



Spokane Plan Commission Agenda

Wednesday, February 22, 2023

2:00 PM

Hybrid - Council Briefing Center and Council Chambers / Webex
808 W Spokane Falls Blvd, Spokane, WA 99201

Virtual Meeting Link - 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.

Commission Briefing Session:

2:00 – 2:20

1. Approve [2/8/2023](#) meeting minutes
2. City Council Report
3. Community Assembly Liaison Report
4. President Report
5. Transportation Sub-Committee Report
6. Secretary Report
7. Approval of current agenda
8. Tentative upcoming agenda items

All
CM Zack Zappone
Mary Winkes
Greg Francis
Clifford Winger
Spencer Gardner

Workshops:

2:20 – 2:30

1. [Building permit expiration timelines](#)

Dean Giles

2:30 – 3:00

2. [Bike parking code update](#)

Tyler Kimbrell

3:00 – 3:45

3. [Short term rental data review and code update](#)

Donna deBit & Amanda Beck

3:45 – 4:00

4. Transition to Chambers

Hearing:

4:00 – 4:30

1. [Transportation Impact Fee updates \(changes to SMC 17D.075\) and related Comprehensive Plan amendment \(File #Z23-039COMP amending Appendix D of the Comprehensive Plan\)](#)

Inga Note & Tim Thompson

Adjournment: The next PC meeting will be held on Wednesday, May 25, 2022

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

The password for City of Spokane Guest Wireless access has been changed:

Username: COS Guest

Password: K8vCr44y

Plan Commission Meeting Information

Wednesday, February 22, 2023

Plan Commission will be held in a hybrid in-person / virtual format. Members of the public are welcome to attend in person at City Hall or online using the following information.

Meeting Password:
PlanCommission

Meeting Number
(access code):
2490 846 0369

Join Webex Meeting Online: [JOIN MEETING](#)

Tap to join from a mobile device (attendees only):

[+1-408-418-9388](tel:+14084189388), [24908460369](tel:+14084189388)## United States Toll

Join by phone: +1-408-418-9388 United States Toll

Global call-in numbers:

<https://spokanecity.webex.com/spokanecity/globalcallin.php?MTID=m514c2d4fc1d4af7864559443420dee7b>

Join from a video system or application:

Dial 24908460369@spokanecity.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

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 February 22, 2023. Hearings begin at 4:00 p.m. When it is your turn to testify, Plan Commission President will call your name and you can begin your testimony.

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

plancommission@spokanecity.org

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

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Spokane Plan Commission - Draft Minutes

February 8, 2023

Webex Teleconference

Meeting Minutes: Meeting called to order at 2:00 PM by Greg Francis

Attendance:

- Board Members Present: Greg Francis (President), Ryan Patterson (Vice President), Carole Shook, Clifford Winger, Christopher Britt, Kris Neely, Todd Beyreuther
- Board Members Not Present: Jesse Bank, Michael Baker, Tim Williams
- Non-Voting Members Present: Mary Winkes (Community Assembly Liaison), Council Member Zack Zappone
- *Quorum Present: yes*
- Staff Members Present: Spencer Gardner, Tirrell Black, Jackie Churchill, Kevin Picanco, Inga Note, Tim Thompson, James Richman, Kevin Freibott, Della Mutungi, Brandon Whitmarsh, Katherine Miller, Patrick Striker and Maren Murphy, Ryan Shea, Colin Quinn-Hurst

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

Minutes: Minutes from 1/25/2023 approved unanimously

Current Agenda: The current agenda was approved unanimously.

Briefing Session:

1. **City Council Liaison Report -Zack Zappone**
 - Council member Zappone reported that Landlord Tenant Ordinance will be going before Council again and he anticipates that it will be voted on. The Council recently passed a resolution approved of two blocks of bike lanes to be added to the Howard Promenade.
2. **Community Assembly Liaison Report - Mary Winkes**
 - Mary Winks reported that the Community Assembly is working on a strategic plan.
3. **Commission President Report - Greg Francis**
 - None
4. **Transportation Subcommittee Report - Clifford Winger**
 - Clifford Winger reported the bike parking code update was presented during the February PCTS meeting and there will be a virtual open house next Wednesday that will provide the public an opportunity to discuss the proposed changes. Additionally, the issue of snow covering sidewalks and bike lanes was discussed during the meeting.
 - Mr. Winger also reported that Commissioner Beyreuther resigned from the PCTS and that another Plan Commissioner is needed to fill the vacancy. Kris Neely volunteered for the position.
5. **Secretary Report - Spencer Gardner**
 - Spencer Gardner reported that the Transportation Impact Fee Hearing is scheduled for the next Plan Commission meeting on Feb. 22nd. Also, the March 8th PC meeting will be a mobile meeting that will be a tour of the new Cityline corridor. More info is coming soon. Finally, the March 22nd meeting will be a joint meeting of Plan Commission and City Council during the regularly scheduled meeting, but the location is still to be determined.

Future agenda item: Clifford Winger proposed that upcoming State Legislation should be added to the agenda of a future meeting once bills have been passed.

Workshop(s):

1. Transportation Impact Fee Update

- Presentation provided by Inga Note and Tim Thompson
- Questions asked and answered
- Discussion ensued

2. 2024-2029 Comprehensive Streets Program

- Presentation provided by Kevin Picanco
- Questions asked and answered
- Discussion ensued

Meeting Adjourned at 4:00 PM

Next Plan Commission Meeting scheduled for Wednesday, February 22, 2023

BRIEFING PAPER
City of Spokane
Plan Commission Workshop
Development Services
February 22, 2023

Subject

An ordinance relating to the building code; amending SMC section 17G.010.030,
Expiration of Building Permits

Background

A large number of permits are not completed within the 360 day time frame, so requests for extension are frequent and time consuming (for both the Permit Team representative and the Building Official, who must review and approved/deny the request).

Currently, to determine if the permit is still valid, a Permit Team representative must identify the date of issuance, verify that the first inspection had taken place within 180 days, then verify that the issuance date is within 360 days (at which time it expires).

This ordinance revision is intended to modify code which requires:

- 1. Extensive double checking and verification of dates by the Permit Team,*
- 2. Frequent permit extension requests,*
- 3. Frequent review and response by the Building Official. A more simplified requirement will save a very large amount of time and will be easier to implement.*

Impact

These proposed changes simplify the process. The additional time granted is expected to greatly reduce the number of permit extension requests. The end result will be less time spent by the Permit Team on verification of dates, and fewer extension requests which need to be processed.

Much of the wording in Section A is repeated in Sections D and E and may be eliminated.

Action

Recommend Approval.

Funding

Not applicable

ORDINANCE NO. C _____

An ordinance relating to the building code; amending SMC section 17G.010.030,
Expiration of Building Permits

Section 17G.010.030 Expiration of Building Permits

- A. Every permit issued by the building services department under the provisions of this code will expire by limitation and become null and void if the work authorized by such permit is not commenced within one hundred eighty days from the date of such permit. Evidence of commencement would be an inspection entry on an issued permit or verification via a physical site visit by ~~((a building department inspector))~~ the Building Official or their representative. ~~((Before such work can be recommenced, a new permit must be first obtained, and the fee therefore is as provided in SMC 8.02.031(U) so long as no changes have been or will be made in the original plans and specifications for such work. The building official is authorized to grant, in writing, one or more extensions of time for periods not more than one hundred eighty days each. The extension shall be requested in writing and justifiable cause demonstrated and shall be presented to the building official _____ prior _____ to _____ permit _____ expiration.))~~
- B. Issued permits in which work has commenced within one hundred eighty days of issuance are valid for ~~((three hundred sixty-five days))~~ two calendar years from issuance date.
- C. Courtesy Notices are sent in the mail to permit holders at least thirty days or more prior to the first expiration date telling the permit holder to call for inspections or request for extensions if additional time is needed. If the permit holder fails to obtain the necessary inspections or request extensions by the permit expiration date, the work will be presumed to be abandoned and the permit will expire by default.
- D. A permittee holding an unexpired permit may apply for an extension of the time within which he may commence work under that permit when he is unable to commence work within the time required by this section for good and satisfactory reasons. The building official may extend the time for action by the permittee for a period not exceeding one hundred eighty days upon written or verbal request by the permittee identifying the circumstances necessary for the extension request.
- E. In order to renew action on a permit after expiration, the permittee must pay a new permit fee. Guidelines in SMC 8.02.031(U) will be followed.

BICYCLE PARKING CODE UPDATE BRIEFING PAPER
City of Spokane
Plan Commission Workshop
Planning Services
February 22, 2023

Subject

This proposal will amend Spokane Municipal Code (SMC): Sections 17C.230.110 and 17C.230.200. The proposed update to section 17C.230.110 revises the vehicle substitution provisions. The proposed update to section 17C.230.200 revises the bicycle parking code to require short-term and long-term bicycle parking throughout the city and add spacing standards to ensure accessibility and usability.

Background

The Bicycle Master Plan and the City's Comprehensive Plan both outline the need for more bicycle parking to assist in reaching the Comprehensive Plan goal of tripling the number of commutes taken via bicycle.

The City continues investing in cycling infrastructure including bike lanes and trails. To ensure cyclists have a secure and accessible location to store their bicycles at their destinations, amendments to the bicycle parking code are recommended.

Impact

There are three main goals and impacts of the proposed update to the bicycle parking requirements.

1. To decouple bicycle parking and vehicle parking requirements by calculating bicycle parking requirements based on land use type and square footage of a building.
 - a. As currently written, bicycle parking is calculated as 5% of vehicle parking requirements.
2. To differentiate between short-term and long-term bicycle parking.
 - a. Short-term bicycle parking is oriented toward visitors and typically culminates in a bicycle rack located on the sidewalk in front of a building.
 - b. Long-term bicycle parking is oriented toward employees and residents and is typically in a secured enclosure or bike locker, either internal or external of the building.
3. To provide guidance on the most effective types of bicycle storage, addressing design, accessibility, and placement.

Action

No action currently

Funding

Staff time

Title 17C Land Use Standards

Chapter 17C.230 Parking and Loading

Section 17C.230.110 Minimum Required Parking Spaces

A. Purpose.

The purpose of required parking spaces is to provide enough parking to accommodate the majority of traffic generated by the range of uses, which might locate at the site over time. As provided in subsection (B)(3) of this section, bicycle parking may be substituted for some required parking on a site to encourage transit use and bicycling by employees and visitors to the site. The required parking numbers correspond to broad use categories, not specific uses, in response to this long-term emphasis. Provision of carpool parking, and locating it close to the building entrance, will encourage carpool use.

B. Minimum Number of Parking Spaces Required.

1. The minimum number of parking spaces for all zones is stated in Table 17C.230-1. Table 17C.230-2 states the required number of spaces for use categories. The standards of Table 17C.230-1 and Table 17C.230-2 apply unless specifically superseded by other portions of the city code.

2. Joint Use Parking.

Joint use of required parking spaces may occur where two or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. Joint use of required nonresidential parking spaces is allowed if the following documentation is submitted in writing to the planning and economic development services director as part of a building or zoning permit application or land use review:

- a. The names and addresses of the uses and of the owners or tenants that are sharing the parking.
- b. The location and number of parking spaces that are being shared.
- c. An analysis showing that the peak parking times of the uses occur at different times and that the parking area will be large enough for the anticipated demands of both uses; and
- d. A legal instrument such as an easement or deed restriction that guarantees access to the parking for both uses.

3. Bicycle parking may substitute for up to ~~((ten))~~ twenty-five percent of required parking. For every ~~((five))~~ four nonrequired bicycle parking spaces that meet the short or long-term bicycle parking standards, the motor vehicle parking

Commented [KT1]: Increased to 25%

Commented [KT2]: Changed to align with assumption that 2 spaces equals 1 rack.

Commented [KT3R2]: The advisory committee recommends a 1 for 1 replacement (one rack for one vehicle parking space)

requirement is reduced by one space. Existing parking may be converted to take advantage of this provision.

4. Existing Uses.

The off-street parking and loading requirements of this chapter do not apply retroactively to established uses; however:

- a. the site to which a building is relocated must provide the required spaces; and
- b. a person increasing the floor area, or other measure of off-street parking and loading requirements, by addition or alteration, must provide spaces as required for the increase, unless the requirement under this subsection is five spaces or fewer.

5. Change of Use.

When the use of an existing building changes, additional off-street parking and loading facilities must be provided only when the number of parking or loading spaces required for the new use(s) exceeds the number of spaces required for the use that most recently occupied the building. A "credit" is given for the most recent use of the property for the number of parking spaces that would be required by the current parking standards. The new use is not required to compensate for any existing deficit.

- a. If the proposed use does not generate the requirement for greater than five additional parking spaces more than the most recent use then no additional parking spaces must be added.
- b. For example, a non-conforming building with no off-street parking spaces most recently contained an office use that if built today would require three off-street parking spaces. The use of the building is proposed to be changed to a restaurant that would normally require six spaces. The three spaces that would be required of the existing office use are subtracted from the required number of parking spaces for the proposed restaurant use. The remainder is three spaces. Since the three new spaces is less than five spaces no off-street parking spaces would be required to be installed in order to change the use of the building from an office use to a restaurant use.

6. Uses Not Mentioned.

In the case of a use not specifically mentioned in [Table 17C.230-2](#), the requirements for off-street parking shall be determined by the planning and economic development services director. If there is/are comparable uses, the planning and economic development services director's determination shall be based on the requirements for the most comparable use(s). Where, in the

judgment of the planning and economic development services director, none of the uses in [Table 17C.230-2](#) are comparable, the planning and economic development services director may base his or her determination as to the amount of parking required for the proposed use on detailed information provided by the applicant. The information required may include, but not be limited to, a description of the physical structure(s), identification of potential users, and analysis of likely parking demand.

C. Carpool Parking.

For office, industrial, and institutional uses where there are more than twenty parking spaces on the site, the following standards must be met:

1. Five spaces or five percent of the parking spaces on site, whichever is less, must be reserved for carpool use before nine a.m. on weekdays. More spaces may be reserved, but they are not required.
2. The spaces will be those closest to the building entrance or elevator, but not closer than the spaces for disabled parking and those signed for exclusive customer use.
3. Signs must be posted indicating these spaces are reserved for carpool use before nine a.m. on weekdays.

Date Passed: Monday, October 22, 2012

Effective Date: Friday, November 23, 2012 ORD C34927 Section 2

Section 17C.230.200 Bicycle Parking

A. Purpose.

Bicycle parking is required to encourage the use of bicycles by providing safe and convenient places to park bicycles.

~~((1. Bicycle parking facilities, either off street or in the street right of way, shall be provided in RMF, RHD, CC1, CC2, CC3, CC4, O, OR, NR, NMU, CB, GC, and industrial zones for any new use which requires twenty or more automobile parking spaces according to Table 17C.230-1 or Table 17C.230-2. All bicycle parking facilities in the street right of way shall conform to City engineering services department standards.~~

~~a. The number of required bicycle parking spaces shall be five percent of the number of required off-street auto parking spaces.~~

~~b. When any covered automobile parking is provided, all bicycle parking shall be covered.~~

~~2. Within downtown and FBC CA1, CA2, CA3, zones bicycle parking facilities, either off street or in the street right of way, shall be provided. The number of spaces shall be the largest amount based on either subsections (a) or (b) below.~~

~~a. The number of required bicycle parking spaces shall be five percent of the number of off street auto parking spaces being provided, whether the auto parking spaces are required by code or not.~~

~~b. A minimum of one bicycle parking space shall be provided for every ten thousand square feet of building area. When a building is less than ten thousand square feet in building area at least one bicycle parking space shall be provided.~~

~~c. When any covered automobile parking is provided, all bicycle parking shall be covered.~~

~~d. All bicycle parking facilities in the street right of way shall conform to City engineering services department standards.~~

~~3. Bicycle parking facilities accessory to nonresidential uses shall be located on the lot or within eight hundred feet of the lot. Bicycle parking accessory to residential uses shall be located on site. Bicycle parking facilities shared by more than one use are encouraged. Bicycle and automobile parking areas shall be separated by a barrier or painted lines.))~~

B. Applicability.

1. The required number of bicycle parking spaces in all zones except Centers and Corridors for uses in SMC 17C.190 is identified in Table 17C.230-3. If the calculated number of required bicycle parking spaces results in a decimal the required number of spaces is rounded up.

a. No short-term bicycle parking is required for the following uses.

- i. All uses under "Residential categories"
- ii. Commercial parking
- iii. Drive-through facilities
- iv. All uses under "Other Categories"
- v. All uses under "Industrial Categories"

b. No long-term bicycle parking is required for the following uses.

- i. Commercial parking
- ii. Drive-through facilities
- iii. Mini-storage facilities
- iv. Park and open areas
- v. Schools

- vi. All uses under "Other Categories"
- 2. The required number of bicycle parking spaces for allowed uses in Center and Corridor Zones is identified in Table 17C.230-4. If the calculated number of required bicycle parking spaces results in a decimal the required number of spaces is rounded up.
 - a. No short-term bicycle parking is required for the following uses.
 - i. Residential
 - ii. Public parking lot
 - iii. Drive-through business on pedestrian streets
 - iv. Mobile food vending
 - v. Limited industrial
 - vi. Heavy Industrial
 - vii. Motor vehicle sales, rental, repair, or washing
 - viii. Automotive parts and tires (with exterior storage or display)
 - b. No long-term bicycle parking is required for the following uses.
 - i. Park and open areas
 - ii. Structured parking
 - iii. Public parking lot
 - iv. Drive-through business on pedestrian streets
 - v. Self-storage or warehouse
 - vi. Mobile food vending
- ~~3. The provisions in this section do not apply to buildings less than one thousand (1,000) square feet.~~
- 4. Change of Use.
 - a. When the use of an existing building changes, bicycle parking shall be provided to meet the standards set forth in this section.
- 5. The bicycle parking requirements of this section do not retroactively apply to established uses; however:
 - a. When increasing the floor area or other measures of bicycle parking requirements by addition or alteration, spaces, as required for the increase, shall be provided; and
 - b. The site to which a building is relocated must provide the required spaces.
- 6. Uses Not Mentioned.
 - a. In the case of a use not specifically mentioned in Table 17C.230-3 or Table 17C.230-4, the requirements for bicycle parking shall be determined by the Planning Director.

Commented [KT4]: This was removed and the rate of bicycle parking as described in the use tables will determine minimum thresholds.

C. Short-term bicycle parking standards

Short-term bicycle parking encourages shoppers, customers, and other visitors to use bicycles by providing a convenient and readily accessible place to park bicycles.

