

LAND USE PERMITS



Planning Services Department

Land Use vs. Building Permit

- Most development is regulated under two different codes: the Unified Development Code (UDC) and the International Building Code.
- Receiving a Land Use Permit is generally the first step in the development process, when the use is not allowed outright, followed by applying for and receiving a Building Permit.
- For some projects, approval is given as part of the review of an application for a Building Permit; in other instances, a separate Land Use Permit is required prior to application for a Building Permit.

Land Use vs. Building Permit Cont...

- The UDC regulates setbacks, lot coverage, types of uses, height, parking requirements, design (for some types of projects) and similar concerns.
- The Building Code regulates that buildings and developments constructed to an appropriate standard and are safe for the uses intended. Applications for most Building Permits must be accompanied by detailed construction drawings.
- In addition to the UDC, other codes and regulations may be applied to a particular project, such as the International Fire Code, Regional Stormwater Manual, and Transportation Impacts.

Sometimes there is a sign up for a project and sometimes a building just starts going up...why?

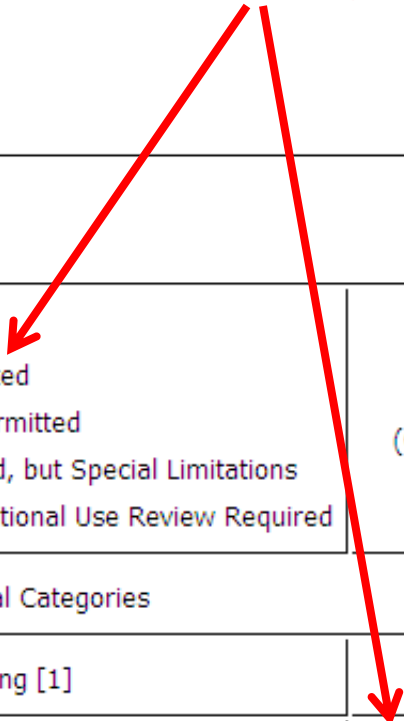


Some Uses are Permitted Outright

- Spokane Municipal Code Title 17C, Land Use Standards.
- If a use is “outright permitted” then only a building permit is required.

Permitted Outright

TABLE 17C.120-1 COMMERCIAL ZONE PRIMARY USES						
Use is: P: Permitted N: Not Permitted L: Allowed, but Special Limitations CU: Conditional Use Review Required	O (Office)	OR (Office Retail)	NR (Neighborhood Retail)	NMU (Neighborhood Mixed Use)	CB (Community Business)	GC (General Commercial)
Residential Categories						
Group Living [1]	L/CU	L/CU	L/CU	L/CU	L/CU	L/CU
Residential Household Living	P	P	P	P	P	P
Commercial Categories						
Adult Business	N	N	N	N	L[2]	L[2]
Commercial Outdoor Recreation	N	N	N	N	P	P
Commercial Parking	CU[3]	CU[3]	P	P	P	P
Drive-through Facility	L[4]	L[4]	L[4]	L[4]	P	P



Understanding the Use Tables

- Permitted Uses (P). These uses are allowed if they comply with the development standards and other standards of Title 17C.
- Limited Uses (L). These uses are allowed if they comply with the limitations as listed in the footnotes and the development standards and other standards of Title 17C.
- Conditional Uses (CU). Uses that are allowed if approved through the conditional use review process, provided they comply with the conditional use approval criteria for that use, the development standards and other standards of Title 17C.
- Uses Not Permitted (N).

