



Spokane Plan Commission Agenda

Wednesday, December 09, 2020

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 11/11/2020 meeting minutes2. City Council Report3. Community Assembly Liaison Report4. President Report5. Transportation Sub-Committee Report6. Secretary Report	All CM Candace Mumm Mary Winkes Todd Beyreuther John Dietzman Louis Meuler
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Workshops:

2:30 – 2:45	1. Commission Business – PCTS Chair Appointment	Plan Commission
2:45 – 3:15	2. Remanded Z19-502COMP - 29th & Ray - Comprehensive Plan Amendment	Kevin Freibott Lance Dahl
3:15 – 4:00	3. International Fire Code Update and Amendments	
	4. Workplan Discussion - time permitting	Plan Commission

Hearing:

4:00 - 4:20	1. Remanded Z19-502COMP - 29th & Ray - Comprehensive Plan Amendment	Kevin Freibott
4:20 - 4:40	2. Receivership Code Text Amendment SMC 17	Jason Ruffing

Adjournment: The next Plan Commission meeting will be held on Wednesday, January 13, 2021

Plan Commission Meeting Information

Wednesday, December 09, 2020

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:
	Tap to join from a mobile device (attendees only):
	+1-408-418-9388 , 1462592436 ## United States Toll
	Join by phone: +1-408-418-9388 United States Toll
	Global call-in numbers:
Meeting Number (access code): 146 259 2436	https://spokanecity.webex.com/spokanecity/globalcallin.php?MTID=m514c2d4fc1d4af7864559443420dee7b
	Join from a video system or application: Dial 1462592436 @ 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 1462592436 . 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 October 14, 2020. 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. If you called-in to the meeting, you must hit*3 on your phone to ask to be unmuted. The system will alert you when you have been unmuted and you can begin giving your testimony. When you are done, you will need to hit *3 again.

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.

Spokane Plan Commission - Draft Minutes

November 11, 2020

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, John Dietzman, Thomas Sanderson, Carole Shook, Sylvia St. Clair, Diana Painter, Jo Anne Wright, Candace Mumm (City Council Liaison), Mary Winkes (Community Assembly Liaison), Clifford Winger
- *Quorum Present: Yes*
- Staff Members Present: Tirrell Black, Louis Meuler, Tami Palmquist, Melissa Wittstruck, Chris Green, Jason Ruffing, Maren Murphy, James Richman, Stephanie Bishop

Public Comment:

None in Briefing Session.

Briefing Session:

Minutes from the October 28, 2020 meeting approved unanimously.

1. City Council Liaison Report - Candace Mumm

- Housing forum will be held November 24th from 6-8 pm with Council Members and various industry leaders. One of the topics of discussing is the opportunity the legislature affords for Council to implement House Bill 1590. It allows the City to have a 0.1% sales tax to put toward affordable housing. That would generate around \$5.8 million per year in the City of Spokane. Council will be discussing the process and what it would look like for Spokane.
- Councilmember Mumm congratulated the Commissioners/Planners on the work they've done on the Comprehensive Plan Amendments, stating she will be supporting all of them when they come before Council.
- The City Council has been receiving water requests they are processing as the Water Board from citizens who'd like a hookup to City water. Some applicants are outside the City limits. Councilmember Mumm requested Louis Meuler obtain information from Eldon Brown to bring before the Plan Commission, since the requests don't come before the Commission.
- City Council was successful in securing more funding for Planners. There have been no budget changes to the PC budget. The only attrition we're facing is for recycling. Recycling will be changing to every other week service, so there will be a reduction in staff.

2. Community Assembly Liaison Report - Mary Winkes

- Mary Winkes reported to Community Assembly, and they had no comments for PC.

3. Commission President Report - Todd Beyreuther

- None

4. Transportation Subcommittee Report - John Dietzman

- There are no projects for the December meeting, so the next PCTS meeting will be January 5th where they will discuss elections for Vice-Chair.
- John has been working on getting the CTAB up and running again, because now that the TBD has been restored, we need to urgently get out a plan for residential maintenance for 2021 & 2022-2026. A meeting to discuss the plan will be held Nov 18th.
- The TBD Board is going to meet prior to November 18th to appoint some new members (Tom Sanderson is one), re-appoint an existing member, and some other clean-up stuff.
- Shauna Harshman will be the new TBD administrator, and she's working with Clint Harris (Street Director) to get things going.

5. Secretary Report - Louis Meuler

- Todd Beyreuther discussed having an online housing forum with Historic Preservation. With the Thanksgiving holiday coming up, we're looking at holding that forum at the Dec 9th PC Meeting.
- Louis advised they are currently working on filling the vacant Assistant Planner II position and hope to have someone in place in the next month.

Workshop(s):

1. Housing Action Plan Update

- Presentation provided by Maren Murphy
- Questions asked and answered
- Discussion ensued

2. Receivership Code Text Amendment SMC 17F

- Presentation provided by Jason Ruffing
- Questions asked and answered
- Discussion ensued

3. North Bank Subarea Plan

- Presentation provided by Chris Green
- Questions asked and answered
- Discussion ensued

4. Code Maintenance, SMC Various Sections

- Presentation provided by Melissa Wittstruck
- Questions asked and answered
- Discussion ensued

Workshop portion of meeting adjourned at 3:43 PM by Todd Beyreuther.

Public Hearing called to order at 4:00 PM

Hearing:

1. Renaming Fort George Wright Drive

- Presentation provided by Tami Palmquist, Carol Evans, and Margo Hill, CM Karen Stratton, CM Betsy Wilkerson
- Questions asked and answered
- Discussion ensued
- Public Testimony:
 - Thomas Cooney, speaking for the Westerners Spokane Corral - Mr. Cooney gave a summary of his email comments, listing reasons why he believes the name of Ft. George Wright should not be changed.
 - Jacob Johns, Native American and citizen of Spokane - Mr. Johns shared his belief that leaving the name as Ft. George Wright Drive is an homage to genocide and white supremacy and that changing the name to Whistalks Way will help to right the wrongs of history in this area.
 - Karen Dorn Steele, Member of the Universal Church of Spokane - Ms. Dorn Steele shared the church's support of the street name change to Whistalks Way.
 - Jeff Ferguson, Member of the Spokane Tribe - Mr. Ferguson expressed support for the street name change to Whistalks Way from the Spokane Tribe and other tribes in the area.
 - Margo Hill - Ms. Hill advised the Commission that they have received overwhelming support for the street name change. These include former Colville Tribal Historian and Former Tribal Counsel, Michael Finley; Yakima Tribal Elder, Patsy Whitefoot;

Pastor Joe Whittier of Life Center Church located on Ft. George Wright Drive. They've also reached out to non-tribal folks who also support the change.

- Toni Lodge, Native Project - Ms. Lodge read a paragraph from a letter she sent to Plan Commissioners, recommending the protocol be followed wherein the six local tribes would sign an agreement in a traditional way, that there is ceremony in celebration of everyone having signed, and that it will be an historical document that can be looked back on as the way decisions were made during our time here.
- Angel Tomeo Sam, Descendant of the Colville Tribe - Ms. Tomeo Sam wanted to express gratitude and support of the community and local tribes for supporting the street name change to Whistalks Way. She also pointed out there are 16,000 residents of Spokane who are registered tribal members and there are 325 different tribes that have been counted here. She also expressed a desire to have a process for this type of change, including these residents, put into place.
- CM Stratton advised she and CM Wilkerson would be honored to work with the local tribes in holding some type of celebration for the approval of the street name change.
- CM Wilkerson concurred with CM Stratton and added that they had followed the City's current policy and that it was never the intent of anyone involved in the process to leave anyone out. She also agreed with Ms. Lodge's statements about the importance of having a record of such changes to be kept as historical record.
- Mary Lou Johnson - Ms. Johnson wanted to thank the City and Council for working to make this positive change.

Todd Beyreuther closed public testimony at 4:40 PM

Greg Francis moved to recommend to City Council to rename Fort George Wright Drive to Whistalks Way. Sylvia St. Clair seconded. Motion Carried. (10/0)

Discussion ensued.

Greg Francis moved to amend the original motion to recommend to City Council to include historical signage on the former name, the new name, and why the name was changed. Sylvia St. Clair seconded. Verbal vote unanimous for the amendment.

Final vote on amended motion: Motion Carried. (10/0)

Meeting Adjourned at 4:59 PM

Next Plan Commission Meeting scheduled for Wednesday, December 9, 2020

Note: Minutes are summarized by staff. A full recording of the meeting can be found on the City of Spokane's Vimeo page.



Briefing Paper: Plan Commission

Date: December 3, 2020

To: Spokane Plan Commission

 **From:** Kevin Freibott, Assistant Planner II

Re: Remand of Z19-502COMP, Comprehensive Plan Amendment

At its hearing on the annual comprehensive plan amendment proposals, the City Council remanded application Z19-502COMP to the Plan Commission for further consideration. Specifically, the City Council requested input from the Plan Commission and neighborhood council whether to modify the proposal to change the Land Use Plan Map Designation to Residential 15-30 on the parcels east of Ray Street, instead of the Office designation requested by the applicant. Time is of the essence, and the City Council is planning to reconsider this item during their December 14, 2020 legislative session. The following briefing paper provides background information and basic comparative analysis of the two possible land use plan map designations and the resultant development standards applied in both.

Background

During their public hearing on November 23, 2020, the City Council considered all nine of this year's proposals to amend the Comprehensive Plan. At the conclusion of the hearing the City Council came to a final decision for all but one of those proposals. File Z19-502COMP, the proposal for 29th and Ray in the Lincoln Heights neighborhood, was remanded by Council back to the Plan Commission for further consideration. This briefing paper outlines the background and ramifications of that remand and describes potential action the Plan Commission may choose to take at your next meeting on December 9, 2020.

Spokane Municipal Code (SMC) section 17G.020.060.B.11 outlines the potential actions City Council may take when considering a proposed comprehensive plan amendment. This section includes the option to "remand the proposal back to the Plan Commission for further consideration." In this case, City Council voted 7 to 0 to remand ordinance C35974 (file Z19-502COMP) back to the Plan Commission to consider a possible amendment to the proposal. Pursuant to SMC requirements, City Council included a request that Plan Commission endeavor to consider and report back on this remand in time for the City Council meeting on December 14, 2020. As a result, staff has prepared both a workshop and hearing for your consideration during your regular meeting on December 9.