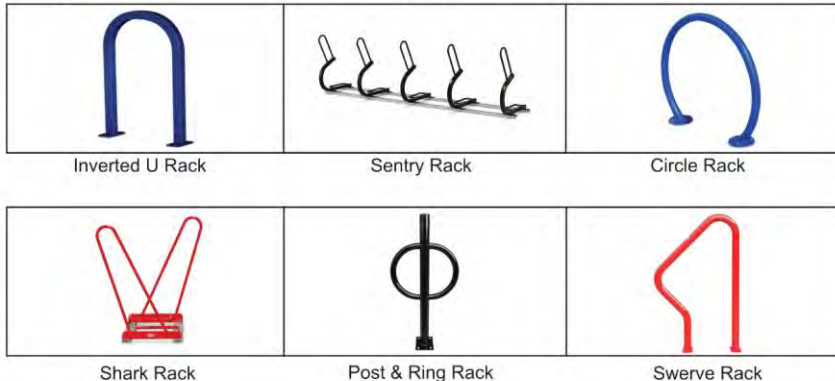
1. Bicycle racks designed to accommodate two bicycles, such as an inverted-u rack, are considered two (2) bicycle parking spaces.
2. Short-term bicycle parking shall be placed on surfaces that are stable, firm, and slip resistant, consistent with ADA requirements.
3. A bicycle rack must allow for the locking of the bicycle frame and one (1) wheel to the rack and shall support a bicycle in a stable position with a minimum of two points of contact to the bicycle frame and without damage to the wheels, frame, or components (see figure 1 below for examples that meet and do not meet this requirement).

Figure 1 Short-term bicycle racks that meet and do not meet the design requirements

Examples of bicycle racks that **do not** meet the design requirements:



Examples of bicycle racks that **do** meet the design requirements:



4. Short-term bicycle parking must be located:
 - a. Within 50 feet of a main entrance; and
 - b. On-site or within the adjacent public right-of-way.
 - i. If within the public right-of-way, bicycle racks must be entirely within the pedestrian buffer strip.

- c. Outside of a building or enclosure.
 - d. As to not conflict with the opening of vehicle doors.
 - e. At the same grade as the sidewalk or at a location that can be reached by an accessible route.
 - f. Short-term bicycle parking where the number of required spaces is based on the provided vehicle parking (see Basic Utilities and Parks and Open Space in Table 17C.230-3) shall be grouped and located within or adjacent to the vehicle parking area.
 - i. If located within the vehicle parking area the bicycle racks shall be protected from vehicle interference such as the opening of car doors and potential collision by ensuring adequate space between vehicle parking stalls and bicycle parking.
5. Property owners and businesses located on the same side of the street and on the same block may establish a grouped bicycle parking area where short-term bicycle parking solutions may be implemented.
- a. These areas shall be located no further than 200 feet from the main entrance of each business or property they intend to serve.
 - b. The racks shall be at a location that can be reached by an accessible route.
 - c. Bicycle parking shall meet all other relevant standards of this section.
6. If the development is unable to provide short-term bicycle parking as described, the developer may explore options such as:
- a. On-site short-term bicycle parking beyond fifty (50) from the main entrance.
 - b. Bicycle parking located at the rear of the building.
 - c. Bicycle parking located within the building.
 - d. As agreed between the applicant and the Planning Director.

D. Long-term bicycle parking standards

Long-term bicycle parking provides employees, students, residents, commuters, and others who generally stay at a site for several hours with a secure and weather-protected place to park bicycles.

- 1. Long-term bicycle parking must be located:
 - a. Within a building.
 - b. On-site, including parking structures and garages; or
 - c. Within three hundred (300) feet of the site.
- 2. A garage dedicated exclusively to one or two residential units shall meet all long-term bicycling parking requirements for the associated units.
- 3. Long-term bicycle parking must be provided in racks or lockers.
 - a. At least twenty-five percent (25%) of the racks must be horizontal to

Commented [KT5]: Bicycle parking based on park amenities should be placed near the park amenities, see Table 17C230-3 footnote [2]

Commented [QHC6]: Based on feedback from the advisory committee, this clarifies conditions where private garages can meet all long-term bike parking requirements.

Commented [KT7R6]: This provision would count towards the overall requirement i.e. if the development was 100 units and there were 50 garages the long-term bicycle parking of 0.5/unit would be fulfilled.

accommodate:

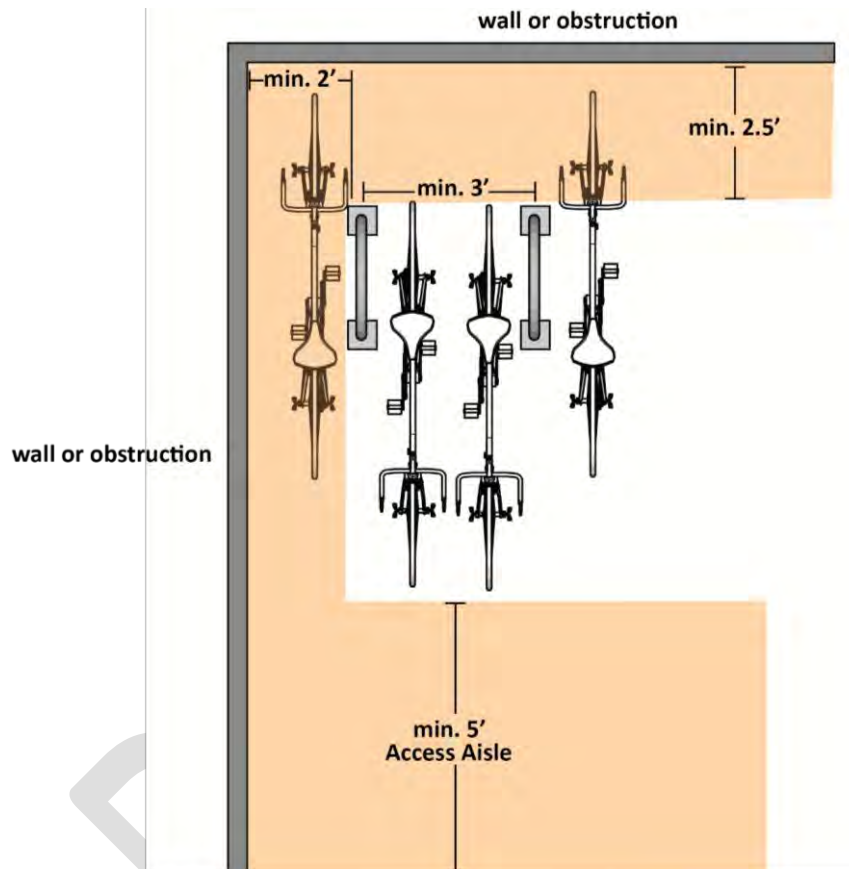
- i. Those who cannot lift a bicycle into a vertical position; and
- ii. Cargo, tandem, long-tailed or similar bicycles that do not fit into vertical bicycle racks.

4. Long-term bicycle parking spacing requirements.

a. For horizontal racks such as the inverted-u rack (see figure 2):

- i. A minimum of three (3) feet parallel spacing between each rack; and
- ii. A minimum of five (5) feet perpendicular access aisle between rows of bicycle parking; and
- iii. A minimum of two (2) feet six (6) inches of perpendicular spacing between bicycle racks and walls or obstructions; and
- iv. A minimum of two (2) feet for user access between a wall or other obstruction and the side of the nearest parked bicycle.

Figure 2 Spacing requirements for horizontal long-term bicycle racks



b. For vertical wall-mounted racks (see figures 3 and 4):

- i. A minimum of three (3) feet parallel spacing between each rack; or, A minimum of one (1) foot six (6) inches parallel spacing combined with a minimum of an eight (8) inch vertical off-set between each rack; and
- ii. A minimum of five (5) feet perpendicular access aisle between rows of bicycle parking; and
- iii. A minimum of one (1) foot six (6) inches for user access between a wall or other obstruction and the side of the nearest parked bicycle.

Figure 3 Wall-mounted bicycle rack without vertical off-sets

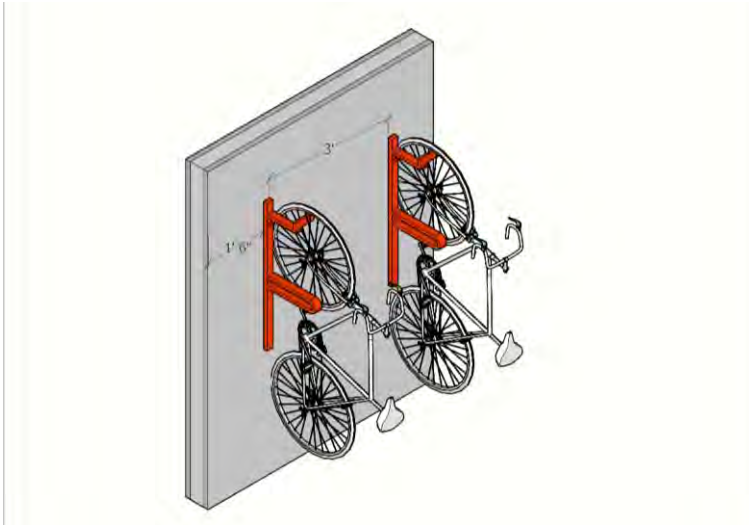
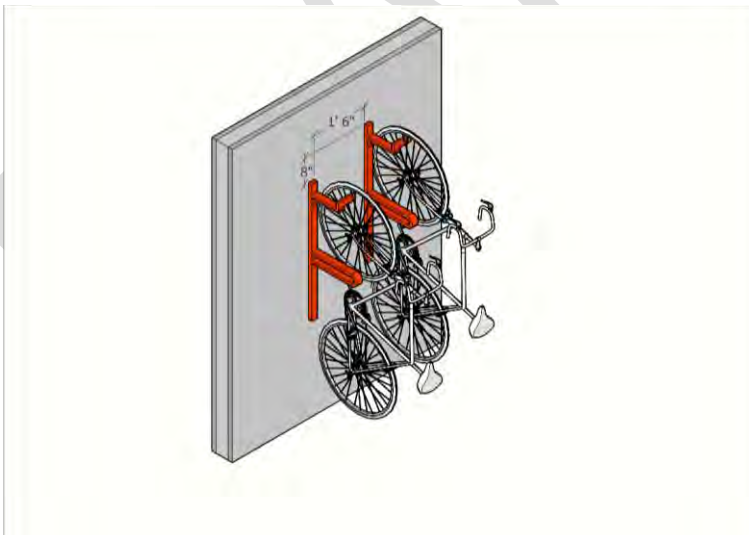


Figure 4 Wall-mounted bicycle racks with vertical off-sets



5. Long-term bicycle parking must be covered. The cover must be.
- a. Permanent; and
 - b. Impervious.

6. Long-term bicycle parking shall be placed on floor and ground surfaces that are stable, firm, and slip resistant consistent with ADA requirements.
7. Long-term bike storage design details must be provided with site layouts to determine the number of bicycle parking spaces.
8. To provide security the bicycle parking must be,
 - a. In a locked room; or
 - b. In an enclosure with a locked gate or door, the walls of the enclosure are to be at least eight (8) feet tall or be floor-to-ceiling; or
 - c. In a permanently anchored, enclosed, and secured bike locker.
9. Property owners and businesses located on the same block may establish a grouped bicycle parking area where long-term bicycle parking solutions may be implemented.
 - a. These areas shall be located no further than 300 feet from each site they intend to serve.
 - b. Bicycle parking shall be at a location that can be reached by an accessible route.
 - c. Bicycle parking shall meet all other relevant standards of this section.
10. Up to fifty percent (50%) of long-term bicycle parking for residential uses may be located within a dwelling unit. Long-term bicycle parking in a residential dwelling unit shall be: In-unit long-term bicycle parking is allowed for ground-level residential units. In-unit long-term bicycle racks in residential dwelling units inaccessible from the ground level do not count towards long-term bicycle parking requirements. All in-unit long-term bicycle racks shall be located:
 - a. In a designated bicycle storage closet; or
 - b. In a private outdoor area where the bicycle can be secured to a vertical or horizontal rack.
 - i. The rack must be permanently affixed to the ground or wall; and
 - ii. The outdoor area must be covered to protect the bicycle from weather events.
11. If a development is unable to meet the standards of this section, the applicant may seek relief subject to the Planning Director's discretion.
 - a. The applicant shall provide reasonable evidence as to why they are unable to fulfill the requirements of this section.
 - b. The applicant and the Planning Director should first explore alternatives for locating bicycle parking prior to agreeing to full relief from the requirements of this section.

Commented [QHC8]: Currently, applicants submit rack details to permit staff for review. This formalizes that practice.

Commented [KT9]: Plan Commission Transportation Subcommittee recommended this be changed to only allow in-unit bicycle racks for ground-level residential units.

Commented [KT10]: The advisory committee recommended removing this provision

TABLE 17C.230-3 BICYCLE PARKING BY USE					
RESIDENTIAL CATEGORIES					
USE CATEGORIES	SPECIFIC USES	REQUIRED SHORT-TERM BICYCLE PARKING	BASELINE SHORT-TERM BICYCLE PARKING (1 RACK IS EQUIVALENT TO 2 SPACES)	REQUIRED LONG-TERM BICYCLE PARKING	BASELINE LONG-TERM BICYCLE PARKING
Group Living		None	0	1 per 10 residents	0
Residential Household Living	Five or more units Multifamily dwellings of ten or more units	None	0	0.5 per unit	0
COMMERCIAL CATEGORIES					
USE CATEGORIES	SPECIFIC USES	REQUIRED SHORT-TERM BICYCLE PARKING	BASELINE SHORT-TERM BICYCLE PARKING (1 RACK IS EQUIVALENT TO 2 SPACES)	REQUIRED LONG-TERM BICYCLE PARKING	BASELINE LONG-TERM BICYCLE PARKING
Adult Business		1 per 5,000 sq. ft. of floor area	2	None below 12,000 sq. ft. of floor area; and then 1 per 12,000 sq. ft. of floor area	4
Commercial Outdoor Recreation		1 per 5,000 sq. ft. of floor area	2	None below 12,000 sq. ft. of floor area; and then 1 per 12,000 sq. ft. of floor area	4
Commercial Parking		None	0	None	0
Drive-through Facility		None	0	None	0
Major Event Entertainment		1 per 60 seats	2	None below 24,000 sq. ft. of floor area; and then 1 per 24,000 sq. ft. of floor area	4
Office	General Office	1 per 20,000 sq. ft. of floor area	2	None below 10,000 sq. ft. of floor area; and then 1 per 10,000 sq. ft. of floor area	4

Commented [QHC11]: The number of parking spaces accommodated per rack is not noted for long-term parking, as the number of spaces accommodated by each long-term rack is dependent on rack design, ie wall-mounted versus floor-mounted/horizontal vs. vertical. See D.7.

Commented [KT13]: The advisory committee suggested that this rate of long-term parking is too high.

Commented [KT14R13]: Plan Commission Transportation Subcommittee suggested that this rate is adequate because we are not basing this on the number of residents.

Commented [KT12]: The advisory committee noted that this threshold was too low and that 12 was a more reasonable number.

Plan Commission Transportation Subcommittee noted that 12 was too high and would exclude some types of development where bicycle infrastructure is important.

	Medical/Dental Office	1 per 20,000 sq. ft. of floor area	2	None below 10,000 sq. ft. of floor area; and then 1 per 10,000 sq. ft. of floor area	4
Quick Vehicle Servicing		1 per 20,000 sq. ft. of floor area	2	None below 12,000 sq. ft. of floor area; and then 1 per 12,000 sq. ft. of floor area	4
Retail Sales and Service	Retail, Personal Service, Repair-oriented	1 per 5,000 sq. ft. of floor area	2	None below 12,000 sq. ft. of floor area; and then 1 per 12,000 sq. ft. of floor area	4
	Restaurants and Bars	1 per 5,000 sq. ft. of floor area	2	None below 12,000 sq. ft. of floor area; and then 1 per 12,000 sq. ft. of floor area	4
	Health Clubs, Gyms, Lodges, Meeting Rooms and similar continuous entertainment, such as Arcades and Bowling Alleys	1 per 5,000 sq. ft. of floor area	2	None below 12,000 sq. ft. of floor area; and then 1 per 12,000 sq. ft. of floor area	4
	Temporary Lodging	1 per 30 rentable rooms	2	None below 30 rentable rooms; and then 1 per 30 rentable rooms	4
	Theaters	1 per 30 seats	2	None below 12,000 sq. ft. of floor area; and then 1 per 12,000 sq. ft.	4
	Retail sales and services of large items, such as appliances, furniture and equipment	1 per 5,000 sq. ft. of floor area	2	None below 12,000 sq. ft. of floor area; and then 1 per 12,000 sq. ft. of floor area	4
Mini-storage Facilities		2 per development	2	None	9
Vehicle Repair		1 per 20,000 sq. ft. of floor area	2	None below 12,000 sq. ft. of floor area; and then 1 per 12,000 sq. ft. of floor area	4
INDUSTRIAL CATEGORIES					

USE CATEGORIES	SPECIFIC USES	REQUIRED SHORT-TERM BICYCLE PARKING	BASELINE SHORT-TERM BICYCLE PARKING (1 RACK IS EQUIVALENT TO 2 SPACES)	REQUIRED LONG-TERM BICYCLE PARKING	BASELINE LONG-TERM BICYCLE PARKING
Industrial Services, Railroad Yards, Wholesale Sales		None	0	None below 20,000 sq. ft. of floor area; and then 1 per 20,000 sq. ft. of floor area	4
Manufacturing and Production		None	0	None below 20,000 sq. ft. of floor area; and then 1 per 20,000 sq. ft. of floor area	4
Warehouse and Freight Movement		None	0	None below 20,000 sq. ft. of floor area; and then 1 per 20,000 sq. ft. of floor area	4
Waste-related		None	0	None below 20,000 sq. ft. of floor area; and then 1 per 20,000 sq. ft. of floor area	4
INSTITUTIONAL CATEGORIES					
USE CATEGORIES	SPECIFIC USES	REQUIRED SHORT-TERM BICYCLE PARKING	BASELINE SHORT-TERM BICYCLE PARKING (1 RACK IS EQUIVALENT TO 2 SPACES)	REQUIRED LONG-TERM BICYCLE PARKING	BASELINE LONG-TERM BICYCLE PARKING
Basic Utilities		1 per 20 vehicle spaces (whether vehicle parking is required by code or not)	2	None below 20 vehicle spaces; and then 1 per 20 vehicle spaces (whether vehicle parking is required by code or not)	4
Colleges		1 per 20,000 sq. ft. of floor area associated with each building	2	None below 30 staff/faculty; and then 1 per 30 staff/faculty	4
Community Service		1 per 5,000 sq. ft. of floor area	2	None below 12,000 sq. ft. of floor area; and then	4

				1 per 12,000 sq. ft. of floor area	
Daycare		1 per 5,000 sq. ft. of floor area	2	None below 12,000 sq. ft. of floor area; and then 1 per 12,000 sq. ft. of floor area	4
Medical Centers		1 per 30,000 sq. ft. of floor area	2	None below 12,000 sq. ft. of floor area; and then 1 per 20,000 sq. ft. of floor area	4
Parks and Open Areas[1] [2]		1-3 amenities= 4 spaces 4-7 amenities= 8 spaces 7-12 amenities= 16 spaces 12+ amenities= 24 spaces Additionally: 1 per 10 vehicle spaces (whether vehicle parking is required by code or not)	2	None	9
Religious Institutions		1 per 20,000 sq. ft. of floor area	2	None below 12,000 sq. ft. of floor area; and then 1 per 12,000 sq. ft. of floor area	4
Schools	Grade, Elementary, Junior High	1 per classroom	2	None	9
	High School	1 per classroom	2	None	9
OTHER CATEGORIES					
USE CATEGORIES	SPECIFIC USES	REQUIRED SHORT-TERM BICYCLE PARKING	BASELINE SHORT-TERM BICYCLE PARKING (1 RACK IS EQUIVALENT TO 2 SPACES)	REQUIRED LONG-TERM BICYCLE PARKING	BASELINE LONG-TERM BICYCLE PARKING
Agriculture		None	None	None	None

Commented [QHC15]: At the Bicycle Advisory Board, it was commented that this ratio is too low for Medical Centers.

