a result of erosion.

G. Sedimentation.

The settling and accumulation of particles such as soil, sand, and gravel, suspended in water or in the air.

H. SEPA Rules.

Chapter 197-11 WAC adopted by the department of ecology.

I. Service Area.

A geographic area defined by the City, which encompasses public facilities that are part of a plan.

J. Serviceable.

Means presently useable.

K. Setback.

The minimum distance required between a specified object, such as a building and another point. Setbacks are usually measured from lot lines to a specified object. In addition, the following setbacks indicate where each setback is measured from:

1. "Front setback" means a setback that is measured from a front lot line.
2. "Rear setback" means a setback that is measured from a rear lot line.
3. "Side setback" means a setback that is measured from a side lot line.
4. "Street setback" means a setback that is measured from a street lot line.

L. Sex Paraphernalia Store.

A commercial establishment that regularly features sexual devices and regularly advertises or holds itself out, in any medium, as an establishment that caters to adult sexual interests. This definition shall not be construed to include:

1. Any pharmacy, drug store, medical clinic, any establishment primarily dedicated to providing medical or healthcare products or services; or
2. Any establishment located within an enclosed regional shopping mall.

M. Sexual Device.

Any three dimensional object designed for stimulation of the male or female human genitals, anus, buttocks, female breast, or for sadomasochistic use or abuse of

oneself or others and shall include devices commonly known as dildos, vibrators, penis pumps, cock rings, anal beads, butt plugs, nipple clamps, and physical representations of the human genital organs. Nothing in this definition shall be construed to include devices primarily intended for protection against sexually transmitted diseases or for preventing pregnancy.

N. Shall.

Unless the context indicates otherwise, the term “shall” means:

1. In reference to the obligations imposed by this title upon owners or occupants of premises or their agents, a mandatory obligation to act, or when used with a negative term to refrain from acting, in compliance with this code at the risk of denial of approval or civil or criminal liability upon failure so to act, the term being synonymous with “must”;
2. With respect to the functions of officers and agents of the City, a direction and authorization to act in the exercise of sound discretion; or
3. The future tense of the verb “to be.”

O. Shallow Groundwater.

Naturally occurring water within an unconfined (water table) aquifer, partially confined aquifer or perched groundwater aquifer, and which is present at depth of fifteen feet or less below the ground surface, at any time, under natural conditions.

P. Shared Use Pathway.

A non-motorized transportation pathway shared by pedestrians, scooters and bicyclists. May be located next to a street or in a separate right-of-way.

Q. Shorelands.

Or “shoreline areas” or “shoreline jurisdiction” means all “shorelines of the state” and “shorelands” as defined in RCW 90.58.030. Those lands extending landward for two hundred feet in all directions as measured on a horizontal plane from the ordinary high-water mark; floodways and contiguous floodplain areas landward two hundred feet from such floodways; and all wetlands and river deltas associated with the streams, lakes, and tidal waters which are subject to the provisions of the entire shoreline master program; the same to be designated as to location by the department of ecology.

R. Shoreline and Ecosystems Enhancement Plan and Program.

[See SMC 17E.020.090](#), Habitat Management Plans.

S. Shoreline Buffer.

1. A designated area adjacent to the ordinary high-water mark and running landward to a width as specified by this regulation intended for the protection or enhancement of the ecological function of the shoreline area.
2. The buffer will consist primarily of natural vegetation or planted vegetation which maintains or enhances the ecological functions of the shoreline area.
3. The term “buffer area” has the same meaning as “buffer.”

T. Shoreline Enhancement.

Any alteration of the shoreline that improves the ecological function of the shoreline area or any aesthetic improvement that does not degrade the shoreline ecological function of the shoreline.

U. Shoreline Environment Designations.

The categories of shorelines established by local shoreline master programs in order to provide a uniform basis for applying policies and use regulations within distinctively different shoreline areas. The basic recommended system classifies shorelines into four distinct environments (natural, conservancy, rural, and urban). See WAC 173-16-040(4).

V. Shoreline Habitat and Natural Systems Enhancement Projects.

1. Shoreline habitat and natural systems enhancement projects include those activities proposed and conducted specifically for the purpose of establishing, restoring, or enhancing habitat for propriety species in shorelines.
2. Provided that the primary purpose of such actions is clearly restoration of the natural character and ecological functions of the shoreline, projects may include shoreline modification actions such as:
3. Modification of vegetation,
4. Removal of nonnative or invasive plants,
5. Shoreline stabilization, dredging, and filling.

W. Shoreline Jurisdiction.

See "Shorelands."

X. Shoreline Letter of Exemption.

Authorization from the City which establishes that an activity is exempt from shoreline substantial development permit requirements under [SMC 17E.060.300](#) and WAC 173-14-040, but subject to regulations of the Act and the entire shoreline master program.

Y. Shoreline Master Program.

1. The comprehensive use plan for a described area, and the use regulations together with maps, diagrams, charts, or other descriptive material and text, a statement of desired goals, and standards developed in accordance with the policies enunciated in RCW 90.58.020.
2. For the City of Spokane, the shoreline master program includes the:
3. Shoreline Goals and Policies (Comprehensive Plan Chapter 14),
4. Shoreline Regulations ([chapter 17E.060 SMC](#)),
5. City of Spokane Shoreline Restoration Plan (stand-alone document), and
6. Shoreline Inventory and Analysis (Comprehensive Plan Volume III).

Z. Shoreline Mixed Use.

Combination of water-oriented and non-water oriented uses within the same structure or development area.

AA. Shoreline Modifications.

Those actions that modify the physical configuration or qualities of the shoreline area, usually through the construction of a physical element such as a dike, breakwater, pier, weir, dredged basin, fill, bulkhead, or other shoreline structure. They can include other actions, such as clearing, grading, or application of chemicals.

AB. Shoreline Protection.

1. Structural and nonstructural methods to control flooding or address erosion impacts to property and dwellings or other structures caused by natural processes, such as current, flood, wind, or wave action.
2. The terms "Shoreline protection measure" and this term have the same meaning.
3. Substantial enlargement of an existing shoreline protection improvement is regarded as new shoreline protection measure.

AC. Shoreline Recreational Development.

Recreational development includes commercial and public facilities designed and used to provide recreational opportunities to the public. Water-dependent, water-related and water-enjoyment recreational uses include river or stream swimming areas, boat launch ramps, fishing areas, boat or other watercraft rentals, and view platforms

AD. Shoreline Restoration.

1. The re-establishment or upgrading of impaired ecological shoreline processes or functions. This may be accomplished through measures including, but not limited to, re-vegetation, removal of intrusive shoreline structures and removal or treatment of toxic materials.
2. Restoration does not imply a requirement for returning the shoreline area to aboriginal or pre-European settlement conditions.

AE. Shoreline Stabilization.

Structural or non-structural modifications to the existing shoreline intended to reduce or prevent erosion of uplands or beaches. They are generally located parallel to the shoreline at or near the ordinary high-water mark. Other construction classified as shore defense works include groins, jetties, and breakwaters, which are intended to influence wave action, currents, and/or the natural transport of sediments along the shoreline.

AF. Shoreline Structure.

A permanent or temporary edifice or building, or any piece of work artificially built or composed of parts joined together in some definite manner, whether installed on, above, or below the surface of the ground or water, except for vessels.

AG. Shorelines Hearings Board (SHB).

The shorelines hearings board is a quasi-judicial body with powers of de novo review authorized by chapter 90.58 RCW to adjudicate or determine the following matters:

1. Appeals from any person aggrieved by the granting, denying, or rescinding of a permit issued or penalties incurred pursuant to chapter 90.58 RCW.
2. Appeals of department rules, regulations, or guidelines; and
3. Appeals from department decisions to approve, reject, or modify a proposed master program or program amendment of local governments which are not planning under RCW 36.70A.040.

AH. Short Plat – Final.

The final drawing of the short subdivision and dedication, prepared for filing for record with the Spokane county auditor and containing all elements and requirements set forth in this chapter and chapter 58.17 RCW.

AI. Short Plat – Preliminary.

1. A neat and approximate drawing of a proposed short subdivision showing the general layout of streets, alleys, lots, blocks, and other elements of a short subdivision required by this title and chapter 58.17 RCW.
2. The preliminary short plat shall be the basis for the approval or disapproval of the general layout of a short subdivision.

AJ. Short Subdivision.

A division or redivision of land into nine or fewer lots, tracts, parcels, or sites for the purpose of sale, lease, or transfer of ownership. (RCW 58.17.020(6)).

AK. Sign.

[See SMC 17C.240.015.](#)

AL. Sign – Animated Sign.

[See SMC 17C.240.015.](#)

AM. Sign – Electronic Message Center Sign.

[See SMC 17C.240.015.](#)

AN. Sign Face.

[See SMC 17C.240.015.](#)

AO. Sign – Flashing Sign.

[See SMC 17C.240.015.](#)

AP. Sign Maintenance.

[See SMC 17C.240.015.](#)

AQ. Sign – Off-premises.

[See SMC 17C.240.015.](#)

AR. Sign Repair.

[See SMC 17C.240.015.](#)

AS. Sign Structure.

See SMC 17C.240.015.

AT. Significant Vegetation Removal.

The removal or alteration of trees, shrubs, and/or ground cover by clearing, grading, cutting, burning, chemical means, or other activity that causes significant ecological impacts to functions provided by such vegetation.

1. The removal of invasive or noxious weeds does not constitute significant vegetation removal.
2. Tree pruning, not including tree topping, where it does not affect ecological functions, does not constitute significant vegetation removal.

AU. Single-family Residential Building.

A dwelling containing only one dwelling unit.

AV. Single-room Occupancy Housing (SRO).

A structure that provides living units that have separate sleeping areas and some combination of shared bath or toilet facilities.

1. The structure may or may not have separate or shared cooking facilities for the residents.
2. SRO includes structures commonly called residential hotels and rooming houses.

AW. Site.

Any parcel of land recognized by the Spokane County assessor's office for taxing purposes. A parcel may contain multiple lots.

AX. Site – Archaeological.

1. A place where a significant event or pattern of events occurred. It may be the:
 - a. Location of prehistoric or historic occupation or activities that may be marked by physical remains; or
 - b. Symbolic focus of a significant event or pattern of events that may not have been actively occupied.
2. A site may be the location of a ruined or now non-extant building or structure if the location itself possesses historic, cultural, or archaeological significance.

AY. Site, Parent.

The initial aggregated area containing a development, and from which individual lots may be divided, as used in the context of SMC 17C.110.360 Pocket Residential Development, and SMC 17G.080.065, Alternative Residential Subdivisions.

AZ. Slump.

The intermittent movement (slip) of a mass of earth or rock along a curved plane.

BA. SMC.

The Spokane Municipal Code, as amended.

Spokane Municipal Code Amendment

Sections 17A.020.010, 17A.020.020, 17A.020.040, 17A.020.060, 17A.020.080, 17A.020.130, and 17A.020.190

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BB. Soil.

The naturally occurring layers of mineral and organic matter deposits overlaying bedrock. It is the outer most layer of the Earth.

BC. Sound Contours.

A geographic interpolation of aviation noise contours as established by the 2010 Fairchild AFB Joint Land Use Study and placed on the official zoning map. When a property falls within more than one noise zone, the more restrictive noise zone requirements shall apply for the entire property.

BD. Sound Transmission Class (STC).

A single-number rating for describing sound transmission loss of a wall, partition, window or door.

BE. Special Drainage District (SDD).

An area associated with shallow groundwater, intermittent standing water, or steep slopes where infiltration of water and dispersion of water into the soils may be difficult or delayed, creating drainage or potential drainage problems. SDDs are designated in [SMC 17D.060.130](#).

BF. Special Event Sign.

See [SMC 17C.240.015](#).

BG. Species of Concern.

Species native to Washington State listed as state endangered, state threatened, state sensitive, or state candidate, as well as species listed or proposed for listing by the U.S. Fish and Wildlife Service or the National Marine Fisheries Service.

BH. Specified Anatomical Areas.

They are human:

1. Genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola, when such areas are less than completely and opaquely covered;
2. Male genitals in a discernibly turgid state, even if completely and opaquely covered.

BI. Specified Sexual Activities.

Any of the following:

1. Human genitals in a state of sexual stimulation or arousal;
2. Acts of human masturbation, sexual intercourse, or sodomy; and
3. Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.

BJ. Spokane Regional Stormwater Manual (SRSM).

A technical document establishing standards for stormwater design and management to protect water quality, natural drainage systems, and down-gradient properties as urban development occurs.

BK. Spokane Register of Historic Places.

The register maintained by the historic preservation office, which includes historic landmarks and districts in the City and County.

BL. Sports Field.

An open area or stadium in which scheduled sports events occur on a regular basis. Sports events include both competitive and noncompetitive events such as track and field activities, soccer, baseball, or football games.

BM. Stabilization.

The process of establishing an enduring soil cover of vegetation or mulch or other ground cover and may be in combination with installation of temporary or permanent structures.

BN. Standard Plans.

Refers to the City of Spokane's standard plans.

BO. Standard References

Standard engineering and design references identified in [SMC 17D.060.030](#).

BP. Start of Construction

Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

((BP)) BQ. State Candidate Species.

Fish and wildlife species that WDFW will review for possible listing as state endangered, threatened, or sensitive.

((BQ)) BR. State Endangered Species.

Any wildlife species native to the State of Washington that is seriously threatened with extinction throughout all or a significant portion of its range within the state.

((BR)) BS. State Register.

The register maintained pursuant to chapter 195, Laws of 1977, 1st ex. sess., section 6 (chapter 27.34 RCW).

~~((BS))~~ BT. State Sensitive Species.

Any wildlife species native to the State of Washington that is vulnerable or declining and is likely to become endangered or threatened throughout a significant portion of its range within the state without cooperative management or removal of threats.

~~((BT))~~ BU. State Threatened Species.

Any wildlife species native to the State of Washington that is likely to become an endangered species within the foreseeable future throughout a significant portion of its range within the state without cooperative management or removal of threats.

~~((BU))~~ BV. Stealth Facilities.

Any cellular telecommunications facility that is designed to blend into the surrounding environment. Examples of stealth facilities include:

1. Architecturally screened roof-mounted antennas;
2. Building-mounted antennas painted to match the existing structure;
3. Antennas integrated into architectural elements; and
4. Antenna structures designed to look like light poles, trees, clock towers, bell steeples, or flag poles.

~~((BV))~~ BW. Stewardship.

Acting as supervisor or manager of the City and County's historic properties.

~~((BW))~~ BX. Stormwater.

1. Any runoff flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.
2. "Stormwater" further includes any locally accumulating ground or surface waters, even if not directly associated with natural precipitation events, where such waters contribute or have a potential to contribute to runoff onto the public right-of-way, public storm or sanitary sewers, or flooding or erosion on public or private property.

~~((BX))~~ BY. Stormwater Management Program (SWMP).

A set of actions and activities designed to reduce the discharge of pollutants from the regulated MS4 to the maximum extent practicable and to protect water quality, and comprising the components listed in S5 or S6 of the Eastern Washington Phase II Municipal Permit (WAR04-6505) and any additional actions necessary to meet the requirements of applicable TMDLs.

~~((BY))~~ BZ. Story.

That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except:

1. The topmost story is that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above;
2. That portion of a building between the eaves and the ridge, when over twenty feet in height, is considered a story;

3. That portion of a building below the eaves which exceeds fourteen feet in height is considered a story, each fourteen feet of height (or major part of fourteen feet) being an additional story; and
4. A basement or unused under-floor space is a story if the finished floor level directly above is either more than:
 - a. Six feet above grade for more than half of the total perimeter, or
 - b. Twelve feet above grade at any point.

((BZ)) CA. Stream.

A naturally occurring body of periodic or continuously flowing water where the:

1. Mean annual flow is greater than twenty cubic feet per second; and
2. Water is contained with a channel (WAC 173-22-030(8)).

((GA)) CB. Street.

See "Public Way" ([SMC 17A.020.160](#)).

((GB)) CC. Street Classifications.

1. Arterial and local access streets are classified in section 4.5 of the comprehensive plan as follows:
 - a. Principal arterial.
 - b. Minor arterial.
 - c. Collector arterial.
 - d. Local access street.
 - e. Parkway.
2. Definitions of all of the above classifications are included herein. Private streets are not classified but are defined under [SMC 17A.020.160](#), "P" [Definitions](#).

((GG)) CD. Street Frontage.

The lot line abutting a street.

((GD)) CE. Strobe Light.

A lamp capable of producing an extremely short, brilliant burst of light.

((GE)) CF. Structural Alteration.

See [SMC 17C.240.015](#).

((GF)) CG. Structure.

Any object constructed in or on the ground, including a gas or liquid storage tank that is principally above ground.

1. Structure includes:
 - a. Buildings,
 - b. Decks,
 - c. Fences,
 - d. Towers,

- e. Flag poles,
 - f. Signs, and
 - g. Other similar objects.
2. Structure does not include paved areas or vegetative landscaping materials.
 3. For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

~~((GG))~~ CH. Structure – Historic.

A work made up of interdependent and interrelated parts in a definite pattern of organization. Generally constructed by man, it is often an engineering project.

~~((GH))~~ CI. Subdivision.

A division or redivision of land into ten or more lots, tracts, or parcels for the purpose of sale, lease, or transfer of ownership (RCW 58.17.020).

~~((GI))~~ CJ. Subject Property.

The site where an activity requiring a permit or approval under this code will occur.

~~((GJ))~~ CK. Sublevel Construction Controls.

Design and construction requirements provided in [SMC 17F.100.090](#).

~~((GK))~~ CL. Submerged Aquatic Beds.

Wildlife habitat area made up of those areas permanently under water, including the submerged beds of rivers and lakes and their aquatic plant life.

~~((GL))~~ CM. Substantial Damage – Floodplain.

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-existing condition would equal or exceed fifty percent of the ~~((assessed))~~ market value of the structure before the damage occurred.

~~((GM))~~ CN. Substantial Development.

For the shoreline master program, shall mean any development of which the total cost or fair market value exceeds the dollar amount set forth in RCW 90.58 and WAC 173-26 for any improvement of property in the shorelines of the state.

~~((GN))~~ CO. Substantial Improvement – Floodplain.

1. This definition includes structures that have incurred “substantial damage,” regardless of the actual work performed.
2. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the assessed value of the structure either:
 - a. Before the improvement or repair is started, or
 - b. If the structure has been damaged and is being restored, before the damage occurred.
3. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural

part of the building commences, whether or not that alteration affects the external dimensions of the structure.