The application in question concerns four properties in the Lincoln Heights neighborhood, clustered around the intersection of 29th and Ray Streets. Two of those properties, those immediately northeast of the intersection, have been proposed by the applicant to be modified from a land use plan map designation of Residential 4-10 to Office and a rezone from Residential Single Family (RSF) to Office. Per their direction on November 23, City Council has asked staff to "request the neighborhood council provide

input and then remand back to Plan Commission for December 9” a modification for those two properties to a land use plan map designation of Residential 15-30 and a zoning of Residential Multi-Family (RMF) instead¹. The possible modified land use plan map designation and zoning under consideration are shown in the maps attached to the end of this briefing paper.

Previous Plan Commission Findings

During your September 23, 2020 public hearing, Plan Commission voted for a split recommendation. The Plan Commission recommended that the City Council approve the proposal for the two parcels west of Ray Street and deny the proposal for the two parcels east of Ray Street. The recommendation for denial, based upon discussion during the deliberation stage of the proposal, was inconsistency with policy LU 1.5, Office Uses, and concerns about intrusion of office uses into an established single-family neighborhood. See the Findings, Conclusions, and Recommendation² document for more details.

Comprehensive Plan Policy

As described in the Staff Report for this proposal, SMC 17G.020.030 provides a list of considerations that are to be used, as appropriate, by the applicant in developing an amendment proposal, by planning staff in analyzing a proposal, and by the Plan Commission and by the City Council in making a decision on the proposal. When considering a different land use plan map designation and zoning for a proposal, two of these considerations are most affected.

Conformance with Location Criteria

The SMC considerations ask if a given proposal is in conformance with the appropriate location criteria in the Comprehensive Plan (SMC 17G.020.030.K.2.a). The location criteria for office uses is provided by LU 1.5, Office Uses. Conversely, the location criteria for Residential 15-30 is provided by LU 1.4, Higher Density Residential Uses. These two policies are provided below:

LU 1.4 HIGHER DENSITY RESIDENTIAL USES

Direct new higher density residential uses to Centers and Corridors designated on the Land Use Plan Map.

Discussion: Higher density housing of various types is the critical component of a center. Without substantially increasing population in a center’s immediate vicinity, there is insufficient market demand for goods and services at a level to sustain neighborhood-scale businesses. Higher density residential uses in Centers range from multi-story condominiums and apartments in the middle to small-lot homes at the edge. Other possible housing types include townhouses, garden apartments, and housing over retail space.

To ensure that the market for higher density residential use is directed to Centers, future higher density housing generally is limited in other areas. The infill of Residential 15+ and Residential 15-30 residential designations located outside Centers are confined to the boundaries of existing

¹ See page 2 of the Council Action Memo dated November 23, 2020.

² <https://static.spokanecity.org/documents/projects/2019-2020-proposed-comprehensive-plan-amendments/findings-and-conclusions-z19-502comp.pdf>

multi-family residential designations where the existing use of land is predominantly higher density residential.

LU 1.5 OFFICE USES

Direct new office uses to Centers and Corridors designated on the Land Use Plan Map.

Discussion: Office use of various types is an important component of a Center. Offices provide necessary services and employment opportunities for residents of a Center and the surrounding neighborhood. Office use in Centers may be in multi-story structures in the core area of the Center and transition to low-rise structures at the edge.

To ensure that the market for office use is directed to Centers, future office use is generally limited in other areas. The Office designations located outside Centers are generally confined to the boundaries of existing Office designations. Office use within these boundaries is allowed outside of a Center.

The Office designation is also located where it continues an existing office development trend and serves as a transitional land use between higher intensity commercial uses on one side of a principal arterial street and a lower density residential area on the opposite side of the street. Arterial frontages that are predominantly developed with single-family residences should not be disrupted with office use. For example, office use is encouraged in areas designated Office along the south side of Francis Avenue between Cannon Street and Market Street to a depth of not more than approximately 140 feet from Francis Avenue.

Drive-through facilities associated with offices such as drive-through banks should be allowed only along a principal arterial street subject to size limitations and design guidelines. Ingress and egress for office use should be from the arterial street. Uses such as freestanding sit-down restaurants or retail are appropriate only in the Office designation located in higher intensity office areas around downtown Spokane.

Residential uses are permitted in the form of single-family homes on individual lots, upper-floor apartments above offices, or other higher density residential uses.

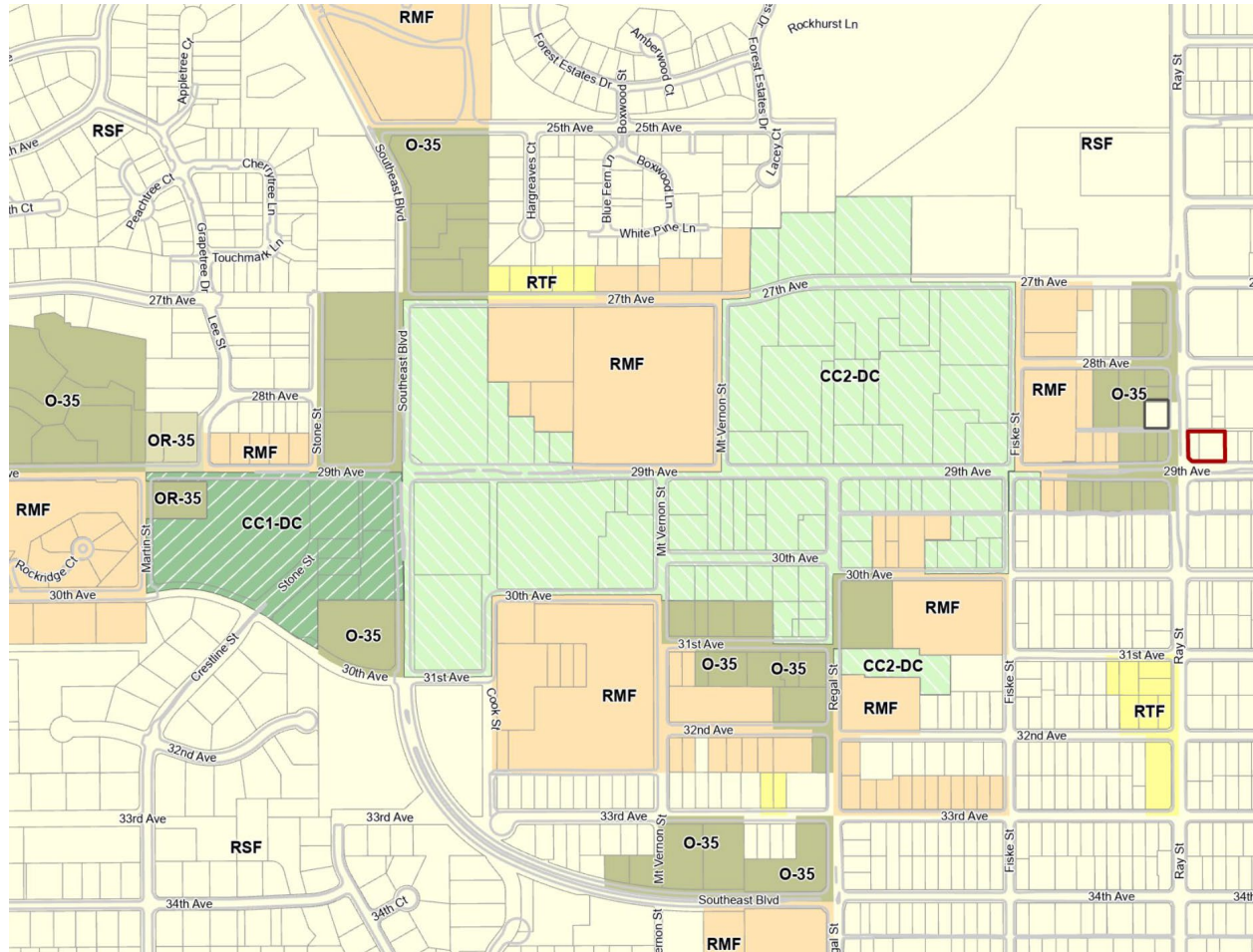
Both policies state the intent to direct these types of uses to Centers and Corridors. As described in the Staff Report, the nearest Center-type zoning to these properties is the Lincoln Heights Center, approximately 660 feet to the west. Whether these properties are considered within the immediate vicinity of that center is not clear. Plan Commissioners may wish to review policies under Goal 3, Centers and Corridors, in Chapter 3 of the Comprehensive Plan for more information.

For additional consideration, the mix of zoning around the Lincoln Heights center is shown in the following figure. Center zoning is shown in green with hashed marks. As a general rule-of-thumb analysis, the map shows properties within the same distance of the center as the subject parcels (660 feet). Within 660 feet³ of any CC1 or CC2 zones in this center there are 72 parcels zoned RMF (Residential Multi-Family)

³ Note that 660 feet is not a standard distance. It is applied here only as a general comparison to the proposed property.

totaling 44.5 acres. A further 12 parcels are zoned RTF (Residential Two-Family) within that distance of the center zoning, totaling a further 2.23 acres.

The following figure shows the zoning around the Lincoln Heights center, with the subject parcels shown in red (see the right of the figure).



Implementation of the Comprehensive Plan

The decision consideration in SMC 17G.020.030.K.2 asks if “The map amendment implements applicable comprehensive plan policies and subarea plans better than the current map designation.” Evaluation of consistency with this criterion is subjective and requires Plan Commissioners to consider the overall vision and policies of the Comprehensive Plan when considering whether the proposed modification would comply with this criterion. Because the proposal’s relationship to the previous criterion is unclear, staff feels the proposed modification per this criterion is likewise unclear.