Land Use Permits

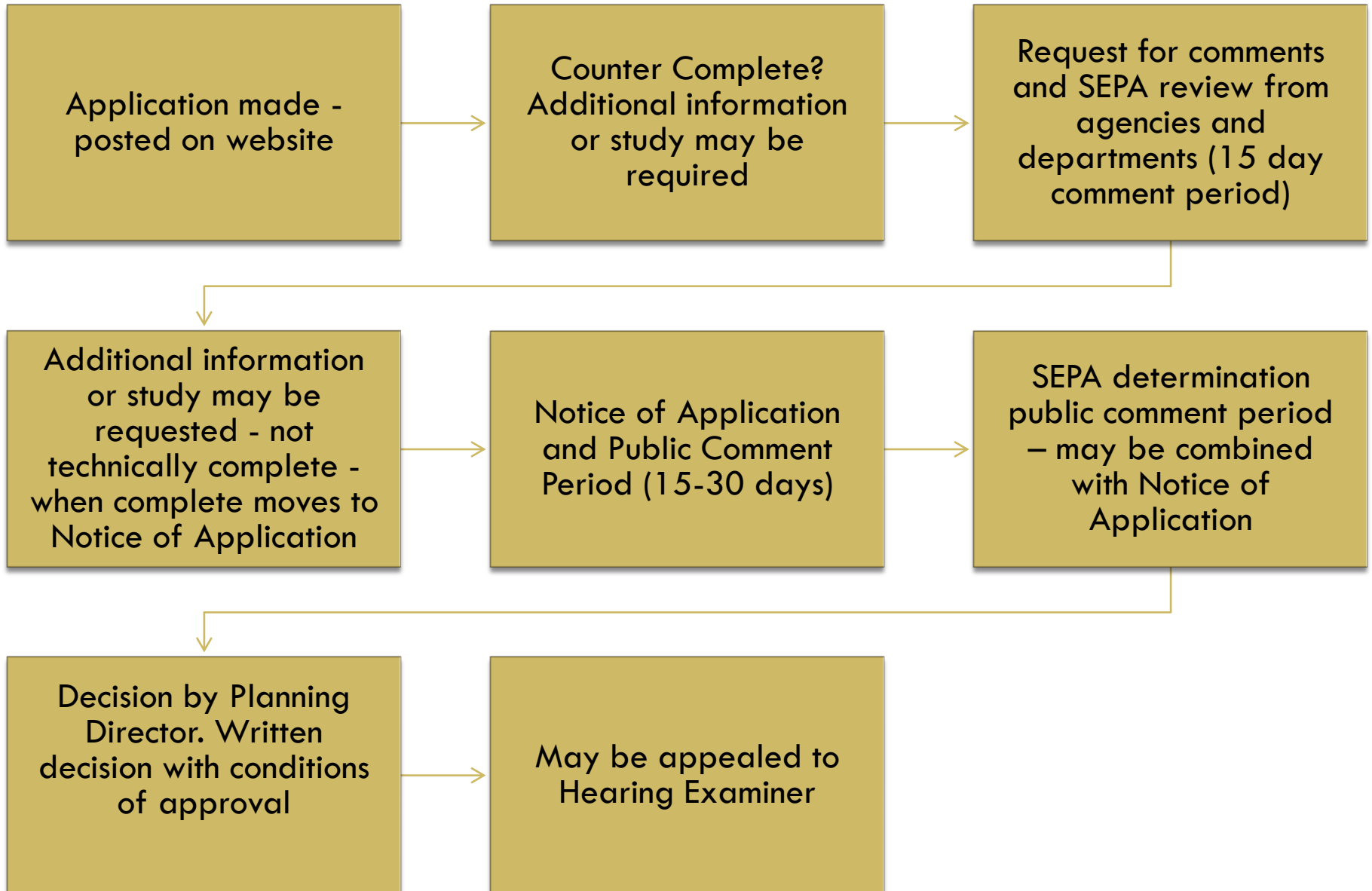
Land Use Permits - Type I

- These applications may include, but are not limited to, building permits and grading permits.
- An application for a project permit that is subject to an administrative approval.
- May require SEPA.
- Does not require a public hearing.
- Identified in [Table 17G.060-1](#) in [chapter 17G.060 SMC](#).

Land Use Permits - Type II

- These applications may include, but are not limited to, short plats, binding site plans, or shoreline substantial development permits.
- An application for a project permit that is subject to a decision of a department director, that may or may not be subject to SEPA.
- Does not require a public hearing.
- The Type II applications are identified in [Table 17G.060-1](#) in [chapter 17G.060 SMC](#).