- 4. The term does not, however, include either any:
 - a. Project for improvement of a structure to correct previously identified existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
 - b. Alteration of a "historic structure" (~~listed on the National Register of Historic or State Inventory of Historic Places~~), provided the alteration will not preclude the structure's continued designation as a "historic structure."

~~((C))~~ CP. Suffix.

Describes the roadway type and is located after the root roadway name (i.e., street, avenue, court, lane, way, etc.). The appropriate suffix shall be used in accordance with [SMC 17D.050A.040\(U\)](#).

PASSED by the City Council on _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

ORDINANCE NO. _____

AN ORDINANCE relating to Floodplain Management amending Spokane Municipal Code (SMC) Sections 17E.030.030, 17E.030.050, 17E.030.060, 17E.030.070, 17E.030.080, 17E.030.090, 17E.030.100, 17E.030.120, 17E.030.130, 17E.030.140, 17E.030.150, 17E.030.160, and 17E.030.170.

WHEREAS, the flood hazard areas of the City of Spokane are subject to periodic inundation that may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare; and

WHEREAS, these flood losses may be caused by the cumulative effect of obstructions in areas of special flood hazards that increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated, or otherwise protected from flood damage also contribute to the flood loss; and

WHEREAS, the Legislature of the State of Washington has delegated the responsibility to local communities to adopt floodplain management regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, as a condition of participation in the National Flood Insurance Program (NFIP), the City of Spokane is required to adopt and enforce a flood hazard reduction ordinance that meets the minimum requirements of the NFIP and State of Washington minimum floodplain management regulations; and

WHEREAS, adoption of floodplain regulations consistent with state and federal rules can reduce annual flood insurance premiums for City residents; and

WHEREAS, the most recent update to the City's floodplain regulations occurred in 2011; and

WHEREAS, the Federal Emergency Management Agency (FEMA) and the Washington Department of Ecology recently prepared an updated Flood Damage Prevention Ordinance Washington Model that includes all the minimum standards required as a condition of participation in the NFIP; and

WHEREAS, in order to maintain participation in the NFIP and allow City of Spokane residents to obtain flood insurance and other types of federal disaster aid, the City must adopt an updated floodplain ordinance that meets current state and NFIP standards by December 31, 2021; and

WHEREAS, the City complied with RCW 36.70A.370 in the adoption of this Ordinance; and

WHEREAS, on June 21, 2021 the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the UDC pursuant to RCW 36.70A.106; and

WHEREAS, a State Environmental Policy Act (“SEPA”) Checklist was prepared and a Determination of Non-Significance (“DNS”) was issued on September 2, 2021, for the proposed amendment. The fourteen-day public comment period ended on September 16, 2021; and

WHEREAS, the Plan Commission held a workshop session to study the proposed amendment on July 14, 2021 and September 8, 2021; and

WHEREAS, prior to the Plan Commission public hearing, staff requested comments from agencies and departments and the required public notices were published in the Spokesman-Review on September 8 and 15, 2021. The proposed UDC amendment was available for public review on the Planning and Development Services website at <https://my.spokanecity.org/projects/2021-floodplain-management-update/>; and

WHEREAS, on September 22, 2021 the City Plan Commission held a public hearing on the proposed UDC amendment and heard testimony from the public; and

WHEREAS, consistent with SMC 17G.025.010, the Plan Commission found that (i) the proposed amendment is consistent with applicable provisions of the City of Spokane Comprehensive Plan, and (ii) the proposed amendment bears a substantial relation to public health, safety, welfare, and protection of the environment; and

WHEREAS, following a public hearing, the Plan Commission recommended approval of a number of minor and clarifying amendments to the Spokane Municipal Code regarding floodplain regulations, following the procedures set forth in SMC 17G.025.010; and

WHEREAS, the Plan Commission’s Findings of Fact, Conclusions, and Recommendations regarding the 2021 Floodplain Management Text Amendment, together with the Plan Commission’s entire files relating to the same, are hereby incorporated into this ordinance.

Now, Therefore, The City of Spokane does ordain:

Section 1. That Section 17E.030.030 SMC is amended to read as follows:

Section 17E.030.030 Purpose

It is the purpose of this chapter to promote the public health, safety and general welfare, reduce the annual cost of flood insurance, and to minimize to the extent allowed by these provisions public and private losses due to flood conditions in specific areas, and to protect ecological systems, and their functions and values, by provisions designed to:

- A. protect human life and health;
- B. minimize expenditures of public money and costly flood control projects;
- C. minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. minimize prolonged business interruptions;
- E. minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas subject to flooding;
- F. help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- G. adopt procedures to notify potential buyers that property is in a special flood hazard area; and
- H. encourage those who occupy areas of special flood hazard to assume responsibility for their actions.

Section 2. That Section 17E.030.050 SMC is amended to read as follows:

Section 17E.030.050 General Provisions

In all areas of special flood hazards, the following standards are required:

- A. This chapter shall apply to all areas of special flood hazards within the jurisdiction of the City.
- B. Basis for Establishing the Areas of Special Flood Hazard.

The areas of special flood hazards identified by the Federal Insurance ((Administration)) Administrator in a scientific and engineering report entitled "The Flood Insurance Study for Spokane County, Washington and Incorporated Areas" dated July 6, 2010, and any revisions thereto, with accompanying Flood Insurance Rate Maps (FIRM) dated July 6, 2010, and any revisions thereto, are hereby adopted by reference and declared to be a part of this chapter. The procedure for map corrections is set forth in the federal code of regulations, 44 CFR Part 70. The

Flood Insurance Study and Flood Insurance Rate Maps are on file in the City planning department.

The best available information for flood hazard area identification as outlined in Section 17E.030.080(B) shall be the basis for regulation until a new FIRM is issued that incorporates data utilized under Section 17E.030.080(B).

C. Compliance

All development within special flood hazard areas is subject to the terms of this ordinance and other applicable regulations.

D. Abrogation and Greater Restrictions.

This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another Spokane Municipal Code section, shoreline master program and any revisions thereto, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

E. Interpretation.

In the interpretation and application of this chapter, all provisions shall be:

1. considered as minimum requirements;
2. liberally construed in favor of the governing body; and
3. deemed neither to limit nor repeal any other powers granted under the laws of the State of Washington.

F. Warning and Disclaimer of Liability.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This chapter does not imply that land outside of the areas of special flood hazards, or uses permitted within such areas, will be free from flooding or flood damages. This chapter does not create liability on the part of the City, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder.

G. Severability

This ordinance and the various parts thereof are hereby declared to be severable. Should any Section of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof other than the Section so declared to be unconstitutional or invalid.

Section 3. That Section 17E.030.060 SMC is amended to read as follows:

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.060 SMC](#) is 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. ~~((Certification))~~ 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.060 SMC\(\(-\);](#)
6. A completed environmental checklist, unless the ~~((local administrator))~~ Floodplain Administrator as designated in [SMC 17E.030.070](#) has determined that the project is categorically exempt from [chapter 17E.050 SMC](#); ~~and~~
7. Where development is proposed in a floodway, an engineering analysis indication no rise of the Base Flood Elevation; and
8. ~~((All))~~ 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.060 SMC](#).

E. Fee Schedule.

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

Section 4. That Section 17E.030.070 SMC is amended to read as follows:

Section 17E.030.070 Designation of the ((Local)) Floodplain Administrator

The director of planning services and/or his or her designee is hereby appointed as ((local administrator)) Floodplain Administrator to administer ((and)), implement, and enforce this chapter by granting or denying development permit applications in accordance with its provisions.

Section 5. That Section 17E.030.080 SMC is amended to read as follows:

Section 17E.030.080 Duties and Responsibilities of the ((Local)) Floodplain Administrator

A. The duties and responsibilities of the ((local administrator)) Floodplain Administrator shall include, but not be limited to, review of all development permits to determine:

1. that the permit requirements of this chapter have been satisfied, all necessary information has been provided for a determination that the application is counter complete;
2. that all ((necessary)) other required state and federal permits have been obtained from those federal, state, or local governmental agencies from which prior approval is required; ((and))
3. that the site is reasonably safe from flooding;
4. ((if)) that the proposed development is not located in the floodway. If located in the floodway, assure that the encroachment provisions of [SMC 17E.030.160](#) are met((-));
5. if the proposed development complies with the policies, provisions, and requirements of the shoreline master program, as now or hereafter amended((-)); and
6. notify FEMA when annexations occur in the Special Flood Hazard Area.

B. Use of Other Base Flood Data in “A” Zones.

When base flood elevation data has not been provided (“A” Zones) in accordance with [SMC 17E.030.050](#), the (~~local administrator~~) Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source in order to administer [SMC 17E.050.140](#) and [SMC 17E.050.160](#).

C. Information to be Obtained and Maintained.

1. Where base flood elevation data is provided through the flood insurance study, FIRM, or required as in subsection (B) of this section, the (~~local administrator~~) Floodplain Administrator shall record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
2. For all new or substantially improved flood-proofed non-residential structures where base flood elevation data is provided through the flood insurance study, FIRM, or as required in the subsection above, the (~~local administrator~~) Floodplain Administrator shall:
 - a. obtain and maintain a record of the elevation (in relation to mean sea level) to which the structure was flood proofed, and
 - b. maintain the flood proofing certifications required in [SMC 17E.030.060](#).
3. The (~~local administrator~~) Floodplain Administrator shall maintain for public inspection all records pertaining to the provisions of this chapter.
4. Certification required in [SMC 17E.030.160\(A\)](#) (No Rise Standard).
5. Records of all variance actions, including justification for their issuance.
6. Improvement and damage calculations.

D. Alteration of Watercourses.

Whenever a watercourse is to be altered or relocated:

1. The (~~local administrator~~) Floodplain Administrator shall notify adjacent communities and the Washington state department of ecology prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration through appropriate notification means (44 CFR 60.3(b)(6)).
2. The (~~local administrator~~) Floodplain Administrator shall require that maintenance is provided within the altered or relocated portion of the watercourse so that the flood carrying capacity is not diminished.

E. Interpretation of FIRM Boundaries.

The (~~local administrator~~) Floodplain Administrator shall make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the

boundary shall be given a reasonable opportunity to appeal the interpretation as provided in [SMC 17E.030.090](#). Such appeals shall be granted consistent with the standards of Section 60.6 of the Rules and Regulations of the NFIP.

F. Review of Building Permits

1. Where elevation data is not available either through the FIS, FIRM, or from another authoritative source outlined in Section 17E.030.080(B), applications for floodplain development shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available.
2. Failure to elevate habitable buildings at least two feet above the highest adjacent grade in these zones may result in higher insurance rates.

G. Changes to Special Flood Hazard Area (SFHA)

1. If a project will encroach on the regulatory floodway or alter boundaries of the SFHA, then the project proponent shall provide the community with engineering documentation and analysis regarding the proposed change. If the change to the BFE or boundaries of the SFHA would normally require a Letter of Map Change, then the project proponent shall initiate, and receive, approvals required by FEMA.
2. If a CLOMR or LOMR application is made, then the project proponent shall also supply the full CLOMR or LOMR documentation package, as applicable, to the Floodplain Administrator, including all required property owner notifications. The Floodplain Administrator may condition permits to address Letter of Map Change determinations after issuance of the permit.

Section 6. That Section 17E.030.090 SMC is amended to read as follows:

Section 17E.030. Variance Procedure – Hearing Examiner

- A. The hearing examiner shall hear and decide appeals and requests for variances from the requirements of this chapter.
- B. The hearing examiner shall hear and decide appeals when it is alleged there is an error in any requirement, decision or determination made by the director in the enforcement or administration of this chapter.
- C. Those aggrieved by the decision of the hearing examiner, or any taxpayer, may appeal such decisions to the Spokane County superior court, as provided in [chapter 17G.060 SMC](#).
- D. In passing upon such applications, the hearing examiner shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter, and the:
 1. danger that materials may be swept onto other lands to the injury of others

2. danger to life and property due to flooding or erosion damage;
 3. susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 4. importance of the services provided by the proposed facility to the community;
 5. necessity to the facility of a waterfront location, where applicable;
 6. availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 7. compatibility of the proposed use with existing and anticipated development;
 8. relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 9. safety of access to the property in times of flood for ordinary and emergency vehicles;
 10. expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
 11. costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges;
 12. cumulative impact of additional requests of like actions in the area; and
 13. relationship of the proposed development to the shoreline master program policies and regulations as now or hereafter amended, and floodplain management for that area.
- E. Upon consideration of the factors of subsection (D) of this section and the purposes of this chapter, the hearing examiner may attach such conditions to the granting of the variances as he/she deems necessary to further the purposes of this chapter.
- F. The (~~local administrator~~) Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

Section 7. That Section 17E.030.100 SMC is amended to read as follows:

Section 17E.030.100 Variances

A. Conditions.

A variance shall be granted if conditions set forth in [SMC 17G.060.170\(E\)](#) are met. In addition to [SMC 17G.060.170\(E\)](#), the following additional conditions should be considered:

1. Generally, the only condition under which a variance from the elevation standard is issued is for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the decision criteria in this section have been fully considered. As the lot size increases the technical justification required for issuing the variance increases. Variances from the standards and conditions of this chapter are not allowed for residential uses in the floodway except for historic buildings as allowed by this section.
2. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places, the State Inventory of Historic Places, or the Spokane Register of Historic Places, ~~((without regard to the procedures set forth in this section))~~ upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
3. Variances will not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.
4. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
5. Variances will only be issued upon a:
 - a. showing of good and sufficient cause;
 - b. determination that failure to grant the variance would result in exceptional hardship to the applicant;
 - c. determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud or victimization of the public or conflict with existing local laws or ordinances.
6. Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods.

~~((7.))~~ Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria except this section, and otherwise complies with ~~SMC 17E.030.050~~.

~~((8.))~~ 7. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation and that such construction below the BFE increases risks to life and property.

B. Variances will be processed as set forth in [Table 17G.060-3](#).

C. The fees for processing a variance are set forth in [SMC 8.02.066\(G\)](#).

Section 8. That Section 17E.030.120 SMC is henceforth repealed :

~~((Section 17E.030.120 Resource Material))~~

~~((The following required standards are prescribed in all areas of special flood hazards. Except where this chapter provides otherwise, the most current edition of the following publications may be used as reference documents:~~

- ~~A. "Guideline and Specification for Contractors," Federal Emergency Management Agency, Federal Insurance Administration.~~
- ~~B. "Floodplain Management Conferences," Federal Emergency Management Agency, Federal Insurance Administration.~~
- ~~C. "Guide for Ordinance Development," Federal Emergency Management Agency, Federal Insurance Administration.~~
- ~~D. "Coordination During Flood Insurance Studies," Federal Emergency Management Agency, Federal Insurance Administration.~~
- ~~E. "The Floodway: A Guide for Community Permit Officials," Federal Emergency Management Agency, Federal Insurance Administration.~~
- ~~F. "Floodplain Management Handbook for Local Administrators," Washington State Department of Ecology.~~
- ~~G. "Program for Map Changes by Letter," Federal Emergency Management Agency, Federal Insurance Administration.~~
- ~~H. "Appeals, Revisions, and Amendments to Flood Insurance Maps," Federal Emergency Management Agency, Federal Insurance Administration.~~
- ~~I. "Base Flood Elevation Determination," Federal Emergency Management Agency, Federal Insurance Administration.))~~

Section 9. That Section 17E.030.130 SMC is amended to read as follows:

Section 17E.030.130 General Standards

In all areas of special flood hazards, the following standards, in addition to those imposed by other existing regulations are required:

A. Anchoring.

1. All new construction and substantial improvements, including those related to manufactured homes, shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads including the buoyancy.
2. All manufactured homes shall likewise be anchored to prevent flotation, collapse, or lateral movement and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to:
 - a. use of over-the-top or frame ties is provided at each of the four corners of the manufactured home, with two additional ties per site at intermediate locations, with manufactured homes less than fifty feet long requiring one additional tie per side;
 - b. frame ties is provided at each corner of the home with five additional ties per side at intermediate points, with manufactured homes less than fifty feet long requiring four additional ties per side;
 - c. all components at the anchoring system are capable of carrying a force of four thousand eight hundred pounds; and
 - d. any additions to the manufactured home are similarly anchored.
3. The guidebook "Manufactured Home Installation in Flood Hazard Areas, FEMA-85 (~~(-9/85)~~)" is adopted by reference for further manufactured home anchoring techniques.

~~((B. AO Zone Drainage.~~

~~Adequate drainage paths are required around structures on slopes to guide floodwaters around and away from proposed structures.))~~

~~((C.))~~ B. Construction Materials and Methods.

1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
2. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
3. Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or

located so as to prevent water from entering or accumulating within the components during conditions of flooding.

C. Storage of Materials and Equipment

1. The storage or processing of materials that could be injurious to human, animal, or plant life if released due to damage from flooding is prohibited in special flood hazard areas.
2. Storage of other material or equipment may be allowed if not subject to damage by floods and if firmly anchored to prevent flotation, or if readily removable from the area within the time available after flood warning.

D. Utilities.

1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
2. Any proposed water well shall be located on high ground that is not in the floodway (WAC 173-160-171).
3. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters.
4. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

E. ((~~Subdivision Proposals~~)) Development and Subdivision Proposals.

~~((All subdivisions proposals shall:~~

- ~~1. be consistent with this chapter;~~
- ~~2. be consistent with the need to minimize flood damage;~~
- ~~3. have public utilities and facilities, such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage;~~
- ~~4. have adequate drainage provided to reduce exposure to flood damage; and~~
- ~~5. be generated by an engineer hired by the applicant for subdivision proposals and other proposed developments which contain at least fifty lots or five acres, whichever is less; where base flood elevation data has not been provided or is not available from another source.))~~

All development, including subdivisions, shall:

1. Be consistent with the need to minimize flood damage;
2. Have public utilities and facilities, such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage;
3. Have adequate drainage provided to reduce exposure to flood damage; and
4. Where subdivision proposals and other proposed developments contain greater than 50 lots or 5 acres (whichever is the lesser) base flood elevation

data shall be included as part of the application, and prepared by an engineer licensed in the State of Washington.

~~((F. Review of Building Permits.~~

~~Where elevation data is not available either through the flood insurance study or from another authoritative source, applications for building and land use permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, et cetera, where available. Failure to elevate at least two feet above highest adjacent grade in these zones may result in higher insurance rates. The applicant will provide studies and information as necessary for review.))~~

F. Minimum Requirements.

All development or which specific provisions are not specified in the Spokane Municipal Code or the state building codes, and adopted amendments, shall:

1. Be located and constructed to minimize flood damage;
2. Meet the encroachment limitations of this ordinance if located in a regulatory floodway;
3. Be anchored to prevent flotation, collapse, or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;
4. Be constructed of flood damage-resistant materials;
5. Meet the flood opening requirements of [SMC 17E.030.140\(A\)\(3\)](#), and
6. Have mechanical, plumbing, and electrical systems above the design flood elevation or meet the requirements of ASCE 24, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.