Zoning District Descriptions

Similar to the policies in the Comprehensive Plan, the SMC provides descriptions of the various zones allowed in those Land Use Plan Map designations. The description for each of the three possible zones under consideration in the proposal are as follows:

Residential Multi-Family (RMF): The RMF is a medium-density residential zone. Allowed housing is characterized by one to four story structures and a higher percentage of building coverage than in the RTF zone. The major types of development will include attached and detached single-family residential, condominiums, apartments, duplexes, townhouses and row houses. The minimum and maximum densities are fifteen and thirty units per acre. (SMC 17C.110.030.E)

Office (O): The office zoning category is located in areas designated office on the land use plan map of the comprehensive plan. The office (O) zone is used on small sites in or near residential areas or between residential and commercial areas. It is intended to be a low intensity office zone that allows for small-scale offices in or adjacent to residential neighborhoods. The allowed uses are intended to serve nearby neighborhoods and/or have few detrimental impacts on the neighborhood. Development is intended to be of a scale and character similar to nearby residential development to promote compatibility with the surrounding area. (SMC 17C.120.030.A)

Office Retail (OR): The office retail zoning category is located in areas designated office on the land use plan map of the comprehensive plan that are within the higher intensity office areas around downtown Spokane in the North Bank and Medical Districts shown in the Downtown Plan. The office retail zone is also applied to sites outside of the areas designated for higher intensity office use that are already developed with higher intensity retail and services uses. It is intended to be a higher intensity office zone that allows for larger scale offices and supporting retail and service uses. The size of retail uses is limited to reduce detrimental impacts on nearby residential uses and to assure that the commercial uses are supporting rather than primary uses. (SMC 17C.120.030.B)

Development Standards

Development within Office zones is guided by SMC 17C.120, et seq. Development within RMF zones is likewise guided by SMC 17C.110, et seq. The development standards are lengthy and detailed, but some of the most significant factors in each code have been compared in the following table. Please note that a Land Use Plan Map designation of “Office” as originally proposed, would allow rezoning to either Office or Office Retail. For that reason, both are included in the following table.

Standard	RMF (SMC 17C.110)	Office (SMC 17C.120)	Office Retail (SMC 17C.120)
Max Height	35-foot walls plus pitched roof.	35 feet (transition required)	35 ft. (transition required)
Floor Area Ratio	50% coverage of lot area	0.8	6
Setbacks	25 feet (front) 5 feet (side) 10 feet (rear)	12 feet (front) 10 feet from Residential	12 feet (front) 10 feet from Residential
Landscaping Required	Yes	Yes	Yes
Parking Required	Yes	Yes	Yes

Allowed Uses

The SMC provides a table for each possible zoning designation, listing which uses are permitted outright (“P”), subject to Conditional Use Permits (“CU”), subject to limitations on that use (“L”), and those not permitted (“N”). The following table is a synthesis of these use tables from SMC 17C.110.100 and 17C.120.100. Please see those sections of the SMC for more details.

Use is: P: Permitted N: Not Permitted L: Allowed, but Special Limitations CU: Conditional Use Review Required	<u>O (Office)</u>	<u>OR (Office Retail)</u>	<u>RMF (Residential Multi-Family)</u>
Residential Categories			
Group Living	L/CU	L/CU	L/CU
Residential Household Living	P	P	P
Commercial Categories			
Adult Business	N	N	N
Commercial Outdoor Recreation	N	N	CU
Commercial Parking	CU[3]	CU[3]	N
Drive-Through Facility	L[4]	L[4]	N
Major Event Entertainment	N	N	CU
Office	P	P	CU[2]
Quick Vehicle Servicing	N	N	N
Retail Sales and Service	N	L/CU[6]	N
Mini-Storage Facilities	N	N	N
Vehicle Repair	N	N	N
Mobile Food Vending	L[13]	L[13]	--
Industrial Categories			
High Impact Uses	N	N	N
Industrial Service	N	N	N
Manufacturing and Production	N	N	N
Railroad Yards	N	N	N
Warehouse and Freight Movement	N	N	N
Waste-Related	N	N	N
Wholesale Sales	N	N	N
Institutional Categories			
Basic Utilities	P	P	L
Colleges	P	P	P
Community Service	P	P	P
Daycare	P	P	P
Medical Centers	P	P	CU
Parks and Open Areas	P	P	P
Religious Institutions	P	P	P
Schools	P	P	P
Other Categories			
Agriculture	N	N	N
Aviation and Surface Passenger Terminals	CU	CU	N

Use is: P: Permitted N: Not Permitted L: Allowed, but Special Limitations CU: Conditional Use Review Required			<u>RMF</u> <u>(Residential</u> <u>Multi-</u> <u>Family)</u>
	<u>O (Office)</u>	<u>OR (Office</u> <u>Retail)</u>	
Detention Facilities	N	N	CU
Essential Public Facilities	CU	CU	CU
Mining	N	N	N
Rail Lines and Utility Corridors	CU	CU	CU

Notes:

The following notes apply to numbered items in the table above (using numbers from the original code sections in SMC):

2. Offices in the RMF and RHD zones and are subject to the provisions of chapter 17C.320 SMC, Conditional Uses and are processed as a Type III application.
3. In the O and OR zones, a commercial parking use provided within a building or parking structure is a conditional use.
4. In the O and OR zones, a drive-through facility is permitted only when associated with a drive-through bank. In addition, in the OR zone, for a florist use approved by a special permit, sales of non-alcoholic beverages, and sale of food items not prepared on site, including drive-through sales of such items are allowed as an accessory use at locations situated on principal arterials or a designated state route. Drive-through facilities are subject to the additional standards of SMC 17C.120.290 and SMC 17C.325.
6. Retail sales and services are limited in size in order to reduce their potential impacts on residential uses and to promote a relatively local market area. Retail sales and services uses are limited to the following:
 - a) When retail sales and services uses are located within an office building, the retail sales and services may be larger than three thousand square feet, but may not exceed ten percent of the total floor area of the building exclusive of parking areas located within the structure.
 - b) Uses not within an office building which are listed as sales-oriented under SMC 17C.190.270(C), retail sales and service, are limited to three thousand square feet of total floor area per site exclusive of parking areas located within a structure.
 - c) Uses other than a hotel, motel, private club or lodge which are listed as personal service-oriented, entertainment-oriented or repair-oriented under SMC 17C.190.270(C), retail sales and service, that are larger than three thousand square feet are a conditional use. A hotel, motel, private club or lodge may be larger than three thousand square feet.
13. All mobile food vendors shall have a valid mobile food vending license issued pursuant to SMC 10.51.010 Mobile Food Vendors.

Office Uses in Multi-Family Residential Zones

As shown in the table above, offices can be developed in Multi-Family Residential zones given that certain requirements are met. Those requirements are described in SMC 17C.320.080.J, decision criteria for Conditional Use Permits for office uses in residential zones. Per that SMC section, the following conditions apply to office uses in RMF zones:

- The property must have frontage on a principal arterial.
- The subject property is adjacent to or immediately across the street from an existing commercial zone.
- Uses permitted in the Office land use category may not be developed to a depth greater than two hundred fifty feet.
- Ingress and/or egress onto a local access street are not permitted unless the City traffic engineer determines that there is no alternative due to traffic volumes, site visibility and traffic safety.
- All structures shall have size, scale, and bulk similar to residential uses as provided in SMC 17C.110.500, Institutional Design Standards.
- The development standards of the underlying zone shall apply to the use.
- Drive-thru facilities are prohibited, except as allowed by the hearing examiner.

As the remand parcels are fronted by two principal arterials and as commercial zones exist across the street to the west and southwest of the parcels, a future permit for office use in this location is likely possible if rezoned to RMF.

Conclusion

At your December 9, 2020 Plan Commission meeting, staff will present a summary of the above details and answer questions from the commissioners. Following the workshop, the Plan Commission is scheduled to hold a public hearing on the possible modification. At the conclusion of that hearing, Plan Commission may, at its discretion, provide a response to City Council for consideration at their December 14, 2020 meeting. This represents the final City Council meeting of the year and delay beyond that may necessitate that this proposal be held for consideration until next year's cycle.

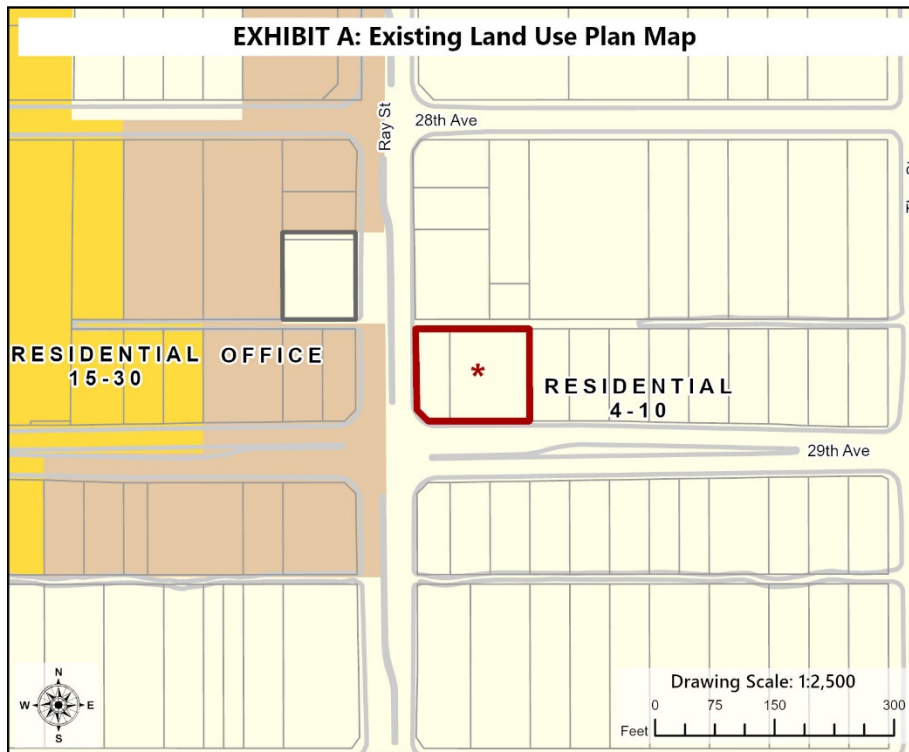


Z19-502COMP: Remanded Consideration for PC

29th and Ray - Alternative Land Use Proposal Shown

2019/2020 Comprehensive Plan Amendment Proposals

Drawn: 12/1/2020
THIS IS NOT A LEGAL DOCUMENT
The information shown on this map is compiled from various sources and is subject to constant revision. Information shown on this map should not be used to determine the location of facilities in relationship to property lines, section lines, streets, etc.