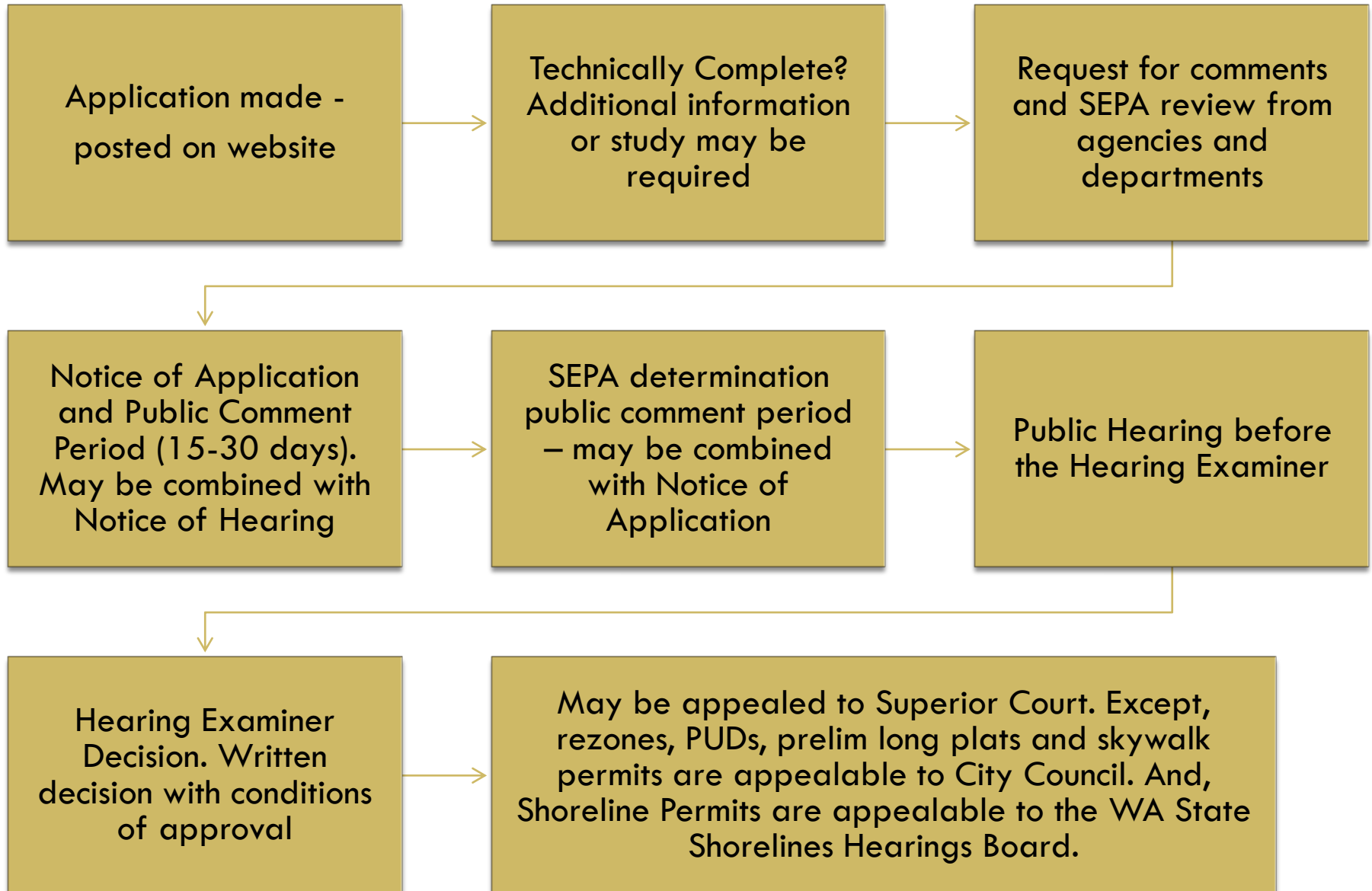
Land Use Permit (Type II)



Land Use Permits - Type III

- These applications may include, but are not limited to, rezones, conditional use permits, preliminary long plats, or shoreline conditional use permits.
- An application for a project permit that is subject to a quasi-judicial decision of the hearing examiner that may or may not be categorically exempt from chapter 43.21C RCW (SEPA) and the City of Spokane Environmental Ordinance [chapter 17E.050 SMC](#).
- Requires a public hearing.
- Type III applications are identified in [Table 17G.060-1](#) in [chapter 17G.060 SMC](#).

Land Use Permit (Type III)



Decision Criteria

- Section 17G.060.170 SMC
- The purpose of the section is to establish the decision criteria for all permit types regardless of whether the decision is made by the director, hearing examiner, or city council.
- The burden is upon the applicant to present sufficient evidence relevant to the appropriate criteria in support of the application. The decision-maker must make affirmative findings of fact relative to each criterion or the application must be denied.