Section 10. That Section 17E.030.140 SMC is amended to read as follows:

Section 17E.030.140 Specific Standards

In all areas of special flood hazards where base flood elevation data has been provided as set forth in ~~((this chapter,))~~ Section 17E.030.050(B), Basis for Establishing the Areas of Special Flood Hazard, or Section 17E.030.080(B), Use of Other Base Flood Data in "A" Zones, the following provisions are required:

A. Residential Construction.

1. New construction and substantial improvement of any residential structure in AE and other A Zones where BFE has been determined or can be reasonably obtained shall have the lowest floor, including basement,

elevated two feet above the base flood elevation. Mechanical equipment and utilities shall be waterproof or elevated least two foot above the BFE.

2. New construction and substantial improvement of any residential structure in an Unnumbered A zone for which a BFE is not available and cannot be reasonably obtained shall be reasonably safe from flooding, but in all cases the lowest floor shall be at least two feet above the Highest Adjacent Grade.

~~((2-))~~ 3. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement shall either be certified by a registered professional engineer or architect or shall meet or exceed the following minimum criteria:

- a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding must be provided.
- b. The bottom of all openings must be no higher ~~((that))~~ than one foot above grade.
- c. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- d. A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry and exit of flood waters.
- e. Alternatively, a registered engineer or architect may design and certify engineered openings.

B. Nonresidential Construction.

New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall ~~((either have the lowest floor, including basement, elevated two feet above the base flood elevation; or, together with attendant utility and sanitary facilities, shall))~~ meet the requirements of subsection 1 or 2, below:

- ~~((1. be floodproofed so that below two feet or more above the base flood level the structure is watertight with walls substantially impermeable to the passage of water;~~
- ~~2. have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;~~
- ~~3. be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their~~

~~development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the local administrator as set forth in [SMC 17E.030.080](#);~~

~~4. nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in subsection (A) of this section;}}~~

1. New construction and substantial improvement of any commercial, industrial, or other nonresidential structure shall meet all of the following requirements:

a. In AE, A1-30 zones, or other A zoned areas where the BFE has been determined or can be reasonably obtained, new construction and substantial improvement shall have the lowest floor, including basement, elevated two foot or more above the BFE, or elevated as required by ASCE 24, whichever is greater.

b. Mechanical equipment and utilities shall be waterproofed or elevated least one foot above the BFE, or as required by ASCE 24, whichever is greater.

c. If located in an Unnumbered A zone for which a BFE is not available and cannot be reasonably obtained, the structure shall be reasonably safe from flooding, but in all cases the lowest floor shall be at least two feet above the Highest Adjacent Grade.

d. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or a registered architect and must meet or exceed the following minimum criteria:

i. Have a minimum of two openings with a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;

ii. The bottom of all openings shall be no higher than one foot above grade; and

iii. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.

e. A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry and exit of flood waters.

i. Alternatively, a registered engineer or architect may design and certify engineered openings.

2. If the requirements of subsection 1 are not met, then new construction and substantial improvement of any commercial, industrial, or other nonresidential structure shall meet all of the following requirements:
 - a. Be dry floodproofed so that below two foot or more above the base flood level the structure is watertight with walls substantially impermeable to the passage of water or dry floodproofed to the elevation required by ASCE 24, whichever is greater;
 - b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
 - c. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications, and plans. Such certifications shall be provided to the Floodplain Administrator as set forth in [SMC 17E.030.080](#);
 - d. Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in [SMC 17E.030.140\(A\)\(3\)](#).

~~((5-))~~ 3. ((applicants)) Applicants who are floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g., a building floodproofed to the base flood level is rated as one foot below).

C. Manufactured Homes.

1. All manufactured homes to be placed or substantially improved ((within zones A1-A30, AH, AO and AE on the City's flood insurance rate map on sites)) on sites within the City's Special Flood Hazard Areas (SFHAs) shall be elevated on a permanent foundation such that:
 - ~~((a. outside of a manufactured home park or subdivision;~~
 - ~~b. in a new manufactured home park or subdivision;~~
 - ~~c. in an expansion to an existing manufactured home park or subdivision, or~~
 - ~~d. in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood;~~

~~shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated two feet above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.~~

- ~~2. Manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within zones A1-30, AH,~~

~~AO and AE on the City's flood insurance rate map that are not subject to the above manufactured home provisions shall be elevated so that either:~~

- ~~a. the lowest floor of the manufactured home is elevated two feet or more above the base flood elevation; or~~
- ~~b. the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty six inches in height above grade and is securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.)~~
- a. the lowest floor of the manufactured home is elevated two feet above the Base Flood Elevation (BFE); and
- b. it be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement; and
- c. comply with [SMC 17E.030.060\(C\)](#) in completing an Elevation Certificate with the other necessary permits.

D. Recreational Vehicles.

Recreational vehicles placed on sites (~~within zones A1-30, AH, AO and AE on the City's flood insurance rate map~~) are required to either:

1. be on the site for fewer than one hundred and eighty consecutive days;
2. be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
3. meet the requirements of subsection (C) of this section and the elevation and anchoring requirements for manufactured homes.

E. Livestock Sanctuary Areas

Elevated areas for the for the purpose of creating a flood sanctuary for livestock are allowed on farm units where livestock is allowed. Livestock flood sanctuaries shall be sized appropriately for the expected number of livestock and be elevated two feet above the Base Flood Elevation (BFE). Proposals for livestock flood sanctuaries shall meet all procedural and substantive requirements of Chapter 17E.030.

F. Enclosed Area Below the Lowest Floor.

If buildings or manufactured homes are constructed or substantially improved with fully enclosed areas below the lowest floor, the areas shall be used solely for parking of vehicles, building access, or storage.

Section 11. That Section 17E.030.150 SMC is amended to read as follows:

Section 17E.030.150 ((Before Regulatory Floodway)) AE Zones with Base Flood Elevations but No Floodways

In areas with base flood elevations (but a regulatory floodway has not been designated), no new construction, substantial improvements, or other development (including fill) shall be permitted ~~((within zones A1-30 and AE on the City's FIRM,))~~ unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the City.

Section 12. That Section 17E.030.160 SMC is amended to read as follows:

Section 17E.030.160 Floodways

Located within areas of special flood hazard established in [SMC 17E.030.050](#) are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters that carry debris, potential projectiles, and increase erosion potential, the following provisions apply:

A. No Rise Standard

Prohibit encroachments, including fill, new construction, substantial improvements and other development unless certification by a registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any ~~((increasing))~~ increase in flood levels during the occurrence of the base flood discharge.

B. Residential Construction in Floodways.

Construction or reconstruction of residential structures is prohibited within designated floodways, except for:

1. repairs, reconstruction or improvements to a structure which do not increase the ground floor area; and
2. repairs, reconstruction or improvements to a structure, the cost of which does not exceed fifty percent of the ~~((assessed))~~ market value of the structure either:
 - a. before the repair or reconstruction is started; or
 - b. if the structure has been damaged, and is being restored, before the damage occurred.

3. Any ((project of)) improvement ((of a structure)) to structures identified as historic places or to correct existing violations of state or local health,

sanitary or safety code specification (~~(which)~~) that have been identified by the local code enforcement official and (~~(which)~~) are the minimum necessary to assure safe living conditions (~~(or to structures identified as historic places)~~) shall not be included in the fifty percent.

C. Replacement of Farmhouses in Floodway.

Repairs, reconstruction, replacement, or improvements to existing farmhouse structures located in designated floodways and that are located on lands designated as agricultural lands of long-term commercial significance under RCW 36.70A.170 may be permitted subject to the following:

1. The new farmhouse is a replacement for an existing farmhouse on the same farm site;
2. There is no potential building site for a replacement farmhouse on the same farm outside the designated floodway;
3. Repairs, reconstruction, or improvements to a farmhouse shall not increase the total square footage of encroachment of the existing farmhouse;
4. A replacement farmhouse shall not exceed the total square footage of encroachment of the farmhouse it is replacing;
5. A farmhouse being replaced shall be removed, in its entirety, including foundation, from the floodway within ninety days after occupancy of a new farmhouse;
6. For substantial improvements and replacement farmhouses, the elevation of the lowest floor of the improvement and farmhouse respectively, including basement, is a minimum of one foot higher than the BFE;
7. New and replacement water supply systems are designed to eliminate or minimize infiltration of flood waters into the system;
8. New and replacement sanitary sewerage systems are designed and located to eliminate or minimize infiltration of flood water into the system and discharge from the system into the flood waters; and
9. All other utilities and connections to public utilities are designed, constructed, and located to eliminate or minimize flood damage.

D. Substantially Damaged Residences in Floodway.

1. For all substantially damaged residential structures, other than farmhouses, located in a designated floodway, the Floodplain Administrator may make a written request that the Department of Ecology assess the risk of harm to life and property posed by the specific conditions of the floodway. Based on analysis of depth, velocity, flood-related erosion, channel migration, debris load potential, and flood warning capability, the Department of Ecology may exercise best professional judgment in recommending to the local permitting authority repair, replacement, or relocation of a substantially

damaged structure consistent with WAC 173-158-076. The property owner shall be responsible for submitting to the local government and the Department of Ecology any information necessary to complete the assessment. Without a favorable recommendation from the department for the repair or replacement of a substantially damaged residential structure located in the regulatory floodway, no repair or replacement is allowed per WAC 173-158-070(1).

2. Before the repair, replacement, or reconstruction is started, all requirements of the NFIP, the state requirements adopted pursuant to 86.16 RCW, and all applicable local regulations must be satisfied. In addition, the following conditions must be met:
 - a. There is no potential safe building location for the replacement residential structure on the same property outside the regulatory floodway.
 - b. A replacement residential structure is a residential structure built as a substitute for a legally existing residential structure of equivalent use and size.
 - c. Repairs, reconstruction, or replacement of a residential structure shall not increase the total square footage of floodway encroachment.
 - d. The elevation of the lowest floor of the substantially damaged or replacement residential structure is a minimum of one foot higher than the BFE.
 - e. New and replacement water supply systems are designed to eliminate or minimize infiltration of flood water into the system.
 - f. New and replacement sanitary sewerage systems are designed and located to eliminate or minimize infiltration of flood water into the system and discharge from the system into the flood waters.
 - g. All other utilities and connections to public utilities are designed, constructed, and located to eliminate or minimize flood damage.

~~((D-))~~ E. If subsection (A) of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of [SMC 17E.030.130](#) ~~((and))~~ , [17E.030.140](#) , and [17E.030.130\(F\)](#) .

Section 13. That Section 17E.030.170 SMC is amended to read as follows:

Section 17E.030.170 ((Standards for Shallow Flooding Areas (AO Zones))) Essential Public and Critical Facilities within Special Flood Hazard Areas

~~((A. Shallow flooding areas appear on FIRMS as AO zones with depth designations. The base flood depths in these zones range from one to three feet above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In these areas, the following provisions apply:~~

- ~~1. New construction and substantial improvements of residential structures and manufactures homes within AO zones shall have the lowest floor (including basement) elevated above the highest adjacent grade to the structure, two feet or more above the depth number specified in feet on the community's FIRM (at least two feet above the highest adjacent grade to the structure if no depth number is specified).~~
- ~~2. New construction and substantial improvements of nonresidential structures within AO zones shall either:
 - ~~a. have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, two feet or more above the depth number specified on the FIRM (at least two feet if no depth number is specified); or~~
 - ~~b. together with attendant utility and sanitary facilities, be completely flood proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer or architect as in [SMC 17E.030.140\(B\)\(3\)](#).~~~~
- ~~3. Adequate drainage paths shall be required around structures on slopes to guide floodwaters around and away from proposed structures.~~
- ~~4. Recreational vehicles placed on sites within AO zones on the community's FIRM are required to either:
 - ~~a. be on the site for fewer than one hundred eighty consecutive days, or~~
 - ~~b. be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or~~
 - ~~c. meet the requirements of subsections (A)(1) and (A)(3) of this section and the anchoring requirements for manufactured homes ([SMC 17E.030.130\(A\)\(2\)](#)).~~~~

B. Essential Public Facilities.))

1. Construction of ((new)) essential public facilities, as defined in [SMC 17C.190.530](#), or another critical facility shall be, to the extent possible, located outside the limits of the special flood hazard area.

2. Construction of new essential public facilities shall be permissible within the special flood hazard area if no feasible alternative site is available.
3. (~~Essential public facilities~~) Facilities constructed within the special flood hazard area shall have the lowest floor elevated three feet or more above the level of the base flood elevation at the site or to the height of the 500-year flood, whichever is higher.
4. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. All (~~essential public~~) facilities shall have access routes elevated to or above the level of the base flood elevation.
5. Access to and from the facility should also be protected to the height utilized above.

PASSED by the City Council on _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

EXHIBIT 2 – SEPA DETERMINATION OF NONSIGNIFICANCE

NONPROJECT DETERMINATION OF NONSIGNIFICANCE

FILE NO(s): Floodplain Management Text Amendment

PROPONENT: City of Spokane

DESCRIPTION OF PROPOSAL: This proposal will amend the Spokane Municipal Code (SMC): Chapter 17A.020 Definitions, specifically “A” Definitions, “B” Definitions, “D” Definitions, “F” Definitions, “H” Definitions, “M” Definitions, and “S” Definitions; and Chapter 17E.030 Floodplain Management Sections 17E.030.030, 17E.030.050, 17E.030.060, 17E.030.070, 17E.030.080, 17E.030.090, 17E.030.100, 17E.030.120, 17E.030.130, 17E.030.140, 17E.030.150, 17E.030.160, and 17E.030.170.

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: This proposal has a City-wide impact, with focus on floodplains within the City’s jurisdiction including lands along Latah Creek and the Spokane River. The text amendment is to ensure compliance with changes in federal and state laws. Details on the project will be made available at the website: <https://my.spokanecity.org/projects/2021-floodplain-management-update/>.

LEAD AGENCY: City of Spokane

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

There is no comment period for this DNS.


This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.

[X] This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date of issuance (below). Comments regarding this DNS must be submitted no later than 5:00 p.m. on September 16, 2021 if they are intended to alter the DNS.

Responsible Official: Louis Meuler

Position/Title: Interim Director, Planning Services **Phone:** (509) 625-6300

Address: 808 W. Spokane Falls Blvd., Spokane, WA 99201

Date Issued: September 2, 2021 **Signature:** ; Louis Meuler (Sep 2, 2021 11:14 PDT)

APPEAL OF THIS DETERMINATION, after it has become final, may be made to the City of Spokane Hearing Examiner, 808 West Spokane Falls Blvd., Spokane WA 99201. The appeal deadline is 12:00 p.m. on September 23, 2021 (21 days from the date of the signing of this DNS). This appeal must be on forms provided by the Responsible Official, make specific factual objections, and be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.

A. BACKGROUND

1. **Name of proposed project:** Floodplain Management Text Amendment
2. **Applicant:** City of Spokane – Planning Services
Address: 808 W. Spokane Falls Boulevard
City/State/Zip: Spokane, WA 99201 Phone: 509-625-6500
3. **Agent or Primary Contact:** Amanda Beck, Assistant Planner II
Address: 808 W. Spokane Falls Boulevard Email: abeck@spokanecity.org
City/State/Zip: Spokane, WA 99201 Phone: 509-625-6414
4. **Location of Project:**
This is a City-wide non-project legislative action; it would apply to all floodplains and floodway areas within the City of Spokane boundary. The City of Spokane is located in Spokane County.
5. **Date checklist prepared:** June 21, 2021
6. **Agency requesting checklist:** City of Spokane, Washington
7. **Proposed timing or schedule (including phasing, if applicable):**
Begin text amendment process in June 2021, with City Council approval no later than December 31, 2021.
8. a. **Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain:**
Amendments will be made as are necessary to reflect changing local circumstances, new information or improved data, and changes in Federal and State statutes and regulations. Any future amendments would be after a Community Assistance Contact (CAC) or Community Assistance Visit (CAV) CAC or CAV with Ecology, to comply with minimum NFIP regulations.
- b. **Do you own or have options on land nearby or adjacent to this proposal? If yes, explain:**
Yes, the City of Spokane owns land including parks and administrative buildings within the City limits, or “affected geographical area” of this proposal.
9. **List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal:**
FEMA flood insurance study of Spokane County completed in 2010, Critical Areas ordinances that were updated in 2017, the Shoreline Master Program Periodic Review amending SMC 17E.060 adopted in April 2021, and the Shaping Spokane Comprehensive Plan update in 2017. As a non-project action amending the municipal code to comply with changes in Federal and State regulations, no specific studies have been conducted for this action.

10. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain:

Floodplain Development Permits subject to Floodplain Management regulations are likely within the City. Additional SEPA project-level review will be conducted at the time such proposals are submitted and will be subject to threshold determinations.

11. List any government approvals or permits that will be needed for your proposal, if known:

Plan Commission public hearing and recommendation followed by City Council public hearings and final approval of the ordinance amending Chapter 17E.030. These legislative actions are all expected in 2021.

12. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page.

To comply with changes to the Washington State FEMA Model Ordinance, the City has initiated a text amendment to ensure compliance with Federal and State floodplain regulations and changes affecting all floodplains and floodways within its jurisdiction. The intent of this ordinance is to protect public health and safety, public and private property within floodplains, decrease insurance loss claims due to flooding, and to protect the functions and value of floodplains.

This proposal will amend Spokane Municipal Code (SMC): Chapter 17A.020 Definitions, specifically “A” Definitions, “B” Definitions, “D” Definitions, “F” Definitions, “H” Definitions, “M” Definitions, and “S” Definitions; and Chapter 17E.030 Floodplain Management Sections 17E.030.030, 17E.030.050, 17E.030.060, 17E.030.070, 17E.030.080, 17E.030.090, 17E.030.100, 17E.030.120, 17E.030.130, 17E.030.140, 17E.030.150, 17E.030.160, and 17E.030.170. The exact amendments to the code are available online at the following address: <https://my.spokanecity.org/projects/2021-floodplain-management-update/>.

13. Location of the proposal:

This is a City-wide non-project legislative action; it would apply to all floodplains and floodway areas within the City of Spokane.

14. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? Yes No

The General Sewer Service Area? Yes No

The Priority Sewer Service Area? Yes No

The City of Spokane? Yes No

15. The following questions supplement Part A.

a. Critical Aquifer Recharge Area (CARA) / Aquifer Sensitive Area (ASA)

- (1) **Describe any systems, other than those designed for the disposal of sanitary waste installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities).**

Not applicable, this is a non-project action and will not directly result in any direct modification of such systems.