Aviation and Surface Passenger Terminals		None	None	None	None
Detention Facilities		None	None	None	None
Essential Public Facilities		None	None	None	None
Wireless Communication Facilities		None	None	None	None
Rail Lines and Utility Corridors		None	None	None	None
[1] Parks and Open Space amenities, for the purpose of this section, are defined as park facilities such as playgrounds, ball fields, and splash pads. These do not include any natural area amenities such as habitat viewing station.					
[2] Bicycle rack requirements based on amenities should be located near the amenities the racks are intended to serve.					

Commented [QHC16]: It was recommended at the Bicycle Advisory Board that a minimum number bike parking spaces should be required at airports.

TABLE 17C.230-4 CENTER AND CORRIDOR ZONE REQUIRED BICYCLE PARKING SPACE FOR ALLOWED USES				
CENTERS AND CORRIDORS USE CATEGORIES	REQUIRED SHORT-TERM BICYCLE PARKING	BASLINE SHORT-TERM BICYCLE PARKING (1 RACK IS EQUIVALENT TO 2 SPACES)	REQUIRED LONG-TERM BICYCLE PARKING	BASLINE LONG-TERM BICYCLE PARKING
Residential	None	0	0.5 per unit	0
Hotels, including Bed and Breakfast Inns	1 per 30 rentable rooms	2	None below 30 rentable rooms; and then 1 per 30 rentable rooms	4
Commercial, Financial, Retail, Personal Services	1 per 5,000 sq. ft. of floor area	2	None below 12,000 sq. ft. of floor area; and then 1 per 12,000 sq. ft. of floor area	4
Eating and Drinking Establishments	1 per 5,000 sq. ft. of floor area	2	None below 12,000 sq. ft. of floor area; and then 1 per 12,000 sq. ft. of floor area	4
Restaurants without Cocktail Lounges	1 per 5,000 sq. ft. of floor area	2	None below 12,000 sq. ft. of floor area; and then 1	4

Commented [KT17]: Center and Corridor requirements are similar to the general use category requirements. Should Centers and Corridors provide more bicycle parking?

			per 12,000 sq. ft. of floor area	
Professional and Medical Offices	1 per 20,000 sq. ft. of floor area	2	None below 10,000 sq. ft. of floor area; and then 1 per 10,000 sq. ft. of floor area	4
Entertainment, Museum and Cultural	1 per 60 seats, or 1 per 12,000 sq. ft. of floor area; whichever is lesser	2	None below 24,000 sq. ft. of floor area; and then 1 per 24,000 sq. ft. of floor area	4
Government, Public Service or Utility Structures, Social Services and Education	1 per 5,000 sq. ft. of floor area	2	None below 12,000 sq. ft. of floor area; and then 1 per 12,000 sq. ft. of floor area	4
Religious Institutions	1 per 20,000 sq. ft. of floor area	2	None below 12,000 sq. ft. of floor area; and then 1 per 12,000 sq. ft. of floor area	4
Parks and Open Space [1]	1-3 amenities= 4 spaces 4-7 amenities= 8 spaces 7-12 amenities= 16 spaces 12+ amenities= 24 spaces Additionally: 1 per 10 vehicle spaces (whether vehicle parking is required by code or not)	2	None	0
Structured Parking [2]	1 per 10 vehicle parking spaces	2	None	0
Public Parking Lot	None	0	None	0
Limited Industrial (if entirely within a building)	None	0	None below 20,000 sq. ft. of floor area; and then 1 per 20,000 sq. ft. of floor area	4
Heavy Industrial	None	0	None below 20,000 sq. ft. of floor area; and then 1 per 20,000 sq. ft. of floor area	4

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Drive-through Businesses on Pedestrian Streets	None	0	None	0
Motor Vehicles Sales, Rental, Repair or Washing	None	0	None below 20,000 sq. ft. of floor area; and then 1 per 12,000 sq. ft. of floor area	1
Automotive Parts and Tires (with exterior storage or display)	None	0	None below 12,000 sq. ft. of floor area; and then 1 per 12,000 sq. ft. of floor area	1
Gasoline Sales (serving more than six vehicles)	1 per 5,000 sq. ft. of floor area	2	None below 12,000 sq. ft. of floor area; and then 1 per 12,000 sq. ft. of floor area	1
Gasoline Sale (serving six vehicles or less)	1 per 5,000 sq. ft. of floor area	2	None below 12,000 sq. ft. of floor area; and then ft. of floor area	1
Self-storage or Warehouse	None	0	None	0
Adult Business (subject to chapter 17C.305 SMC special provisions)	1 per 5,000 sq. ft. of floor area	2	None below 12,000 sq. ft. of floor area; and then 1 per 12,000 sq. ft. of floor area	1
Winery and Microbreweries	1 per 5,000 sq. ft. of floor area	2	None below 12,000 sq. ft. of floor area; and then 1 per 12,000 sq. ft. of floor area	1
Mobile Food Vending	None	0	None	0
[1] Bicycle rack requirements based on amenities should be located near the amenities the racks are intended to serve.				
[2] Short-term parking within structured vehicle parking facilities must be on the ground floor and within the structure. There is no requirement for the parking to be in a secured enclosure.				

BRIEFING PAPER
Plan Commission Workshop
Shaping Spokane Housing, Development Code Changes
February 22, 2023

Subject

Continuing the series of City initiated development code amendments to the Unified Development Code (UDC) under the [Shaping Spokane Housing](#) program, city staff have prepared a new draft code amendment that updates Chapter 17C.316, Short-term Rentals. A concurrent code amendment will increase inspection fees to cover annual fire inspections for life and safety purposes, as outlined in 08.02.034(D) SMC. This Plan Commission workshop includes a status update on the new draft code language. Additionally, staff will update Plan Commission on information obtained from Granicus, who the city has contracted to review short-term rental platforms to determine how many units exist within the city's boundaries.

Background

The adopted [Housing Action Plan](#) (HAP) guides implementation of Comprehensive Plan policies by identifying strategies to achieve our community's housing needs and objectives. The HAP identifies actions that the city can enact to encourage more housing options that create more homes for more people or ensure that residents face less exposure to displacement. To implement the work of the HAP, the city is pursuing several residential development code amendments. These proposed changes are also guided by City Council's HAP [Implementation Plan](#).

Impact

Given that for sale and for rent housing units have been constrained locally for the past several years, the proposed code amendment takes action on the following Housing Action Plan strategy:

- B5, "Study the local short-term rental market to reduce impact on housing affordability, neighborhood identity, and displacement."

As well as the following City Council HAP Implementation Plan strategies:

- Strategy 1.5, "Contract with a vendor to track real-time use of housing in the City as short-term rentals and enforce compliance with City business license laws."
- Strategy 2.6, "Consider imposing an excise tax on short-term rental gross receipts to support housing programs that mitigate displacement of regular rental units."
- Strategy 2.7, "Expand allowable zones for short-term rentals to match current actual usage to improve licensing compliance."

For more information visit [ShapingSpokaneHousing.com](https://shapingspokanehousing.com)

Section 17C.316.010 Purpose

This chapter provides the requirements and standards under which residential dwelling units may be used for short-term rental use in ~~((residential))~~ zones where residential uses are permitted. The regulations are intended to allow for a more efficient use of certain types of residential structures in a manner which keeps them primarily in residential use, and without detracting from neighborhood character. The regulations also provide an alternative form of lodging for visitors who prefer a residential setting.

A short-term rental is where a residential dwelling unit or bedrooms in a residential unit are rented to overnight guests for fewer than thirty consecutive nights.

Section 17C.316.020 ~~((Description and))~~ Definitions

~~((A. Description. A short term rental is where a residential dwelling unit or bedrooms in a residential unit are rented to overnight guests for fewer than 30 days. There are two types of short term rentals:~~

- ~~1. Type A. A Type A short term rental is where bedrooms or an entire dwelling unit are rented to overnight guests, and no commercial meetings are permitted to be held in conjunction with use of a short term rental. The Type A short term rental is an administrative permit.~~
- ~~2. Type B. A Type B short term rental is where bedrooms or an entire dwelling unit are rented to overnight guests and commercial meetings are held. The Type B short term rental requires a type III conditional use permit according to [Chapter 17G.060 Land Use Application Procedures](#).~~

~~B. Definitions:))~~ For purposes of this chapter, the following words have the following meanings:

~~((1.))~~ A. Commercial meetings. Commercial meetings include luncheons, banquets, parties, weddings, meetings, charitable fund raising, commercial or advertising activities, or other gatherings for direct or indirect compensation. Commercial meetings are prohibited with a Type A short-term rental. A historic landmark that receives special assessment from the State may be open to the public for 4 hours one day each year; this is not considered a commercial meeting.

~~((2.))~~ B. Resident. An individual or family who resides in the dwelling unit. The resident can be the owner or operator of the short-term rental.

~~((3.))~~ C. Operator. ~~((The owner or a person or entity that is designated by the owner to manage the short term rental.))~~ Any person or entity that receives payment for owning or operating a dwelling unit, or portion thereof, as a short-term rental unit.

D. Owner. For the purposes of this chapter, any person or trust, alone or with others, has title or interest in any building, property, dwelling unit, or portion

thereof, with or without accompanying actual possession thereof, and including any person who as agent, executor, administrator, trustee, or guardian of an estate has charge, care, or control of any building, dwelling unit, or portion thereof. A person whose sole interest in any building, dwelling unit, or portion thereof is solely that of a lessee under a lease agreement is not considered an owner.

E. Primary residence. A dwelling unit occupied for more than six months each calendar year, as documented by driver's license, voter registration, utility bills, or other similar evidence.

Section 17C.316.030 Where These Regulations Apply

- A. The regulations of this chapter apply to short-term rentals in ~~((the following zones: RA, RSF, RSF-C, RTF, RMF, and RHD zones))~~ all zones where residential uses are permitted.
- B. In zones where Retail Sales and Service uses are allowed, limited, or conditional uses, short-term rentals may be regulated either as a Retail Sales and Service use or as hotel motel if they do not meet the regulations and standards in this chapter.
1. All such applications in structures previously classified as a residential use must complete the Change of Use/Occupancy process to a commercial use and shall meet all applicable Building Code and Fire Code standards.

Section 17C.316.040 ~~((Type A))~~ Short-Term Rentals in Residential Zones

- A. ~~((Use-related regulations.))~~ Allowed Structure Types. A short-term rental is allowed only in a conforming residential structure or a residential dwelling unit within a mixed-use building.
1. ~~((Permit required. A Type A short-term rental requires a Type A short-term rental permit per .040 C below.))~~ A short-term rental is an administrative permit.
- ~~((2. Allowed structure type. A Type A short-term rental is allowed only in the following residential structure types:~~
- ~~a. Single-Family Residence;~~
 - ~~b. Attached house;~~
 - ~~c. Duplex;~~
 - ~~d. Apartments;~~
 - ~~e. Condominiums; and~~
 - ~~f. Accessory dwelling unit.~~
 - ~~g. Manufactured Homes))~~

2. No commercial meetings are permitted to be held in conjunction with use of a short-term rental.
- B. Maximum number of short-term rental units. Maximum short-term rental units are calculated by structure rather than per parcel. The maximum number of short-term rental units within residential zones shall not exceed those listed below.
 1. A maximum of one short-term rental unit is allowed in a detached single-family residence, attached house, or duplex.
 2. All other multifamily or mixed-use buildings are limited to a maximum percentage of short-term rental units dependent on the below requirements:
 - a. Buildings that are fire sprinklered may have no more than **twenty** percent of the total number of residential units as short-term rentals within the building. All calculations will be rounded up to the nearest full unit.
 - b. Buildings that are not fire sprinklered must comply with current building and fire code regulations.
 - c. When calculating the maximum number of units results in a fraction, the units allowed are rounded up to the next whole number.
 3. On lots where there is an accessory dwelling unit (ADU) in addition to the primary building, a short-term rental use in the ADU counts towards the maximum number of units.
- ~~((B))~~ C. Standards. ((The following standards apply to Type A short-term rentals. Adjustments are)) A variance to the following standards is prohibited.
 1. All short-term rentals must comply with the consumer safety and liability insurance requirements as listed in Chapter 64.37 RCW.
 2. Accessory dwelling units. ((On sites with an accessory dwelling unit, the resident can live in the primary or accessory dwelling unit and rent bedrooms in either dwelling unit.)) A short-term rental use may be established on a lot with an accessory dwelling unit subject to the following:
 - a. On lots where there is an accessory dwelling unit (ADU) in addition to the primary building, a short-term rental use in the ADU counts towards the maximum number of units.
 - b. Lots in the Rural Agriculture (RA) and Residential Single-Family (RSF) zones with an accessory dwelling unit must be owner-occupied for more than six months of the year, in either the primary residence or the accessory dwelling unit. Only one of the units may be rented as a short-term rental.
 - c. In the Residential Two-family (RTF), Residential Multifamily (RMF), and Residential High Density (RHD) zones either the primary residence or the accessory dwelling unit may be rented as a short-term rental.
 - i. Owner occupancy is not required in RTF, RMF, or RHD zones in either unit.
- ~~((2))~~ 3. Bedroom requirements. The City's Building Official must verify that each bedroom to be rented to overnight guests:

- d. ~~((Met))~~ Meets the current building code requirements for a sleeping room ~~((at the time it was created or converted))~~;
- e. Meets current fire code requirements;
- c. Common areas, such as but not limited to living rooms, lofts, or closets shall not qualify as sleeping accommodations for the purposes of determining maximum occupancy.
- ~~((3))~~ 4. Number of ~~((overnight))~~ residents and guests. The total number of ~~((adults occupying a dwelling unit with a Type A short-term rental may not exceed two (2) adults per bedroom))~~ of residents and guests occupying a dwelling unit that includes a short-term rental may not exceed any lawful limits on occupant load per square foot or generally applicable health and safety provisions as established by applicable building or fire code, as provided in RCW 35.21.682.
- ~~((4))~~ 5. ~~((Employees. Nonresident employees are prohibited. Hired service for normal maintenance, repair and care of the resident or site, such as yard maintenance or house cleaning, is allowed.))~~ Appearance. Residential structures may be remodeled for the development of a short-term rental, subject to required approvals and permits.
 - a. Structural alterations may not be made that prevent the structure from being used as a residence in the future.
 - b. Internal or external changes that will make the dwelling appear less residential in nature or function are not allowed. Examples of such alterations include installation of additional on-site parking, commercial-type exterior lighting, and signage.
- ~~((5. Services to overnight guests and visitors. Serving alcohol and food to overnight guests and visitors is allowed, subject to other county and/or state requirements.))~~
- 6. Parking. See [Spokane Municipal Code Chapter 17C.230 Parking and Loading](#)
- 7. Advertising. All advertisements for the short-term rental must list short-term rental permit number and is subject to sign requirements of Chapter 17C.240 Signs.
- ~~((C.))~~ D. ~~((Type A Short Term Rental Permit))~~ Permit Required. The owner of a ~~((Type A))~~ short-term rental must obtain a permit ~~((from the Planning and Development Services Department))~~. The permit requires the owner to agree to abide by the requirements of this section and to comply with the requirements outlined in Chapter 64.37 RCW. ~~((, and document that the required notification requirements have been met:))~~
 - 1. Notification. ~~((The owner must:))~~
 - a. The owner or operator must ~~((Prepare))~~ prepare a notification letter that:
 - i. Describes the operation and the number of bedrooms that will be rented to overnight guests; and
 - ii. Includes information on how to contact the owner or operator by phone.

- b. Mail or deliver the notification letter to all recognized organizations and owners of property abutting and directly across the street from the short-term rental upon issuance of short-term rental permit
2. Required information for permit. ~~((In order to apply for a Type A short-term rental permit, the owner or operator must submit to the Planning and Development Services Department:))~~
 - a. Completed application form bearing the address of the property, the name, signature, address, and telephone number of the owner and operator if operator is not also an owner and emergency contact.
 - b. A short-term rental application and permit fee established by [SMC 08.02.066](#).
 - ~~((c. Proof of property insurance covering the property.))~~
 - ~~((d.))~~ c. A copy of the owner's current City of Spokane business license.
 - ~~((e.))~~ d. A copy of the notification letter and a list with the names and addresses of all property owners and organizations that received the letter.
 - ~~((f.))~~ e. A site plan and floor plan.
 - f. A completed and notarized Life Safety Compliance form.
- ~~((D.))~~ E. Renewal of and Revoking a ~~((Type A))~~ Short-Term Rental Permit. A ~~((Type A))~~ short-term rental permit must be renewed per the procedures in ~~((chapter 4.04))~~ [Chapter 04.04 SMC](#) and can be revoked according to the outlined procedures ~~((in chapter 4.04 SMC))~~ for failure to comply with the regulations of this chapter.
 1. ~~((In addition a))~~ A permit may be revoked for activities on site ~~((including))~~ such as nuisances, littering, or public disturbance as listed under Title 10 SMC ((under Chapter 10.08 Offences Against Public Health Chronic or public disturbance in Section 10.08D.090 Public Disturbance Noise)).
 2. For revocation of permit the owner or operator receives one warning of violation. ~~((In the case of non-compliance))~~ Non-compliance or a repeat of non-compliance in a 12 month period shall result in revocation of permit per a type two civil infraction as referenced in ~~((1.05.160))~~ [SMC 01.05.160](#).
 3. When a ~~((Type A))~~ short-term rental permit has been revoked, a new ~~((Type A))~~ short-term rental permit will not be issued to the owner at that site for 2 years.

Section 17C.316.050 ~~((Type B))~~ Short-Term Rentals in Other Zones

- A. ~~((Use related regulations.))~~ Allowed Structure Types. A short-term rental is allowed only in a conforming residential structure or a residential dwelling unit within a mixed-use building. All other structures must complete the Change of Use/Occupancy process.