Legend

SiteAddress

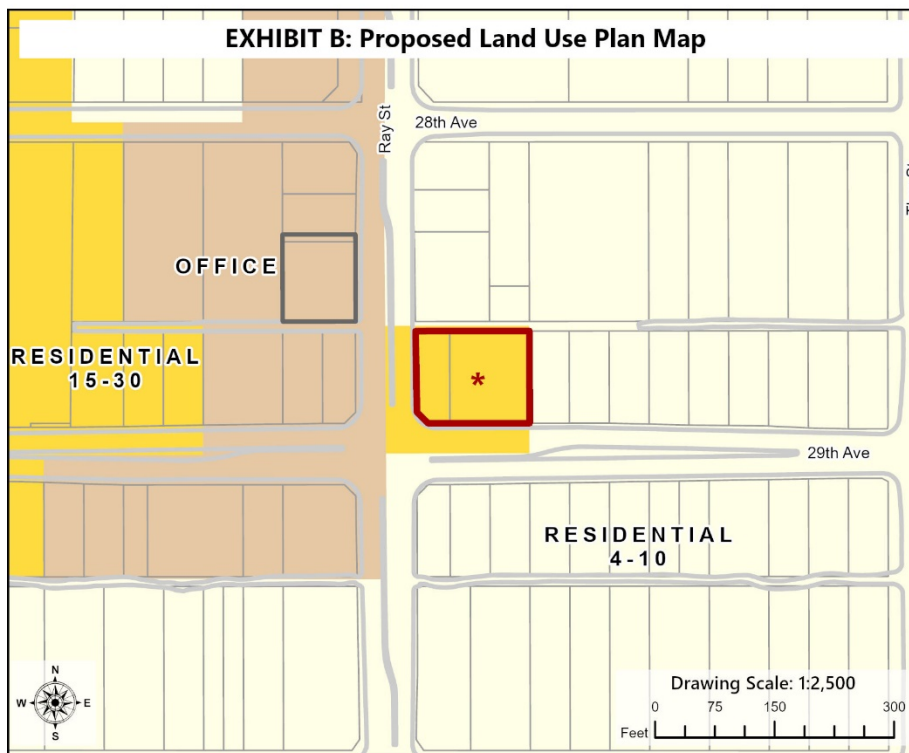
- Not a Part of Remand
- Remand Parcels
- Parcel
- Curb Line

Land Use Plan Designation

- Residential 4-10
- Residential 15-30
- Office

* City Council has remanded this portion of the proposal back to Plan Commission to consider a land use plan map designation of Residential 15-30, instead of Office as originally proposed.

Acres (Proposal): 0.61



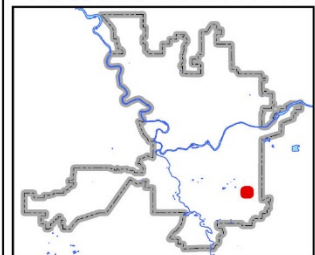
Legend

- Not a Part of Remand
- Remand Parcels
- Parcel
- Curb Line

Land Use Plan Desig. (Option)

- Residential 4-10
- Residential 15-30
- Office

PROJECT LOCATION



Neighborhood and Planning Services
Drawn By: Kevin Freibott

Path: C:\Users\kfreibott\Desktop\Transfer Files\2020 Comp Plan Amendments\2020 Comp Plan Amendments II.aprx



Z19-503COMP: Remanded Consideration for PC

29th and Ray - Alternative Zoning Proposal Shown

2019/2020 Comprehensive Plan Amendment Proposals

Drawn: 12/1/2020
THIS IS NOT A LEGAL DOCUMENT
The information shown on this map is compiled from various sources and is subject to constant revision. Information shown on this map should not be used to determine the location of facilities in relationship to property lines, section lines, streets, etc.

Legend

- Not a Part of Remand
- Remand Parcels
- Curb Line
- Parcel

Current Zoning

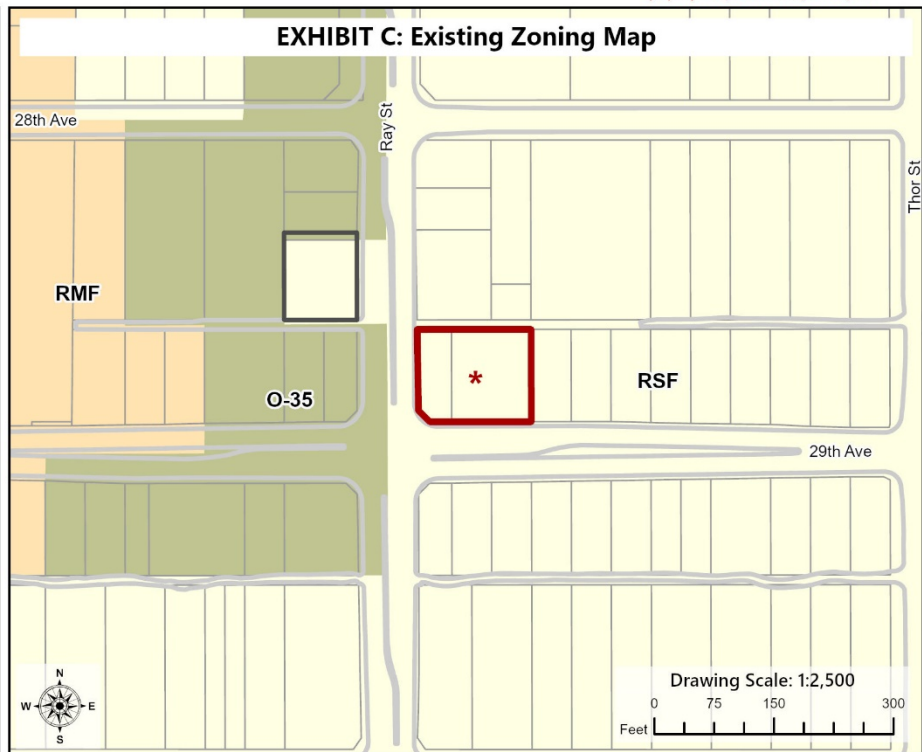
- Office (O)
- Residential Multifamily (RMF)
- Residential Single-Family (RSF)

* City Council has remanded this portion of the proposal back to Plan Commission to consider a zoning of Residential Multi-Family, instead of Office as originally proposed.

Numbers after a Zone Label denote the height limits in that area.

Acres (Proposal): 0.61

EXHIBIT C: Existing Zoning Map



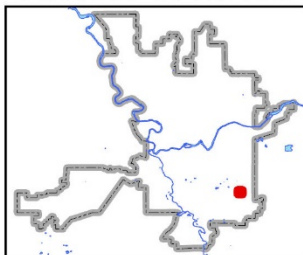
Legend

- Not A Part of Remand
- Remand Parcels
- Curb Line
- Parcel

Proposed Zoning*

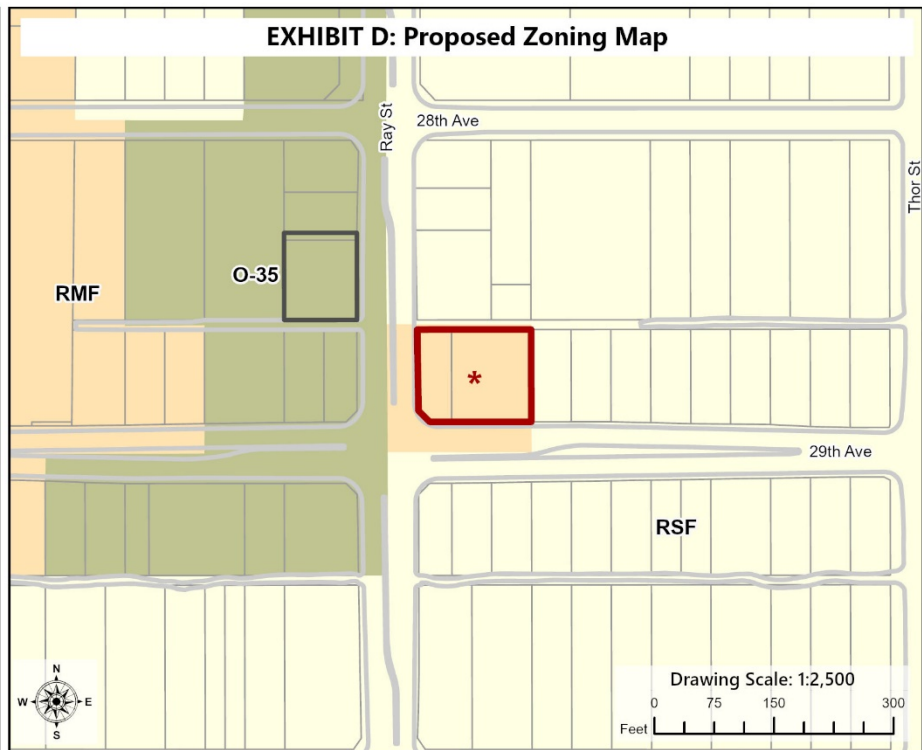
- Office (O)
- Residential Multifamily (RMF)
- Residential Single-Family (RSF)

PROJECT LOCATION



Neighborhood and Planning Services
Drawn By: Kevin Freibott

EXHIBIT D: Proposed Zoning Map



Path: C:\Users\kfreibott\Desktop\Transfer Files\2020 Comp Plan Amendments\2020 Comp Plan Amendments II.aprx

2018 Spokane Fire Code Adoption Summary

Background:

The International Fire Code that is enforced in the City of Spokane is adopted by the State of WA. By state law, local jurisdictions may adopt more stringent provisions of the Fire Code, but cannot reduce the requirements of the fire code adopted by the State.

The model Fire Code is adopted at the State Level with amendments under the State Building Code Council. There is a considerable process in review of model code language and proposals at the State level. These are reviewed by Technical Action Groups assigned to each Code and then the proposals are open to comment at two public hearings. All of the meetings are open to the public.

The current edition of the International Fire Code has 14 Appendices. The purpose of the Appendices is to provide guidance and details to some provisions identified in the body of the adopted Fire Code. Over the years, the State has chosen not to adopt the Appendices of the Fire Code, but rather, leave the determination to do so to local jurisdictions. Many of the larger jurisdictions in WA and around the US have adopted the Appendices as written, in their entirety. Others, including Spokane, have modified some provisions of the Appendices and adopted them as local provisions.

Below is a list of the Appendices. Spokane adopts 10 Appendices, and has made local modifications to Appendix B, C, and D. The purpose of each Appendix is listed in Attachment B.