- (2) **Will any chemicals (especially organic solvents or petroleum fuels) be stored in aboveground or underground storage tanks? If so, what types and quantities of material will be stored?**

N/A, this is a non-project action.

- (3) **What protective measures will be taken to ensure that leaks or spills of any chemicals stored or used on site will not be allowed to percolate to groundwater. This includes measures to keep chemicals out of disposal systems.**

N/A, this is a non-project action.

- (4) **Will any chemicals be stored, handled or used on the site in a location where a spill or leak will drain to surface or groundwater or to a stormwater disposal system discharging to surface or groundwater?**

N/A, this is a non-project action.

b. **Stormwater**

- (1) **What are the depths on the site to groundwater and to bedrock (if known)?**

Varies throughout the City.

- (2) **Will stormwater be discharged into the ground? If so, describe any potential impacts.**

N/A

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. **General description of the site (check one):**

Flat Rolling Hilly Steep slopes Mountainous

Other: While slopes in the City vary, this is a non-project code amendment that will not directly modify the topology of the City.

- b. **What is the steepest slope on the site (approximate percent slope)?**

N/A, this is a non-project action.

- c. **What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.**

N/A (non-project action)

- d. **Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**

N/A (non-project action)

- e. **Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.**

As a non-project action, the proposal will not require any fill or export of soils.

- f. **Could erosion occur as a result of clearing, construction, or use? If so, generally describe.**

N/A (non-project action)

- g. **About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt, or buildings)?**

N/A (non-project action)

- h. **Proposed measures to reduce or control erosion or other impacts to the earth, if any:**

None.

2. Air

- a. **What type of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.**

Not applicable, this is a non-project action.

- b. **Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.**

N/A (non-project action)

- c. **Proposed measures to reduce or control emissions or other impacts to air, if any:**

None.

3. Water

- a. **Surface Water:**

(1) **Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

The Spokane River and Latah Creek fall within the City's jurisdiction. Various private and public ponds and lakes are situated within the City as well as a number of ephemeral drainages.

- (2) **Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.**

Not applicable, this is a non-project action.

- (3) **Estimate the amount of fill and dredge material that would be placed in or removed from the surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**

None, (non-project action)

- (4) **Will the proposal require surface water withdrawals or diversions? If yes, give general description, purpose, and approximate quantities if known.**

N/A (non-project action)

- (5) **Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.**

This proposal is an amendment to the floodplain regulations, concerning modification of floodplain standards and codes in the City to accommodate changes in State and Federal regulations. It is a non-project action and applicable City-wide.

- (6) **Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**

No (non-project action)

b. Groundwater:

- (1) **Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.**

No (non-project action)

- (2) **Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (Domestic sewage; industrial, containing the following chemicals; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

None (non-project action). The City requires that all development connect to existing sewer service at time of development/update.

c. Water Runoff (Including Stormwater):

(1) Describe the source of runoff (including stormwater) and method of collection and disposal if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Stormwater is collected, treated, and disposed of via various methods in the City, subject to the requirements of [Chapter 13.03 Sewers, Article III General Requirements](#) SMC.

(2) Could waste materials enter ground or surface waters? If so, generally describe.

N/A (non-project action)

(3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No (non-project action)

d. Proposed Measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any.

None

4. Plants

a. Check the type(s) of vegetation found on the site:

Deciduous trees: alder maple aspen Other: Answer

Evergreen trees: fir cedar pine Other: Answer

shrubs grass pasture crop or grain

orchards, vineyards or other permanent crops

Wet soil plants: cattail buttercup bullrush skunk cabbage

Other: Answer

Water plants: water lily eelgrass milfoil

Other:

Any other types of vegetation: Note that this is a City-wide non-project action and would not directly alter or affect the various plants and trees located in the City.

b. What kind and amount of vegetation will be removed or altered?

None (non-project action)

c. List threatened and endangered species known to be on or near the site:

None (non-project action)

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

None (non-project action)

e. List all noxious weeds and invasive species known to be on or near the site:

None (non-project action)

5. Animals

a. Check *and* List any birds and other animals which have been observed on or near the site or are known to be on or near the site:

Birds: hawk heron eagle songbirds Other:

Mammals: deer bear elk beaver Other:

Fish: bass salmon trout herring shellfish

Other:

N/A, note this is a non-project action and would not directly alter or affect the various wildlife found in the City.

b. List any threatened or endangered animal species known to be on or near the site.

None (non-project action)

c. Is the site part of a migration route? If so, explain.

Various migratory birds transit through the city as part of normal migration patterns.

d. Proposed measures to preserve or enhance wildlife, if any:

None (non-project action)

e. List any invasive animal species known to be on or near the site.

None (non-project action)

6. Energy and natural resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Not applicable, this is a non-project action.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe:

No (non-project action)

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

None (non-project action)

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.**

Not applicable, this is a non-project action.

- (1) Describe any known or possible contamination at the site from present or past uses.**

N/A (non-project action)

- (2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.**

N/A (non-project action)

- (3) Describe any toxic or hazardous chemicals/conditions that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.**

None (non-project action)

- (4) Describe special emergency services that might be required.**

None (non-project action)

- (5) Proposed measures to reduce or control environmental health hazards, if any:**

None (non-project action)

b. Noise:

- (1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?**

The city experiences typical noises present in any urban environment, including aircraft noise from operations at two airports and Fairchild Air Force Base. However, as a non-project amendment to the SMC the urban noise environment won't affect the proposal.

- (2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.**

None (non-project action)

- (3) Proposed measure to reduce or control noise impacts, if any:**

None (non-project action)

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.**

The City contains a full range of urban land uses—as described in the Comprehensive Plan and Zoning Map. The proposal is a non-project action that will not directly modify or affect these uses.

- b. **Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?**

There are some farmlands in the City of Spokane, mainly located in the Latah/Hangman neighborhood in the southwest quadrant of the City. However, as a non-project proposal impacts to these uses are not expected.

- 1) **Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:**

No (non-project action)

- c. **Describe any structures on the site.**

Varies throughout the City (non-project action)

- d. **Will any structures be demolished? If so, which?**

No (non-project action)

- e. **What is the current zoning classification of the site?**

Varies (non-project action)

- f. **What is the current comprehensive plan designation of the site?**

Varies (non-project action)

- g. **If applicable, what is the current shoreline master program designation of the site?**

The City includes various jurisdictional shoreline areas along the Spokane River. However, the proposal will not affect the standards or policies applied to those areas.

- h. **Has any part of the site been classified as a critical area by the city or the county? If so, specify.**

This is a non-project action that applies to the entire City, including parts classified as Critical Areas. The critical areas ordinance in SMC 17E applies to floodplains and would apply to any action within those and other critical areas.

- i. **Approximately how many people would reside or work in the completed project?**

N/A (non-project action)

- j. **Approximately how many people would the completed project displace?**

None (non-project action)

k. Proposed measures to avoid or reduce displacement impacts, if any:

None (non-project action)

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

This proposed amendment would bring the City's regulations into compliance with recent changes to Federal and State regulations, which would not conflict with the Shaping Spokane Comprehensive Plan but would in fact support many of the goals outlined in Chapter 9: Natural Environment.

m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

None (non-project action)

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

None (non-project action)

b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing.

None (non-project action)

c. Proposed measures to reduce or control housing impacts, if any:

None (non-project action)

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Not applicable, this is a non-project action.

b. What views in the immediate vicinity would be altered or obstructed?

None (non-project action)

c. Proposed measures to reduce or control aesthetic impacts, if any:

None (non-project action)

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

None (non-project action)

- b. **Could light or glare from the finished project be a safety hazard or interfere with views?**

No (non-project action)

- c. **What existing off-site sources of light or glare may affect your proposal?**

None (non-project action)

- d. **Proposed measures to reduce or control light and glare impacts, if any:**

None (non-project action)

12. Recreation

- a. **What designated and informal recreational opportunities are in the immediate vicinity?**

The City contains numerous formal and informal recreational opportunities. As a non-project amendment to floodplain codes, no impacts to these resources are expected.

- b. **Would the proposed project displace any existing recreational uses? If so, describe.**

No (non-project action)

- c. **Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:**

None (non-project action)

13. Historic and cultural preservation

- a. **Are there any buildings, structures, or sites, located on or near the sited that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.**

The City contains various structures either listed or eligible for listing in both the national and local historic registers. However, as a non-project amendment to the floodplain standards in the SMC no impact to these structures is expected.

- b. **Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.**

There exist within the City certain areas that qualify as tribal or historic uses. However, as a non-project amendment to code this proposal is not expected to affect them.

- c. **Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archaeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.**

None. (non-project action)

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.**

None (non-project action)

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.**

The city is served by a comprehensive network of streets, highways, and freeways. As a non-project amendment to code, the proposal will not affect them.

- b. Is site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop.**

Yes, Spokane Transit Authority serves the entire City and wider region with various routes.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?**

None (non-project action)

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).**

No (non-project action)

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe.**

No (non-project action)

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates? (Note: to assist in review and if known, indicate vehicle trips during PM peak, AM Peak, and Weekday (24 hours).**

None

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, general describe.**

No (non-project action)

- h. Proposed measures to reduce or control transportation impacts, if any:**

None (non-project action)

15. Public services

- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.**

No, this proposal should not result in an increased need for public services.

- b. **Proposed measures to reduce or control direct impacts on public services, if any:**

N/A

16. Utilities

- a. **Check utilities currently available at the site:**

electricity natural gas water refuse service
 telephone sanitary sewer septic system

Other: Not applicable, this is a non-project action.

- b. **Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed:**

None (non-project action)

C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency must withdraw any determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: September 2, 2021 Signature: Amanda Beck

Project Proponent (Please print or type):

Name: City of Spokane Address: 808 W. Spokane Falls Boulevard
Phone: 509-625-6500 Spokane, WA, 99201

Checklist Preparer (If different from proponent):

Name: Amanda Beck Address: 808 W. Spokane Falls Boulevard
Phone: 509-625-6414 Spokane, WA, 99201

FOR STAFF USE ONLY

Staff member(s) reviewing checklist: Tirrell Black

Based on this staff review of the environmental checklist and other pertinent information, staff concludes that:

- A. There are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- B. Probable significant adverse environmental impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- C. There are probable significant adverse environmental impacts and recommends a Determination of Significance.

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(Do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

This proposal is a state mandated update to floodplain regulations to comply with federal and state changes. These changes are largely intended to update terms and requirements already in place for actions within floodplains and to clarify responsibility and intent of existing requirements. No direct action or change to the physical environment is required by these changes. Accordingly, the proposal will not result in direct changes to water, air, or toxic/hazardous substances discharge. Nor will the proposal require the creation of any new or increased noise in the City.

Proposed measures to avoid or reduce such increases are:

None.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

As described in answer 1 above, the proposal is unlikely to require any change to the existing environment and thus will be unlikely to affect plants, animals, fish, or marine life. The intent of floodplain regulations is to protect or conserve the ecological systems of floodplains, as well as protect life and property.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

None

3. How would the proposal be likely to deplete energy or natural resources?

As discussed above, the proposal will not develop or cause to be developed any uses or structures requiring energy resources. The changes are intended to increase protection of natural resources like surface waters while protecting structures from the detrimental impacts of flooding and water infiltration. Accordingly, the proposal has a beneficial impact on natural resources.

Proposed measures to protect or conserve energy and natural resources are:

None.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks,

wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands?

The clarifications proposed under this text amendment would bring the City's regulations into compliance with the Endangered Species Act (44 CFR § 60.3(a)2) and other updated Federal and State requirements, with the intent to protect and/or conserve the water-dependent ecosystems relied upon by endangered species.

Proposed measures to protect such resources or to avoid or reduce impacts are:

None

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

This proposed text amendment would not affect shoreline use or use of lands within the floodplain, except to ensure that regulations would meet Federal and State regulations for floodplain management, including minimum requirements of the National Flood Insurance Program (NFIP), so it is unlikely incompatible use would be encouraged by this amendment.

Proposed measures to avoid or reduce shoreline and land use impacts are:

None

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal would not modify requirements for the planning, permitting, or construction of transportation or public services or utilities except in cases where those items are to be developed in or near floodplains. In those cases, the proposal directly updates regulations guiding such actions to ensure compliance with the latest Federal and State requirements for floodplain protection.

Proposed measures to reduce or respond to such demand(s) are:

None

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment.

The floodplain text amendment brings City regulations into compliance with Federal and State laws, including the Growth Management Act, and ensures the City's regulations remain consistent with adopted local plans. This amendment is to comply with recent changes to the FEMA Model Ordinance, and recent policy changes enacted by FEMA.

WA State Model Ordinance

2/24/2021 Version

Evaluation Sheet

Locality: _____ Reviewer: _____

Ordinance No.: _____ Review Date: _____

Ordinance Date: _____ Reason for Review: _____

Flood Zones: A AE/A1-30 Floodway AO (Appx. A) V (Appx B) VE/V1-30 (Appx. B)

Puget Sound BiOp Door 3 Yes No

CRS Level: _____

Criteria & Model Ordinance Reference	Comments and References
Section 1.0 - Statutory Authorization, Findings of Fact, Purpose, and Objectives	<i>(Not mandatory to adopt section 1.0)</i>
<p>1.1 Statutory Authorization The Legislature of the State of Washington has delegated the responsibility to local communities to adopt floodplain management regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the {Decision Making Body} of {Community Name}, does ordain as follows:</p>	<p>This language is included in the approving ordinance adopted by the Spokane City Council.</p>
<p>1.2 Findings of Fact The flood hazard areas of {Community Name} are subject to periodic inundation, which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare. These flood losses may be caused by the cumulative effect of obstructions in areas of special flood hazards that increase flood heights and velocities, and when inadvertently anchored, damage uses in other areas. Uses that are inadequately flood proofed, elevated, or otherwise protected from flood damage also contribute to the flood loss.</p>	<p>This language is included in the approving ordinance adopted by the Spokane City Council, and also SMC 17E.030.020.</p>

<p>1.3 Statement of Purpose</p> <p>It is the purpose of this ordinance to promote the public health, safety, and general welfare; reduce the annual cost of flood insurance; and minimize public and private losses due to flood conditions in specific areas by provisions designed to:</p> <ol style="list-style-type: none"> 1) Protect human life and health; 2) Minimize expenditure of public money for costly flood control projects; 3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public; 4) Minimize prolonged business interruptions; 5) Minimize damage to public facilities and utilities, such as water and gas mains; electric, telephone, and sewer lines; and streets and bridges located in flood hazard areas; 6) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas so as to minimize blight areas caused by flooding; 7) Notify potential buyers that the property is in a Special Flood Hazard Area; 8) Notify those who occupy flood hazard areas that they assume responsibility for their actions; and 9) Participate in and maintain eligibility for flood insurance and disaster relief. 	<p>Mirrored language is included in SMC 17E.030.030, only lacking item #9.</p>
<p>1.4 Methods of Reducing Flood Losses</p> <p>In order to accomplish its purposes, this ordinance includes methods and provisions for:</p> <ol style="list-style-type: none"> 1) Restricting or prohibiting development that is dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities, 2) Requiring that development vulnerable to floods be protected against flood damage at the time of initial construction; 3) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters; 4) Controlling filling, grading, dredging, and other development, which may increase flood damage; and 5) Preventing or regulating the construction of flood barriers that unnaturally divert floodwaters or may increase flood hazards in other areas. 	<p>This language is included in SMC 17E.030.040.</p>

Section 2.0 – Definitions	Included		<p style="text-align: center;">44 CFR 59.1</p> <p><i>*Terms with one asterisk are a specific minimum requirement and typically must be adopted.</i></p> <p><i>Unless specifically defined below, terms or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage, and to give this ordinance the most reasonable application.</i></p>
	Yes	No	
*Alteration of watercourse: Any action that will change the location of the channel occupied by water within the banks of any portion of a riverine waterbody.	Yes		Language included in SMC 17A.020.010
Appeal: A request for a review of the interpretation of any provision of this ordinance or a request for a variance.	Yes		Similar language existing in SMC 17A.020.010
Area of shallow flooding: A designated zone AO, AH, AR/AO or AR/AH (or VO) on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. Also referred to as the sheet flow area.	Yes		Similar language existing in SMC 17A.020.010
*Area of special flood hazard: The land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as zone A, AO, AH, A1-30, AE, A99, AR (V, VO, V1-30, VE). "Special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".	Yes		Existing language updated to read: "The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V. Special Flood Hazard Area is synonymous in meaning with the phrase "area of special flood hazard."
ASCE 24: The most recently published version of ASCE 24, Flood Resistant Design and Construction, published by the American Society of Civil Engineers.		No	Definition not included in SMC 17A.020.010
*Base flood: The flood having a 1% chance of being equaled or exceeded in any given year (also referred to as the "100-year flood").	Yes		Language included in SMC 17A.020.020
*Base Flood Elevation (BFE): The elevation to which floodwater is anticipated to rise during the base flood.	Yes		Language added to SMC 17A.020.020 with this ordinance
*Basement: Any area of the building having its floor sub-grade (below ground level) on all sides.	Yes		Similar language existing in SMC 17A.020.020
Building: See "Structure."	Yes		Definition in SMC 17A.020.020
Building Code: The currently effective versions of the International Building Code and the International Residential Code adopted by the State of Washington Building Code Council.		No	Definition not included in SMC 17A.020.020

Breakaway wall: A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.	Yes		Similar language existing SMC 17A.020.020
Coastal High Hazard Area: An area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area is designated on the FIRM as zone V1-30, VE or V.		No	Definition not included in SMC 17A.020.030 as Spokane is not a coastal municipality
Critical Facility: A facility for which even a slight chance of flooding might be too great. Critical facilities include (but are not limited to) schools, nursing homes, hospitals, police, fire and emergency response installations, and installations which produce, use, or store hazardous materials or hazardous waste.	Yes		Similar language existing in SMC 17A.020.030
*Development: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.	Yes		Language included in SMC 17A.020.040
Elevated Building: For insurance purposes, a non- basement building that has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.	Yes		Language included in SMC 17A.020.050
Elevation Certificate: An administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support a request for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).		No	Definition not included in SMC 17A.020.050
Essential Facility: This term has the same meaning as “Essential Facility” defined in ASCE 24. Table 1-1 in ASCE 24-14 further identifies building occupancies that are essential facilities.		No	Definition not included in SMC 17A.020.050
Existing Manufactured Home Park or Subdivision: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by the community.	Yes		Definition included in SMC 17A.020.050