- ~~((1. Conditional use permit. A Type B short-term rental requires a Type III conditional use permit according to Chapter 17G.060 Land Use Application Procedures. The approval criteria are stated in SMC 17C.320.080 F, Institutional and Other Uses in Residential Zones.))~~
- ~~2. Allowed structure type. A Type B short-term rental is allowed only in the following residential structure types:~~
- ~~a. Single Family Residence;~~
- ~~b. Attached house;~~
- ~~c. Duplex;~~
- ~~d. Apartments;~~
- ~~e. Condominiums; and~~
- ~~f. Accessory dwelling unit. Manufactured Homes))~~
- B. Maximum number of short-term rental units. Maximum short-term rental units are calculated by structure rather than per parcel.
1. A maximum of one short-term rental unit is allowed in a detached single-family residence, attached house, or duplex.
2. All other multifamily or mixed-use buildings are limited to a maximum percentage of short-term rental units dependent on the below requirements:
- a. Buildings that are fire sprinklered may have no more than thirty percent of the total number of residential units as short-term rentals within the building. All calculations will be rounded up to the nearest full unit.
- b. Buildings that are not fire sprinklered must go through the Change of Use/Occupancy process.
- c. When calculating the maximum number of units results in a fraction, the units allowed are rounded up to the next whole number.
3. On lots where there is an accessory dwelling unit (ADU) in addition to the primary building, a short-term rental use in the ADU counts towards the maximum number of units.
- ~~((B-))~~ C. Standards.
- ~~((1. Maximum size. Maximum set through conditional use review.))~~
1. All short-term rentals must comply with the consumer safety and liability insurance requirements as listed in Chapter 64.37 RCW.
2. Accessory dwelling units. A short-term rental use may be established on a lot with an accessory dwelling unit subject to the following:
- a. On lots where there is an accessory dwelling unit (ADU) in addition to the primary building, a short-term rental use in the ADU counts towards the maximum number of units.
- b. Owner occupancy is not required.
- ~~((2-))~~ 3. Bedroom requirements. The City's Building Official must verify that each bedroom to be rented to overnight guests:

- a. ~~((Met))~~ Meets the current building code requirements for a sleeping room ~~((at the time it was created or converted))~~;
 - b. Meets current fire code requirements;
 - c. Common areas, such as but not limited to living rooms, lofts, or closets shall not qualify as sleeping accommodations for the purposes of determining maximum occupancy.
- ~~((3.))~~ 4. Number of residents and ~~((overnight))~~ guests. The total number of residents and ~~((overnight))~~ guests occupying a dwelling unit ~~((with a Type B short-term rental may be limited as part of a conditional use approval))~~ that includes a short-term rental may not exceed any lawful limits on occupant load per square foot or generally applicable health and safety provisions as established by applicable building or fire code, as provided in RCW 35.21.682.
- ~~((4. Employees. Nonresident employees for activities such as booking rooms and food preparation may be approved as part of the review. Hired service for normal maintenance, repair and care of the residence or site, such as yard maintenance or house cleaning, is allowed. The number of employees and the frequency of employee auto trips to the facility may be limited as part of approval.))~~
- ~~((5. Services to guests and visitors. Serving alcohol and food to guests and visitors is allowed, subject to other county and/or state requirements.~~
- ~~6 Commercial meetings.~~
- ~~a. Commercial meetings. Commercial meetings, as defined above, are regulated as follows:~~
 - ~~i. In all other zones, the number of commercial meetings per year shall be determined as part of a conditional use review. The maximum number of visitors or guests per event will be determined through the conditional use review. Adjustments to the maximum number of meetings per year are prohibited.~~
 - ~~b. Historic landmarks. A historic landmark that receives special assessment from the State may be open to the public for 4 hours one day each year. This does not count as a commercial meeting.~~
 - ~~c. Meeting log. The operator must log the dates of all commercial meetings held, and the number of visitors or guests at each event. The log must be available for inspection by city staff upon request.))~~
- ~~((7))~~ 4. Appearance. Residential structures may be remodeled for the development of a short-term rental, subject to required approvals and permits.
- a. Structural alterations may not be made that prevent the structure from being used as a residence in the future.
 - b. Internal or external changes that will make the dwelling appear less residential in nature or function are not allowed. Examples of such alterations include installation of ~~((more than paving or required setbacks))~~ additional on-site parking, ((and)) commercial-type exterior lighting, and commercial signage.

((8)) 5. Parking. [See Spokane Municipal Code Chapter 17C.230 Parking and Loading.](#)

((9)) 6. Advertising. All advertising for the short-term rental must include short-term rental permit number and is subject to sign requirements of [Chapter 17C.240 Signs.](#)

D. Permit Required. The owner or operator of a short-term rental must obtain a permit. The permit requires the owner and operator to agree to abide by the requirements of this section and to comply with the requirements outlined in Chapter 64.37 RCW.

1. Notification.

- a. The owner or operator must prepare a notification letter that:
 - i. Describes the operation and the number of bedrooms that will be rented to overnight guests; and
 - ii. Includes information on how to contact the owner or operator by phone.
- b. Mail or deliver the notification letter to all recognized organizations and owners of property abutting and directly across the street from the short-term rental upon issuance of short-term rental permit.

2. Required information for permit.

- a. Completed application form bearing the address of the property, the name, signature, address, and telephone number of the owner and operator if operator is not also an owner, and an emergency contact.
- b. A short-term rental application and permit fee established by [SMC 08.02.066.](#)
- c. A copy of the owner's current City of Spokane business license.
- d. A copy of the notification letter and a list with the names and addresses of all property owners and organizations that received the letter.
- e. A site plan and floor plan.
- f. A completed and notarized Life Safety Compliance form.

E. Renewal of and Revoking a Short-Term Rental Permit. A short-term rental permit must be renewed per the procedures in [Chapter 04.04 SMC](#) and can be revoked according to the outlined procedures for failure to comply with the regulations of this chapter.

1. A permit may be revoked for activities on site such as nuisances, littering, or public disturbance as listed under [Title 10 SMC.](#)
2. For revocation of permit the owner or operator receives one warning of violation. Non-compliance or a repeat of non-compliance in a 12 month period shall result in revocation of permit per a type two civil infraction as referenced in [SMC 01.05.160.](#)
3. When a short-term rental permit has been revoked, a new short-term rental permit will not be issued to the owner at that site for 2 years.

Section 17C.316.060 Monitoring and Life Safety Review

~~((All short-term rentals must maintain a guest log book. It must include the names and home addresses of guests, guest's license plate numbers if traveling by car, dates of stay, and the room assigned to each guest. The log must be available for inspection by city staff upon request.))~~

The City may inspect short-term rentals for compliance with Fire and Building code requirements and that the Life Safety Compliance form is accurately completed.

Section 08.02.034 Fire Code

A. Storage Tanks.

The fees in connection with aboveground or underground storage tanks for critical materials as defined in [SMC 17A.020.030](#), including flammable or combustible liquids, are:

1. Installation (including installation of pumps and dispensers) of underground storage tank, per tank: seven hundred twenty eight dollars.
2. Installation of above ground storage tank, per tank:
 - a. More than sixty but less than five hundred gallons: two hundred seventy six dollars.
 - b. Five hundred gallons or more: four hundred fifty dollars.
3. Aboveground or underground storage tank removal or abandonment, per tank: two hundred ten dollars.
4. Placement of tank temporarily out of service: two hundred ten dollars.
5. Alteration or repair of a tank: two hundred seventy six dollars.

B. Installation of Fire Protection/Detection Equipment.

1. The fees for installing, altering, or repairing fire protection and/or fire detection equipment are based on the value of the work, according to the following schedule:

BID AMOUNT (Valuation)	PERMIT FEE	PLAN CHECK FEE
\$1 through \$500	\$105	\$68.25
\$501 through \$2,000	\$210	\$136.50
\$2,001 through 5,000	\$420	\$273
\$5,001 through \$10,000	\$840	\$546
\$10,001 through \$15,000	\$1,260	\$819
\$15,001 through \$20,000	\$1,470	\$955.50
\$20,001 through \$25,000	\$1,680	\$1,092
\$25,001 through \$30,000	\$1,890	\$1,228.50
\$30,001 through \$40,000	\$1,995	\$1,296.75

\$40,001 through \$50,000	\$2,100	\$1,365
\$50,001 through \$60,000	\$2,520	\$1,638
\$60,001 through \$80,000	\$2,940	\$1,911
\$80,001 through \$100,000	\$3,150	\$2,047.50
\$100,001 through \$150,000	\$3,465	\$2,252.25
\$150,001 through \$200,000	\$3,780	\$2,457
\$200,001 through \$250,000	\$4,200	\$2,730
\$250,001 through \$300,000	\$5,000	\$3,250
\$300,001 through \$350,000	\$5,800	\$3,770
\$350,001 through \$400,000	\$6,600	\$4,290
\$400,001 through \$450,000	\$7,425	\$4,826.25
\$450,001 through \$500,000	\$8,230	\$5,349.50
For valuations of \$500,001 and over, fees are calculated as follows:		
Permit Fee: Valuation multiplied by 0.0165		
Plan Check Fee: 65% of permit fee.		

2. Fees apply to initial submittal and one subsequent resubmittal if the initial submittal is not accepted. If the resubmittal is not accepted, the applicant will need to begin a new submittal.
3. Penalty.
Whenever any work for which a fire equipment permit is required is started without first obtaining a permit, the permit fees specified above are doubled and a Class 1 civil infraction may be issued.
4. Fee Refunds.
The fire official may authorize the refund of any fee erroneously paid or collected. The fire official may authorize the refunding of not more than eighty percent of the paid permit fee when no work has been done under an issued permit.
5. Valuation.
The valuation of the work done must be submitted at the time of application for a permit. The valuation is the value of the work to be done and includes all labor, material, equipment, and the like supplied and installed by the permittee to complete the work. The permittee may be asked to verify the valuation placed on the work. When the cost of any proposed work is unknown, an estimate of the cost shall be made and used to compute the permit fee. Upon completion of the work, a fee adjustment is made in favor of the City or permittee, if requested by either party.
6. Inspections.
The number of inspections for each permit is determined by the valuation, with the minimum number of inspections for a permit being two.

7. Revisions.

Fees include one revision to an approved submittal. Additional revisions will be charged at an hourly rate of one hundred five dollars.

8. Phasing

Submittals for projects that are done in phases for the construction shall follow the phasing approved as part of the building permit. Where a building permit has not been issued, the phasing shall be approved by the Fire Code Official.

C. Fire Protection System Verification.

The fee for verification that a fire protection system has been appropriately serviced by a fire department registered fire equipment servicer, for each inspection, is:

1. Thirty-eight dollars for:

- a. sprinkler systems,
- b. standpipe systems,
- c. alarm systems,
- d. rangehood systems,
- e. inert gas extinguishing systems,
- f. spray booths, and

2. Nineteen dollars for private fire hydrants.

D. Safety/Building & Multi-Family Inspections.

The fee for conducting safety inspections is one hundred five dollars per hour with a minimum one-hour charge, including annual life safety reviews for short-term rentals. Building and multi-family inspections will be charged according to building area per the table below:

	Building Area (sq. ft.)	Fee
A	0 – 1,500	\$44
B	1,501 – 3,000	
C	3,001 – 5,000	
D	5,001 – 7,500	
E	7,501 – 10,000	

F	10,001 – 12,500	\$202
G	12,501 – 15,000	
H	15,001 – 17,500	
I	17,501 – 20,000	
J	20,001 – 30,000	
K	30,001 – 40,000	\$355
L	40,001 – 50,000	
M	50,001 – 60,000	
N	60,001 – 70,000	
O	70,001 – 100,000	
P	100,001 – 150,000	\$512
Q	150,001 – 200,000	
R	Over 200,000	

E. Reinspections.

The fee for conducting reinspections is one hundred five dollars per incident. This applies to inspection requests beyond the allowable inspections associated with an original permit. The reinspection fee will apply when an inspection is scheduled with the fire department and the following occurs:

1. The project or occupancy is not ready for the inspection.
2. Corrections that were previously identified remain uncorrected.
3. The site is not accessible and a return visit is required.

F. Inspection fees as set forth in this section are appropriated for an estimated time spent equal to or less than one hour per inspection. Permittees are subject to additional inspection fees, which shall apply in a minimum of one-hour increments

for each permit fee category, for additional time spent on inspection services to include code research and return site visits.

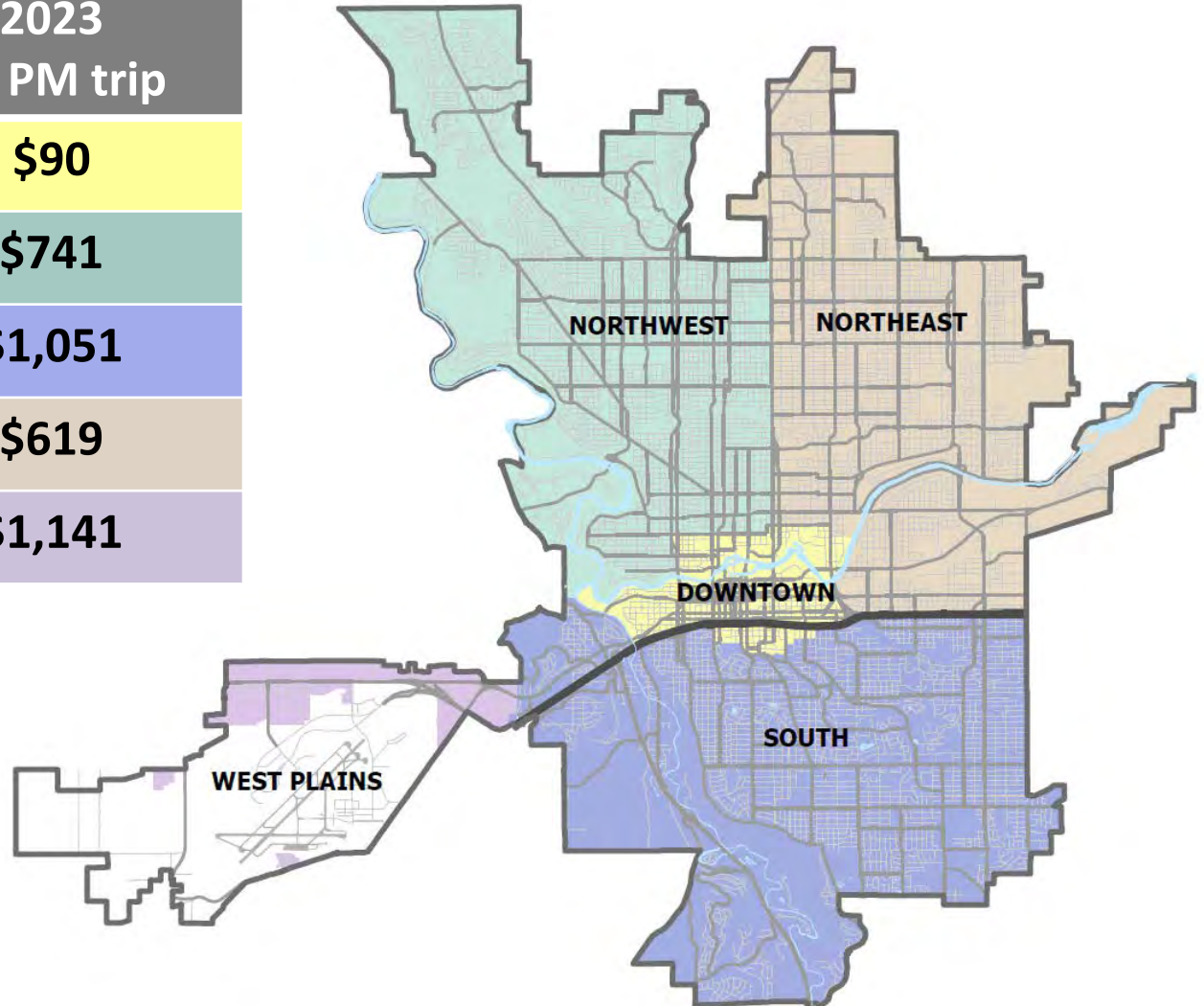
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Transportation Impact Fee updates
(changes to SMC 17D.075)
& related
Comprehensive Plan amendment
(File #Z23-039COMP amending
Appendix D of the Comprehensive Plan)

Existing Districts & Rates

Service Area	2023 \$ / PM trip
Downtown	\$90
Northwest	\$741
South	\$1,051
Northeast	\$619
West Plains	\$1,141