SEPA Determination

- State Environmental Policy Act (SEPA)
- Requires all government agencies to consider the environmental impacts of a proposal before making a decision.
- Some projects are exempt (17E.050)
- Some building permits require a SEPA process, which includes a public notice. SMC 17E.050 describes how a SEPA notice must be given.
- Signs look similar to “land use permit” signs.

Design Review Board

- The City's [Design Review Board](#) is comprised of citizens and practicing professionals who represent community interests including a diversity of design and technical professions. Board members are nominated by the Mayor, appointed by City Council, and serve without compensation.
- <http://www.spokaneplanning.org/designreview.html>

Applications Subject to Design Review

- All public projects or structures.
- Shoreline conditional use permit applications.
- Skywalk applications over a public right-of-way.
- Projects seeking a design departure
- Within downtown zones, per [Section 17G.040.020](#), Design Departures, [SMC 17G.030.030](#), Review Process.
- Any other development proposal or planning study about which the plan commission, planning director, or hearing examiner requests to have the board's advice pertaining to any design elements.
- Other developments or projects listed within the UDC that require design review.

Public Notice

The Application Process

↓ Predevelopment meeting

↓ Community meeting (Type III)

↓ Application

↓ Routing to departments and agencies

↓ Notice of Application & SEPA Review

↓ Public comment period

↓ SEPA determination

↓ Notice of public hearing

↓ Public Hearing

↓ Appeal period

Opportunity for informal input from public to applicant prior to application

Public Comment period. Written comment mail or email to Planning Services

Public Testimony at Hearing; Written comment also may be submitted to Hearing Examiner

Public Notice

REVIEW	WHO RECEIVES PUBLIC NOTICE?	DECISION MAKER	PUBLIC HEARING?
Type I	<ul style="list-style-type: none">•Taxpayers, owners, and residents within 400'•Neighborhood Council Chair•Others who request it<ul style="list-style-type: none">•Posted on site•City Hall	Planning Director/Building Director	No
Type II	Same as Type I + Public library and local library	Planning Director	No
Type III	Sam as Type II	Hearings Examiner	Yes

Public Notice

- The specified types of notice are used for community meeting, notice of application, notice of public hearing, notice of decision and notice of appeals, as applicable.
- It is the responsibility of the applicant to provide public notice and file a statutory declaration as evidence of compliance.
- The types of notice for various categories of permit applications and actions are listed in [Table 17G.060-3](#).

TABLE 17G.060-3
COMMUNITY MEETING, PUBLIC NOTICE, REVIEW OFFICIAL, AND EXPIRATION FOR LAND USE PERMITS

Permit	Type	Community Meeting	Notice of Application	Notice of Public Hearing	Review Official	Hearing Required	City Council Review	Expiration of Permit ¹
Building and Code Enforcement								
Building Permit	I	No	Legal/ Individual	No	Building Official	No	No	180 days
Grading Permit	I	No	Legal/ Individual	No	Building Official	No	No	180 days
Demolition Permit	I	No	Legal/ Individual	No	Building Official	No ²	No	180 days
Planning Services – Current								
Binding Site Plan	II	No	Posted/ Individual	No	Planning Director	No	No	5 years
Certificate of Compliance (CC)	III	Posted/ Individual	Posted/ Individual	Posted/ Individual	Hearing Examiner	Yes	No	None
CC	II	No	Posted/ Individual	No	Planning Director	No	No	None
Conditional Use Permit (CUP)	III	Posted/ Individual	Posted/ Individual	Posted/ Individual	Hearing Examiner	Yes	No	3 years
CUP	II	No	Posted/ Individual	No	Planning Director	No	No	3 years
Floodplain with SEPA	I	No	Posted/ Individual	No	Planning Director	No	No	180 days

Public Notice - Sign

- Posted notice is given by installation of a sign on the site of the proposal adjacent to the most heavily traveled public street and located so as to be readable by the public.
- The Planning Director may require more than one sign if the site fronts on more than one arterial or contains more than three hundred feet of frontage on any street.

Example of Sign



**NOTICE OF PUBLIC HEARING
PROPOSED CONDITIONAL USE PERMIT
FILE #Z2012-01-CUP**

PUBLIC HEARING ON: 11/11/2012 AT 9:00 A.M.