<p>Expansion to an Existing Manufactured Home Park or Subdivision: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).</p>	Yes		Definition included in SMC 17A.020.050
<p>Farmhouse: A single-family dwelling located on a farm site where resulting agricultural products are not produced for the primary consumption or use by the occupants and the farm owner.</p>		No	Definition not included in SMC 17A.020.060
<p>*Flood or Flooding:</p> <p>1) A general and temporary condition of partial or complete inundation of normally dry land areas from:</p> <ul style="list-style-type: none"> a) The overflow of inland or tidal waters. b) The unusual and rapid accumulation or runoff of surface waters from any source. c) Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (1)(b) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current. <p>2) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (1)(a) of this definition.</p>	Yes		Existing language in SMC 17A.020.060 updated to required language
<p>*Flood elevation study: An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards. Also known as a Flood Insurance Study (FIS).</p>	Yes		Language added to SMC 17A.020.060 with this ordinance
<p>*Flood Insurance Rate Map (FIRM): The official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).</p>	Yes		Language added to SMC 17A.020.060 with this ordinance

Floodplain or flood-prone area: Any land area susceptible to being inundated by water from any source. See "Flood or flooding."	Yes		Language added to SMC 17A.020.060 with this ordinance
*Floodplain administrator: The community official designated by title to administer and enforce the floodplain management regulations.	Yes		Language added to SMC 17A.020.060 with this ordinance
Floodplain management regulations: Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as floodplain ordinance, grading ordinance and erosion control ordinance) and other application of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.		No	Language not included in SMC 17A.020.060
*Flood proofing: Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. Flood proofed structures are those that have the structural integrity and design to be impervious to floodwater below the Base Flood Elevation.	Yes		Existing language in SMC 17A.020.060 updated to required language
*Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as "Regulatory Floodway."	Yes		Language added to SMC 17A.020.060 in addition to definition required for Washington Shoreline Management Act
*Functionally dependent use: A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long-term storage or related manufacturing facilities.	Yes		Language added to SMC 17A.020.060 with this ordinance
*Highest adjacent grade: The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.	Yes		Language added to SMC 17A.020.080 with this ordinance

<p>*Historic structure: Any structure that is:</p> <ol style="list-style-type: none"> 1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; 2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; 3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or 4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: 5) By an approved state program as determined by the Secretary of the Interior, or 6) Directly by the Secretary of the Interior in states without approved programs. 	Yes		Language added to SMC 17A.020.080 with this ordinance
<p>*Lowest Floor: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance (i.e. provided there are adequate flood ventilation openings).</p>	Yes		<p>Similar definition exists in SMC 17A.020.120:</p> <p>“The lowest floor of the lowest enclosed area (including the basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of SMC 17E.030.140.”</p>
<p>Manufactured Home: A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle.”</p>	Yes		Similar definition exists in SMC 17A.020.130
<p>Manufactured Home Park or Subdivision: A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.</p>	Yes		Similar definition exists in SMC 17A.020.130
<p>*Mean Sea Level: For purposes of the National Flood Insurance Program, the vertical datum to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.</p>	Yes		Definition added to SMC 17A.020.130 with this ordinance

<p>*New construction: For the purposes of determining insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial Flood Insurance Rate Map or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, “new construction” means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.</p>	Yes		Definition in SMC 17A.020.140 updated with required language
<p>New Manufactured Home Park or Subdivision: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by the community.</p>	Yes		Similar definition exists in SMC 17A.020.140
<p>One-hundred-year flood or 100-year flood: See "Base flood."</p>		No	Cross-referenced definition not included in SMC 17A.020.150, rely on SMC 17A.020.020
<p>Reasonably Safe from Flooding: Development that is designed and built to be safe from flooding based on consideration of current flood elevation studies, historical data, high water marks and other reliable data known to the community. In unnumbered A zones where flood elevation information is not available and cannot be obtained by practicable means, reasonably safe from flooding means that the lowest floor is at least two feet above the Highest Adjacent Grade.</p>		No	definition not included in SMC 17A.020.180
<p>*Recreational Vehicle: A vehicle,</p> <ol style="list-style-type: none"> 1) Built on a single chassis; 2) 400 square feet or less when measured at the largest horizontal projection; 3) Designed to be self-propelled or permanently towable by a light duty truck; and 4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. 	Yes		Definition included in SMC 17A.020.180

<p>*Start of construction: Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.</p>	<p>Yes</p>	<p>Definition added to SMC 17A.020.190 with this ordinance</p>
<p>*Structure: For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.</p>	<p>Yes</p>	<p>Definition added to existing language in SMC 17A.020.190 with this ordinance</p>
<p>*Substantial Damage: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.</p>	<p>Yes</p>	<p>Definition updated with this ordinance</p>
<p>*Substantial improvement: Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the reconstruction, rehabilitation, addition, or other improvement is started. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:</p> <ol style="list-style-type: none"> 1) Any project for improvement of a structure to correct previously identified existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and that are the minimum necessary to assure safe living conditions; or 2) Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure." 	<p>Yes</p>	<p>Definition updated and modified with this ordinance</p>

Revised: February 2021

*Variance: A grant of relief by a community from the terms of a floodplain management regulation.	Yes		Existing language in SMC 17A.020.220: “A grant of relief from the requirements of this chapter that permits construction in a manner that would otherwise be prohibited by Title 17 SMC.”
Water Dependent: A structure for commerce or industry that cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.	Yes		Similar language exists in SMC 17A.020.230
Water surface elevation: The height, in relation to the vertical datum utilized in the applicable flood insurance study of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.		No	Language not included in SMC 17A.020.230

Section 3.0 – General Provisions	Code of Federal Regulations Requirement
<p>3.1 Lands to Which This Ordinance Applies</p> <p>This ordinance shall apply to all special flood hazard areas within the boundaries of {Community Name}.</p>	<p><i>(44 CFR 59.22(a))</i></p> <p>Included in SMC 17E.030.050(A)</p>
<p>3.2 Basis for Establishing the Areas of Special Flood Hazard</p> <p>The special flood hazard areas identified by the Federal Insurance Administrator in a scientific and engineering report entitled “The Flood Insurance Study (FIS) for {exact title of study}” dated {date}, and any revisions thereto, with accompanying Flood Insurance Rate Maps (FIRMs) dated {date}, and any revisions thereto, are hereby adopted by reference and declared to be a part of this ordinance. The FIS and the FIRM are on file at {community address}.</p> <p>The best available information for flood hazard area identification as outlined in Section 4.3-2 shall be the basis for regulation until a new FIRM is issued that incorporates data utilized under Section 4.3-2.</p>	<p><i>Mandatory 44 CFR 60.3 (preamble) and 44 CFR60.2(h)</i></p> <p>Language included in SMC 17E.030.050(B)</p>
<p>3.3 Compliance</p> <p>All development within special flood hazard areas is subject to the terms of this ordinance and other applicable regulations.</p>	<p><i>Mandatory (44 CFR 60.2(h))</i></p> <p>Language added to SMC 17E.030.050</p>
<p>3.4 Penalties For Noncompliance</p> <p>No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violations of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions), shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than _____ or imprisoned for not more than ___ days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the ___ from</p>	<p><i>Mandatory (44 CFR 60.2(h))</i></p> <p>Language included in SMC 17E.030.180</p>

Revised: February 2021

<p>taking such other lawful action as is necessary to prevent or remedy any violation.</p>	
<p>3.5 Abrogation and Greater Restrictions This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.</p>	<p>Included in SMC 17E.030.050(D)</p>
<p>3.6 Interpretation In the interpretation and application of this ordinance, all provisions shall be:</p> <ol style="list-style-type: none"> 1) Considered as minimum requirements; 2) Liberally construed in favor of the governing body; and, 3) Deemed neither to limit nor repeal any other powers granted under state statutes. 	<p><i>Recommended language</i> Included in SMC 17E.030.050(E)</p>
<p>3.7 Warning And Disclaimer of Liability The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of {Community Name}, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.</p>	<p><i>Recommended language</i> Included in SMC 17E.030.050(F)</p>
<p>3.8 Severability This ordinance and the various parts thereof are hereby declared to be severable. Should any Section of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any portion thereof other than the Section so declared to be unconstitutional or invalid.</p>	<p><i>Mandatory (44 CFR 60.1(b))</i> <i>The severability cause may be included in the adopting ordinance and left uncodified.</i> Added to SMC 17E.030.050</p>

<p>Section 4.0 – Administration</p>	
<p>4.1 Establishment of Development Permit 4.1-1 Development Permit Required A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 3.2. The permit shall be for all structures including manufactured homes, as set forth in the “Definitions,” and for all development including fill and other activities, also as set forth in the “Definitions.”</p>	<p><i>Mandatory (44 CFR 60.3(b)(1))</i></p> <p>Existing in SMC 17E.030.060</p>
<p>4.1-2 Application for Development Permit Application for a development permit shall be made on forms furnished by the Floodplain Administrator 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 the foregoing. Specifically, the following information is required:</p> <ol style="list-style-type: none"> 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 flood proofed; 3) Where a structure is to be flood proofed, certification by a registered professional engineer or architect that the flood proofing methods for any nonresidential structure meet flood proofing criteria in Section 5.2-2; 4) Description of the extent to which a watercourse will be altered or relocated as a result of proposed development; 5) Where a structure is proposed in a V,V1-30, or VE zone, a V-zone design certificate; 6) Where development is proposed in a floodway, an engineering analysis indicating no rise of the Base Flood Elevation; and <p>Any other such information that may be reasonably required by the Floodplain Administrator in order to review the application.</p>	<p><i>The format of Section 4.1-2 is not mandatory but the elevation information in subsection 1 and information in subsections 2 through 7 is mandatory.</i></p> <p><i>Elevation Certificates are not mandatory outside of Community Rating System communities but are highly recommended.</i></p> <p>Updated language in SMC 17E.030.060(C)</p>
<p>4.2 Designation of the Floodplain Administrator The {job title of the appropriate administrative official} is hereby appointed to administer, implement, and enforce this ordinance by granting or denying development permits in accordance with its provisions. The Floodplain Administrator may delegate authority to implement these provisions.</p>	<p><i>Mandatory (44 CFR 59.22(b)(1))</i></p> <p>Similar language exists in SMC 17E.030.070</p>

<p>4.3 Duties & Responsibilities of the Floodplain Administrator</p> <p>Duties of the (<i>Floodplain Administrator</i>) shall include, but not be limited to:</p>	<p><i>Mandatory (44 CFR 60.1 (b))</i></p> <p>Included in SMC 17E.030.080</p>
<p>4.3-1 Permit Review</p> <p>Review all development permits to determine that:</p> <ol style="list-style-type: none"> 1) The permit requirements of this ordinance have been satisfied; 2) All other required state and federal permits have been obtained; 3) The site is reasonably safe from flooding; 4) The proposed development is not located in the floodway. If located in the floodway, assure the encroachment provisions of Section 5.4-1 are met. 5) Notify FEMA when annexations occur in the Special Flood Hazard Area. 	<p><i>Mandatory (44 CFR 60.1 (b))</i></p> <p>Updated language in SMC 17E.030.080(A)</p>
<p>4.3-2 Use of Other Base Flood Data (In A and V Zones)</p> <p>When base flood elevation data has not been provided (in A or V zones) in accordance with Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD,</p> <p>the Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source, in order to administer Sections 5.2, SPECIFIC STANDARDS, and 5.4 FLOODWAYS.</p>	<p><i>Mandatory (44 CFR 60.3(b)(4))</i></p> <p>Language included in SMC 17E.030.080(B)</p>
<p>4.3-3 Information to be Obtained and Maintained</p> <ol style="list-style-type: none"> 1) Where base flood elevation data is provided through the FIS, FIRM, or required as in Section 4.3-2, obtain and maintain a record of the actual (as-built) elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement. 2) Documentation of the elevation of the bottom of the lowest horizontal structural member in V or VE zones. 3) For all new or substantially improved flood proofed nonresidential structures where base flood elevation data is provided through the FIS, FIRM, or as required in Section 4.3-2: <ol style="list-style-type: none"> a) Obtain and maintain a record of the elevation (in relation to mean sea level) to which the structure was flood proofed. b) Maintain the flood proofing certifications required in Section 4.1-2(3). 4) Certification required by Section 5.4.1 {or the numbering system used by the community} (floodway encroachments). 5) Records of all variance actions, including justification for their issuance. 6) Improvement and damage calculations. 7) Maintain for public inspection all records pertaining to the provisions of this ordinance. 	<p><i>Required verbatim per (44 CFR 60.3 (b)(5))</i></p> <p><i>(44 CFR 60.3(b)(5)(i) and (iii))</i> <i>(44 CFR 60.3(e)(2))</i> <i>(44 CFR 60.3(b)(5)(i) and (iii))</i> <i>(44 CFR 60.3(b)(5)(ii))</i> <i>(44 CFR 60.3(b)(5)(iii))</i> <i>(44 CFR 60.3(d)(3))</i> <i>(44 CFR 60.6(a)(6))</i> <i>(44 CFR 60.3(b)(5)(iii))</i></p> <p>Updated language in SMC 17E.030.080(C) except for 4.3-3(2)</p>

<p>4.3-4 Alteration of Watercourses</p> <p>Whenever a watercourse is to be altered or relocated:</p> <ol style="list-style-type: none"> 1) Notify adjacent communities and the Department of Ecology prior to such alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administrator through appropriate notification means, and 2) Assure that the flood carrying capacity of the altered or relocated portion of said watercourse is maintained. 	<p><i>Mandatory per (44CFR 60.3(b)(6)) and (44CFR 60.3(b)(7))</i></p> <p>Updated language in SMC 17E.030.080(D)</p>
<p>4.3-5 Interpretation of FIRM Boundaries</p> <p>Make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (e.g. where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation. Such appeals shall be granted consistent with the standards of Section 60.6 of the Rules and Regulations of the NFIP.</p>	<p><i>This section is not required, but if the Local Administrators are performing this task on a regular basis, it should be adopted per (44 CFR 59-76)</i></p> <p>Updated language in SMC 17E.030.080(E)</p>
<p>4.3-6 Review of Building Permits</p> <p>Where elevation data is not available, either through the FIS, FIRM, or from another authoritative source (as required by Section 4.3-2), applications for floodplain development shall be reviewed to assure that proposed construction will be <i>reasonably safe from flooding</i>. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available.</p> <p>(Failure to elevate habitable buildings at least two feet above the highest adjacent grade in these zones may result in higher insurance rates.)</p>	<p><i>Mandatory per (44 CFR 60.3(a)(3))</i></p> <p>Language added from other section of SMC to be included in SMC 17E.030.080(F)</p>
<p>4.3-7 Changes to Special Flood Hazard Area</p> <p>If a project will alter the BFE or boundaries of the SFHA, then the project proponent shall provide the community with engineering documentation and analysis regarding the proposed change. If the change to the BFE or boundaries of the SFHA would normally require a Letter of Map Change, then the project approval shall be conditioned accordingly.</p>	<p><i>Recommended.</i></p> <p><i>However, be aware that 44 CFR 65.3 requires communities to submit new technical information regarding changes affecting flooding conditions. Section 4.3-7 gives a community the authority to require necessary information from project proponents.</i></p> <p>Language added to 17E.030.080</p>

<p>Section 5.0 – Provisions for Flood Hazard Reduction</p>	<p><i>(Section 5.0 is required)</i></p>
<p>5.1 General Standards In all areas of special flood hazards, the following standards are required:</p>	<p>Language exists in SMC 17E.030.130</p>
<p>5.1-1 Anchoring 1) All new construction and substantial improvements, including those related to manufactured homes, shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads including the effects of buoyancy. 2) All manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors.</p>	<p><i>Mandatory per (44 CFR 60.3(a)(b)), (44 CFR 60.3(a)(3)(i)), and (44 CFR 60.3(b)(8))</i></p> <p><i>Refer to guidebook FEMA-85, "Manufactured Home Installation in Flood Hazard Areas."</i></p> <p>Language updated in SMC 17E.030.130(A)</p>
<p>5.1-2 Construction Materials and Methods 1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage. 2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage. 3) Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.</p>	<p><i>Mandatory</i> <i>(44 CFR 60.3(a)(3)(ii-iv))</i></p> <p>Language exists in SMC 17E.030.130</p>
<p>5.1-3 Storage of Materials and Equipment 1) The storage or processing of materials that could be injurious to human, animal, or plant life if released due to damage from flooding is prohibited in special flood hazard areas. 2) Storage of other material or equipment may be allowed if not subject to damage by floods and if firmly anchored to prevent flotation, or if readily removable from the area within the time available after flood warning.</p>	<p><i>Recommended</i></p> <p>Language added to SMC 17E.030.130</p>
<p>5.1-4 Utilities 1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems; 2) Water wells shall be located on high ground that is not in the floodway;* 3) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters; 4) Onsite waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.</p>	<p><i>Mandatory per (44 CFR 60.3(a)(5)(6))</i></p> <p><i>WAC 173-160-171 prohibits new water wells in floodways.</i></p> <p>Language exists in SMC 17E.030.130(D) including reference to WAC</p>

<p>5.1-5 Development and Subdivision Proposals</p> <p>All development, including subdivisions, shall:</p> <ol style="list-style-type: none"> 1) Be consistent with the need to minimize flood damage; 2) Have public utilities and facilities, such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage; 3) Have adequate drainage provided to reduce exposure to flood damage. 4) Where subdivision proposals and other proposed developments contain greater than 50 lots or 5 acres (whichever is the lesser) base flood elevation data shall be included as part of the application. 	<p style="text-align: center;"><i>Mandatory</i> <i>(44 CFR 60.3(a)(4) and (b)(3))</i></p> <p>Language updated in SMC 17E.030.130(E)</p>
<p>5.2 Specific Standards</p> <p>In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, or Section 4.3-2, USE OF OTHER BASE FLOOD DATA. The following provisions are required:</p>	<p style="text-align: center;"><i>Mandatory per (44 CFR 60.3(c)(1))</i> <i>(Additional standards were clarified in FEMA Technical Bulletin 11-01 to allow below-grade crawlspace construction for buildings located in the special flood hazard areas. However, the standards in 11-01 must be specifically adopted, and adopting them can result in a 20% increase in flood insurance premiums.)</i></p> <p style="text-align: center;">Included in SMC 17E.030.140</p>
<p>5.2-1 Residential Construction</p> <ol style="list-style-type: none"> 1) In AE and A1-30 zones or other A zoned areas where the BFE has been determined or can be reasonably obtained, new construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one foot or more above the BFE. Mechanical equipment and utilities shall be waterproofed or elevated at least one foot above the BFE. 2) New construction and substantial improvement of any residential structure in an AO zone shall meet the requirements in Appendix A. 3) New construction and substantial improvement of any residential structure in an Unnumbered A zone for which a BFE is not available and cannot be reasonably obtained shall be reasonably safe from flooding, but in all cases the lowest floor shall be at least two feet above the Highest Adjacent Grade. 4) New construction and substantial improvement of any residential structure in a V, V1-30, or VE zone shall meet the requirements in Appendix B. 5) Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs must meet or exceed the following minimum criteria: <ol style="list-style-type: none"> a) Have a minimum of two openings with a total net area of not less than one square inch for every square foot of enclosed area subject to flooding. b) The bottom of all openings shall be no higher than one foot above grade. c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided 	<p style="text-align: center;"><i>Mandatory per</i> <i>(44 CFR 60.3(c)(2) and (5)), (44 CFR 60.3(c)(7)),</i> <i>(44 CFR 60.3(b)(2)), (44 CFR 60.3(e)), and</i> <i>(44 CFR 60.3(c)(5))</i></p> <p>Language updated in SMC 17E.030.140(A), excluding language in 5.2-1(2) and (4)</p>