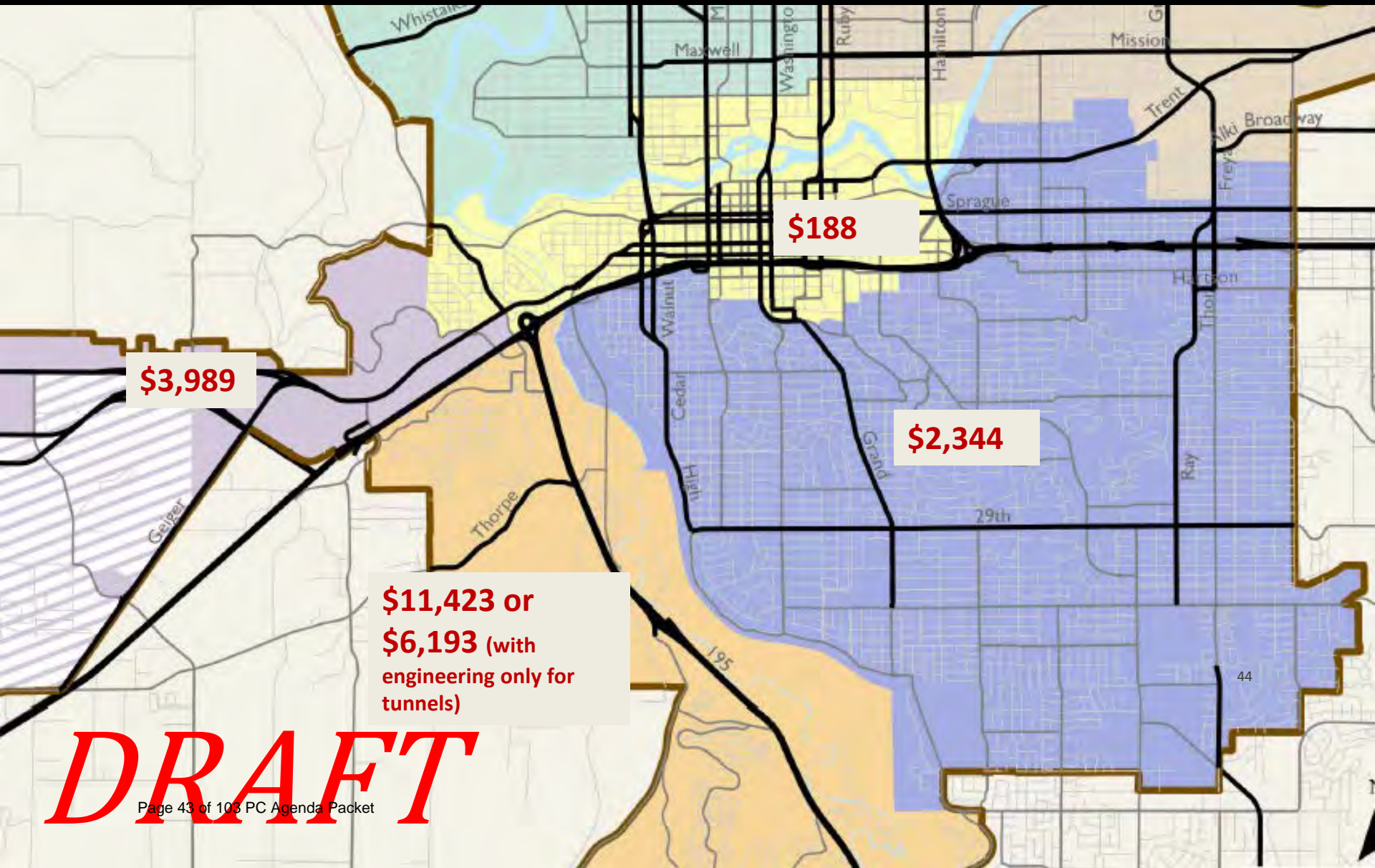
*Increases annually
with inflation.*



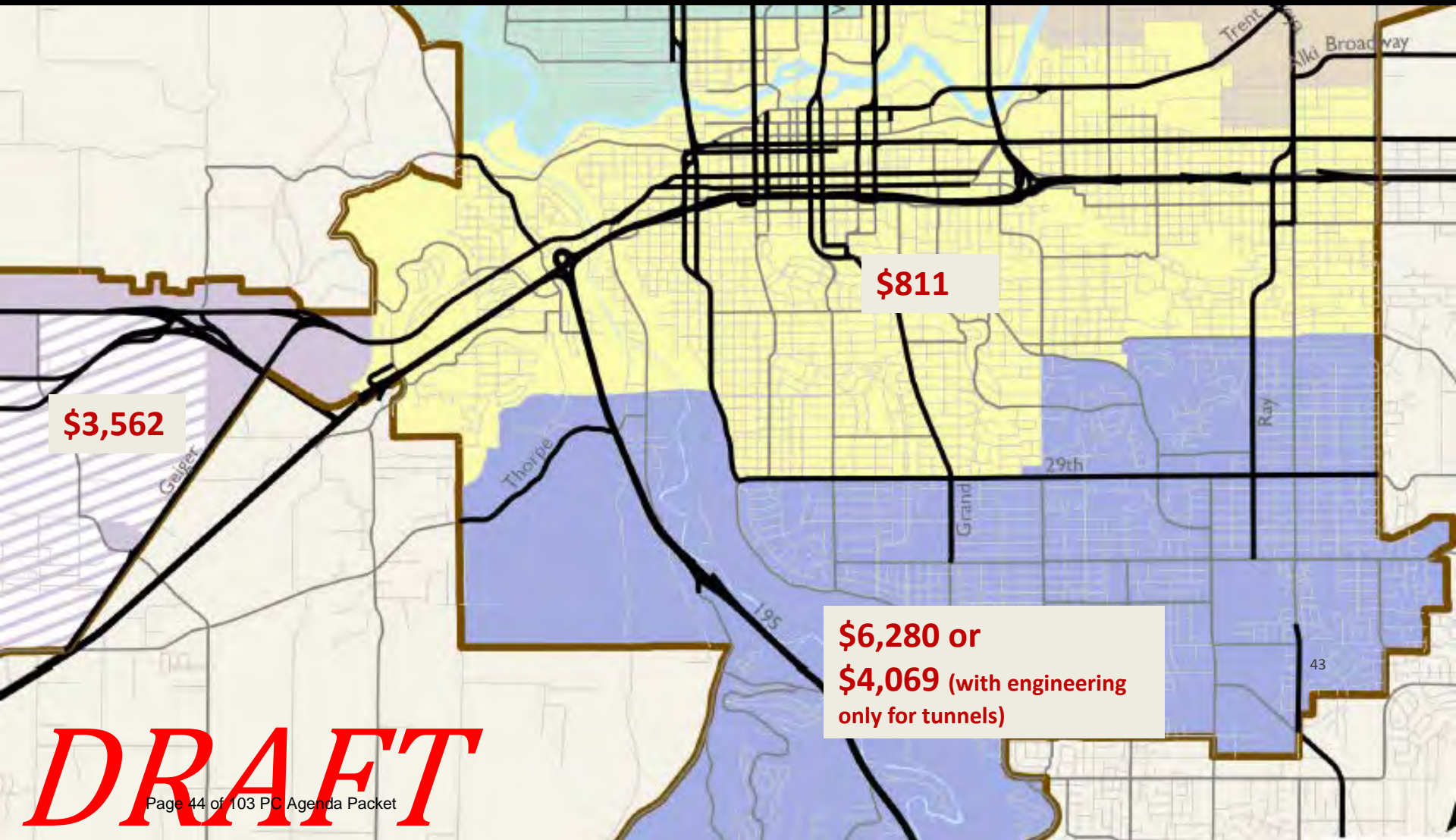
Committee Feedback

- Policy decision to encumber one area with projects for another.
- Don't price out infill development
- Keep money paid by developers for projects in the same area.
- Option #2s high rates will penalize development in the Latah area.
- Consider a stepped increase for Latah area.

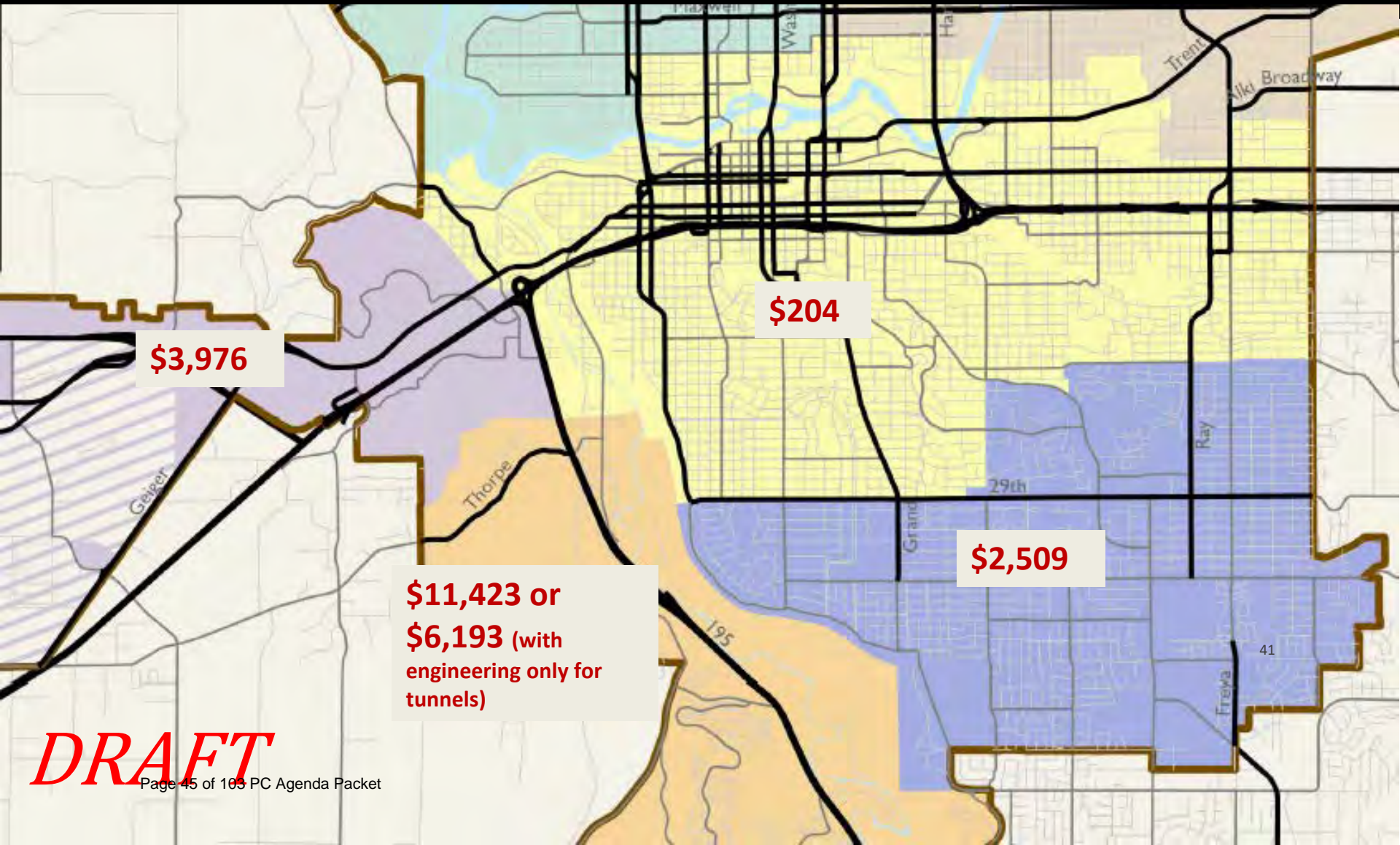
Boundary Option #2 with rates



Boundary Option #4 with rates

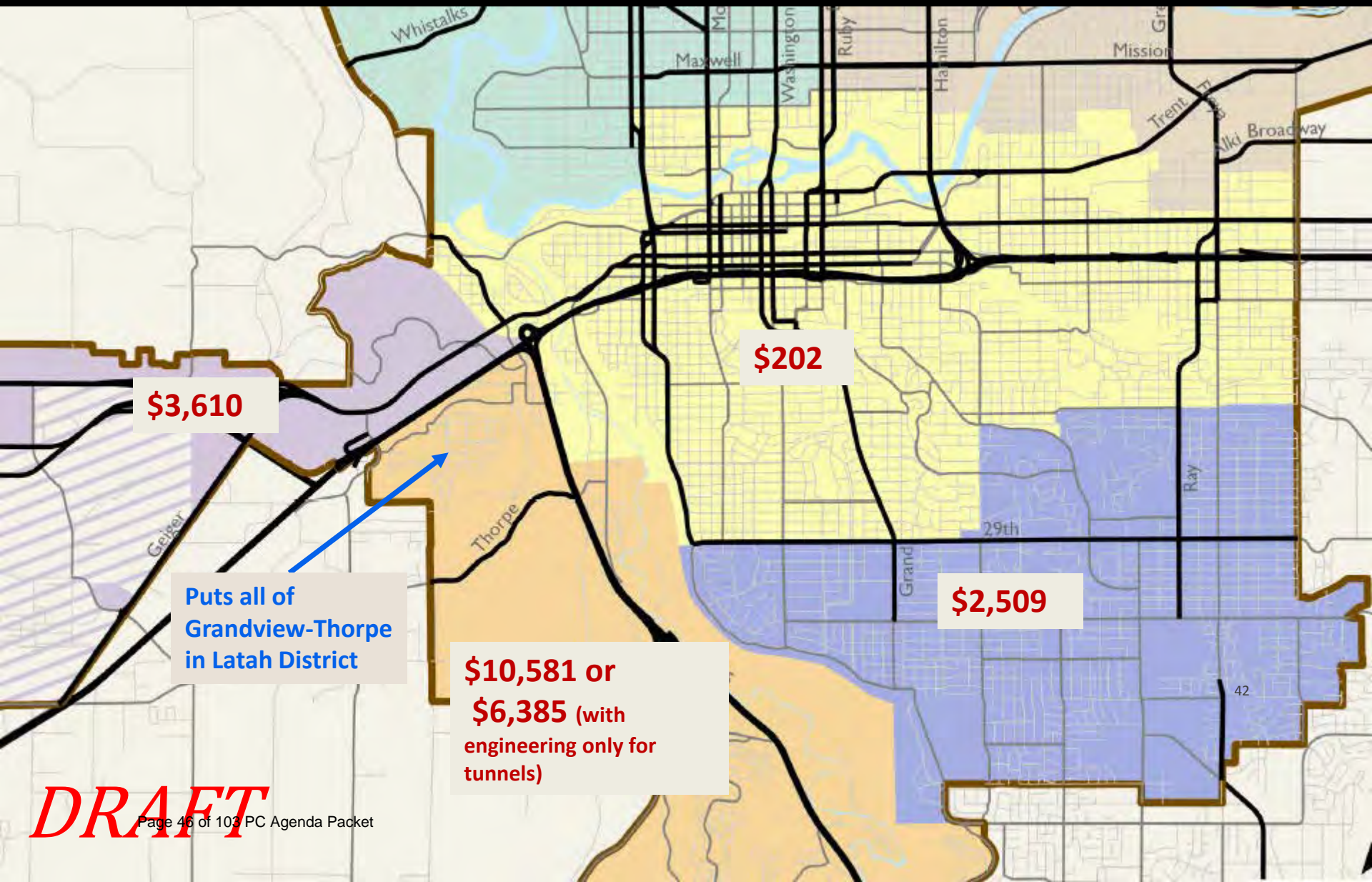


Boundary Option #6 with rates



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Boundary Option #7 with rates



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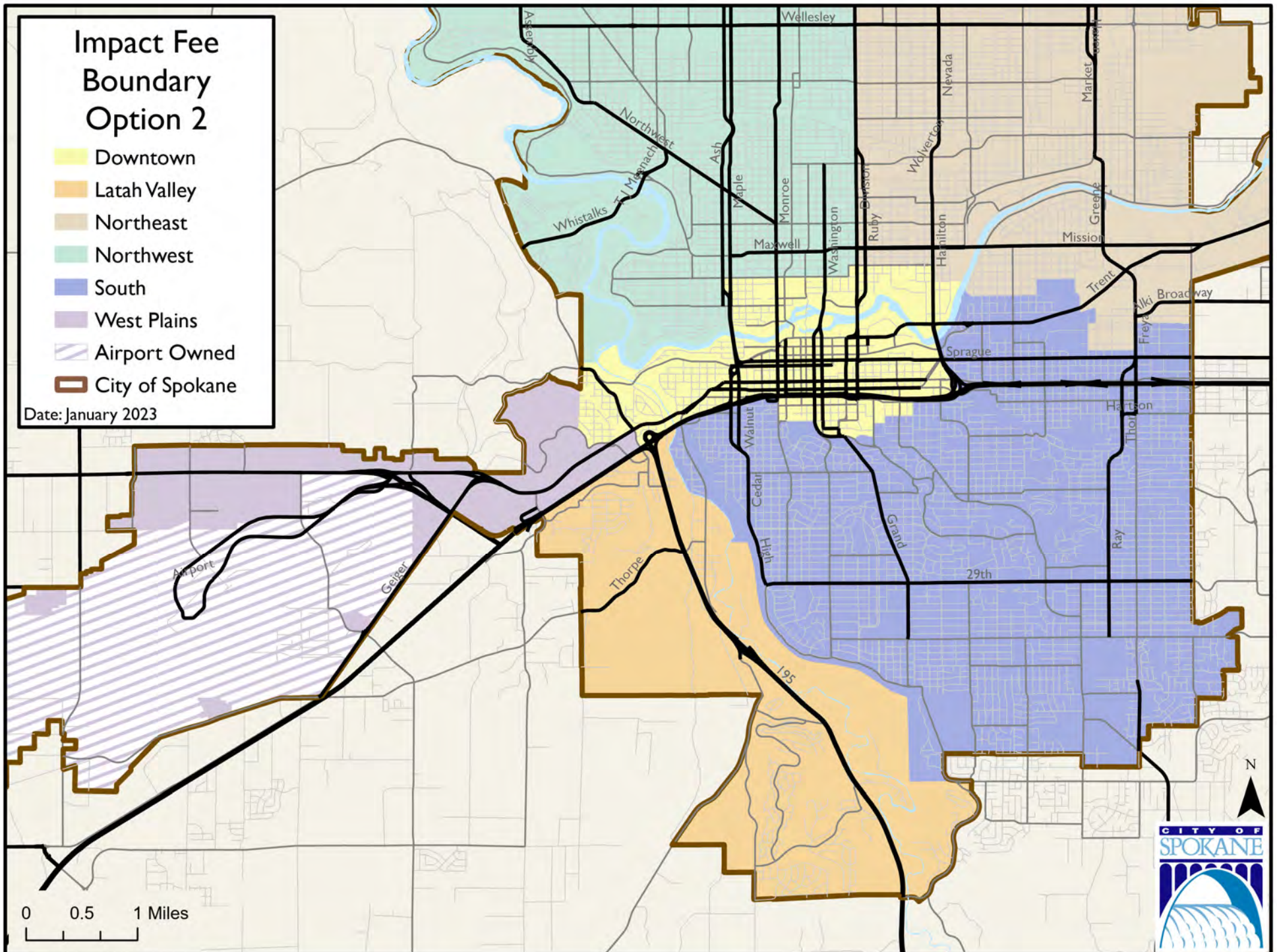
Residential Rates Estimate