LOCATED: COUNCIL BRIEFING RM., CITY HALL

Proposed Use: Warehouse in Commercial Zone

Applicant/Agent: John Doe, Phone (509) 999-0001

SEPA: DNS, appeal deadline 11/09/12

FOR INFORMATION: (509) 625-6300

Where to Expect to See a Notice?

- In the mail, if within 400 feet
- Signs on property, facing arterials
- City Hall
- Main Library & branch library near project
- Some projects require newspaper notice

Who Would Get Notice by Mail?

- **Owners** and **taxpayers** of record (using Spokane County assessor's record) and **occupants** of addresses – located within 400 foot radius of the boundary of the property
- Any person who has made a written request to receive notice
- Neighborhood Councils (via elected representatives email or US Mail)

Example of Mailed Notice of Meeting - Application or Public Hearing

NOTICE OF COMMUNITY/TRAFFIC SCOPING MEETING PROPOSED Conditional Use Permit (Type II) & Variance (Type III) - Ferris High School Modernization

Notice is hereby given that [REDACTED], on behalf of [REDACTED], will conduct a community & traffic scoping meeting to discuss a proposal for remodeling the existing high school by applying for a Administrative Conditional Use Permit (Type II). In addition a Variance (Type III) is being requested for additional height. The Variance requires a public hearing before the City Hearing Examiner.

COMMUNITY MEETING INFORMATION: A Community/Traffic Scoping Meeting will be held on Thursday, December 16th 2010 at 5:30 p.m. at Ferris High School Cafeteria facility located at 3020 East 37th Avenue regarding the Conditional Use Permit and Variance. The applicant or their agent will make a presentation of the proposal. Any person may submit questions and comments at this meeting. For additional information, please contact the applicant, or you may contact City staff at:

Planning Services Department
Attn: Dave Compton, City Planner
808 West Spokane Falls Boulevard
Spokane, WA 99201-3329
Phone: [REDACTED]
EMAIL: dcompton@Spokanecity.org

APPLICATION INFORMATION

**Applicant/
Property
Owner:** Spokane Public Schools
200 N. Bernard Ave.
Spokane, WA 99201
(509) 354-5775

Agent: [REDACTED]

File Number: None Assigned Yet

Location Description: The subject property to be used in this proposal is at 3911 S. Regal Street, Spokane, WA.

