

CHAPTER 2 – DEVELOPMENT REQUIREMENTS



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2.1 INTRODUCTION

This chapter sets forth specific requirements for development projects. These requirements are intended to supplement the general requirements of the chapter 22.130 SVMC, and are adopted pursuant to SVMC 22.130.040.

Required improvements and dedications shall be in compliance with all Chapters in these Street Standards.

2.2 APPLICABILITY

Projects reviewed and conditioned by the City fall within three general categories:

- Land divisions (short subdivisions, subdivisions and binding site plans);
- Commercial building permits; and,
- Miscellaneous projects which include access permits, boundary line adjustments, rezones, changes of use, changes of occupancy, temporary use permits, conditional use permits and residential projects with engineering concerns. In some instances, this last category of projects may not need a building permit. They may, however, result in an increase in traffic and other impacts that may require street improvements and other mitigation.

2.3 REQUIRED DEDICATIONS AND IMPROVEMENTS

This section describes the dedications and types of improvements that may be required pursuant to chapter 22.130 SVMC, RCW 35.63.080, RCW 35.63.090, RCW 35A.63.100, chapter 43.21C RCW; chapter 58.17 SVMC, and RCW 82.02.020.

Land divisions and development permits require dedications of public right-of-way, border easements, and construction of improvements. Other project types may also trigger these requirements. Specific requirements shall be determined during project review.

To determine the requirements for a project, the City considers the following:

- a. Existing improvements, both onsite and offsite, such as curb, gutter, swale and sidewalk;
- b. Any anticipated increase in traffic that would lead or contribute to an unacceptable level of service;
- c. Connectivity of existing or future streets to better serve public and emergency vehicle mobility;
- d. Street classification, as shown in the City's Comprehensive Plan;
- e. The City's Six-year Transportation Improvement Program and any anticipated improvements in the project vicinity;

- f. Public safety as affected by the project (i.e. pedestrian and vehicle safety, traffic flow, etc.);
- g. Bike routes, pursuant to the City's Comprehensive Plan; and,
- h. Environmental impacts as identified through applicable SEPA reviews related to street, sidewalk, drainage improvements, or traffic impacts.

2.3.1 TYPICAL REQUIREMENTS

Typical requirements for all projects, except for single-family dwellings, may include the following:

- a. Design and construction of all new streets to provide adequate transportation service within a development;
- b. Design and construction of fronting improvements on existing streets necessary to provide adequate transportation service to, or within, a development, as applicable (see Sections 2.3.2 and 2.3.3);
- c. Adequate access for all parcels. Offsite streets used to access the project shall be improved to the applicable standard. Improvement shall extend from the nearest public street meeting the pavement width requirements, up to the project boundaries. Curb, gutter, and sidewalk may not be required for the offsite improvements unless they are made necessary by the proposed development. However, provisions for stormwater management pursuant to the *Spokane Regional Stormwater Manual* shall be required;
- d. Dedications of right-of-way and border easements for full build-out of the project's side of all adjacent and interior public streets (Chapter 7);
- e. Emergency access to all parcels of land, pursuant to City standards and the latest *International Fire Code*;
- f. Driveway approaches pursuant to Chapter 7;
- g. Relocation of rigid objects out of the clear zone more specifically set forth in Chapter 7;
- h. Repair and replacement of damaged curb, gutter, swales/planters, sidewalk, survey monuments, etc. (Chapter 7);
- i. Removal of abandoned or substandard approaches and replacement with frontage improvements (Chapter 7); and
- j. Mitigations as determined by a traffic impact analysis, more specifically described in Chapter 3. Mitigations may include construction of or contributions to traffic calming devices, traffic signals, street lights, signing and/or pavement markings, etc.

2.3.2 SPECIFIC REQUIREMENTS FOR SHORT SUBDIVISIONS, LONG SUBDIVISIONS AND BINDING SITE PLANS

- a. Short subdivisions, long subdivisions, and binding site plans shall provide fronting improvements along all public streets adjacent to the project where

access from the project is provided to the street. The extent of required improvements shall be based on existing conditions, the identified impact of the project or transportation improvement, and the applicable standard. Required improvements typically include pavement widening, curb, gutter, grassy swale and sidewalk.

- b. All land division projects shall fully improve new internal streets.
- c. If the existing fronting street is unimproved or will have less than 28 feet of pavement with fronting improvements, the Applicant shall provide half-street improvements as defined in Section 1.13. No Parking-Fire Lane signs shall be installed per the latest adopted International Fire Code. Curb, gutter, and sidewalk are only required on the side of the street adjacent to the project's parcel(s). Provisions for stormwater management are required for the sides of the street being improved (Chapter 7).

2.3.3 SPECIFIC REQUIREMENTS FOR COMMERCIAL BUILDING PERMITS

- a. Fronting improvements for building permits are determined based on the type of project, square footage of the project, and peak hour vehicle trips. These projects shall provide improvements for the street fronting their projects pursuant to Table 2.1.
- b. In the event that the street used to access the project is unimproved or has less than 28 feet of pavement, the Applicant shall provide fronting improvements and/or half-street improvements to meet the applicable standards regardless of the proposal type or size. In these instances, curb, gutter, and sidewalk requirements, for the side of the street adjacent to the project, shall be pursuant to Table 2.1. Provisions for stormwater management are required for the sides of the street being improved.