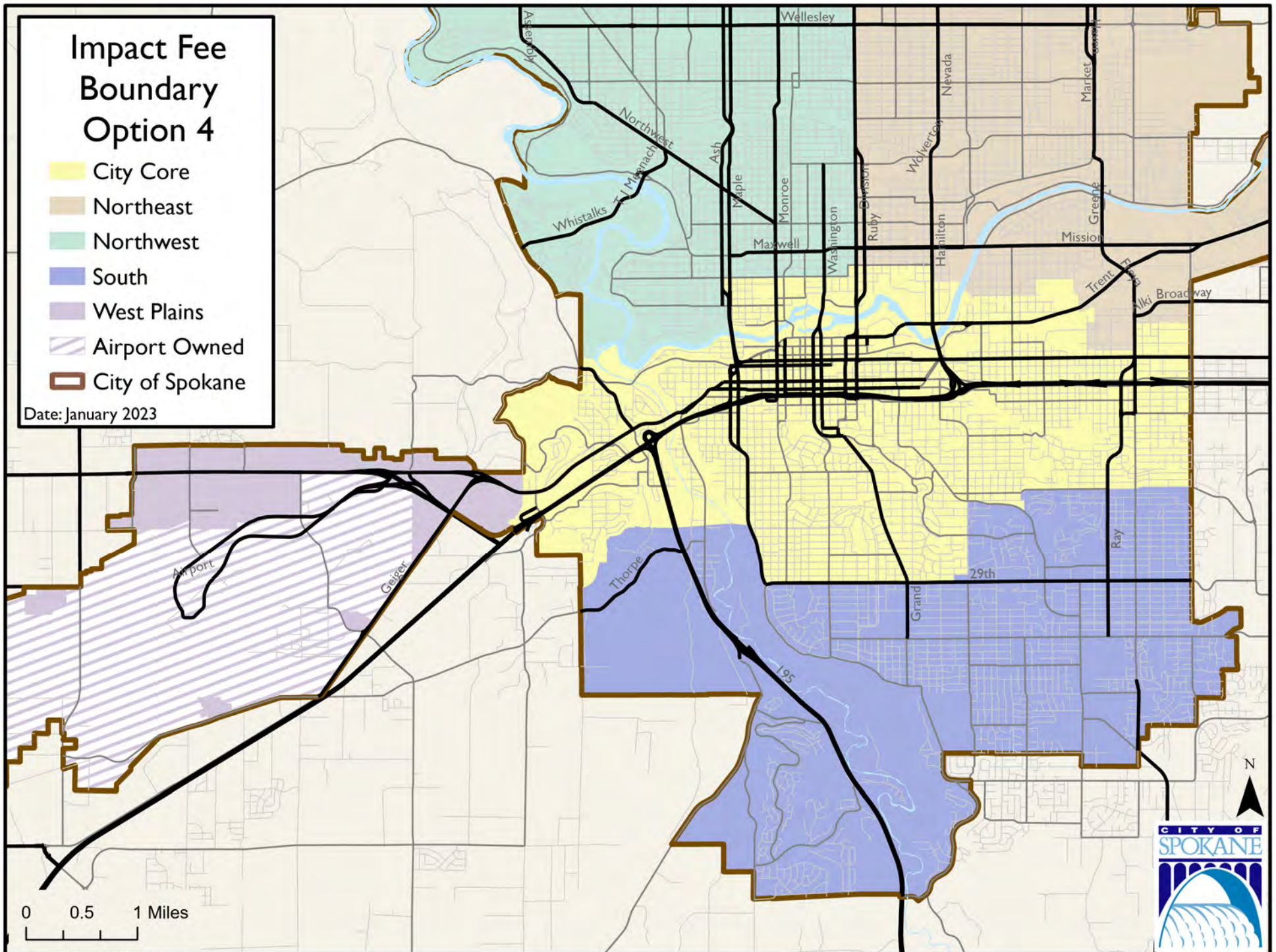
Option 7 Latah \$6,385 / trip	Single Family & Duplex	210	dwelling	\$7,470.45
	Multi-Family 1-2 level	220	dwelling	\$5,261.88
	Multi-Family 3-10 level	221	dwelling	\$3,455.56
	ADU	-	dwelling	\$3,455.56
	Multi Family Low-Income	-	dwelling	\$3,141.42

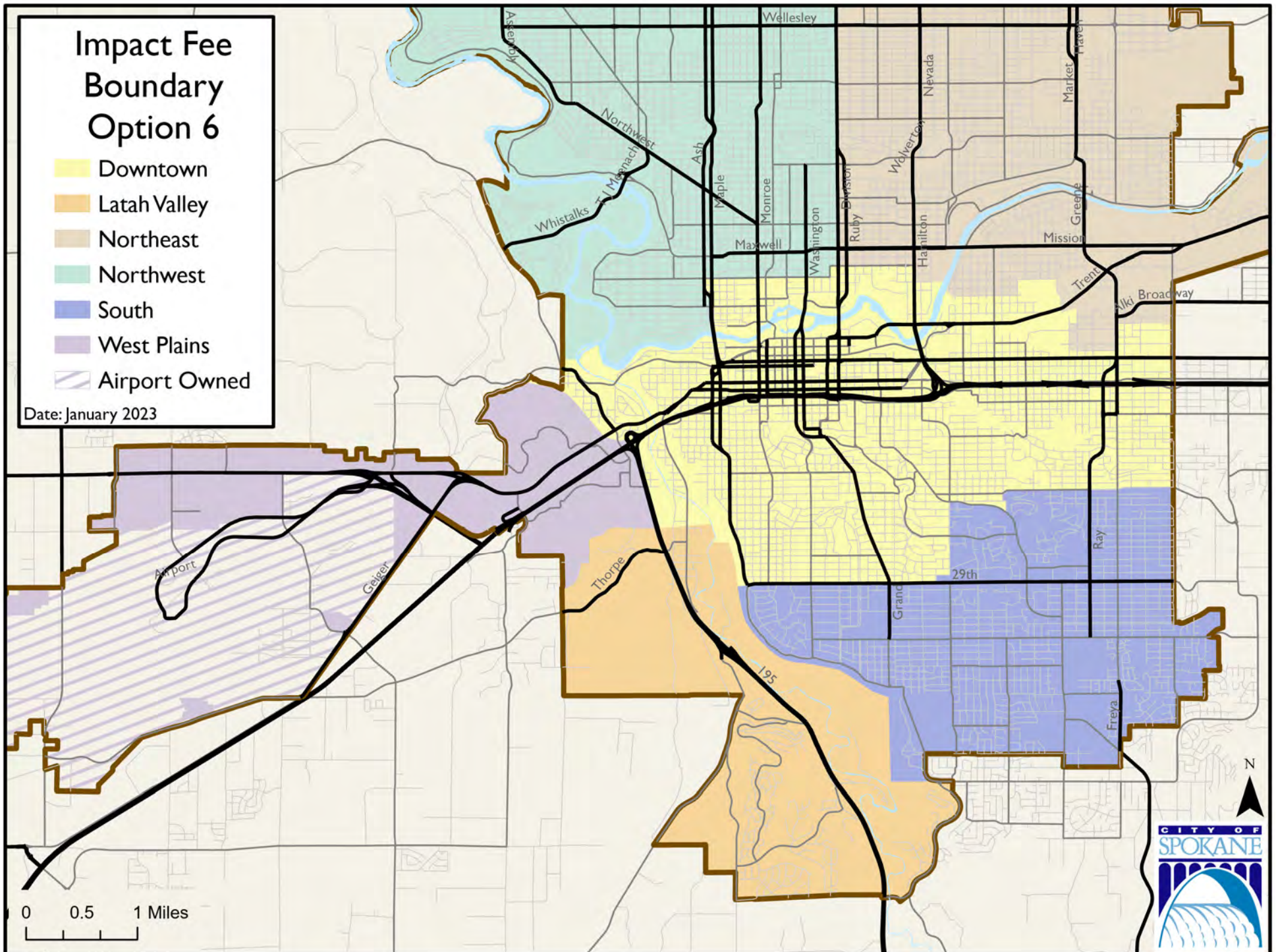
Multifamily = 3 or more dwelling units with a common wall (SMC 17A.020.130).

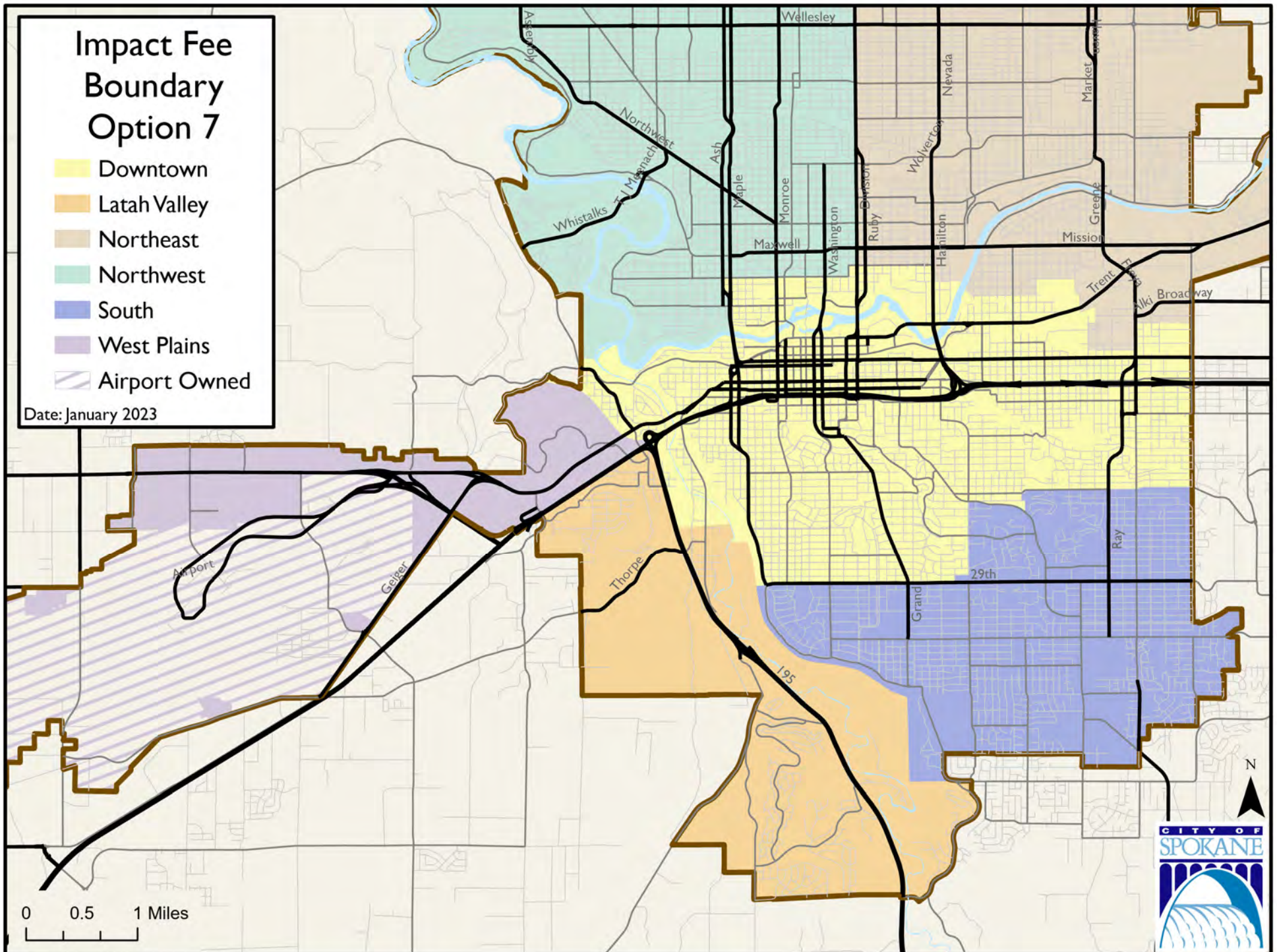
Cottage Housing (SMC 17C.110.350) may also be treated as multi-family 1-2 level.

ADUs (SMC 17C.300) – Internal <800 sq ft, Detached <1975 sq ft.









2022 Committee Members		1st Choice Boundary Option	2nd choice Boundary Option	Notes
Bill White	Transportation consultant	#2	-	Policy decision to encumber one district with projects from another.
Craig Soehren	Commercial Broker	#4	-	If we go with option #2 nothing will get built in Latah. Spreading the tax over a larger area is better.
Jennifer Thomas	Homebuilder's Government Affairs Director	#4	-	#4 funds projects with an equal distribution of responsibility. Would like to see a map that isolates Latah Valley and includes Grandview. Also suggest Option #4 but partnered with a levy oriented towards the Latah Valley to help fund the projects.
Greg Francis	District 2 citizen, Plan Commission	#4	-	Concerns with cost allocation between Latah & South. Suggesting looking at splitting ADU into two sizes (studio vs 1 bedroom?) if that helps to lower the rate.
Michelle Pappas	Futurewise	#2	#4	Agree with CM Kinnear comments.
Mary Winkes	District 2 citizen, Plan Commission, Community Assembly	#2	-	#2 keeps Latah generated money going to Latah improvements, but suggest a lower fee to start with instead of abrupt increase.
CM Kinnear	Council District 2	#2	#4 (with Latah separate)	#2 focuses the money where needed. Don't disincentivize infill developers by making them pay for Latah when they are doing a project elsewhere.
Mike Ulrich	SRTC	-	-	Good discussion regarding the benefit of infill. Is there a way to identify infill and treat it differently on the fee schedule. For example look at current density, transit accessibility.
Kai Huschke	District 2 citizen, Latah-Hangman Neighborhood	#2	#4 (with Latah separate)	This process is only looking at transportation issues, but we need to keep in mind all the other concerns in the valley. System needs to be community driven rather than development driven.
Elizabeth Tellesen	Land use attorney	#4	-	#4 is equitable and a means of accomplishing the needed improvements. US 195 is a regional highway. This version does not penalize the developers in Latah Valley. Option 2 will kick the can and exacerbate the issue, not a good policy to isolate Latah. Also hesitant to carve out a small area. Option 4 is the fairest and best chance to fix problems. Also the most defensible for the city.
Darin Watkins	Spokane Association of Realtors	#4	-	Consider a stepped approach with the fees. More 1% of a SF home's sale price going to transportation fees is too much. Lower fees overall would be in alignment with the range of fees the local developers are used too.
CM Bingle	Council District 1	#2 (with lower rates)	#4	Development is good when we have a housing crisis, don't want to disincentivize housing construction. Want fees to stay in the area they are paid for. An impact fee will have a contractor markup too which will price people out. Latah is where the most land is available for growth so don't want to disincentivize that. Recommend exploring a combination of #2 and #4 with a stepped increase in rates.

ORDINANCE NO. C _____

An ordinance relating to transportation impact fees and amending SMC 17D.075.040 Assessment of Impact Fees, 17D.075.070 Credits, 17D.075.140 Review, 17D.075.180 Impact Fee Schedule, 17D.075.190 Service Area Map, and 17D.075.210 Impact Fee Project list.

WHEREAS, the City Council previously adopted Ordinance No. C34673, implementing the transportation impact fees authorized by Chapter 82.02 RCW, establishing transportation impact fee service areas, project lists, and adopting transportation impact fee schedules, all of which is codified in Chapter 17D.075 of the Spokane Municipal Code (SMC); and

WHEREAS, SMC 17D.075.140 anticipates periodic review and updates to the project lists and fee schedules, and further anticipates the formation of an impact fee advisory board consisting of various community representatives; and

WHEREAS, there has been a significant increase in residential development in the Latah/Hangman and Grandview/Thorpe Neighborhoods ("Latah Valley") in recent years; and

WHEREAS, the Washington State Department of Transportation (WSDOT) has voiced its concerns about the ability of US 195 to handle additional local trips and has threatened to remove local access from US 195 making it more difficult for residents of Latah Valley to reach destinations within the City of Spokane; and

WHEREAS, the Spokane Regional Transportation Council (SRTC) in collaboration with WSDOT, the City of Spokane, and the Spokane Transit Authority (STA) recently completed the US 195/I-90 Transportation Study (the "Study"); and

WHEREAS, the Study was initiated to address both existing and future challenges related to safety, traffic operations, multimodal access, increasing traffic levels, and limited pedestrian, bicycle, and transit infrastructure in the study area which consists primarily of Latah Valley; and

WHEREAS, the Study's goals included improving existing and future safety conditions, accommodating the transportation needs of planned development, increasing modal options such as walking, biking and transit, and identifying projects that are practical, implementable, and fundable in a reasonable timeline; and

WHEREAS, out of the Study, the City has identified several transportation projects that are needed to serve the increased growth and development occurring and anticipated in the Latah Valley and that will reasonably benefit such new growth and development; and

WHEREAS, Washington's legislature adopted RCW 82.02.050 *et seq* in order to enable cities to plan for new growth and development and to recoup from developers a

predictable share of the infrastructure costs attributable to anticipated growth, and further intended that impact fees are to be a proportionate share of the costs of transportation system improvements that are reasonably related to and reasonably benefit the development; and

WHEREAS, under the present Transportation Impact Fee schedules in Chapter 17D.075 SMC, the impact fees that are being collected from new residential construction and development occurring in the City and Latah Valley in particular are not adequate to cover the developments' proportionate share of the cost of necessary new system improvements that will be reasonably related to and that will reasonably benefit the new development; and

WHEREAS, it is necessary to update the City's Transportation Impact Fees so that the fees (i) are adequate to cover the cost of system improvements that are reasonably related to new growth and development occurring and anticipated in the City, (ii) do not exceed a proportionate share of the costs of system improvements that are reasonably related to the new development, and (iii) will be used for system improvements that will reasonably benefit the new development; and

WHEREAS, the City conducted a detailed analysis of each of the projects used to calculate the updated impact fees in order to (i) remove the cost of correcting any existing deficiencies and (ii) to only include project costs associated with providing additional capacity that will reasonably benefit new growth and development; and

WHEREAS, City staff developed transportation impact fee service area boundaries based on existing traffic patterns and to ensure fees paid are assigned to projects reasonably related to their development ; and

WHEREAS, consistent with SMC 17D.075.140, the City established an impact fee advisory board consisting of various community representatives which worked to review proposed changes to the fee schedules and service area boundaries set forth in Chapter 17D.075 SMC; and

WHEREAS, the updated impact fee schedules have been prepared to reflect the estimated cost of the projects included in the updated Impact Fee Project List (the "Updated Impact Fee Rate Schedule"); and

WHEREAS, on or about February 22, 2023, following a public process involving a public workshop and a public hearing, a majority of the City of Spokane Plan Commission voted to recommend approval of an ordinance amending Chapter 17D.075 SMC (Transportation Impact Fees) with the amendments relating to (i) the updated Impact Fee Project List; (ii) the updated Impact Fee Rate Schedule; and (iii) the updated boundaries; and

WHEREAS, in making its recommendation, the Plan Commission found that, pursuant to the amended Transportation Impact Fee Ordinance, the impact fee(s) assessed a specific development will be proportionate to and reasonably related to the

service area-wide need for new transportation improvements created by the development; and

WHEREAS, in connection with the original Impact Fee Ordinance, the responsible official issued a Determination of Nonsignificance, dated March 27, 2008 (“DNS”); and

WHEREAS, pursuant to WAC 197-11-800, this update to Chapter 17D.075 SMC is categorically exempt from the threshold determination and environmental impact statement requirements under Chapter 43.21C RCW (SEPA); and

WHEREAS, Chapter 17D.075 SMC, as amended by this Ordinance, is consistent with the City’s Comprehensive Plan which, in CFU 2.4, recognizes impact fees as a possible mechanism to fund capital improvements so new growth and development activity that has an impact upon public facilities pays a proportionate share of the cost of facilities that reasonably benefit the development; and

WHEREAS, the Comprehensive Plan and the entire record relative to the adoption of Chapter 17D.075 SMC and this update are incorporated into this Ordinance by reference; and

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

WHEREAS, the City Council adopts the foregoing as its findings of fact justifying its adoption of this Ordinance;

NOW, THEREFORE,

The City of Spokane does ordain:

Section 1. That SMC Section 17D.075.040 is amended to read as follows:

17D.075.040 Assessment of Impact Fees

- A. The City shall collect impact fees, based on the schedules in SMC 17D.075.180, or an independent fee calculation as provided for in SMC 17D.075.050, from any applicant seeking development approval from the City. The impact fees in SMC 17D.075.180 are generated from the formula for calculating impact fees set forth in the rate study, one copy of which shall be kept on file with the office of the city clerk and which is adopted and incorporated herein by reference. Except as otherwise provided in this chapter, all new development approval in the City will be charged the transportation impact fees in SMC 17D.075.180. Subject to the review provisions set forth in SMC 17D.075.140 below, the transportation impact fees in SMC 17D.075.180 ~~will increase annually in the amount of 1.96% starting January 1st, 2019. This annual increase is based on the average of the Federal Highway Administration’s National Highway Construction Cost Index for the~~

~~years 2012 through 2016, and shall remain in effect until the transportation impact fee advisory board meets again.~~ will increase annually by the five-year rolling average of the Engineering News Record Construction Cost Index calculated by City staff, not to exceed 5% increase per year. This annual increase will start January 1st, 2024. Provided further, for purposes of this chapter only, the following shall not constitute development activity:

1. Replacement of a commercial structure with a new structure of the same size and use or a residential structure with the same number of residential units, both at the same site or lot, where demolition of the prior commercial or residential structure occurred after May 2001. Replacement of a commercial structure with a new commercial structure of the same size shall be interpreted to include any structure for which the gross square footage of the building will not be increased by more than one hundred twenty square feet. It shall be the feepayer's responsibility to establish the existence of a qualifying prior use to the director's reasonable satisfaction.
 2. Expansions of existing residential structures that do not add residential dwelling units.
 3. Alteration of an existing nonresidential structure that does not expand the usable space, add any residential units, or result in a change in use.
 4. Miscellaneous improvements that do not create additional demand and need for public facilities, including, but not limited to, fences, walls, swimming pools, and signs.
 5. Demolition or moving of a structure.
 6. Re-use or change in use of existing structure.
 - a. Re-use or change in use of an existing structure that does not create additional demand and need for public facilities (*i.e.*, where the trip generation of the re-use is equal to or less than trip generation of prior use) shall not constitute development activity for purposes of this chapter.
 - b. It shall be the feepayer's responsibility to establish the existence of a qualifying prior use to the Director's reasonable satisfaction.
 - c. For a change in use of an existing structure that does create additional demand and need for public facilities (*i.e.*, where the trip generation of the re-use is greater than the trip generation of the prior use), the City shall collect impact fees for the new use based on the schedules in SMC 17D.075.180, less the fees that would have been payable as a result of the prior use.
- B. The director shall be authorized to determine whether a particular development activity constitutes development activity subject to the payment of impact fees under this chapter. Determinations of the Director shall be in writing issued within fourteen days of submitting a complete application and shall be subject to the appeals procedures set forth in SMC 17D.075.090.