[Appendix B - Fire-Flow Requirements for Buildings](#)

[Appendix C - Fire Hydrant Locations and Distribution](#) - amended

[Appendix D - Fire Apparatus Access Roads](#) – amended

[Appendix E - Hazard Categories](#)

[Appendix F - Hazard Ranking](#)

[Appendix G - Cryogenic Fluids - Weight and Volume Equivalents](#)

[Appendix H - Hazardous Materials Management Plan \(HMMP\) and Hazardous Materials Inventory Statement \(HMIS\) Instructions](#)

[Appendix I - Fire Protection Systems-Noncompliant Conditions](#)

[Appendix J – Building Information Sign](#)

[Appendix N – Indoor Trade Shows and Exhibitions](#)

The other appendices are not recommended for adoption as they would be more restrictive or would require additional resources to implement them:

[Appendix A - Board of Appeals](#)

[Appendix K – Construction Requirements for Existing Ambulatory Care Facilities](#)

[Appendix L – Requirements for fire Fighter Air Replenishment Systems](#)

[Appendix M – High-Rise Buildings – Retroactive Automatic Sprinkler Requirement](#)

The Fire Department has reviewed the provisions of the locally adopted Appendices to evaluate possible changes that would not substantially cause a negative impact on public safety, but could provide some greater flexibility in development of business. While there are not a large number of proposed changes, and even though many locations around the State and country will not make language changes to the Appendices due to Risk exposure, we believe these can be safely modified.

There are also several sections of the appendices in the SMC where new language is necessary to clarify the intent of the provisions.

The following is a summary of the changes to the local amendments in SMC 17F.080 by section:

Proposed Changes to Locally Adopted 2015 International Fire Code Sections

17F.080.010 Adoption of International Fire Code

- A – Changed the adopted version from 2015 to 2018.
- B.1, 2, 3, 6, 7, 8, and B.11 – formatting correction.
- B.9 – revised language to clarify the exception.
- B.10 – Changed “construction” to “standpipes” to clarify the language.
- B.13 – Revised amendment to the specific wording that was not adopted.
- B15, B.16, B17 – Revised language to the specific reference.
- B18 – Revised language to local approval.

Discussion:

Clarifying language and references. No substantive changes.

17F.080.030 Appendices Adopted

- Appendix A – Removed from approved appendices as there is no longer a Board of Appeals.

Discussion:

Prior Municipal Code was modified to have the Hearing Examiner handle Fire Code Appeals.

- Appendix B – Added back into SMC. Prior code update was intended to only remove the local amendment, and the full Appendix was inadvertently removed. Also removes the prior amended language for Table C102.1 that was different than the model code.

Discussion:

Correct oversight of adoption of necessary Appendix (Fire Flow for Buildings).

- Appendix D – Revises dimensions for fire lanes to match the new City Street standards.

Discussion:

The dimensions of the model code are more applicable due to recent upgrades of fire apparatus, resulting in requirements for a lower minimum width. The minimum gate width on

fire lanes has been reduced to 14 feet, which has been allowed prior in lieu of the 20 feet in the SMC. Additional language has been included addressing gate setbacks.

- Appendix N – Indoor Trade Shows and Exhibitions – New Appendix that follows the requirements we have been requiring these facilities to follow.
- SMC 17F.080.050 Fire Equipment Permit – Revised paragraph C clarifying that non-required fire alarm and fire sprinkler systems in the City are required to be installed by an SFD registered contractor. We also edited paragraph D to the capitalization of Fire Department.
- SMC 17F.080.070. Flammable or Combustible Liquids: Added Critical Materials to the Section title.

Discussion:

The new title more reflects the reference to SMC 17E.010.

- SMC 17F.080.090. Additional Definitions – Section 202: Removed definition of “central business district” as it is not referenced in our code sections. Added wording for other approved listing agencies to “Central reporting system”. Added “computer, and data” rooms to E.17.

Discussion:

The definition is now in the model code.

- SMC 17F.080.110. Fire Alarm System Requirements: Revisions to Chart 907:

Discussion:

Clarified that buildings at 55’ above apparatus access are not “high rise”. Revised daycares that voice fire alarm starts at 100 occupants. Revised Assembly uses to new requirement of fire alarm for this use when there are more than 100 occupants above or below the lowest level of exit discharge.

- SMC 17F.080.320. Fire Hydrant Proximity to Access Road: Clarified language.

Discussion:

Added that an approved access pathway be provided to the fire hydrant.

- SMC 17F.080.410. Private Hydrants – Damage – Malfunction: Revised language for responsibility for reporting damage to include registered fire hydrant servicers.

Discussion:

We experienced that registered fire hydrant servicers were not reporting damaged, or missing, fire hydrants. This is clarifying language that they are also responsible to do so.

- SMC 17F.080.455. Basement Extinguishing Systems: Revised language to clarify that basements exceeding 1,500 square feet are required to have fire sprinklers.

Discussion:

This language has been in the code since approximately the 1950's that requires existing basements of more than 1,500 square feet to be required to install fire sprinklers. Additional language was added to address specific instances not addressed by the original code, and an exception was added that is currently in the model code as amended by Washington State.

- SMC 17F.080.480. Standpipes: Revised language to further clarify the threshold for when fire pumps would be required for buildings.

Discussion:

The original language referred to combined standpipes and created misunderstandings of the requirement. This does not declare that the building is a high-rise, but specifies the capabilities of the Fire Department for providing 100 PSI to the top outlet of the standpipe.

Attachment B
Purpose of Fire Code Appendices

Below is a short explanation of the purpose of each Appendix:

Appendix A - Board of Appeals – NOT ADOPTED

This appendix contains criteria for administrative procedures of the board of appeals and board member qualifications.

Appendix B - Fire-Flow Requirements for Buildings – This appendix establishes the City's policy on fire flow to provide a consistent way of choosing the appropriate fire flow for buildings throughout the City.

Appendix C - Fire Hydrant Locations and Distribution – This appendix establishes the City's methodology for determining fire hydrant locations and spacing for new buildings, additions and change of use situations.

Appendix D - Fire Apparatus Access Roads – This appendix establishes criteria for basic access requirements to structures.

Appendix E - Hazard Categories – This appendix contains guidance in the classifying of hazardous materials so proposed designs can be evaluated accurately.

Appendix F - Hazard Ranking – This appendix is intended to be a companion to the specific requirements of Chapters 51 through 67 of the Fire Code which regulates the storage, handling and use of hazardous materials and it lists the various hazardous materials categories that are defined in the Fire Code.

Appendix G - Cryogenic Fluids - Weight and Volume Equivalents – This appendix is intended to be a companion to the provisions of Chapter 55 of the Fire Code and to provide a ready reference tool for the conversion of the liquid weight and volume of cryogenic fluid to their corresponding volume of gas and vice versa.

Appendix H - Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions – This appendix is intended to be a companion to IFC sections 407.5 and 407.6 which provide the requirements for HMMPs and HMISs.

Appendix I - Fire Protection Systems-Noncompliant Conditions – This appendix is intended to identify unsafe and non-compliant conditions for fire protection systems.

Appendix J - Emergency Responder Radio Coverage – This appendix includes design, construction, maintenance and testing criteria for emergency responder communications systems required by the Fire Code.

Appendix K – Construction Requirements for Existing Ambulatory Care Facilities – NOT ADOPTED

The intent of this appendix is to provide a minimum degree of fire and life safety to persons

occupying and existing buildings containing ambulatory care facilities where such buildings do not comply with the minimum requirements of the *International Building Code*.

Appendix L – Requirements for Fire Fighter Air Replenishment Systems – NOT ADOPTED

Fire fighter air replenishment systems (FARS) shall be provided in specific buildings or hazardous conditions.

Appendix M – High-Rise Buildings - Retroactive – NOT ADOPTED

An automatic sprinkler system shall be installed in all existing high-rise buildings in accordance with the requirements and compliance schedule of this section.

Appendix N – Indoor Trade Shows and Exhibitions - Indoor trade shows and exhibitions with temporary vendor displays or booths within any indoor occupancy classification shall be in accordance with this appendix and all other applicable requirements of this code.

ORDINANCE NO. C - _____

An ordinance relating to the fire code; amending SMC sections 17F.080.010, 17F.080.030, 17F.080.050, 17F.080.090, 17F.080.110, 17F.080.270, 17F.080.320, 17F.080.370, 17F.080.380, 17F.080.390 17F.080.410, 17F.080.455 and 17F.080.480.

The City of Spokane does ordain:

Section 1. That SMC section 17F.080.010 is amended to read as follows:

17F.080.010 Adoption of International Fire Code

- A. The Washington State current amended edition of the International Fire Code (IFC) and related standards, published by the International Code Council, as modified by this title, is the fire code of the City of Spokane except as otherwise provided.
- B. The following amendments are made to the International Fire Code:
 - 1. Section 101.1 is modified to read as follows:
 - a. Title.

These regulations shall be known as the fire code of the City of Spokane, hereinafter referred to as “this code.”
 - 2. Section 109.4 is modified to read as follows:
 - a. Violation Penalties.

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements, thereof, or who shall erect, install, alter, repair, or do work in violation of the approved construction documents or directive of the fire code official or of a permit or certificate used under provisions of this code shall be subject to the provisions of chapter 1.05 SMC.
 - 3. Section 11((4)) 2.4 is modified to read as follows:
 - a. Failure to Comply.

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties identified in chapter 1.05 SMC.

4. IFC Sections 503.1.1, 503.1.2, 503.1.3, 503.2, 503.3, and 503.4 are adopted as published.
5. Chapter 56 is amended with chapter 10.33A SMC.
6. Section 903.2.11.5 is revised to read:
 - a. A wet chemical suppression system shall be installed in a commercial kitchen exhaust hood and duct system to meet the compliance of Section 904.
7. Section 904.2.2 is revised to read:
 - a. Each required commercial kitchen exhaust hood and duct system required by Section 609 to have a Type 1 hood shall be protected with a wet chemical suppression system installed in accordance with this code.
8. Section 904.12.
Replace the first paragraph and the five types to read:
 - a. 904.12 – Commercial Cooking Systems.
The automatic fire extinguishing system for commercial cooking systems shall be a wet-chemical type system. The wet-chemical system shall be tested in accordance with UL 300 and listed and labeled for the intended application. The system shall be installed in accordance with this code, its listing, and the manufacturer's installation instructions. Wet-chemical extinguishing systems shall be installed in accordance with NFPA 17A.
9. Section 904.12 – Exception; Section 904.12 ~~((-1 –Exception))~~ Items 1, 2, 3, 4, and 5; Section 904.12.3; Section 904.~~((4))~~12.4 are not adopted.
10. Section 905.1 – Add the following to end of the paragraph:
Class II and Class III standpipes are not allowed for new ~~((construction))~~ standpipes in the City of Spokane. All requirements for Class II and Class III shall be Class I and references to one- and one-half inch outlets shall be changed to two and one-half inches. There are no requirements for two and one-half inch hose to be provided (i.e., stages).
11. 906.1.4.
~~Revise~~ Add exception exception to read as follows:
 - a. ~~((Exception-))~~
Portable fire extinguishers are not required for residential buildings that do not have an interior or exterior common space ~~((, such as townhouses))~~.
12. Section 1011.14.
Remove “and for access to unoccupied roofs” from last sentence.