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<p>that they permit the automatic entry and exit of floodwater.</p> <p>d) A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry and exit of floodwaters.</p> <p>Alternatively, a registered engineer or architect may design and certify engineered openings.</p>	
<p>5.2-2 Nonresidential Construction</p> <p>New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet the following requirements:</p> <ol style="list-style-type: none"> 1) Meet the standards in Section 5.2-1, or 2) If the requirements of subsection 1 are not met, then new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet all of the following requirements: <ol style="list-style-type: none"> a) Be dry flood proofed so that below one foot or more above the base flood level the structure is watertight with walls substantially impermeable to the passage of water or dry flood proofed to the elevation required by ASCE 24, whichever is greater; b) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; c) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in Section 4.3-3(3); d) Nonresidential structures that are elevated, not flood proofed, must meet the same standards for space below the lowest floor as described in 5.2-1(5); <p>(Applicants who are flood proofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the flood proofed level (e.g. a building flood proofed to the base flood level will be rated as one foot below). Flood proofing the building an additional foot will reduce insurance premiums.)</p>	<p><i>Mandatory per (44 CFR 60.3(c)(3) and (4))</i></p> <p><i>Nonresidential construction must meet the requirements of subsection 1 or 2.</i></p> <p>Language updated in SMC 17E.030.140(B)</p>

<p>5.2-3 Manufactured Homes</p> <p>1) All manufactured homes to be placed or substantially improved on sites shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated one foot or more above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement*.</p> <p>This applies to manufactured homes:</p> <ul style="list-style-type: none"> a) Outside of a manufactured home park or subdivision, b) In a new manufactured home park or subdivision, c) In an expansion to an existing manufactured home park or subdivision, or d) In an existing manufactured home park or subdivision on a site which a manufactured home has incurred "substantial damage" as the result of a flood; and <p>2) Manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision that are not subject to the above manufactured home provisions shall be elevated so that either:</p> <ul style="list-style-type: none"> a) The lowest floor of the manufactured home is elevated one foot or more* b) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. 	<p><i>Mandatory per(44 CFR 60.3(c)(6)(12))</i></p> <p><i>* If this phrase is applied to all manufactured homes in the floodplain, then the remaining verbiage is not necessary to adopt.</i></p> <p>Updated language in SMC 17E.030.140(C) to read: "All manufactured homes to be placed or substantially improved on sites within the City's Special Flood Hazard Areas (SFHAs) shall be elevated on a permanent foundation such that:</p> <ul style="list-style-type: none"> a. the lowest floor of the manufactured home is elevated two feet above the Base Flood Elevation (BFE); and b. it be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement; and c. comply with SMC 17E.030.060(C) in completing an Elevation Certificate with the other necessary permits."
<p>5.2-4 Recreational Vehicles</p> <p>Recreational vehicles placed on sites are required to either:</p> <ul style="list-style-type: none"> 1) Be on the site for fewer than 180 days, or 2) Be fully licensed and ready for highway use, on wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or 3) Meet the requirements of 5.2-3, above. 	<p><i>Mandatory</i> <i>(44 CFR 60.3(c)(14))</i></p> <p>Language exists in SMC 17E.030.140(D)</p>
<p>5.2-5 Enclosed Area Below the Lowest Floor</p> <p>If buildings or manufactured homes are constructed or substantially improved with fully enclosed areas below the lowest floor, the areas shall be used solely for parking of vehicles, building access, or storage.</p>	<p><i>Mandatory</i> <i>(44 CFR 60.3(c)(5))</i></p> <p>Added language to SMC 17E.030.140</p>

<p>5.2-6 Small Accessory Structures (Detached Garages & Small Storage Structures)</p> <p>For A Zones (A, AE, A1-30, AH, AO):</p> <ol style="list-style-type: none"> 1) In A, AE, A1-30, AH, and AO flood zones, small accessory structures (less than or equal to the size of a one story, two car garage) used solely for parking of vehicles or limited storage may be constructed such that the floor is below the BFE, provided the structure is designed and constructed in accordance with the following requirements: <ol style="list-style-type: none"> a) Use of the small accessory structure must be limited to parking of vehicles or limited storage; b) The portions of the small accessory structure located below the BFE must be built using flood resistant materials; c) The small accessory structure must be adequately anchored to prevent flotation, collapse, and lateral movement; d) Any machinery or equipment servicing the small accessory structure must be elevated or flood proofed to or above the BFE; e) If located in a floodway, then the small accessory structure must comply with floodway encroachment provisions in Section 5.4-1; f) The small accessory structure must be designed to allow for the automatic entry and exit of floodwaters in accordance with Section 5.2-1(5). g) The structure shall have low damage potential, and h) If the structure is converted to another use, it must be brought into full compliance with the standards governing such use. i) The structure shall not be used for human habitation. 2) In V, VE, V1-30, and VO flood zones, small accessory structures constructed pursuant to this section may be no more than 100 square feet in size. 3) Detached garages, storage structures, and other small accessory structures not meeting the above standards must be constructed in accordance with all applicable standards in Section 5.2-1. 4) Upon completion of the structure, certification that the requirement of this section have been satisfied shall be provided to the Floodplain Administrator for verification. 	<p style="text-align: center;"><i>Recommended</i></p> <p>Not included in SMC, Spokane does not have AO Zones.</p>
<p>5.3 AE and A1-30 Zones with Base Flood Elevations but No Floodways</p> <p>In areas with BFEs (when a regulatory floodway has not been designated), no new construction, substantial improvements, or other development (including fill) shall be permitted within zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.</p>	<p style="text-align: center;"><i>Mandatory</i> (44 CFR 60.3(c)(10))</p> <p>Language included in SMC 17E.030.150</p>

<p>5.4 Floodways</p> <p>Located within areas of special flood hazard established in Section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters that can carry debris, and increase erosion potential, the following provisions apply:</p>	<p><i>(More restrictive language for floodway development per RCW 86.16)</i></p> <p>Language exists in SMC 17E.030.160</p>
<p>5.4-1 No Rise Standard</p> <p>Prohibit encroachments, including fill, new construction, substantial improvements, and other development, unless certification by a registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge.</p>	<p><i>Mandatory</i> <i>(44 CFR 60.3(d)(3))</i></p> <p>Updated language in SMC 17E.030.160(A)</p>
<p>5.4-2 Residential Construction in Floodways</p> <p>Construction or reconstruction of residential structures is prohibited within designated floodways*, except for (i) repairs, reconstruction, or improvements to a structure which do not increase the ground floor area; and (ii) repairs, reconstruction or improvements to a structure, the cost of which does not exceed 50 percent of the market value of the structure either, (A) before the repair, or reconstruction is started, or (B) if the structure has been damaged, and is being restored, before the damage occurred. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or to structures identified as historic places, may be excluded in the 50 percent.</p> <p>1) Replacement of Farmhouses in Floodway Repairs, reconstruction, replacement, or improvements to existing farmhouse structures located in designated floodways and that are located on lands designated as agricultural lands of long-term commercial significance under RCW 36.70A.170 may be permitted subject to the following:</p> <ol style="list-style-type: none"> a) The new farmhouse is a replacement for an existing farmhouse on the same farm site; b) There is no potential building site for a replacement farmhouse on the same farm outside the designated floodway; c) Repairs, reconstruction, or improvements to a farmhouse shall not increase the total square footage of encroachment of the existing farmhouse; d) A replacement farmhouse shall not exceed the total square footage of encroachment of the farmhouse it is replacing; e) A farmhouse being replaced shall be removed, in its entirety, including foundation, from the floodway within ninety days after occupancy of a new farmhouse; f) For substantial improvements and replacement farmhouses, the elevation of the lowest floor of the 	<p><i>Mandatory (RCW 86.16.041)</i></p> <p><i>Subsections 1 and 2 can be eliminated at local option.</i></p> <p>Updated language in SMC 17E.030.160(B) and added language for Replacement of Farmhouses in Floodway as SMC 17E.030.160(C) and Substantially Damaged Residences in Floodway in SMC 17E.030.160(D)</p>

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improvement and farmhouse respectively, including basement, is a minimum of one foot higher than the BFE;

- g) New and replacement water supply systems are designed to eliminate or minimize infiltration of floodwaters into the system;
- h) New and replacement sanitary sewerage systems are designed and located to eliminate or minimize infiltration of floodwater into the system and discharge from the system into the floodwaters; and
- i) All other utilities and connections to public utilities are designed, constructed, and located to eliminate or minimize flood damage.

2) Substantially Damaged Residences in Floodway

- a) For all substantially damaged residential structures, other than farmhouses, located in a designated floodway, the Floodplain Administrator may make a written request that the Department of Ecology assess the risk of harm to life and property posed by the specific conditions of the floodway. Based on analysis of depth, velocity, flood-related erosion, channel migration, debris load potential, and flood warning capability, the Department of Ecology may exercise best professional judgment in recommending to the local permitting authority repair, replacement, or relocation of a substantially damaged structure consistent with WAC 173-158-076. The property owner shall be responsible for submitting to the local government and the Department of Ecology any information necessary to complete the assessment. Without a favorable recommendation from the department for the repair or replacement of a substantially damaged residential structure located in the regulatory floodway, no repair or replacement is allowed per WAC 173-158-070(1).

Before the repair, replacement, or reconstruction is started, all requirements of the NFIP, the state requirements adopted pursuant to 86.16 RCW, and all applicable local regulations must be satisfied. In addition, the following conditions must be met:

- i) There is no potential safe building location for the replacement residential structure on the same property outside the regulatory floodway.
- ii) A replacement residential structure is a residential structure built as a substitute for a legally existing residential structure of equivalent use and size.
- iii) Repairs, reconstruction, or replacement of a residential structure shall not increase the total square footage of floodway encroachment.
- iv) The elevation of the lowest floor of the substantially damaged or replacement residential structure is a minimum of one foot higher than the BFE.

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<ul style="list-style-type: none"> v) New and replacement water supply systems are designed to eliminate or minimize infiltration of floodwater into the system. vi) New and replacement sanitary sewerage systems are designed and located to eliminate or minimize infiltration of floodwater into the system and discharge from the system into the floodwaters. vii) All other utilities and connections to public utilities are designed, constructed, and located to eliminate or minimize flood damage. 	
<p>5.4-3 All Other Building Standards Apply in the Floodway</p> <p>If Section 5.4-1 is satisfied or construction is allowed pursuant to Section 5.4-2, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 5.0, Provision For Flood Hazard Reduction.</p>	<p style="text-align: center;"><i>Mandatory (44 CFR 60.3(d)(1-4)</i></p> <p style="text-align: center;">Language included in SMC 17E.030.160(E)</p>
<p>5.5 General Requirements for Other Development</p> <p>All development, including manmade changes to improved or unimproved real estate for which specific provisions are not specified in this ordinance or the state building codes with adopted amendments and any {community name} amendments, shall:</p> <ol style="list-style-type: none"> 1) Be located and constructed to minimize flood damage; 2) Meet the encroachment limitations of this ordinance if located in a regulatory floodway; 3) Be anchored to prevent flotation, collapse, or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood; 4) Be constructed of flood damage-resistant materials; 5) Meet the flood opening requirements of Section 5.2-1(5), and 6) Have mechanical, plumbing, and electrical systems above the design flood elevation or meet the requirements of ASCE 24, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations. 	<p style="text-align: center;"><i>Optional Provision</i></p> <p style="text-align: center;">Language added to SMC 17E.030.130</p>

<p>5.6 Critical Facility</p> <p>Construction of new critical facilities shall be, to the extent possible, located outside the limits of the SFHA (100-year floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet above BFE or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above. Flood proofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the BFE shall be provided to all critical facilities to the extent possible.</p>	<p style="text-align: center;"><i>Optional Provision</i></p> <p style="text-align: center;">Language updated in SMC 17E.030.170</p>
<p>5.7 Livestock Sanctuary Areas</p> <p>Elevated areas for the for the purpose of creating a flood sanctuary for livestock are allowed on farm units where livestock is allowed. Livestock flood sanctuaries shall be sized appropriately for the expected number of livestock and be elevated sufficiently to protect livestock. Proposals for livestock flood sanctuaries shall meet all procedural and substantive requirements of this chapter.</p>	<p><i>Required by RCW 86.16.190. A city that does not allow livestock can forgo this section. While state law requires that local governments make provision for critter pads, it is extremely important to note that RCW 86.16.190 does not relax NFIP standards, including the no rise standard in floodways, in any way.</i></p> <p style="text-align: center;">Note: To be “elevated sufficiently to protect livestock” typically means to be elevated at least one foot above the BFE.</p> <p style="text-align: center;">Livestock are permitted in the RA Zone, so language added to SMC 17E.030.140 with elevation requirement concurring with section to require 2 feet above BFE</p>

<p>Section 6.0 - Variances</p>	
<p>Variances from the floodplain management standards shall only be issued if meeting all of the applicable criteria in sections 6.1 and 6.2. Variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this ordinance would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners.</p>	<p style="text-align: center;"><i>Recommended</i></p> <p style="text-align: center;">Conditions for consideration of a variance is included in SMC 17E.030.100, and duties of the Hearing Examiner are outlined in SMC 17E.030.090</p>

6.1 Requirements for Variances

- 1) Variances shall only be issued:
 - a) Upon a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances;
 - b) For the repair, rehabilitation, or restoration of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure;
 - c) Upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief;
 - d) Upon a showing of good and sufficient cause;
 - e) Upon a determination that failure to grant the variance would result in exceptional hardship to the applicant;
 - f) Upon a showing that the use cannot perform its intended purpose unless it is located or carried out in close proximity to water. This includes only facilities defined in Section 2.0 **{or the numbering system used by the community}** of this ordinance in the definition of "Functionally Dependent Use."
- 2) Variances shall not be issued within any floodway if any increase in flood levels during the base flood discharge would result.
- 3) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the BFE, provided the procedures of Sections 4.0 and 5.0 **{or the numbering system used by the community}** of this ordinance have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.

Recommended. However, any variance provisions need to meet the standards in 44 CFR 60.6

Language included and updated in SMC 17E.030.100

<p>6.2 Variance Criteria</p> <p>1) In considering variance applications, the {Governing Body} shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:</p> <ul style="list-style-type: none"> a) The danger that materials may be swept onto other lands to the injury of others; b) The danger to life and property due to flooding or erosion damage; c) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner; d) The importance of the services provided by the proposed facility to the community; e) The necessity to the facility of a waterfront location, where applicable; f) The availability of alternative locations for the proposed use, which are not subject to flooding or erosion damage; g) The compatibility of the proposed use with existing and anticipated development; h) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area; i) The safety of access to the property in time of flood for ordinary and emergency vehicles; j) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters expected at the site; and, f) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities, such as sewer, gas, electrical, water system, and streets and bridges. 	<p><i>Recommended. However, any variance provisions need to meet the standards in 44 CFR 60.6</i></p> <p>Language included and updated in SMC 17E.030.090</p>
<p>6.3 Additional Requirements for the Issuance of a Variance</p> <p>1) Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:</p> <ul style="list-style-type: none"> a. The issuance of a variance to construct a structure below the BFE will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and b. Such construction below the BFE increases risks to life and property. <p>2) The Floodplain Administrator shall maintain a record of all variance actions, including justification for their issuance.</p> <p>3) The Floodplain Administrator shall condition the variance as needed to ensure that the requirements and criteria of this chapter are met.</p> <p>Variations as interpreted in the NFIP are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or</p>	<p><i>Recommended. However, any variance provisions need to meet the standards in 44 CFR 60.6</i></p> <p>Similar language included and updated in SMC 17E.030.100</p>

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<p>financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from flood elevations should be quite rare.</p>	
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<p>APPENDIX A - STANDARDS FOR SHALLOW FLOODING AREAS (AO ZONES)</p>	<p>(44 CFR 60.3(c)7, 8 and 11)</p>
<p>Shallow flooding areas appear on FIRMs as AO zones with depth designations. The base flood depths in these zones range from 1 to 3 feet above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In addition to other provisions in this code, the following additional provisions also apply in AO zones:</p> <ol style="list-style-type: none"> 1. New construction and substantial improvements of residential structures and manufactured homes within AO zones shall have the lowest floor (including basement and mechanical equipment) elevated above the highest adjacent grade to the structure, one foot or more above* the depth number specified in feet on the community's FIRM (at least two feet above the highest adjacent grade to the structure if no depth number is specified). 2. New construction and substantial improvements of nonresidential structures within AO zones shall either: <ol style="list-style-type: none"> a. Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, one foot or more above* the depth number specified on the FIRM (at least two feet if no depth number is specified); or b. Together with attendant utility and sanitary facilities, be completely flood proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer, or architect as in section 5.2-2(2). 3. Require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures. 4. Recreational vehicles placed on sites within AO zones on the community's FIRM either: <ol style="list-style-type: none"> a. Be on the site for fewer than 180 consecutive days, or b. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or 	<p><i>The preamble is an optional provision.</i></p> <p><i>Per 44 CFR 60.3(c)(7), all other Appendix A standards are mandatory IF there are Mapped AO zones in the community.</i></p> <p><i>44 CFR 60.3(c)(8)(i), 44 CFR 60.3(c)(8)(ii), and 44 CFR 60.3(c)(11)</i></p> <p>Not included in SMC as the City of Spokane does not have AO Zones.</p>

<p>c. Meet the requirements of subsections (1) and (3) above and the anchoring requirements for manufactured homes (Section 5.2-3).</p>	
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<p>APPENDIX B - STANDARDS FOR COASTAL HIGH HAZARD AREAS (V ZONES)</p>	<p>44 CFR 60.3(e)(2 – 8)</p>
<p>Located within areas of special flood hazard established in Section 3.2 are Coastal High Hazard Areas, designated as zones V1-30, VE, and/or V. These areas have special flood hazards associated with high velocity waters from surges and, therefore, in addition to meeting all provisions in this ordinance, the following provisions shall also apply:</p> <ol style="list-style-type: none"> 1. All new construction and substantial improvements in zones V1-30 and VE (V if base flood elevation data is available) on the community's FIRM shall be elevated on pilings and columns so that: <ol style="list-style-type: none"> a) Elevation: <ol style="list-style-type: none"> i. Residential Buildings The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated one foot or more above the base flood level. ii) Nonresidential buildings The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated one foot or more above the base flood level or meets the elevation requirements of ASCE 24, whichever is higher; and b) The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values shall each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval). A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of subsections (1)(a)(i) and (2)(a)(ii). 2. Obtain the elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures in zones V1-30, VE, and V on the community's FIRM and whether or not such structures contain a basement. The (Floodplain Administrator) shall maintain a record of all such information. 3. All new construction within zones V1-30, VE, and V on the community's FIRM shall be located landward of the reach of mean high tide. 4. Provide that all new construction and substantial improvements within zones V1-30, VE, and V on the community's FIRM have the space below the lowest 	<p><i>The preamble is an optional provision.</i></p> <p><i>Per 44 CFR 60.3(e)(4), all other standards in Appendix B are mandatory if the community has any V1-30, VE or V zones mapped on its FIRM.</i></p> <p><i>44 CFR 60.3(e)(4), 44 CFR 60.3(e)(4)(i), 44 CFR 60.3(e)(4)(ii), 44 CFR 60.3(e)(2), 44 CFR 60.3(e)(3), 44 CFR 60.3(e)(5), 44 CFR 60.3(e)(5)(i), 44 CFR 60.3(e)(6), 44 CFR 60.3(e)(7), 44 CFR 60.3(e)(8)(i-iv), and 44 CFR 60.3(e)(9)(i-iii)</i></p> <p>Not included in the SMC as the City of Spokane does not have V Zones, the municipality is not a coastal city.</p>

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floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or state codes) may be permitted only if a registered professional engineer or architect certifies that the design proposed meets the following conditions:

- a) Breakaway wall collapse shall result from water load less than that which would occur during the base flood; and
- b) The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non-structural). Maximum wind and water loading values to be used in this determination shall each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).