- C. Impact fees shall be assessed prior to the issuance of a building permit for each unit in a development, using either the impact fee schedules then in effect or an independent fee calculation, at the election of the applicant and pursuant to the requirements set forth in SMC 17D.075.050. The impact fees shall be paid at the issuance of a building permit or at the completion of construction. To defer the payment of the impact fee to the end of construction, the developer shall provide prior to issuance of a building permit a recorded "certificate of title notice" evidencing an encumbrance on the title for each parcel of land, on forms provided by the city attorney's office, recorded with the Spokane County auditor's office which requires that the impact fee be paid as part of the closing of the construction financing, transfer of title to another party or issuance of a certificate of occupancy, whichever shall first occur. For commercial development involving multiple users, impact fees shall be assessed and collected prior to issuance of building permits that authorize completion of tenant improvements for each use. Furthermore, the City shall not accept an application for a building permit unless, prior to submittal or concurrent with submittal, the fee payer submits complete applications for all other discretionary reviews needed, including, but not limited to, design review, the environmental determination, and the accompanying checklist.
- D. Applicants that have been awarded credits prior to the submittal of the complete building permit application pursuant to SMC 17D.075.070, shall submit, along with the complete building permit application, a copy of the letter or certificate prepared by the director pursuant to SMC 17D.075.070 setting forth the dollar amount of the credit awarded. Impact fees, as determined after the application of appropriate credits, shall be collected from the fee payer at the time the building permit is issued for each unit in the development.
- E. For mixed use buildings or development, impact fees shall be imposed for the proportionate share of each land use based on the applicable unit of measurement found on the schedule in SMC 17D.075.180.
- F. The department shall place a hold on permits for development approval unless and until the impact fees required by this chapter, less any permitted exemptions, credits or deductions, have been paid.

Section 2. That SMC Section 17D.075.070 is amended to read as follows:

17D.075.070 Fee Reductions and Credits

~~A. A feepayer can request a credit for the total value of dedicated land or public facilities provided by the feepayer if the land and public facilities are identified as system improvements or in cases where the director, in the director's discretion, determines that such dedication of land or public facilities would serve the goals and objectives of the capital facilities plan.~~

BA. The city council finds that certain types of development activity such as development with the City's center and corridor zones and housing at a density of at least fifteen (15) units per acre) are likely to generate fewer p.m. peak hour vehicle trips than other development activity. Consistent with this finding, a feepayer may request a partial-credit fee reduction for the following:

1. Development within center and corridor zones shall qualify for a partial-credit fee reduction of ten percent of the impact fees otherwise payable as a result of the development activity.
2. Mixed use development which features both an "active" first floor (e.g. office, retail) and a residential component shall qualify for a partial-credit fee reduction of ten percent (10%) of the impact fees otherwise payable as a result of the development activity, which shall be doubled if at least twenty percent (20%) of the residential portion of the mixed-use development is affordable housing for low-income households or individuals, as these terms are defined in SMC 08.15.020(A) and (G).
3. Development of bicycle and pedestrian connections through their site to a public park or school, or that expand the connectivity of the trail network shall entitle a feepayer to a partial-credit fee reduction of ten percent of the impact fees otherwise payable as a result of the development activity. ~~The credit provided for in this section shall be limited to the cost incurred by the feepayer in developing the connection.~~
4. Development projects that incorporate covered and lockable bicycle storage for at least fifty percent of their required bicycle parking shall qualify for a partial-credit fee reduction of \$1,000 per bike space, ~~subject to the limitation in subsection (B)(6) below.~~ The bicycle storage area must be dedicated for that use only. See SMC 17C.230.200 for space requirements.
5. Development projects located ~~on a~~ within one-quarter-mile of a frequent transit corridor ~~may~~ shall qualify for a fee reduction of ten percent of impact fees otherwise payable as a result of the development activity. ~~make improvements in coordination with Spokane Transit Authority (STA) and will qualify for a partial credit of up to ten percent of the impact fees~~

~~otherwise payable as a result of the development activity. The credit provided for in this section shall be limited to the cost incurred by the feepayer in developing the improvements. Eligible improvements include the installation of weather cover, lighting, HPTN stop infrastructure or the dedication of right-of-way for transit stop improvements, as warranted by current or reasonably anticipated future usage of a transit stop, consistent with STA's established policies and design standards. The credit provided for in this section shall be limited to the cost of the right of way or the expense incurred by the feepayer in developing the transit stop. Frequent transit is defined as fixed route service at intervals of no less than fifteen minutes for at least five hours during the peak hours of operation on weekdays.~~

6. The director shall be authorized to determine whether a particular development activity falls within a ~~credit-fee reduction~~ identified in this Section ~~BA~~, in any other section, or under other applicable law. ~~Determinations of the director shall be in writing issued within fourteen days of a complete application and shall be subject to the appeals procedures set forth in SMC 17D.075.090.~~
- B. A feepayer can request a credit for the total value of dedicated land or public facilities provided by the feepayer if the land and public facilities are identified as system improvements or in cases where the director, in the director's discretion, determines that such dedication of land or public facilities would serve the goals and objectives of the capital facilities plan.
 - C. For each request for a credit, under subsection (A) (B) above, if appropriate, the director shall select an appraiser or the feepayer may select an independent appraiser acceptable to the director. The appraiser must be a Washington State certified appraiser or must possess other equivalent certification and shall not have a fiduciary or personal interest in the property being appraised. A description of the appraiser's certification shall be included with the appraisal, and the appraiser shall certify that he/she does not have a fiduciary or personal interest in the property being appraised.
 - D. The appraiser shall be directed to determine the total value of the dedicated land and/or public facilities provided by the feepayer on a case-by-case basis.
 - E. The feepayer shall pay for the cost of the appraisal. The feepayer may request that the cost of the appraisal be deducted from the credit which the director may be providing to the feepayer, in the event that a credit is awarded. In lieu of an appraisal the feepayer may also choose to use the county assessor's current square foot valuation of the dedicated land.
 - F. After receiving the appraisal, and where consistent with the requirements of this section, the director shall provide the applicant with a letter or certificate setting forth the dollar amount of the credit, the reason for the credit, the legal description of the site donated where applicable, and the legal description or

other adequate description of the project or development to which the credit may be applied. The applicant must sign and date a duplicate copy of such letter or certificate indicating his/her agreement to the terms of the letter or certificate, and return such signed document to the director before the impact fee credit will be awarded. The failure of the applicant to sign, date, and return such document within sixty calendar days shall nullify the credit. The credit must be used within seventy-two months of the award of the credit.

- G. Any claim for credit must be made prior to issuance of a building permit, provided any claim for credit submitted later than twenty calendar days after the submission of an application for a building permit shall constitute a waiver and suspension of timelines established by state and/or local law for processing of permit applications.
- H. In no event shall the credit exceed the amount of the impact fees that would have been due for the proposed development activity.
- I. No credit shall be given for project improvements.
- J. Determinations made by the director pursuant to this section shall be subject to the appeals procedures set forth in SMC 17D.075.090.

Section 3. That SMC Section 17D.075.180 is amended as follows:

17D.075.180 Appendix A – Impact Fee Schedule

Section 4. That SMC Section 17D.075.190 is amended as follows:

17D.075.190 Appendix B – Service Area Map

The transportation impact fee service area boundaries are hereby designated on the Appendix B – Service Area Map. Properties within the “Airport-owned” boundary shall be automatically added to the West Plains Service Area if no longer owned by the Airport Board.

Section 5. That SMC Section 17D.075.210 is amended as follows:

17D.075.210 Appendix D – Impact Fee Project List

ADOPTED BY THE CITY COUNCIL ON _____

(Delivered to the Mayor on the _____ day of _____)

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

Appendix D - Impact Fee Project List

Project	Description	Estimated Cost (in 2022 dollars)	Needed from Impact Fees	Cost Estimate Notes	Option 2 Districts	Option 4 Districts	Option 6 Districts	Option 7 Districts
5th Ave / Sherman St	Intersection - install new traffic signal	\$858,004	\$465,639	detailed	D	D	D	D
Ash Street 2-way from Broadway to Dean	Convert Ash Street to a 2-way street to allow access to Maple Street Bridge SB.	\$296,182	\$133,282	detailed	D	D	D	D
D Bicycle Improvements	stripe bike facilities on arterials, , crossing improvements	\$500,000	\$225,000	n/a	D	D	D	D
D Pedestrian Improvements	install pedestrian facilities on arterials	\$500,000	\$225,000	n/a	D	D	D	D
Assembly St / Francis Ave (SR291)	Intersection - Construct Roundabout	\$3,090,000	\$1,545,000	concept level	NW	NW	NW	NW
Indian Trail Rd - Kathleen to Barnes	Widening - Construct to 5-lane section	\$4,100,000	\$2,050,000	concept level	NW	NW	NW	NW
Wellesley / Driscoll	WB right turn lane	\$31,000	\$15,500		NW	NW	NW	NW
Wellesley / Assembly	signal	\$1,030,000	\$515,000		NW	NW	NW	NW
Francis/Alberta	modify NB and SB lanes to allow protected phasing	\$824,000	\$412,000		NW	NW	NW	NW
Francis/Maple	add WBR lane	\$824,000	\$412,000		NW	NW	NW	NW
NW Bicycle Improvements	stripe bike facilities on arterials	\$100,000	\$50,000	n/a	NW	NW	NW	NW
NW Pedestrian Improvements	install pedestrian facilities on arterials	\$100,000	\$50,000	n/a	NW	NW	NW	NW
29th Ave / Freya St	Stripe EBL and WBL turn lanes, and widen for NB and SB left turn lane. Keep 4-way stop.	\$167,707	\$52,828	detailed	S	S	S	S
29th/ Regal	EBR slip lane, bike lanes N-S, new cabinet, signal pole	\$520,000	\$145,080	detailed	S	S	S	S
37th / Ray, 37th/Freya	37th/Ray roundabout or realignment with signal. Includes modifications to Ferris High School driveways. Signalize 37th/Freya.	\$5,810,826	\$3,294,738	detailed	S	S	S	S
57th/Hatch	Reconfigure and install signal	\$1,654,933	\$908,558	detailed	S	S	S	S
44th/Regal	Widen northbound approach to 2 lanes	\$598,679	\$134,703	detailed	S	S	S	S
Freya / Palouse Hwy	roundabout (or turn lanes)	\$4,987,000	\$2,154,384	detailed	S	S	S	S
S Bicycle Improvements	stripe bike facilities on arterials	\$250,000	\$112,500	n/a	S	S	S	S
S Pedestrian Improvements	install pedestrian facilities on arterials	\$250,000	\$112,500	n/a	S	S	S	S
Lindeke frontage road from 16th to Thorpe	2-3 lane frontage road, with bridge for trail at 16th	\$9,300,000	\$5,022,000	detailed	L	S	L	L
US 195/Meadowlane	intersection improvement with J-turns	\$809,663	\$809,663	exact developer share	L	S	L	L
Inland Empire Way two-way	provide 2 way roadway from Cheney-Spokane to downtown	\$9,200,000	\$4,140,000	detailed	L	S	L	L
BNSF Tunnel on Thorpe - PE and concept eval	widen existing tunnel or bore new pedestrian tunnel	\$1,400,000	\$819,000	concept level	L	S	L	L
Fish Lake Trail Tunnel on Thorpe - PE and concept eval	replace with bridge to provide wider roadway	\$600,000	\$351,000	concept level	L	S	L	L
Qualchan and Cheney-Spokane Path	pathway from Lincoln Blvd to Yokes	\$1,093,917	\$492,263	detailed	L	S	L	L
Cheney-Spokane restripe and bike path	Qualchan to Interchange	\$1,860,627	\$837,282	detailed	L	S	L	L
Lincoln Rd / Nevada St	Intersection Improvements - Construct separate eastbound and westbound left-turn lanes; include west leg widening and construction of 3-lane east of Nevada 1000'	\$1,545,000	\$772,500	concept level	NE	NE	NE	NE
Mission/Havana	signal or protected receiving lane for NB left.	\$824,000	\$412,000	concept level	NE	NE	NE	NE
Crestline / Magnesium	add EBR turn lane, two lanes for NB, all-way stop.	\$670,000	\$335,000	detailed	NE	NE	NE	NE
Nevada / Magnesium	left turn protected-permitted phasing, restripe for WBL and EBL turn lanes, add WBR, one through lane east-west, maybe ROW on NE corner	\$1,030,000	\$515,000	concept level	NE	NE	NE	NE
Sprague/Freya	Add NBR turn lane	\$503,000	\$251,500	detailed	NE	NE	NE	NE
NE Bicycle Improvements	stripe bike facilities on arterials	\$100,000	\$50,000	n/a	NE	NE	NE	NE
NE Pedestrian Improvements	install pedestrian facilities on arterials	\$100,000	\$50,000	n/a	NE	NE	NE	NE
21st Avenue: Hazelwood to Lucas, Technology to Spotted	segment - construct new 3-lane arterial	\$10,715,560	\$5,786,402	detailed	WP	WP	WP	WP
21st Avenue: Lucas Drive to Flint (built)	segment - construct new 3-lane arterial	\$1,485,553	\$1,485,553	exact developer credit	WP	WP	WP	WP
12th Avenue: Deer Heights to Flint	segment - construct new 3-lane arterial	\$3,733,396	\$2,016,034	detailed	WP	WP	WP	WP
12th-14th Avenue: Campus to Russell	segment - construct new arterial	\$7,506,982	\$4,053,770	detailed	WP	WP	WP	WP
Sidewalk on Lindeke	from 13th to 16th	\$1,114,474	\$501,513	detailed	WP	D	WP	L
Rustle Street Bridge Widening for Non-Motorized users	add non-motorized	\$5,872,347	\$2,642,556	detailed	WP	D	WP	L
Sidewalk on Grandview	from Garden Springs-Rustle to 17th	\$903,578	\$406,610	detailed	WP	D	WP	L
Sunset Highway/Assembly	new signal	\$823,690	\$474,445	detailed	WP	D	WP	WP
Sunset/Government Way	signal upgrades to protected-permitted phasing	\$354,007	\$130,629	detailed	WP	D	D	D
W Bicycle Improvements	stripe bike facilities on arterials or US 2 Bike Path	\$50,000	\$22,500	n/a	WP	WP	WP	WP
W Pedestrian Improvements	install pedestrian facilities on arterials	\$50,000	\$22,500	n/a	WP	WP	WP	WP

Total Project Cost \$88,138,125 \$45,413,433

Project Cost from Development

Total Downtown =	\$1,048,921	\$5,204,674	\$1,179,549	\$1,179,549
Total Northwest =	\$5,049,500	\$5,049,500	\$5,049,500	\$5,049,500
Total South =	\$6,915,291	\$19,386,499	\$6,915,291	\$6,915,291
Total Latah =	\$12,471,208	\$0	\$12,471,208	\$16,021,887
Total Northeast =	\$2,386,000	\$2,386,000	\$2,386,000	\$2,386,000
Total West Plains =	\$17,542,513	\$13,386,760	\$17,411,885	\$13,861,205



STAFF REPORT FOR FILE Z23-039COMP (APPENDIX D)

Department of Neighborhood and Planning Services

The following staff report concerns a proposed amendment to the City's current Comprehensive Plan. The proposal is to amend the impact fee project list found within Appendix D. Amendments to the Comprehensive Plan are enabled by Spokane Municipal Code (SMC) 17G.020 and Revised Code of Washington (RCW) 36.70A.130.

I. PROPERTY SUMMARY

Parcel(s):	N/A – Various locations citywide
Address(es):	N/A – Various locations citywide
Property Size:	N/A
Legal Description:	Not applicable
General Location:	N/A – This proposal affects existing and future rights-of-way throughout the city.
Current Use:	N/A – This proposal affects existing and future rights-of-way throughout the city.