TABLE 2.1 REQUIRED STREET IMPROVEMENTS FOR COMMERCIAL BUILDING PERMITS

PROJECT PROPOSAL				
COMMERCIAL BUILDING PERMITS FOR PARCELS WITH EXISTING OR NEW BUILDING				
Gross Area of Building (for proposed additions or new structures) in sq. ft.; <u>or</u> ,	Up to 999	1,000 to 5,999	6,000 to 11,999	12,000+
Number of New Peak Hour Trips Generated by Project	Up to 4	5 to 9	10 to 15	16+
COMMERCIAL BUILDING PERMIT FOR PARKING LOT ONLY (NO NEW OR EXISTING BUILDING)				
	Up to 9 spaces	10 to 19 spaces	20 to 40 spaces	41+ spaces
	REQUIRED IMPROVEMENTS			
Widen Pavement		✓ ⁽¹⁾	✓	✓
Curb & Gutter		(2)	✓	✓
Grass Strip or Swale		✓	✓	✓
Sidewalk		(2)	(2)	✓
Right-of-way and Border Easements	✓ ⁽³⁾	✓	✓	✓

1. The final pavement width on the project’s side of the street is the half-street width, plus six inches to allow for future curb installation. If the amount of pavement width needing to be added is less than two feet, then widening can be omitted unless the full width is less than 28 feet. Grassed ditches or swales are required along pavement edges required to be improved for stormwater treatment, regardless of amount of widening.
2. If a project is located in an area already improved to the requirements above, the project may be required to provide curb and gutter and/or sidewalk.
3. Not required if project is determined to have insignificant impact.
 - d. When using Table 2.1 for commercial building permits with existing or new buildings, the Applicant shall identify the size of building and number of peak hour vehicular trips. The one triggering the most improvement requirements shall be used. For example, an Applicant is proposing an addition to an existing building; the proposed addition is 3,000 square feet. The proposal also generates 10 peak hour vehicular trips. This project shall be required to provide frontage improvements which include pavement widening, curb and gutter installation, grass strip/swale construction, and right-of-way and border easement dedication. If the required improvements currently exist, then the project shall be required to provide sidewalk.

2.3.4 SPECIFIC REQUIREMENTS FOR MISCELLANEOUS PROJECTS

Miscellaneous projects include access permits, boundary line adjustments, rezones, changes of use, changes of occupancy, temporary use permits and conditional use permits. In some instances, this last category of projects may not need a building permit. They may, however, result in an increase in traffic and other impacts that may require street improvements and/or other mitigation.

Required improvements for change of use and conditional use permits are determined based on traffic impacts pursuant to chapter 22.20 SVMC. Required improvements for boundary line adjustments, rezones, changes of occupancy, and temporary use permits are determined on a case-by-case basis during project review pursuant to Section 2.3.

2.3.5 OTHER REQUIREMENTS

Additional improvements may be required on a case-by-case basis, depending on site-specific conditions. These requirements may include, but are not limited to, the following:

- Improvements previously required by the Spokane Valley City Council by ordinance, past land use action, or resolution, to be provided in the vicinity of the project;
- New streets (and accompanying dedications) as required by the *Street Master Plan*, and according to the City's Comprehensive Plan;
- Participation in the City's Transportation Improvement Program;
- Other public improvements when physical characteristics of the property (including but not limited to topography, slope, soil type, drainage pattern or vegetation) create potential hazards; and,
- Other public improvements necessitated by the public's health, safety, or welfare.

2.4 MODIFICATIONS TO REQUIREMENTS

2.4.1 DEFERRING CONSTRUCTION

Generally, all improvements shall be constructed prior to issuing a certificate of occupancy or final platting. In certain circumstances, installation of some or all of the frontage improvements may not be appropriate at the time development occurs. These may include instances where:

- a. Required improvements are part of a larger project scheduled for construction in the City's Transportation Improvement Program; or,
- b. Sanitary sewer is not available but is scheduled to come through in less than three years.

In these situations, the installation of such improvements may be deferred to a later date or waived. A development agreement may be required and a surety, as deemed sufficient by the City pursuant to Section 9.14.

2.4.2 LIMITING SITE CONDITIONS

Generally, all projects shall build public or private streets and related improvements to the applicable standard. However, the City may approve minor alterations to the requirements when full construction of the improvements is not possible. The Applicant shall demonstrate that full improvement construction is not possible and propose alternative(s). All such proposals shall be approved before the submittal of the preliminary plat application.

2.5 APPLICANT’S RESPONSIBILITIES

The Applicant is the party or parties desiring to construct a public or private improvement within City right-of-way, easements or private property, securing all required approvals and permits from the City, and assuming full and complete responsibility for the project. The Applicant may be the Owner or the individual designated by the Owner to act on his behalf. The Applicant is responsible for the following:

- a. General project management;
- b. Communicating requirements and project status with the Owner, if Applicant and Owner are not the same;
- c. Coordinating project consultants;
- d. Providing complete submittals;
- e. Ensuring all required applications have been submitted to the City;
- f. Ensuring adherence to:
 - i. The standards and criteria presented in these Standards, as amended;
 - ii. Hearing Examiner’s decision and staff report with administrative decisions, if applicable; and,
 - iii. Any conditions established by City staff.