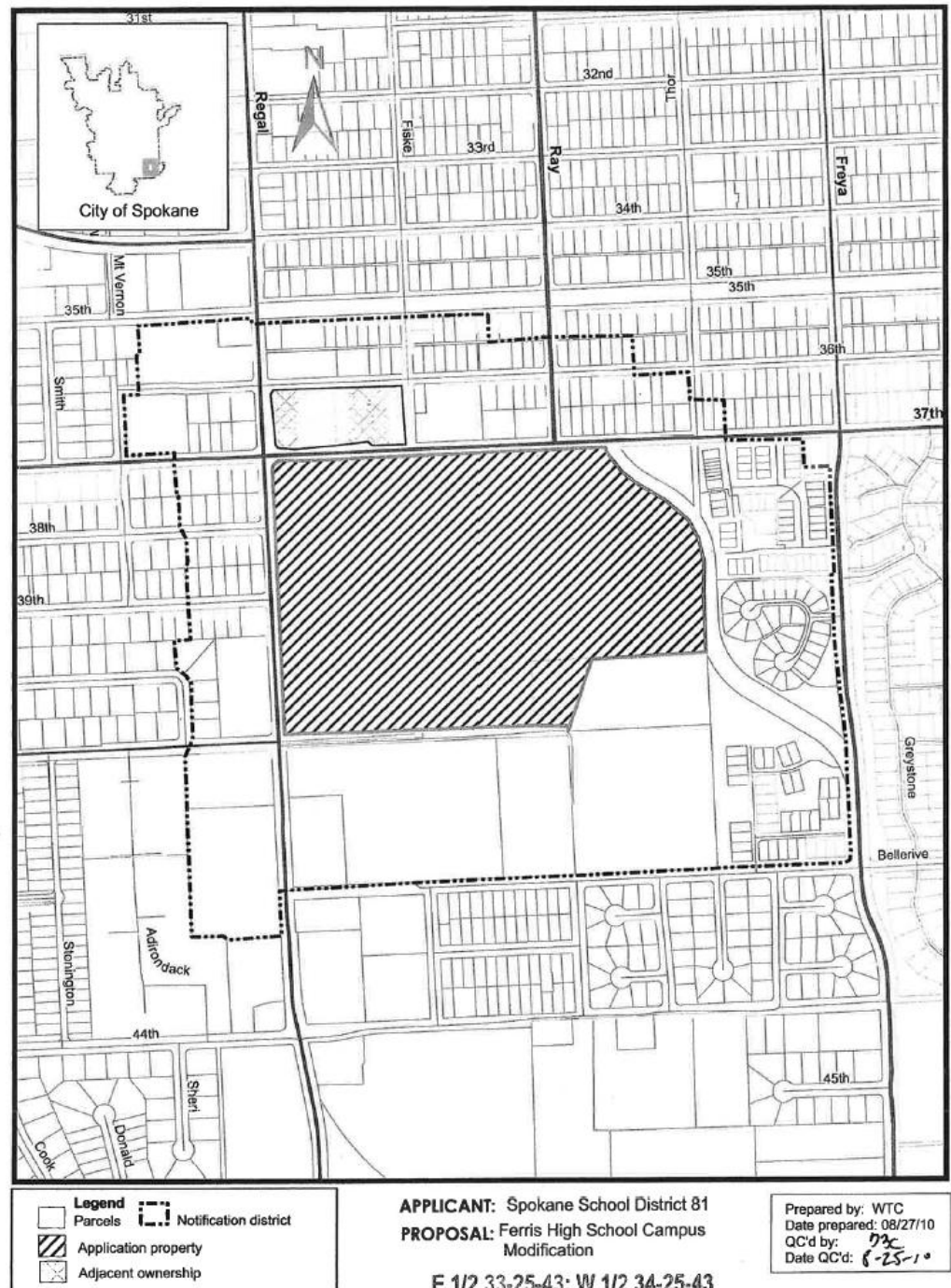
Description of Proposal: The applicant is proposing to remodel and add additions to the existing high school, with the exception of the recently built gymnasium, requiring a Type II Conditional Use Permit. In addition the applicant is seeking a Type III Variance to allow for certain peaks of the roof to match the height of the gymnasium roof, which is 20 feet above the 35 feet height allowed in the Residential Single Family (RSF) zone and certain vertical walls are 3 feet above the height allowance of 30 feet for walls.

SEPA: Spokane Public Schools is the lead Agency for SEPA Environmental review. Spokane Public Schools issued a Determination of Non-Significance for this project on October 4, 2010.

Current Zoning: RSF (Residential Single-Family)

Notification Map:

Shows site and notification area within 400 feet from site



Public Comment Period

- The public comment period for Type I, II, and III applications is fifteen days.
- The public comment period for a shoreline substantial development permit, shoreline conditional use, or shoreline variance shall be thirty days.
- The public comment period for a shoreline substantial development permit for limited utility extensions and bulkheads shall be twenty days (WAC 173-27-120).
- The longest public comment period shall prevail.

What is a Staff Report?

- Prepared by Planning Staff to Hearing Examiner (decision maker)
- Examines proposal in relationship to Decision Criteria as defined in Spokane Municipal Code Section 17G.060.170
- Compiles comments and recommended conditions of approval from city departments and agencies.
- Filed with Hearing Examiners office 10 days prior to public hearing; posted www.spokaneplanning.org
- Public may ask to receive email of staff report prior to public hearing.

Citizen Resources

Who Participates in Land Use Permit Process?

Applicant

- Applicant
- Provides required information & fee to start process

Planning Services

- Project reviewed using Decision Criteria -17E.060
- Maintain major documents on website – full file available at City Hall
- Staff Report to Hearing Examiner or Planning Director

Agencies & City Departments

- Review for compliance with specific department of agency regulations and technical expertise such as traffic, stormwater, cultural resources, critical areas, and more...