13. Section 1011.12
Remove ~~((the last sentence-))~~ "alternating tread device," from exception.
14. Section 1023.9.
Revise the second sentence to read as follows:
". . . the story of, the number of floors above grade (if it is different from the story number), and the direction . . ."
15. Section 5704.2.9.6.1 Modify to read:
~~((Remove the last part of the last sentence "(See Section 3 of the Sample Ordinance for Adoption of the International Fire Code on page xxi).")~~)
"outside of buildings shall be in accordance with table 5705.3.4(2) ((is prohibited within the limits established by law as the limits of districts in which storage is prohibited (jurisdiction to specify)))".
16. Section 5706.2.4.4 Modify to read:
Remove the last part of the last sentence: ~~(("(See Section 3 of the Sample Ordinance for Adoption of the International Fire Code on page xxi).")~~)
outside of buildings shall be in accordance with table 5705.3.4(2) ((is prohibited within the limits established by law as the limits of districts in which storage is prohibited (jurisdiction to specify)))".
17. Section 5806.2 Modify:
Remove the last part of the last sentence: ~~(("(See Section 3 of the Sample Ordinance for Adoption of the International Fire Code on page xxi).")~~)
outside of buildings shall be in accordance with the requirements of the Authority Having Jurisdiction((is prohibited within the limits established by law as the limits of districts in which storage is prohibited (jurisdiction to specify)))".
18. Section 6104.2.
Remove the last part of the last sentence: ~~(("(See Section 3 of the Sample Ordinance for Adoption of the International Fire Code on page xxi).")~~)
"(Jurisdiction to specify)".

Section 2. That SMC section 17F.080.030 is amended to read as follows:

17F.080.030 Appendices Adopted

The following appendices of the International Fire Code are adopted as part of the fire code of the City:

~~A. ((Appendix A – Board of Appeals.))~~

A. Appendix B - Fire-Flow Requirements for Buildings.

B. Appendix C – Fire Hydrant Locations and Distribution.

1. Table C102.1 – Revise the column for 'Maximum distance from any point on street or road frontage to a hydrant' to be five hundred feet for each row.
2. Table C102.1 – Footnote b is not adopted.

~~((3. Table C102.1 — Revise the sentence to read: “A 50% increase shall be ...
“.)~~

- C. Appendix D – Fire Apparatus Access Roads.
Provided, fire department access will be in conformance to Appendix D with the following exceptions:

~~((1. D103.1.
Access roads with hydrants shall have a minimum width of twenty eight
feet along the twenty feet prior to and twenty feet after the hydrant.))~~

~~((2.))~~ 1. D103.3.
The minimum external turning radius will be fifty feet and minimum internal
turning radius will be twenty-eight feet.

~~((3.))~~ 2. Table D103.4.
The cul-de-sac diameter shall be one hundred feet. ~~((Width of road for length
of five hundred one foot to seven hundred fifty feet will be twenty eight feet.))~~

~~((4.))~~ 3. Figure D103.1.
The ninety-six feet diameter cul-de-sac is revised to one hundred feet
diameter.

~~((5.))~~ 4. D103.5.~~((4.))~~
Revise/Add the following:

- a. The minimum gate width shall be twenty feet ~~((six thousand ninety six
millimeters)))~~ unless reviewed and accepted by the fire official or
designated representative (to be no less than fourteen feet).
- b. At least one gate off of public or private streets that is required for fire
apparatus access onto a site shall be inset a minimum of 48' from the
edge of curb or curb line.

~~((6. D103.6.1.
Revise road width from twenty six feet to twenty eight feet unless reviewed
and accepted by the fire department.))~~

~~((7. D103.6.2.
Revise road width from twenty six feet to twenty eight feet. Revise road width
of thirty two feet to thirty six feet unless reviewed and accepted by the fire
department.))~~

~~((8.))~~ 5. D103.7.1.
Residential Driveways. Driveways used as fire lanes for single family and two-
family dwellings can be reduced to an unobstructed width of twelve feet wide

as long as there is a code compliant fifty foot radius turn-around or approved hammerhead within one hundred fifty feet of all points around the dwelling.

~~((9-))~~ 6. D103.7.2.

Fire access roads can be designed in accordance with SMC 17H.010.140, Emergency Vehicle Access and Staging Areas, as an approved alternative with the approval of the fire official for residential access roads.

- D. Appendix E – Hazardous Categories.
- E. Appendix F – Hazard Ranking.
- F. Appendix G – Cryogenic Fluids – Weight and Volume Equivalents.
- G. Appendix H – Hazardous Materials Management Plan (HMMOP) and Hazardous Materials Inventory Statement (HMIS) Instructions.
- H. Appendix I – Fire Protection Systems – Noncompliant Conditions; and
- I. Appendix J – Building Information Sign.
- J. Appendix N – Indoor Trade Shows and Exhibitions

Section 3. That SMC section 17F.080.050 is amended to read as follows:

17F.080.050 Fire Equipment Permit

- A. In addition to any building, electrical, plumbing, or other permit issued by the building services department, a person needs a permit from the fire official to install, alter, or repair required fire protection or fire detection systems or equipment which is regulated by this code.
 - 1. The equipment to which this section applies includes, but is not limited to, any:
 - a. Code-required fire alarm,
 - b. Sprinkler,
 - c. Standpipe,
 - d. Range hood, or
 - e. Other extinguishing system.
 - 2. Non-required systems are further defined below.
- ~~a.~~ 3. A permit shall not be issued until payment of the permit fee, approval of plans where required, and payment of appropriate plan check fee.
- ~~B.~~ 4. If the Washington State fire marshal has charged a plan check fee for equipment he has approved, the applicant will not be charged a plan check fee for the same submittal by the City fire official.

- B. In order to verify, as provided in [SMC 8.02.034](#), the value of the work upon which the permit and inspection fees are based, the fire official may require from the installer or from the owner of the property a verified copy of the invoice.
1. Should it appear that an installer is understating the value of the work, and thereby underpaying the fees, the fire official may suspend the installer's right to receive a permit for up to six months.
 2. Upon a second instance of undervaluation, suspension may be for up to one year.
- C. Non-required fire alarm or fire sprinkler systems are those that are installed in a facility when they are not required by code. Non-required systems do not need to be submitted for review or permit, unless it is desired by the building owner. Non-required systems are required to be installed by a Spokane Fire Department registered contractor.

~~D.~~ Exceptions.

1. Fire sprinkler systems with ~~((twenty))~~ seven or more heads.
2. Inert gas suppression systems.

~~((E))~~D. Non-required fire alarm and fire sprinkler systems that are submitted for review by the Spokane ~~((f))~~Eire ~~((d))~~Department shall be in accordance with NFPA 13, 13R, and 13D, NFPA 72, and the Spokane Municipal Code. Non-required systems will not be tracked for renewal on an annual basis unless requested by the owner or authorized representative.

Section 4. That SMC section 17F.080.090 is amended to read as follows:

17F.080.090 Additional Definitions – Section 202

There are added to IFC Section 202 the following definitions:

- A. "Cellar" is that portion of a building between floor and ceiling which is wholly or partly below grade and so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling, provided the space does not meet the definition of a basement as defined in the International Building Code.

~~((B. "Central business district" or "CBD" is that portion of downtown Spokane so designated on the comprehensive plan.))~~

~~((C.))~~B. "Central reporting system" is an approved system or group of systems, the operation of which is signaled to, recorded in, maintained, and supervised from an approved central station in which there are competent and experienced

observers and operators in attendance at all times whose duty it shall be, upon receipt of a signal, to call the fire department and to take such action as shall be required under the rules established for their guidance. Such systems shall be controlled and operated by a person, firm, or corporation whose principal business is the furnishing and maintaining of supervised protective signaling service and who has no interest in the protected properties. Such approved system must be listed with Underwriters Laboratories or other approved listing agency.

((D-)) C. "Performance certificate" is a statement by the installer certifying that a system has been installed as approved by the fire official and tested in accordance with manufacturer's specifications.

((E-)) D. "Registered servicer" is a natural person possessing a current license as provided in SMC 17F.080.270(A) and SMC 10.29.060(A).

((F-)) E. "Special areas to be protected" are the following areas of a building, which present a special need for fire detection whether the space is provided with fire sprinklers or not:

1. Boiler and furnace rooms.
2. Community kitchens.
3. Community laundries.
4. Custodial rooms.
5. Locker rooms.
6. Machine rooms.
7. Parking garages.
8. Public or community restrooms.
9. Smoking rooms.
10. Storage rooms.
11. Supply rooms.
12. Tool and shop areas.
13. Trash rooms.
14. Vertical shafts and adjacent spaces which convey fire.
15. Public waiting areas.
16. Mechanical and equipment rooms.
17. Electrical, computer, and data rooms (~~;- and~~)
18. Other rooms or spaces as the fire official may designate.

Section 5. That SMC section 17F.080.110 is amended to read as follows:

17F.080.110 Fire Alarm System Requirements

- A. The following Chart 907 depicts the minimum fire alarm system requirements for the City of Spokane. These requirements supplement the International Fire Code.
- B. Where heights are noted, they are from the lowest level of fire department apparatus access to the floor elevation of the highest occupied level.
- C. Existing fire alarm systems will be allowed to be used and repaired without upgrade as long as they are properly maintained. Buildings that are altered or additions exceeding fifty percent of the building area will require the fire alarm system to be upgraded to the current requirements.
- D. Smoke detectors will be the primary means of detection. Where environmental conditions warrant (rooms with moisture potential, outdoors, etc.) heat detectors are allowed. Smoke detectors in restrooms and janitor closets are discouraged.