If breakaway walls are utilized, such enclosed space shall be useable solely for parking of vehicles, building access, or storage. Such space shall not be used for human habitation.

5. Prohibit the use of fill for structural support of buildings within zones V1-30, VE, and V on the community's FIRM.
6. Prohibit man-made alteration of sand dunes within zones V1-30, VE, and V on the community's FIRM which would increase potential flood damage.
7. All manufactured homes to be placed or substantially improved within zones V1-30, V, and VE on the community's FIRM on sites:
 - a) Outside of a manufactured home park or subdivision,
 - b) In a new manufactured home park or subdivision,
 - c) In an expansion to an existing manufactured home park or subdivision, or
 - d) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood; shall meet the standards of paragraphs (1) through (6) of this section and manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision within zones V1-30, V, and VE on the FIRM shall meet the requirements of Section 5.2-3.
8. Recreational vehicles placed on sites within V or VE zones on the community's FIRM shall either:

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| <ul style="list-style-type: none">a) Be on the site for fewer than 180 consecutivedays, orb) Be fully licensed and ready for highway use, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; orc) Meet the requirements of subsections (1) through (6) of this section. | |
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BRIEFING PAPER

Plan Commission

SMC 17D.060 & 17D.090 Stormwater Amendment

September 22, 2021

Subject

This update to the Spokane Municipal Code is a state mandated review and update to the City's stormwater regulations. The proposed amendment would revise SMC Sections 17D.060.030, 17D.060.050, 17D.060.140, 17D.060.190, 17D.090.030, 17D.090.070, 17D.090.110, and 17D.090.210. The Department of Ecology administers the Clean Water Act National Pollutant Discharge Elimination System (NPDES) in Washington, and staff is completing this amendment in accordance with the applicable Ecology NPDES permit. The project page can be found on the City website: <https://my.spokanecity.org/publicworks/stormwater/ordinance/>.

Background

Ecology issues the NPDES Eastern Washington Phase II Municipal Stormwater Permit to applicable municipal governments to provide the framework and requirements for managing stormwater in order to protect water quality. Certain permit conditions require that stormwater runoff is treated prior to discharge to a water body.

Stormwater treatment facilities around the City collect and treat polluted stormwater runoff by temporarily storing the runoff, capturing the pollutants, and slowly infiltrating the stormwater into the ground. The facilities vary in size and shape come in many shapes and sizes, but their functions and maintenance needs are very, very similar. Every green stormwater treatment facility requires, at a minimum, that:

1. Inlets are clear to allow stormwater in,
2. Sediment and debris are regularly removed to promote infiltration, and
3. Vegetation is kept alive and healthy.

The maintenance responsibilities for maintaining stormwater treatment facilities (e.g. swales, infiltration galleries, etc.) can be either public, private, or a combination of both. The City maintains the large majority of stormwater facilities in the public right of ways, but does not generally maintain stormwater facilities on private properties. If a stormwater facility is on private property, it is likely that the owner or operator of the property is responsible for ensuring that the facility is appropriately maintained and is functioning as designed to protect water quality.

To ensure the City's code meets the requirements for this permit, City regulations must be updated to require new and redevelopment projects to adhere to minimum technical stormwater requirements and Best Management Practices, include provisions to review site plans and inspect sites with high potential for sediment transport prior to clearing or grading, and incorporate mandated inspection requirements of private stormwater facilities. The proposed changes are needed to meet the requirements of the permit.

Impact

The changes will clarify to requirements for private property stormwater facilities within Chapter 17D.060. The significant change proposed with this amendment is a requirement for stormwater facilities on private property to be inspected annually and to provide the Engineering Department an annual certification that the facilities are functioning as designed. This annual inspection requirement will apply to properties developed since 2011, and for new development. Inspection and verification of functioning facilities is a requirement of the City's stormwater permit. To allow

flexibility for the inspection, the City is electing to have annual certifications provided by qualified 3rd parties in lieu of requiring private property access in perpetuity for the lifetime of the private stormwater facilities.

Qualified Stormwater Professional

A qualified 3rd party stormwater professional is a person that is licensed to do business in the State of Washington who possesses the knowledge and skills to assess potential impacts to stormwater quality based on conditions, activities, and infrastructure at a given site. The person should have demonstrable qualifications such as a PG PE, and/or CESCL professional certifications, among others, or a combination of applicable education and experience.

Action

Actions required are to 1) announce the proposed change and communicate to the known affected private property owners and make them aware of the inspection requirements, and 2) create management system for inspection program.

Announce proposed change

Completed public involvement actions follow as:

- Created webpage on 8/23/2021 with details on the ordinance
 - <https://cosgisweb1.spokanecity.org/portal/apps/webappviewer/index.html?id=fa51050bd5434c65a53910a155106068>
- Submitted SEPA DNS on September 2, 2021
- Posted blog on City webpage on 9/10/2021
 - <https://my.spokanecity.org/news/stories/2021/09/10/considering-stormwater-ordinance-changes-to-protect-water-quality/>
- Posted Legal Ads for Planning Commission Hearing on 9/8/2021 and 9/15/2021.
- Mailed letter to known properties to be affected on 9/15/2021 (attached).

Create Management System

- Stormwater facility inspection program is being modeled after the water department backflow preventer program
 - Communicating with Water Department to obtain software and notification details of backflow preventer management system.
- Stormwater facilities from future new and re-development projects must be included in inspection management program
 - Communicating with Developer Services to determine an appropriate process to ensure stormwater facilities at qualifying new and re-development project sites are incorporated into the inspection management system as they come online.

September 15, 2021

Property/Project Name

Street Address

City, State, ZIP Code

Dear Property Owner/Operator:

According to the City of Spokane (City) records, your property has been identified as having a private stormwater management facility. This letter provides information regarding new inspection requirements for stormwater facilities under the Eastern Washington Phase II Municipal Stormwater Permit, which was issued to the City by the Washington State Department of Ecology. This notification letter is for information only.

As required by the Eastern Washington Phase II Municipal Stormwater Permit, the City must implement a program that will require property owners/operators to submit annual maintenance certifications for applicable stormwater facilities. An ordinance to codify an annual inspection/certification requirement is currently being reviewed for adoption. Details of the proposed ordinance can be found on the City's stormwater ordinance website at: <https://my.spokanecity.org/publicworks/stormwater/ordinance/>. Properties applicable to the annual inspection requirement will receive a formal request to submit a 3rd party certification by a qualified stormwater professional that indicates that the stormwater facilities on the private property are adequately maintained and functioning properly as designed.

Final consideration is scheduled for Monday, October 25, 2021 at the Spokane City Council meeting. The public and interested persons are encouraged to provide comment on these proposed changes either in writing or at the following City meetings:

- Planning Commission Hearing - September 22, 2021
- PIES Committee Meeting - September 27, 2021
- City Council Hearing - October 25, 2021

You can contact me with questions, comments or concerns via email at jgeorge@spokanecity.org, or by phone at 509-625-7908.

Sincerely,

James George III (Trey)

Environmental Analyst

Wastewater Management Department

ORDINANCE NO. C _____

AN ORDINANCE relating to Stormwater Facilities; amending SMC sections 17D.060.030; 17D.060.050, 17D.060.140, 17D.060.190, 17D.090.030, 17D.090.070; 17D.090.110; 17D.090.210; chapter 17D of the Spokane Municipal Code and setting an effective date.

WHEREAS, The Eastern Washington Phase II Stormwater Permit contains new requirements for the City with regard to updates to its municipal code.

WHEREAS, the Permit requires the City of Spokane to update its municipal code to require projects to adhere to minimum technical requirements and Best Management Practices necessary to protect water quality by applying the definitions, requirements, and methods in the Stormwater Management Manual for Eastern Washington, or another technical stormwater manual approved by Ecology; and

WHEREAS, the Permit requires the City of Spokane to update its municipal code to reflect and include inspection requirements of private stormwater facilities; and

WHEREAS, the Permit also requires the City of Spokane to update its municipal code to include the application of source control Best Management Practices referenced in the Stormwater Management Manual for Eastern Washington where necessary to prevent illicit discharges; and

WHEREAS, furthermore, the Permit requires the City of Spokane to update its municipal code to require construction phase erosion and sediment controls for new development and redevelopment projects, and include provisions to review site plans and inspect sites with high potential for sediment transport prior to clearing or grading;

-- Now, Therefore,

The City of Spokane does ordain:

Section 1: That SMC section 17D.060.030 is amended to read as follows:

17D.060.030 Standards

- A. The ((~~e~~))Director of Wastewater Management determines stormwater control design standards and regulations (also referenced as "standards"), including those for onsite stormwater facilities, and determines their applicability to particular areas of the City of Spokane, plats and premises, consistent with the legislative findings of this chapter.
- B. Standards References.

The following documents are hereby adopted by reference. They address general requirements and may be modified or supplemented in other specific sections.

1. Standard Specifications of the Washington State ((d))Department of ((t))Transportation, latest edition.
2. General Special Provisions of the City of Spokane, latest edition.
3. City of Spokane Design Standards and Standard Plans, latest edition.
4. The Spokane Regional Stormwater Manual (SRSM), latest edition.
5. Guidance for UIC Wells that Manage Stormwater by Washington State ((d))Department of ((e))Ecology dated December 2006 (Publication Number 05-10-067).
6. Spokane Aquifer Water Quality Management Plan. Spokane County, Washington "208" Program. County engineers office.
7. Stormwater Management Manual for Eastern Washington (SWMMEW), Washington State Department of Ecology, latest edition.

The above standard references are on file with the ((d))Director of Wastewater Management

- C. Low Impact Development is optional, however if low impact development techniques are used, then the Eastern Washington Low Impact Development Guidance Manual should be followed.
- D. The standard references are periodically republished. Between a general republication the department of engineering services maintains an updated copy and may publish modifications or updates in the *Official Gazette*. The department of engineering services also maintains a distribution list of parties requesting such updates. Unless otherwise ordered, the changes are effective thirty calendar days from the date of the *Official Gazette* issue in which they are published.

Section 2: That SMC section 17D.060.050 is amended to read as follows:

17D.060.050 Duties of Property Owners and Occupants – Others – Private Rights Reserved

- A. Every owner and occupant of premises must install, maintain and keep in good function and order any onsite stormwater facility in accord with applicable requirements. Such requirements may be reflected as conditions of land use or property development in plats, building or special use permits, or other permits, or may be imposed as a consequence of other regulatory action, including code enforcement or nuisance abatement.

B. Stormwater facilities shall be installed with adherence to the Best Management Practices referenced in the Spokane Regional Stormwater Manual (SRSM) and the Stormwater Management Manual for Eastern Washington (SWMMEW).

~~(B)~~ C. No party shall obstruct or interfere with the full and efficient function of any onsite stormwater facility.

~~(C)~~ D. Enforcement action taken under this chapter does not affect a right of a party to seek subrogation or further recovery against any other parties determined to be responsible.

Section 3: That SMC section 17D.060.140 is amended to read as follows:

17D.060.140 Runoff and Infiltration Controls

A. Runoff and infiltration controls apply in all areas of the City except where exempt or modified.

B. Unless otherwise specified, street and alley paving projects funded by local improvement districts are exempt from the provisions of SMC 17D.060.130 and SMC 17D.060.140.

C. Drainage plans shall be prepared and submitted for review and acceptance for all proposed plats and land disturbing activities prior to issuance of any permits for site disturbance, including but not limited to grading permits and building permits. The ~~((d))~~ Director of Wastewater Management has authority to waive requirements to the necessity for a drainage plan, but must do so in writing. Factors considered in the evaluation of a waiver request include, but are not limited to:

1. soil characteristics and depth,
2. number of lots,
3. infill development,
4. percent impervious area,
5. pass-through drainage,
6. history and trends of runoff-related problems,
7. depth to ground water.

D. With respect to drainage plans required under subsection (C) of this section:

1. the volume and rate of surface water runoff after new development shall be no greater than the runoff volume and rate leaving the site prior to development, unless the ((d))Director of ((e))Engineering ((s))Services approves the discharge of additional runoff based on a comprehensive drainage plan and down gradient impact study;
 2. drainage plans for development proposals in SDDs shall not rely upon infiltration to accommodate the additional runoff resulting from the proposed development. However, approval to use infiltration in part or in whole may be granted by the ((d))Director of ((e))Engineering ((s))Services upon a showing, after assessing new, existing, and cumulative impacts from prior developments, that no adverse impact to the side, adjacent, or down gradient properties would occur;
 3. drainage plans submitted for development proposals shall comply with the Spokane Regional Stormwater Manual and the City of Spokane Design Standards, as approved by and on file with the ((d))Director of ((e))Engineering ((s))Services, for the design of onsite stormwater facilities, including any limitations applicable to any specific SDD;
 4. drainage plans shall include identification of all properties to be reserved for onsite stormwater facilities and the location of all natural drainage systems.
- E. The developer, property owner, or other responsible, authorized and designated entity acceptable to the ((d))Director of Wastewater Management (e.g., a homeowners association) shall be responsible for accepting and maintaining onsite stormwater facilities. The developer shall provide a perpetual maintenance plan, including funding mechanisms and appropriate financial security for such onsite stormwater facilities acceptable to the ((d))Director of Wastewater Management.
1. Any onsite stormwater facilities shall be inspected annually by a qualified stormwater professional. Private property owners or other responsible person, authorized and designated entity shall provide annual certification by a qualified third party that adequate maintenance has been performed and the facilities are operating as designed to protect water quality.
- F. New plats shall expressly identify tracts of land devoted to the conveyance and/or disposal of stormwater flows. The location of all on-site stormwater facilities shall meet the requirements of the Spokane Regional Stormwater Manual.

Section 4: That SMC section 17D.060.190 is amended to read as follows:

17D.060.190 Illicit Discharge(s)

A. General Intent and Prohibition.

This section is enacted in compliance with state and federal regulatory requirements in the exercise of local police power. The introduction or discharge of anything into the municipal separate storm sewer system, an MS4 system, in violation of the National Pollutant Discharge Elimination System (NPDES) permit requirements, Eastern Washington Phase II Municipal Stormwater Permit (WAR04-6505) as now or hereafter amended is expressly prohibited.

B. Objectives.

The objectives of this section are:

1. To prevent pollutants as defined in subsection ~~((E))~~ (F) of this section and as provided in applicable federal and state regulatory requirements from entering the MS4.
2. To locate, eliminate, and prohibit illicit connections and discharges to the MS4.
3. To improve the quality of the City's stormwater discharges to water bodies.
4. To promote the health, safety, and welfare for workers and the general public, provided, notwithstanding any other provision, no special duty to any special person or class of people shall ever be created. Any duty nonetheless deemed created shall be solely and exclusively a duty to the general public; and
5. To ensure that all dischargers to the City's MS4 as well as all other public drainage systems that convey, manage or dispose of stormwater flows into the City's MS4 comply with the NPDES Eastern Washington Phase II Municipal Stormwater Permit (WAR 04-6505) as now or hereafter amended and local, state and federal laws and regulations and that sanctions for failure to comply are imposed.

C. Applicability.

This section shall apply to all activities, on public or private property, which may potentially influence the MS4 drainage system in accord with the requirements of the NPDES Eastern Washington Phase II Municipal Stormwater Permit (WAR 04-6505) as now or hereafter amended. Additionally, permanent and temporary storm water management controls and facilities that flow into the MS4, constructed as part of any activities listed in this section, which are located within the City of Spokane limits, are also subject to this section.

D. Requirement to Implement Best Management Practices.

Owners or operators of commercial/industrial facilities and private property, shall utilize and maintain structural Best Management Practices (BMPs) associated with existing land uses and activities, as necessary to prevent illicit discharges, in

accordance with the standards referenced in 17D.060.030. The Director of the Wastewater Management Department may require any person responsible for a facility or property which is or may be the source of an illicit discharge to implement additional structural and non-structural BMPs to prevent the discharge of pollutants to the stormwater drainage system.

((D)) E. Allowable Discharges.

The following types of discharges into the MS4 may be allowed unless the ((d))Director of Wastewater Management determines that the discharge causes significant contamination of surface water, stormwater, or ground water.