Citizens, Neighborhood Groups, Other Interested Groups

- Public comment must be written – email or US Mail – not anonymous
- If Public Hearing is held, comment may be testimony at hearing or written comment to the Hearing Examiner

Decision Maker - Planning Director or Hearing Examiner

- Issues written Decision with conditions of approval
- May be appealed
- Hearing Examiner Decisions appealable to Superior Court

How to Provide Effective Comment

- ❑ Email or US Mail to Planning Services Department
- ❑ State who you are & why you're interested
- ❑ Use objective language
- ❑ Comment on issues relevant to decision being made. The decision maker must review the project in the context of the Decision Criteria (see Spokane Municipal Code)
- ❑ Review the project's technical reports and/or SEPA documents.
- ❑ Identify components of the project you like and think should not be changed.
- ❑ Ask to receive a copy of the Decision

Participation in Land Use Process

- Attend the Community Meeting with applicant
- Provide written comment at the proper time
 - ▣ Assist decision maker with information
 - ▣ Become a “party of record”
- Testify at a public hearing
 - ▣ Assist decision maker with information
 - ▣ Become a “party of record”

Current Planning Applications

Information on current applications:
www.spokaneplanning.org



Planning Application Summary Sheets (PASS)

Listed below are one-page summary sheets for all of the active applications being processed by the Current Planning Section of the Planning Services Department. The types of applications included in the summary sheets are: plats, planned unit developments, conditional use permits, plans-in-lieu of compliance, variances and shoreline conditional use permits. They are grouped according to the application type. The Application Summary Sheets are updated weekly. If you have questions on an application, please contact the planner identified as processing the application.

[Click here for completed applications](#)

If you do not have a PDF Reader you may download one for free using the following link: [Get Acrobat Reader](#). Once you download and install the reader you should be able to view all the PDF files listed on this page.

PLEASE NOTE: While the Planning Department attempts to ensure this list is complete and accurate, the Planning Department and City of Spokane, nor their employees warrant or represent that the information is accurate or complete. The information is provided on the basis and condition that the Planning Department, the City of Spokane and its employees shall not be liable for any loss, cost or damages incurred by anyone should the information be inaccurate or incomplete as a result of negligence or otherwise. A recipient of the information is taken to have agreed to the condition.

Preliminary Long Plats and PUD's

Barnes Road Z0600038-PP/PUD

- [Summary Sheet](#)
- [Request for Comments](#)
- [Site Plan](#)
- [Notification Map](#)

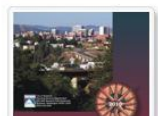
Beacon Hill Z1000033PPUD

- [Summary Sheet](#)

Only search this website

Quick Links

- City of Spokane Website
- Spokane City Map - Great resource!
- Spokane Municipal Code
- Comprehensive Plan - Revised 12/09
- FAQ - Frequently Asked Questions
- Land Use Applications (P.A.S.S.)
- Spokane Municipal Code
- Application Forms and Procedures
- Development Process (PowerPoint)
- Current Planning Staff Contacts



City Map

- Zoning Map and Information:
"Spokane GIS - CityMap"

The screenshot displays the Spokane GIS CityMap interface. At the top, there is a header with the title "City Map" and the text "City of Spokane, Washington". To the right of the header, there are links for "Map Home" and "COSGIS", and a search bar with a "Search" button. Below the header, there are several navigation and tool icons: "Overlays", "Results", "Property Info", "Measure", "Clear", "Street View", and "Print (beta)".

On the left side, there is a "Transparency" slider and a "Map Layers" section. The "Map Layers" section lists several categories with checkboxes: Utilities, Transportation, Property, Boundaries, Environment, Planning, and Topography. A note at the bottom of the layers section states: "*Layers in gray are disabled. They will become available as you zoom".

The main map area shows a street map of Spokane, Washington. The map includes labels for various streets such as "Nine Mile Rd", "Five Mile Rd", "Rowan Av", "Ash St", "Monroe St", "Division St", "Crestline St", "Hillyard", "Freya St", "Thierman Rd", "Trails Rd", "Government Wy", "Northwest Bl", "Post St", "Indiana Av", "Hamilton St", "Upriver Dr", "Mission Av", "Napa St", and "Freya St". It also shows landmarks like "Downriver Golf Course", "Esmerelda Golf Course", "Minnehaha Park", "Pallades Park", "Riverfront Park", and "Felts Field". The map is centered on a grid of streets, and a yellow line highlights a specific path or route. A "Spokane" dropdown menu is visible in the top right corner of the map area.

FOR MORE INFORMATION

Visit the Planning Services Department
on the 3rd floor of City Hall
808 W Spokane Falls Blvd.

Or

Call 625-6300

www.spokaneplanning.org