CHART 907	
OCCUPANCY	REQUIREMENTS FOR FIRE ALARM
All Except R3 and U	<p>Atriums connecting more than two floors. Lowest level of structure greater than sixty feet below grade. Covered mall buildings. Retroactive – IFC 1103.7. Fire sprinkler monitoring for systems with ((twenty)) 7 or more sprinklers. Smoke detection required in common areas and interior corridors used for required exits in occupancies required to have automatic fire alarm. Heat detectors are not required in spaces provided with quick response sprinklers in occupancies required to have automatic fire alarm. Special areas to be protected are required to have fire alarm in occupancies required to have automatic fire alarm – See SMC 17F.080.090. Central monitoring is required. A minimum of one notification device, one manual pull station, and one smoke detector is required.</p>
((High Rise (g))) Greater than fifty-five feet to floor((+))	<p>Tenant spaces exceeding one thousand square feet. Voice notification is required.</p>
Daycares	<p>Less than or equal to fifty children – Single station smoke detection is required. Greater than fifty children <u>to ninety-nine</u> – Automatic. <u>Voice notification is required if more than ninety-nine occupants</u> Manual pull stations required at all exits of state licensed facilities.</p>

A1, A2, A3, A4, A5	Automatic if greater than or equal to three hundred people <u>or more than one hundred persons above or below the lowest level of exit discharge.</u> Voice notification is required if occupancy is greater than or equal to one thousand people. No manual pull stations required if fully sprinklered.
B	Automatic if greater than or equal to five hundred people. Automatic if greater than or equal to one hundred people above or below exit level. No manual pull stations required if fully sprinklered. Area contains Group B Ambulatory health care.
E	Fifty one or more occupants. Voice notification is required if more than ((ninety-nine)) <u>one hundred and one occupants.</u> Exception for manual pulls (907.2.3).
F1, F2	Automatic if greater than five hundred persons above or below exit level. No manual pull stations required if fully sprinklered. Automatic is required when occupancy is two or more stories in height.
H1, H2, H3, H4	Not required unless other requirements apply.
H5	Manual. Automatic for highly toxic gases, organic peroxides and oxidizers.
I1, I2, I3, I4	Automatic. Manual pulls may be at staff-attended location. Sleeping areas required to have single or multiple station smoke detection. Manual pull stations required at all exits of State Licensed I4. <u>Automatic voice required in all I4 occupancies with more than one hundred one occupants.</u>
M	Automatic if greater than or equal to five hundred people. Automatic if greater than or equal to one hundred people above or below exit level. Automatic if greater than twelve thousand square feet (SMC). No manual pull stations required if fully sprinklered.
R1, R2	Automatic – Five or more units/guest rooms. Not required for less than three levels with each unit having independent (not shared) direct exit to exterior. One manual pull station per exit stair required if not fully sprinklered. ADA Type A units will be provided with accessible

	communications features. ADA Type B units will be pre-wired for building notification.
R3	Single station smoke detection in sleeping areas and in hallways outside of sleeping areas.
S1, S2	None required unless other requirements apply.

Section 6. That SMC section 17F.080.270 is amended to read as follows:

17F.080.270 Fire Equipment Servicer Registration

A person proposing to engage in the occupation of installation, repair and maintenance of fire department regulated equipment or systems is required to pay the fee prescribed in SMC 8.02.0226 and obtain from the fire official the appropriate registrations as follows:

- A. Portable extinguisher.
- B. Range hood/extinguishing system.
- C. Sprinkler system.
- D. Standpipe system
- E. Underground tank decommission.
- F. Underground tank ~~install~~ (install, upgrade or repair); and
- G. Underground tank test.
- H. Private Fire Hydrants
- I. Aboveground tank (install, upgrade or repair)

Section 7. That SMC section 17F.080.320 is amended to read as follows:

17F.080.320 Fire Hydrant Proximity to Access Road

Fire hydrants shall be no further than fifteen feet from the edge of an approved fire department access road/lane to the pumper port, with an approved access pathway.

Section 8. That SMC section 17F.080.370 is amended to read as follows:

17F.080.370 Private Hydrants – Inspection – Installation

All private hydrants are subject to inspection and approval by the City water ~~((and wastewater))~~ department at the time of installation. A fee for inspection or other City services is charged as set forth in SMC 8.02.034.

Section 9. That SMC section 17F.080.380 is amended to read as follows:

17F.080.380 Private Hydrants – Regulations

The fire official, with the assistance of the director of water (~~(and wastewater)~~), is authorized to establish regulations and design standards for private hydrants. These officials have the authority to interpret and apply the regulations and standards and to make rulings and orders consistent with the purpose of this chapter.

Section 10. That SMC section 17F.080.390 is amended to read as follows:

17F.080.390 Private Hydrants – Semi-annual Inspection

Property owners with private hydrants are responsible to obtain semi-annual, satisfactory inspection of their private hydrant(s) from a qualified inspector. Inspection procedures and forms for inspection by the City or others are set by the fire official with the assistance of the director of water (~~(and wastewater)~~). The fire official may order additional inspections as deemed necessary.

Section 11. That SMC section 17F.080.410 is amended to read as follows:

17F.080.410 Private Hydrants – Damage – Malfunction

Property owners, their agents and tenants with private hydrants as well as registered fire hydrant servicers shall immediately contact the fire department in the event a private hydrant is damaged, malfunctions, or is otherwise out of order. "Immediately" means not more than forty-eight hours after a problem is noticed or should have been noticed in the exercise of reasonable care.

Section 12. That SMC section 17F.080.455 is amended to read as follows:

17F.080.455 Basement Extinguishing System (~~(–Exceptions)~~)

Fire sprinklers are required in existing basements exceeding one thousand fire hundred square feet. Fire Sprinklers are not required for the following:

- A. A basement or cellar area that exceeds a gross floor area of one thousand five hundred square feet is divided into two areas so that one space is usable and the other space void. The usable space shall not exceed one thousand five hundred square feet. The usable space must contain an approved exit and must be separated by approved one-hour walls. The access to the void space may not exceed thirty inches by thirty inches and must be a listed and labeled access panel. No storage or other use of the void space is allowed. The occupancy of the usable space will be subject to all other provisions of the building and fire code.
- B. No electrical panels or equipment are allowed in the void space unless the void space is equipped with automatic fire sprinklers.

- C. A basement or cellar area that exceeds a gross floor area of one thousand five hundred square feet and is provided with exits directly to the exterior at floor grade that are within travel distance of 75 feet of all points in the basement.

Section 13. That SMC section 17F.080.480 is amended to read as follows:

17F.080.480 ((Combined)) Standpipes

Where ((combined))standpipes are used ((for both wet or dry sprinklers and Class I or III hose outlets)), the outlet pressure at the top of the riser shall be not less than one hundred PSI provided by a fire pump.

Exception:

Buildings up to and including five floors above grade (not to exceed 55 feet) will be pressurized by the fire apparatus upon arrival to the site and are not required to provide one hundred PSI at the top outlet of the riser.

PASSED by the City Council on _____.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

Receivership and the Building Official Process

The Building Official process is an administrative hearing process aimed at resolving substandard, abandoned, unfit, or nuisance properties in the City of Spokane. The Building Official, acting in a quasi-judicial role, is authorized by State Law and the Spokane Municipal Code to issue orders and take actions to resolve substandard conditions. Historically, the process has provided extended timeframes for compliance due to the limited actions for resolution. If an owner fails to cure the violations, the Building Official's options are fairly limited. The most common city action that resolves a substandard building is demolition. This action, while effective and often necessary, is cost and labor intensive. Demolition removes a potentially salvageable dwelling, replacing it with a vacant lot encumbered with liens.

Multiple departments within the City are impacted by abandoned and nuisance properties. Code Enforcement and the Spokane Police Department, in particular, spend extensive amounts of staff time attempting to resolve symptoms of these types of properties. These two departments collaborate on numerous approaches aimed at resolving complex issues that have broad impacts across multiple departments, including substandard buildings and abandoned properties. One particularly successful program has been the receivership program, implemented and managed by the Civil Enforcement Unit of the Spokane Police Department. With the assistance of the Legal Department, the Civil Enforcement Unit is able to petition the courts to appoint a receiver to facilitate the resolution of nuisance conditions when the ownership proves to be absentee or otherwise unable to manage the property in compliance with state and local law. The receiver is a third party agent of the property that is appointed by the court in successful cases. Many receivership cases have used Code Enforcement data and case information as evidence of abandonment and documentation of nuisance conditions. Numerous properties that have been in the Building Official process have ultimately gone through the receivership process as well, finally bringing about resolution to substandard and nuisance conditions, while avoiding demolition and costly liens. One missing piece in this partnership is explicit municipal code language that provides the Building Official with the option of directing a property towards receivership instead of ordering a demolition. As opposed to demolition, receivership addresses the root cause of the nuisance property, rather than just extending the cycle of symptom mitigation.

In conclusion, the Building Official Process is an effective method of Code Enforcement and due process for resolving symptoms of substandard buildings and abandoned properties. However, this process could have a greater impact on these properties with the ability to direct properties towards a receivership process. With the assistance of the Legal Department, the Building Official and Code Enforcement staff could petition the courts for a receiver to be appointed upon failure to comply with the Building Official's orders within a specified time. Code text amendments would be necessary to formalize receivership as an option for the Building Official process. More specifically, changes are needed to reference receivership as an alternative to demolition in Spokane Municipal Code sections 17F.070.470 and 17F.070.490. The Legal Department has assisted Code Enforcement staff with preparing drafts of the relevant code text amendments and staff plans to propose these amendments in 2020.