They are allowed only when the stated conditions are met:

1. Treated storm water from the public right-of-way.
2. Other discharges approved by the ((d))Director of Wastewater Management which are in compliance with permit WAR04-6505 or subsequent permits, and determined by the ((d))Director of Wastewater Management to not be a significant source of pollution.
3. Discharges from potable water sources, including water line flushing, hyperchlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. Planned discharges must be dechlorinated to a concentration of 0.1 ppm Cl or less, pH-adjusted if necessary, and volumetrically and velocity controlled to prevent resuspension of sediments into the MS4.
4. Unintentional discharges from lawn watering and other irrigation runoff. A discharge is not unintentional if a previous warning has been given or the party to be held responsible knew or should have known of the warning or discharge event.
5. Swimming pool discharges are allowed if dechlorinated to a concentration of 0.1 ppm Cl or less, pH-adjusted and reoxygenated if necessary, and volumetrically and velocity controlled to prevent resuspension of sediments into the MS4; and do not surcharge the City's system. Swimming pool cleaning wastewater and filter backwash shall not be discharged to the MS4.
6. Street and sidewalk wash water, water used to control dust, and routine external building wash down that does not use detergents. The City shall reduce these discharges through public education activities and/or water conservation efforts. To avoid washing pollutants into the MS4, the City shall minimize the amount of street wash and dust control water uses. At active construction sites, street sweeping shall be performed prior to washing the street.

7. Other non-stormwater discharges. Other non-stormwater discharges shall be in compliance with the requirements of a stormwater pollution prevention plan approved by the City of Spokane which addresses control of such discharges.

8. discharges resulting from emergency fire fighting activities.

~~(E)~~E. Unlawful Discharges.

It is unlawful for any person to discharge, or cause to be discharged, directly or indirectly any pollutants into surface water, stormwater, ground water or within a stream channel or directly or indirectly into the MS4. Illicit connections to storm drainage systems and surface water bodies include sanitary sewers, process waste water discharge, process water sump pumps, and internal building drains. Pollutants include, but are not limited to, the following:

1. Chemicals, petroleum products, paint, solvents, detergents and degreasers, or other toxic or deleterious materials in concentrations or amounts in violation of federal, state, or local standards or limits.
2. Trash, debris, food waste, human wastes, animal wastes, or refuse.
3. Loose or unstabilized soil, sand, gravel, or other construction materials that erode in an uncontrolled manner (freely or significantly, as distinguished from ordinary bank or soil erosion associated with storm events) into a drainage facility or stream channel.
4. Lawn clippings, fertilizers, leaves, branches, or other landscaping and yard debris deposited in a stream channel or drainage facility; and
5. Turbid water from construction site runoff, concrete or concrete wash out, dewatering, soil boring or other excavation activities.

~~(F)~~G. Enforcement.

Violations of this section shall be enforced as any other violation of this chapter.

Section 5: That SMC section 17D.090.030 is amended to read as follows:

17D.090.030 Referenced Regulations

- A. Spokane Regional Stormwater Manual (SRSM or Stormwater Manual), as adopted by the City of Spokane and published and maintained by the ~~(d)~~Director of ~~(e)~~Engineering ~~(s)~~Services
- B. Stormwater Management Manual for Eastern Washington (SWMMEW). The SWMMEW is published and maintained by the Washington State department of

ecology and supplements the SRSM.

- C. Washington State Standard Specifications for Road and Bridge Construction. The State Supplemental Specifications are published and maintained by the Washington State ~~((d))~~Department of ~~((t))~~Transportation (WSDOT).
- D. City of Spokane General Special Provisions, as adopted by the City of Spokane and published and maintained by the ~~((d))~~Director of ~~((e))~~Engineering ~~((s))~~Services. These materials supplement and are complimentary to the WSDOT materials.
- E. City of Spokane Design Standards. The City of Spokane Design Standards are published and maintained by the ~~((d))~~Director of ~~((e))~~Engineering ~~((s))~~Services.
- F. Washington State Department of Ecology Construction General Stormwater Permit. Construction sites disturbing one acre or more, and construction projects of less than one acre that are part of a larger common plan of development or sale, must obtain a Construction General Stormwater Permit.

Section 6: That SMC section 17D.090.070 is amended to read as follows:

17D.090.070 Plan Required

- A. A responsible party must submit an erosion and sediment control (ESC) plan or a Stormwater Pollution Prevention Plan (SWPPP) for permitted development projects to the ~~((d))~~Director of Wastewater Management for review. ~~((if the disturbance area is:))~~
 - 1. An ESC is required if the disturbance area is:
 - ~~((1))~~A. five thousand square feet or greater in area;
 - ~~((2))~~B. in a special site per SMC 17D.090.080.
 - 2. A SWPPP is required and must be fully implemented in accordance with the Construction General Stormwater Permit if the disturbance area is:
 - A. one acre or more; or
 - B. is a construction project less than one acre that is part of a larger common plan of development or sale.
- B. An ~~((erosion and sediment control))~~ ESC plan or SWPPP is not required for work that does not require a City issued permit unless otherwise required by the terms of a compliance order or land use decision.
- C. Where a plan is required, the responsible party shall not commence any construction before the ~~((d))~~Director of Wastewater Management has accepted the proposed plan.

Section 7: That SMC section 17D.090.110 is amended to read as follows:

Section 17D.090.110 Minimum Plan Requirements

The following items shall be addressed on erosion and sediment control plans. As site conditions dictate, additional measures relating to erosion and sediment control, as determined by the licensed professional engineer (PE) preparing the plan, shall be addressed in order to meet the intent and purpose of this chapter and to comply with the stated performance standards in SMC 17D.090.180. Furthermore, in order to reduce the discharge of pollutants to the maximum extent practicable, and to satisfy all known, available and reasonable methods of prevention, control and treatment requirements, Best Management Practices (BMPs) shall be consistent with the Spokane Regional Stormwater Manual (SRSM) and Stormwater Management Manual for Eastern Washington (SWMMEW).

A. Construction Sequence.

Sequence the construction in order to best minimize the potential for erosion and sediment control problems.

B. Clearing Limits Delineation.

Identify and delineate on the plan and in the field all clearing limits, sensitive/critical areas, buffers, trees to be preserved, and drainage courses.

C. Construction Access Route.

Access for construction vehicles should be limited to one route whenever possible. The access route must be stabilized to minimize the tracking of sediment onto roads.

D. Sediment Tapping Measures.

Design and construct sediment ponds and traps, perimeter dikes, sediment barriers, and other on-site sediment trapping BMPs as necessary prior to the start of other ground disturbing activities.

E. Protection of Adjacent Properties/Water Bodies/Public and Private Streets.

Protect adjacent and/or downstream properties, water bodies, public and private streets from erosion and sediment deposition. The intent is to keep sediment on the project site and not allow it to reach adjacent and/or downstream properties, water bodies, and public and private streets. These measures shall be made functional prior to any upslope development taking place.

F. Apply permanent or temporary soil stabilization to denuded development site areas in conformance with the following schedule. Permanent ground disturbing activities that do not require a permit may achieve compliance with this schedule by installing and maintaining approved permanent BMPs that meet the purpose of this chapter.

1. Between October 1 and April 30, all denuded sites shall be provided with either temporary or permanent soil stabilization as soon as practicable, but in no case more than five days after ground-disturbing activity occurs.
2. Between May 1 and September 30, temporary erosion and sediment control measures to reduce dust and sediment transport shall be applied as soon as practicable, but in no case more than ten days after ground-disturbing activity occurs.
3. Ground cover shall be installed on any portion of a site that is denuded for more than six months. Sports fields or playgrounds surrounded by vegetative cover or permanently installed curbing are exempt from this requirement.
4. Temporary measures shall be maintained until permanent measures are established. As used herein, "temporary" means approved measures that are not intended to be a final or long-term resolution of compliance requirements.

G. Protection of Inlets.

Protect downstream inlets to drywells, catch basins, and other stormwater management facilities that are functioning during the course of the construction by approved sediment control measures so that sediment-laden water cannot enter the inlets without first being filtered.

H. Increased Runoff from Construction Sites.

Consider and mitigate the effects and impacts of increased and concentrated runoff from ground disturbing activities on downstream properties, water bodies, and public and private streets.

I. Washout Site for Concrete Trucks and Equipment.

Designate an on-site location of a slurry pit where concrete trucks and equipment can be washed out. Slurry pits shall not be located in a swale, drainage area, stormwater facility, water body, or in an area where a stormwater facility is proposed.

J. Material Storage/Stockpile.

Identify the location within the proposed ESC plan boundaries for storage or stockpile areas for any soil, earthen, or landscape material which is used or will be used on-site.

K. Cut and Fill Slopes.

Design and construct cut and fill slopes in a manner that will minimize erosion.

L. Stabilization of Temporary Conveyance Channels and Outlets.

Design, construct, and stabilize all temporary on-site conveyance channels to prevent erosion from the velocity of runoff from storms under developed conditions. Design, construct, and stabilize all temporary conveyance system outlets to prevent erosion of stormwater facilities, adjacent stream banks, slopes, and downstream reaches.

M. Dewatering Construction Site.

Design dewatering devices to discharge appropriately to sediment traps or sediment ponds.

N. Control of Pollutants Other than Sediment on Construction Sites.

Control all on-site pollutants (including waste materials and demolition debris) other than sediment in a manner that does not cause contamination of stormwater, groundwater, or aquifer.

O. Removal of Temporary BMPs.

Remove all temporary sediment control BMPs within thirty days after final site stabilization or after the temporary BMPs are no longer needed. Trapped sediment shall be removed from the project site or stabilized on-site. Stabilize disturbed soil areas resulting from removal of the temporary BMPs.

P. Maintenance and Permanent BMPs.

Maintenance of all erosion and sediment control BMPs is required during the ground-disturbing activity. A maintenance schedule for each BMP shall be included in the plan. Regular inspection and maintenance of all erosion and sediment control BMPs is required to ensure successful performance of the BMPs. Permanent BMPs shall be included on the plan to ensure that successful transition from temporary BMPs to permanent BMPs occurs.

Section 8: That SMC section 17D.090.110 is amended to read as follows:

17D.090.210 City Inspections – Permitted Activities

- A. The ((d))Director of Wastewater Management may conduct the following inspections on permitted development activities. It shall be the duty of the responsible party to notify the ((d))Director of Wastewater Management at the appropriate inspection

phase as set forth below. Inspections of erosion and sediment control measures may occur with other inspections being conducted on the development or construction project.

1. Pre-construction Inspection.

The ((e))Director of Wastewater Management may conduct inspections after initial, temporary erosion and sediment control measures have been put in place and prior to any ground disturbance in addition to that necessary for the installation of the erosion, sediment, and pollutant control measures. When the development is being conducted in phases, this inspection shall occur at the beginning of each phase. Any sites which may have a high potential for sediment transport shall be inspected prior to clearing or grading.

2. Permanent Measures Inspection.

The ((e))Director of Wastewater Management may conduct inspections after permanent measures are put in place. When the development is being conducted in phases, this inspection shall occur after permanent measures have been installed for each phase.

3. Interim Inspections.

The ((e))Director of Wastewater Management may conduct other inspections not specifically addressed above to determine compliance with this chapter.

4. Final Erosion Control Inspection.

For special sites as defined in SMC 17D.090.080, an inspection shall be conducted after construction completion to determine the effectiveness of permanent erosion and sediment control measures. This inspection shall be conducted six months after construction completion or at other times directed by the ((e))Director of Wastewater Management. This inspection may be conducted at sites other than special sites as determined by the ((e))Director of Wastewater Management.

B. Where the ((e))Director of Wastewater Management has determined that special site conditions exist, the ((e))Director of Wastewater Management may designate a special inspector to monitor erosion and sediment control at that site. The special inspector shall be qualified to perform such monitoring.

Section 9: Effective Date:

This ordinance shall take effect and be in force on _____, 2021.

Passed by the City Council on _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

DRAFT



City of Spokane Municipal Code Update: Stormwater Ordinances

Trey George, Environmental Analyst
Wastewater Management Dept.

Stormwater Happens

“Stormwater runoff is....Number 1 water pollution problem in the urban areas of our state, and it causes and contributes to flooding.”

[Ecology publication #07-10-058]



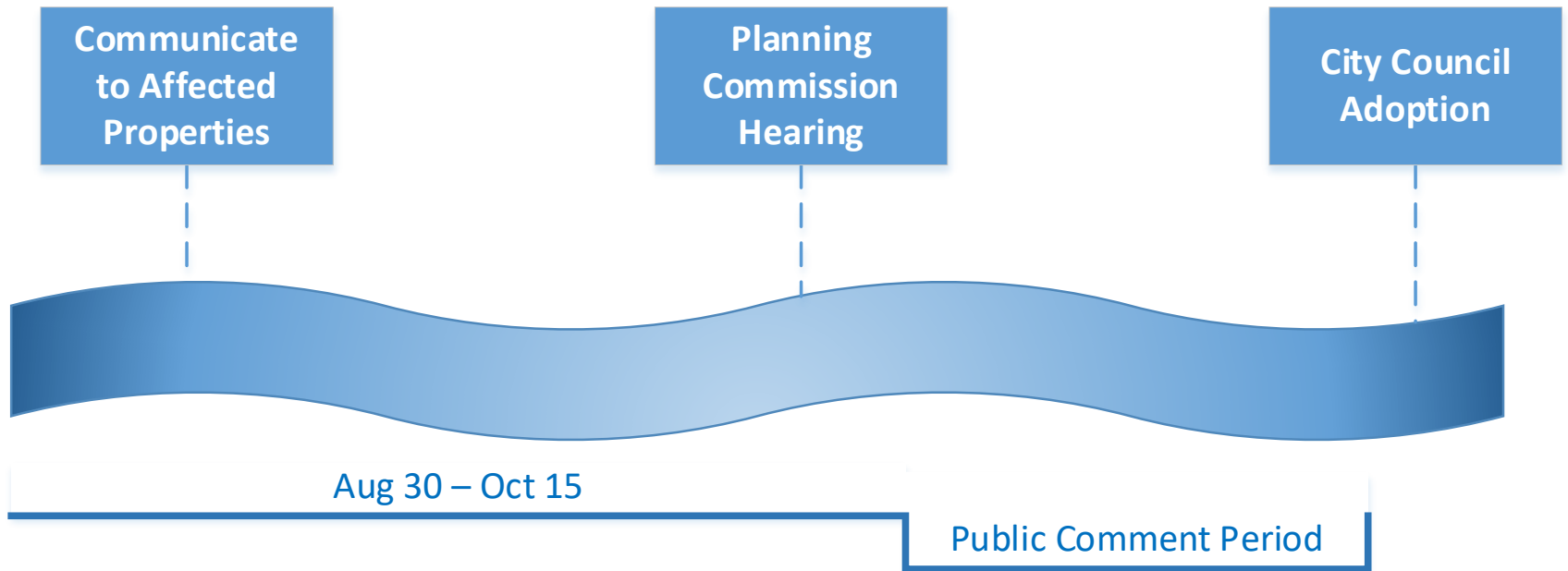
Eastern Washington Phase II Municipal Stormwater Permit

- **Issued by Washington Department of Ecology**
 - Permit #WAR046505
 - Authorizes the City of Spokane to discharge stormwater from the Municipal Separate Stormwater Sewer System (MS4) to surface waters and groundwaters of the State of Washington.
 - The geographic area of coverage is the entire incorporated area of the City
 - With exception of Combined Sewer Overflow Basins

Purpose of Update

- The City of Spokane's proposed amendments to the stormwater ordinances will:
 - Comply with the Eastern Washington Phase II Municipal Stormwater Permit,
 - Provide clarity for projects and properties that must manage stormwater, and
 - Provide water quality protection to local waters of the State.

Timeline



Proposed Changes

- Updated Section [17D.060.030.B Standard References](#) to add the Stormwater Management Manual for Eastern Washington (SWMMMEW), Washington State Department of Ecology as a standard reference.
- Amended Section [17D.060.050 Duties of Property Owners and Occupants – Others – Private Rights Reserved](#) to add a statement to identify that stormwater facilities shall be installed with adherence to the Best Management Practices referenced in the Spokane Regional Stormwater Manual (SRSW) and the Stormwater Management Manual for Eastern Washington (SWMMMEW).
- Amended Section [17D.060.190 Illicit Discharge\(s\)](#) to include sub-section that clearly identifies the responsibility of commercial/industrial facilities and private properties to utilize and maintain structural Best Management Practices (BMPs) as necessary to prevent illicit discharges.

Proposed Changes, cont'd

- Amended Section [17D.090.070.A Plan Required](#) to include the requirement to provide to the City a Stormwater Pollution Prevention Plan for projects that disturb one acre or more.
- Revised Section [17D.090.110 Minimum Plan Requirements](#) to include the requirement for plans to be consistent with the Stormwater Management Manual for Eastern Washington in order to reduce the discharge of pollutants to the maximum extent practicable, and to satisfy all known, available and reasonable methods of prevention, control and treatment requirements.
- Revised Section [17D.090.210.A.1 City Inspections – Permitted Activities](#) to include the requirement that project sites which may have a high potential for sediment transport shall be inspected prior to clearing or grading.

Proposed Changes, cont'd

- Revised Section [17D.060.140.E Runoff and Infiltration Controls](#) to include an annual post-construction requirement for new and re-development project properties that disturb an acre or more, or are part of a larger development plan to provide to the City an annual 3rd party certification of onsite stormwater facilities indicating that adequate maintenance has been performed and that the facilities are operating as designed to protect water quality.
- A qualified 3rd party stormwater professional is a person that:
 - is licensed to do business in the State of Washington
 - possesses the knowledge and skills to assess potential impacts to stormwater quality based on conditions, activities, and infrastructure
 - Has demonstrable qualifications
 - PG PE, and/or CESCL professional certifications, among others, or a combination of applicable education and experience

Typical Facility Maintenance

CLEARING BLOCKED INLETS
allows stormwater to enter swale



TRIMMING, THINNING & MOWING
Keeps vegetation healthy & provides space for stormwater



REMOVING SEDIMENT & DEBRIS
Promotes infiltration while keeping vegetation healthy



Legislative Process

- Anticipated Hearing/Meeting Dates:
 - Planning Commission Hearing
 - September 22, 2021
 - PIES Committee Meeting
 - September 27, 2021
 - City Council Hearing
 - October 25, 2021

(Dates are subject to change)

Public Participation

- SEPA [Determination of Non Significance](#)
- Stormwater Ordinance [Webpage](#)
- City Stormwater [Blog](#)
- Planning Commission [Public Notice Legal Ads](#)
- Notification letter mailed to known affected commercial/development properties
- Upcoming City Council Public Notice Legal Ads

Contact Information

- eMail comments to:

jgeorge@spokanecity.org

- Comment by mail to

Attn: Trey George,
909 E. Sprague Ave,
Spokane, WA 99202.



Questions?