Briefing Paper

Urban Experience Committee

Division & Department:	Neighborhood and Business Services, Code Enforcement
Subject:	Receivership and the Building Official Process
Date:	January 2, 2020
Author (email & phone):	Jason Ruffing, Enforcement Supervisor, jruffing@spokanecity.org , 509.625.6529
City Council Sponsor:	Council President Breean Beggs
Executive Sponsor:	Kris Becker
Committee(s) Impacted:	Urban Experience, Safe and Healthy
Type of Agenda item:	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
Alignment: (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	Aligned with Strategic Plan focuses of Available Housing, increasing housing quality and diversity. Also aligned with expressed intent of Chapter 17F of the Spokane Municipal Code, SMC 17F.070.010 D states It is further the policy of the City to put vacant buildings to use, especially residences, by encouraging the rehabilitation of usable structures and to demolish those that are beyond repair so that new development can occur.
Strategic Initiative:	Urban Experience, Safe and Healthy
Deadline:	Timeline: January of 2019, present at Urban Experience, February 2019, present at Plan Commission (possibly multiple meetings) March of 2019, return to Urban Experience, March- April of 2019, present for City Council adoption.
Outcome: (deliverables, delivery duties, milestones to meet)	Code text amendments for two sections in Chapter 17F of the Spokane Municipal Code to provide language authorizing the receivership process to be utilized as an alternative to demolitions of substandard, abandoned, unfit, and nuisance properties through the Building Official Process.
<p>Background/History: <i>The Building Official process is an administrative hearing process aimed at resolving substandard, abandoned, unfit, or nuisance properties in the City of Spokane. The Building Official, acting in a quasi-judicial role, is authorized by State Law and the Spokane Municipal Code to issue orders and take actions to resolve substandard conditions. Historically, the process has provided extended timeframes for compliance due to the limited actions for resolution. If an owner fails to cure the violations, the Building Official's options are fairly limited. The most common city action that resolves a substandard building is demolition. This action, while effective and often necessary, is cost and labor intensive. Demolition removes a potentially salvageable dwelling, replacing it with a vacant lot encumbered with liens. The Building Official Process is an effective method of Code Enforcement and due process for resolving symptoms of substandard buildings and abandoned properties. However, this process could have a greater impact on these properties with the ability to direct properties towards a receivership process. With the assistance of the Legal Department, the Building Official and Code Enforcement staff could petition the courts for a receiver to be appointed upon failure to comply with the Building Official's orders within a specified time. Code text amendments would be necessary to formalize receivership as an option for the Building Official process. More specifically, changes are needed to reference receivership as an alternative to demolition in Spokane Municipal Code sections 17F.070.470 and 17F.070.490. The Legal Department has assisted Code Enforcement staff with preparing drafts of the relevant code text amendments and staff plans to propose these amendments in 2020.</i></p>	

Executive Summary:

- *Code text amendments being proposed for Spokane Municipal Code sections 17F.070.470 and 17F.070.490*
- *These changes are needed to reference receivership as an alternative to demolition*
- *Receivership is already in use and has proven to be a successful method of bringing about ownership changes to properties that are abandoned, or substandard to the extent that they create a public safety hazard.*
- *City Legal, the Civil Enforcement Unit, and Code Enforcement already are in the practice of collaborating on these types of properties and referring cases for the receivership process.*
- *These code amendments will bolster this collaboration and improve the Superior Court process.*
- *Recent receivership success stories such as the Grove Community structures in West Central are great examples of the intent of these amendments. This cooperation has been successful in avoiding demolition, thus decreasing the amount of public dollars that are spent on demolitions.*

Budget Impact:

Approved in current year budget? ☒ Yes ☐ No

Annual/Reoccurring expenditure? ☐ Yes ☒ No

If new, specify funding source:

Other budget impacts: (revenue generating, match requirements, etc.) Potentially less budget expenditure on demolitions.

Operations Impact:

Consistent with current operations/policy? ☒ Yes ☐ No

Requires change in current operations/policy? ☐ Yes ☒ No

Specify changes required:

Known challenges/barriers:

Title 17F Construction Standards

Chapter 17F.070 Existing Building and Conservation Code

Section 17F.070.470 Compliance with Order

- A. The order under this chapter specifies the action to be taken by the owner and establishes a time or timeframe for compliance.
- B. So long as a building is boarded up, or unfit, substandard, or abandoned and subject to the building official hearing process, the owner must pay an annual fee as provided in [SMC 8.02.067](#). This fee is lienable under [SMC 17F.070.500](#). Otherwise, the owner must cause the building to be occupied in compliance with all applicable code requirements. However, it is the intent of this chapter that boarding a dangerous building is a temporary solution to imminent danger and a building may not remain boarded up longer than two years unless an extension of time is part of a plan approved by the building official or hearing examiner detailing the future rehabilitation, sale, demolition, or other disposition of the building.
 - 1. A property remaining boarded up longer than two years may be subject to demolition by order of the building official.
 - 2. The building official shall order the owner of any premises upon which is located any structure, which in the building official's judgment is so dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary, or otherwise unfit for human habitation or occupancy, and that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure. (2006 International Property Maintenance Code section 110.1).
 - 3. When the building is of sufficient value to be repairable, the building official may recommend action by the City to obtain the property through eminent domain, pursuant to the provisions of the chapter 35.80A Revised Code of Washington.

4. As an alternative to demolition, when appropriate, the building official may issue an order to refer substandard, abandoned, unfit, or nuisance properties to Superior Court in pursuit of a receivership order.
- C. The owner of a substandard building must repair and rehabilitate it so as to bring it into compliance with the standards of this chapter, at a minimum, or into compliance with the new work and replacement requirements of the building and associated codes provided in [chapters 17F.030 through 17F.060 SMC](#) and [chapters 17F.080 through 17F.100 SMC](#) if applicable by their terms. When warranted by the nature and extent of the repairs and the type of occupancy, the order may require the building to be vacated and secured during rehabilitation.
- D. The owner of an unfit building must cause it to be vacated, secured against entry, demolished, and the land filled and cleared. When warranted by the location of the building and the nature of the defects the order may allow demolition to be delayed upon such conditions, such as clearing and securing, as will safeguard health and safety.
- E. Should the owner of an unfit building propose a written undertaking, acceptable to the building official or the hearing examiner, giving assurance and security that the building can be safely rehabilitated in a reasonable time, then the order can direct rehabilitation according to the undertaking, in lieu of demolition. Upon the owner's failure to accomplish his undertaking, the building official or hearing examiner may summarily order demolition or receivership, or when the building is of sufficient value to be repairable, the building official may recommend action by the City to obtain the property through eminent domain, pursuant to the provisions of chapter 35.80A Revised Code of Washington.
- F. An order respecting a building under this chapter may require the owner to take specified action in regard to the surrounding ground whereby nuisance, such as dry vegetation or other combustible accumulations, or toxic, septic, or unsafe substances, is abated.

Date Passed: Monday, March 15, 2010

Effective Date: Wednesday, April 21, 2010

ORD C34577 Section 3

Title 17F Construction Standards

Chapter 17F.070 Existing Building and Conservation Code

Section 17F.070.490 Enforcement

- A. Whenever an owner has failed to complete the action required by an order under this chapter:
 - 1. the building official or the hearing examiner may extend the time for completion, imposing such conditions as may seem warranted, if the owner has made substantial progress; or
 - 2. the director causes the ordered action to be done, by competitive bid contract whenever feasible, or by negotiated contract, or by city forces when circumstances do not allow time for bidding.
- B. All work of rehabilitation and demolition done pursuant to an order made under this chapter is subject to all applicable laws respecting permits, contractor registration and certification of workers, except work done by city forces under emergency circumstances.
- C. Invitations to bid on a demolition contract shall provide that salvage be awarded to the contractor as a credit against the contract price. A bid based on an estimate of the value of salvage may not be changed to reflect actual salvage value. The director may invite and receive bids before the time for compliance by the owner has expired.
- D. As an alternative to demolition, when appropriate, the building official may issue an order to refer substandard, abandoned, unfit, or nuisance properties to Superior Court in pursuit of a receivership order.

Date Passed: Monday, February 28, 2005

Effective Date: Saturday, April 2, 2005

ORD C33594 Section 6

Receivership and the Building Official Process

Plan Commission
December 9, 2020

Jason Ruffing
City of Spokane
Code Enforcement

Receivership and the Building Official Process

- Proposed amendments to Spokane Municipal Code **17F.070.470** and **17F.070.490**
- Formalizes **alternative** to Building Official **demolition** orders by routing appropriate properties through Receivership

Receivership and the Building Official Process

- Proposed amendments would be implemented through the Building Official orders and the related administrative hearing process for **substandard, abandoned, unfit, and nuisance properties**
- Receivership process aimed at facilitating the **rehabilitation** and **re-use** of these types of properties



01/02/2019 02:16 PM

Building Official Process Timeline

Preventative (Code Enforcement)

Notice/Outreach

Weeks - Years



Building Official Hearings

Hearings/Orders

1-6 months



Appeal Process (Hearing Examiner)

Order(s) can be appealed

1 month

Receivership Process Timeline

Investigation (SPD, CE, BO)

Investigation/Review by City Legal

Weeks - Years



Superior Court

Court hearing, Receiver ordered

Prep < 1 month, Notice – 2 weeks



Receiver Actions

Abate, list for sale

Sale within 1 month, court review

Timeline Summary

- Each property is **different**
- Specific conditions may require different compliance timeframes
- Notice and appeal processes will remain constant
- **No change** to existing processes or opportunities for voluntary compliance
- Complete timeline for each property **will vary**, from 4-6 months to 1+ year(s)

Legislative timeline

- 1/13/20**- Proposal briefed at City Council Urban Experience committee
- 2/6/20**- Department of Commerce Notice (60 day) filed
- 2/12/20**- Introductory briefing to Plan Commission
- 2/14/20**- Project page posted on City of Spokane Website
<https://my.spokanecity.org/projects/alternative-to-substandard-building-demolition/>
- 2/26/20**- Information sent to City Clerk's Office for publication in City Gazette
- 3/2/20**- email sent through ProChamps (foreclosure registry) to notify mortgage industry contacts of proposed amendment.
- 3/4/20**- email sent to Spokane Association of Realtors to notify of proposed amendment.

Legislative timeline

- 3/6/20**- project page sent to Neighborhood Council contacts through Office of Neighborhood Services “Friday Update”
- 3/11/20**- Plan Commission Workshop
- 3/19/20**- presentation/discussion with Land Use Committee of the Community Assembly (pending)
- Spring 2020**- project process delayed due to COVID-19 and related impacts to staff work priorities
- Fall 2020**- resumed adoption process
- 11/4/20**- project page updated
- 11/11/20**- Plan Commission workshop
- 11/18/20**- information sent to Clerk’s Office for publication in 11/25 and 12/1 Gazette.

Legislative timeline

- 11/19/2020**- topic briefed at Community Assembly Land Use Committee
- 11/23/2020**- information provided to the Spokesman as notice of Plan Commission hearing
- 11/23/2020**- information send to SEPA contact list (exempt)
- 11/23/2020**- information sent through ProChamps foreclosure registry contact list for second notice

Next steps (December 2020, January 2021)

- Plan Commission Hearing - December 9, 2020
- Return to City Council