II. APPLICANT SUMMARY

Staff Contact:	Tim Thompson, Planning Services Inga Note, Integrated Capital Management
Applicant:	City of Spokane
Property Owner:	City of Spokane

III. PROPOSAL SUMMARY

Current Land Use Designation:	N/A – This proposal affects existing and future rights-of-way throughout the city.
Proposed Land Use Designation:	N/A
Current Zoning:	N/A – This proposal affects existing and future rights-of-way throughout the city.
Proposed Zoning:	N/A
SEPA Status:	An Addendum to existing environmental documents was issued on February 7, 2023. Existing Environmental Documents: EIS

	issued for City of Spokane Comprehensive Plan Final Environmental Impact Statement and Draft Comprehensive Plan and Draft Environmental Impact Statement an integrated GMA and SEPA Document 2000-2020, in 2001; as amended in 2006, and as additionally amended in 2017 for the City's 2017-2037 Comprehensive Plan Periodic Update (201700881). .
Plan Commission Hearing Date:	February 22, 2023
Staff Contact:	Tim Thompson, Principal Planner, tthompson@spokanecity.org
Staff Recommendation:	Approve

IV. BACKGROUND INFORMATION

1. **General Proposal Description:** Pursuant to the procedures established by SMC 17G.020, enabled by RCW 36.70A.130, this request is to amend the Capital Facilities Plan, specifically the transportation impact fee project list within Appendix D of the Comprehensive Plan. The original text can be found in Exhibit A. The proposed language can be found in Exhibit B.

The proposal seeks to update the transportation impact fee project list to coincide with an update to traffic impact fees within the identified area. The proposal is necessary for consistency within the transportation impact fee program as established in Chapter 17D.075 of the Spokane Municipal Code.

RCW 82.02 authorizes the use of impact fees to pay for public facilities necessary to serve new development. The purpose of the Transportation Impact Fee Program is to help fund necessary transportation capacity improvements reasonably related to the new development. The fees must be a proportionate share of the cost of the public facilities and be used for facilities that reasonably benefit the new development.

City Council adopted the original impact fee ordinance in November 2008. This established the impact fee program and allowed collection of impact fees once the necessary studies were completed. The final amended Impact Fee ordinance was passed on February 10, 2011.

The Impact Fee Program was amended in November 2019. (West Plains, Bike/Ped credits, fee structure, project list).

Impact fees may be collected and spent only for public facilities which are addressed in the City's comprehensive plan.

2. **Site Description and Physical Conditions:** The proposal concerns an update to the impact fee project list found in Appendix D of the Comprehensive Plan. The impacted projects are located throughout the city.
3. **Property Ownership:** The proposed changes to the transportation impact fee project list within Appendix D impact will affect existing and future right-of-way throughout the city.
4. **Adjacent Property Improvements and Uses:** Property uses are of various types, including residential, industrial, and commercial uses.

5. **Street Class Designations:** N/A
6. **Current Land Use Designation and History:** N/A
7. **Proposed Land Use Designation:** N/A
8. **Current Zoning and History:** N/A
9. **Proposed Zoning:** N/A

V. APPLICATION PROCESS AND PUBLIC COMMENT

1. **Key Steps:** The application is being processed according to SMC 17G.060, including the following steps:

Transportation Impact Fee Advisory Committee Meeting #1 Topic: District Boundaries	November 15, 2022
Transportation Impact Fee Advisory Committee Meeting #2 Topics: Project List, Rate Calculations, Cost Index	December 13, 2022
Transportation Impact Fee Advisory Committee Meeting #3 Topics: Rates, Boundaries, Options, Member Feedback	January 10, 2023
Notice of Plan Commission Public Hearing and SEPA Addendum Notice Issued	February 7, 2023
Plan Commission Workshop	February 8, 2023
Plan Commission Hearing Date	February 22, 2023
Public Infrastructure, Environment & Sustainability Committee	February 27, 2023
City Council Hearing Date (Anticipated)	March 13, 2023

2. **Comments Received:** A request for comments was issued to City departments, local agencies, and departments, along with pertinent application details, on February 7, 2023. The comment period extends to February 22, 2023. However, City Council may receive comments until final action has been taken.
3. **Public Workshop:** A public workshop with the Spokane Plan Commission was held on February 8, 2023, during which the particulars of the proposals were presented to the Plan Commission for their consideration and discussion.

VI. APPLICATION REVIEW AND ANALYSIS

1. **Guiding Principles:** SMC 17G.020.010 provides the following guiding principles for amending the comprehensive plan:

- A. Keep the comprehensive plan alive and responsive to the community.
 - B. Provide for simultaneous review of proposals to allow for cumulative impact analysis of all applications on a City-wide basis and in conjunction with budget decisions.
 - C. Make map adjustments based on a foundation in policy language, consistently applying those concepts citywide.
 - D. Honor the community's long-term investment in the comprehensive plan, through public participation and neighborhood planning processes, by not making changes lightly.
 - E. Encourage development that will enable our whole community to prosper and reinforce our sense of place and feeling of community, in an ecologically, economically, and socially sustainable manner.
 - F. Amendments to the comprehensive plan must result in a net benefit to the general public.
2. **Emergency Amendment.** Under GMA, the City is generally limited to amending its comprehensive plan once per year. See also SMC 17G.020.040D. GMA provides, however, that after appropriate public participation a city may adopt amendments to its comprehensive plan whenever an emergency exists. Here, the Spokane City Council previously declared an emergency in adopting Ordinance No. C36276 imposing a moratorium on building permit applications for residential structures in the Latah/Hangman and Grandview/Thorpe Neighborhoods. The primary purpose of the moratorium was to give the City time to update its capital facility plan and transportation impact fee project list and associated fees. With advice from the City Attorney's Office, the Planning Department is satisfied that the current situation qualifies as an emergency of neighborhood or community-wide significance and is appropriate to process as an emergency amendment. As outlined above, there has been appropriate public participation and the public has had ample opportunity to comment on the proposal.
3. **Review Criteria:** SMC 17G.020.030 provides a list of considerations that are to be used, as appropriate, by planning staff in analyzing a proposal, by the Plan Commission making a recommendation on a proposal, and by the City Council in making a decision on the proposal. Following each of the considerations is staff's analysis relative to the proposed amendment.
- A. **Regulatory Changes:** *Amendments to the comprehensive plan must be consistent with any recent state or federal legislative actions, or changes to state or federal regulations, such as changes to the Growth Management Act, or new environmental regulations.*

Staff Analysis: Staff reviewed and processed the proposed amendment under the most current regulations contained in the Growth Management Act, the Washington State Environmental Policy Act (SEPA), and the Spokane Municipal Code. Staff is unaware of any recent federal, state, or legislative actions with which the proposals would be in conflict, and as of the date of this staff report, no comments were received to this effect from any applicable agencies receiving notice of the proposals.

The proposal satisfies this criterion.

- B. GMA:** *The change must be consistent with the goals and purposes of the State Growth Management Act.*

Staff Analysis: The Growth Management Act (GMA) details 13 goals to guide the development and adoption of the comprehensive plans and development regulations (RCW 36.70A.020, “Planning Goals”), and these goals guided the City’s development of its comprehensive plan and development regulations. No comments received or other evidence in the record indicates inconsistency between the proposed plan map amendment and the goals and purposes of the GMA.

One of GMA’s goals is to ensure that public facilities are adequate to serve new development, and by enacting RCW 82.02.050 *et seq* the legislature intended to enable cities to plan for new growth and development and to recoup from developers a predictable share of the infrastructure costs attributable to anticipated growth, and further intended that impact fees are to be a proportionate share of the costs of system improvements, including roads and other public infrastructure identified in the capital facilities elements of cities’ comprehensive plans, that are reasonably related to and reasonably benefit new growth and development. The current proposal seeks to update the City’s comprehensive plan to include transportation improvements that are needed to accommodate new growth and development anticipated in the City.

The proposal satisfies this criterion.

- C. Financing:** *In keeping with the GMA’s requirement for plans to be supported by financing commitments, infrastructure implications of approved comprehensive plan amendments must be reflected in the relevant six-year capital improvement plan(s) approved in the same budget cycle.*

Staff Analysis: The proposed amendment to the transportation impact fee program is intended to provide an updated project list along with revised impact fee structure to ensure capacity improvement funding is keeping pace with inflation and current construction cost estimates. The update to Appendix D ensures the impact fee program is consistent with the comprehensive plan.

The proposal satisfies this criterion.

- D. Funding Shortfall:** *If funding shortfalls suggest the need to scale back on land use objectives and/or service level standards, those decisions must be made with public input as part of this process for amending the comprehensive plan and capital facilities program.*

Staff Analysis: The purpose of the Transportation Impact Fee Program is to help fund necessary transportation capacity improvements reasonably related to the new development. The fees must be a proportionate share of the cost of the public facilities and be used for facilities that reasonably benefit the new development. Other funding sources may be necessary to address any potential funding shortfall.

The project list currently found in Appendix D does not include projects that are necessary to accommodate anticipated growth in certain areas in the City, and the impact fees currently being collected by the City in these areas are inadequate to cover the new developments’ proportionate share of the cost of necessary new system improvements that will be reasonably related to and that will reasonably benefit the new development. It is necessary to update the City’s

transportation impact fees so that the fees (i) are adequate to cover the cost of system improvements that are reasonably related to new growth and development occurring and anticipated in the City, (ii) do not exceed a proportionate share of the costs of system improvements that are reasonably related to the new development, and (iii) will be used for system improvements that will reasonably benefit the new development.

The proposal satisfies this criterion.

E. Internal Consistency:

1. *The requirement for internal consistency pertains to the comprehensive plan as it relates to all its supporting documents, such as the development regulations, capital facilities program, shoreline master program, downtown plan, critical area regulations, and any neighborhood planning documents adopted after 2001. In addition, amendments should strive to be consistent with the parks plan, and vice versa. For example, changes to the development regulations must be reflected in consistent adjustments to the goals or policies in the comprehensive plan. As appropriate, changes to the map or text of the comprehensive plan must also result in corresponding adjustments to the zoning map and implementation regulations in the Spokane Municipal Code.*

Staff Analysis: The proposals are internally consistent with applicable supporting documents of the Comprehensive Plan as follows:

- *Capital Facilities Program.* As described in the staff analysis of Criterion C above, the proposed amendment to the transportation impact fee program is intended to provide an updated project list along with revised impact fee structure to ensure capacity improvement funding is keeping pace with inflation and current construction cost estimates. The update to Appendix D ensures the impact fee program is consistent with the comprehensive plan.
- *Miscellaneous Comprehensive Plan Goals and Policies.* TR Goal 3, found in the Transportation Element of the Comprehensive Plan, states the city will emphasize investments for context-sensitive roadway projects – maintenance, preservation, right-sizing - equitably across the city by seeking funding from a variety of sources and pursuing opportunities for system maintenance revenue for arterials, residential streets, and sidewalks. In addition, the city will remain good stewards of the transportation system by seeking out ways to use cost saving strategies and efficiencies for the best use of the available funds. The proposal is also consistent with Goal CFU 2.4 within the Capital Facilities and Utilities Element of the Comprehensive Plan.

The proposal satisfies this criterion.

2. *If a proposed amendment is significantly inconsistent with current policy within the comprehensive plan, an amendment proposal must also include wording that would realign the relevant parts of the comprehensive plan and its other supporting documents with the full range of changes implied by the proposal.*

Staff Analysis: The proposal is consistent with current comprehensive plan policies, as described in further detail in other criteria in this report. Therefore, no amendment to policy wording other than the current proposal is necessary and this criterion does not apply.

The proposal satisfies this criterion.

- F. Regional Consistency:** *All changes to the comprehensive plan must be consistent with the countywide planning policies (CWPP), the comprehensive plans of neighboring jurisdictions, applicable capital facilities or special district plans, the regional transportation improvement plan, and official population growth forecasts.*

Staff Analysis: There are no proposed land use changes associated with this amendment. The proposed amendment would simply amend capital facilities plan revising the transportation impact fee project list within Appendix D of the comprehensive plan. There are no foreseeable implications to regional or inter-jurisdictional policy issues. No comments have been received from any agency, City department, or neighboring jurisdiction which would indicate that these proposals are not regionally consistent.

The revised project list incorporates many of the capacity increasing improvements identified in the US 195/I-90 Transportation Study and projects from several studies of the US 2 corridor. These projects will implement the regional vision of providing parallel routes to the state highways and will provide additional capacity that is needed to accommodate and that will reasonably benefit the new growth and development anticipated in this part of Spokane

The parallel routes are identified on the City's Comprehensive Plan Map TR 12 as proposed arterials.

The fee schedule is calculated using the project list and forecasts of traffic growth from 2019 to 2045. The traffic growth data comes from the official population growth forecasts and trip patterns from the SRTC regional travel demand model.

The proposal satisfies this criterion.

- G. Cumulative Effect:** *All amendments must be considered concurrently in order to evaluate their cumulative effect on the comprehensive plan text and map, development regulations, capital facilities program, neighborhood planning documents, adopted environmental policies and other relevant implementation measures.*

1. **Land Use Impacts:** *In addition, applications should be reviewed for their cumulative land use impacts. Where adverse environmental impacts are identified, mitigation requirements may be imposed as a part of the approval action.*
2. **Grouping:** *Proposals for area-wide rezones and/or site-specific land use plan map amendments may be evaluated by geographic sector and/or land use type in order to facilitate the assessment of their cumulative impacts.*

Staff Analysis: This proposal is a text amendment, modifying the transportation impact fee project list within Appendix D, and not a land use plan map amendment. The proposal

is in concert with proposed amendments to Chapter 17D.075 of the Spokane Municipal Code.

The proposal satisfies this criterion.

H. SEPA: *SEPA Review must be completed on all amendment proposals and is described in Chapter 17E.050.*

1. **Grouping:** *When possible, the SEPA review process should be combined for related land use types or affected geographic sectors to better evaluate the proposals' cumulative impacts. This combined review process results in a single threshold determination for those related proposals.*
2. **DS:** *If a determination of significance (DS) is made regarding any proposal, that application will be deferred for further consideration until the next applicable review cycle to allow adequate time for generating and processing the required environmental impact statement (EIS).*

Staff Analysis: The application is under review in accordance with the State Environmental Policy Act (SEPA), which requires that the potential for adverse environmental impacts resulting from a proposal be evaluated during the decision-making process. Based on the information contained in the environmental checklist, written comments from local and State departments and agencies concerned with land development within the City, and a review of other information available to the Director of Planning Services, an Addendum to an existing environmental document was issued on February 7, 2023. The Addendum was issued based on the City of Spokane Comprehensive Plan Final Environmental Impact Statement and Draft Comprehensive Plan and Draft Environmental Impact Statement an integrated GMA and SEPA Document 2000-2020, in 2001; as amended in 2006, and as additionally amended in 2017 for the City's 2017-2037 Comprehensive Plan Periodic Update (201700881). As the lead agency for the proposal, the Director determined that the proposal does not have a probable significant adverse impact on the environment and does not have an environmental impact substantially different from the original project list.

The proposal satisfies this criterion.

I. Adequate Public Facilities: *The amendment must not adversely affect the City's ability to provide the full range of urban public facilities and services (as described in CFU 2.1 and CFU 2.2) citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.*

Staff Analysis: The proposal does not adversely affect the City's ability to provide necessary public facilities. Instead, the proposal will enhance the City's ability to provide transportation facilities needed to accommodate anticipated growth in the City. The proposal seeks to update the transportation impact fee project list to coincide with an update to traffic impact fees within the identified area. The proposal is necessary for consistency within the transportation impact fee program as established in Chapter 17D.075 of the Spokane Municipal Code. The proposed amendment to the transportation impact fee program is intended to provide an updated project list along with revised impact fee structure to ensure capacity improvement funding is keeping

pace with inflation and current construction cost estimates. The update to Appendix D ensures the impact fee program is consistent with the comprehensive plan.

The proposal satisfies this criterion.

- J. **UGA:** *Amendments to the urban growth area boundary may only be proposed by the City Council or the mayor of Spokane and shall follow the procedures of the countywide planning policies for Spokane County.*

Staff Analysis: The proposals do not include an expansion to the UGA.

This criterion does not apply.

K. **Demonstration of Need:**

1. **Policy Adjustments:** *Proposed policy adjustments that are intended to be consistent with the comprehensive plan should be designed to provide correction or additional guidance so the community's original visions and values can better be achieved. The need for this type of adjustment might be supported by findings from feedback instruments related to monitoring and evaluating the implementation of the comprehensive plan.*

Staff Analysis: The proposals do not include a policy adjustment. The proposal seeks to update the transportation impact fee project list to coincide with an update to traffic impact fees within the identified area. The proposal is necessary for consistency within the transportation impact fee program as established in Chapter 17D.075 of the Spokane Municipal Code. The proposed amendment to the transportation impact fee program is intended to provide an updated project list along with revised impact fee structure to ensure capacity improvement funding is keeping pace with inflation and current construction cost estimates. The update to Appendix D ensures the impact fee program is consistent with the comprehensive plan.

This criterion does not apply.

2. **Map Changes:** *Changes to the land use plan map (and by extension, the zoning map) may only be approved if the proponent has demonstrated that all of the following are true:*

Staff Analysis: The proposal does not include a policy adjustment.

This criterion does not apply.

3. **Rezones, Land Use Plan Amendment:** *Corresponding rezones will be adopted concurrently with land use plan map amendments as a legislative action of the city council. If policy language changes have map implications, changes to the land use plan map and zoning map will be made accordingly for all affected sites upon adoption of the new policy language. This is done to ensure that the comprehensive plan remains internally consistent and to preserve consistency between the comprehensive plan and supporting development regulations.*

Staff Analysis: The proposal does not include an amendment to the land use plan map, meaning no concurrent rezone is required.

This criterion does not apply.

VII. CONCLUSION

The proposal has been processed and considered according to the requirements of the Spokane Municipal Code. The proposal is necessary to address an emergency of neighborhood and/or community-wide significance, and there has been ample opportunity for stakeholder and public input on the proposal. According to the information provided above and the whole of the administrative record, the proposal appears to meet the criteria for a comprehensive plan amendment as provided in SMC 17G.020.030.

Pursuant to Chapter 17G.020 SMC, at the close of public testimony and deliberations, the Plan Commission is charged with making a recommendation to the City Council. The Plan Commission's recommendation is based on the guiding principles, final review criteria, public input, conclusions from relevant studies, the staff report, and the SEPA determination. The Plan Commission may recommend approval and may decide to condition its approval recommendation on modification of the proposal. In this case the Plan Commission has been presented with several options regarding service area boundaries and project costs and it would be helpful if the Plan Commission's recommendation indicates its preference for the options presented. The Plan Commission may also recommend denial of the proposal.

VIII. STAFF RECOMMENDATION

Staff recommends the Plan Commission and City Council **approve** the city-sponsored proposal.

IX. LIST OF EXHIBITS

- A. Existing Impact Fee Project List (Page 41 of Appendix D)
- B. Proposed Impact Fee Project List
- C. Transportation Impact Fee Advisory Committee Members
- D. SEPA Documentation
- E. Draft Ordinance

Exhibit A

Appendix D - Impact Fee Project List for Capital Facilities Plan

Project	Description	Estimated Cost (in 2022 dollars)
5th Ave / Sherman St	Intersection - Install new traffic signal	\$858,004
Ash Street 2-way from Broadway to Dean	Convert Ash Street to a 2-way street to allow access to Maple Street Bridge SB.	\$296,182
D Bicycle Improvements	stripe bike facilities on arterials, , crossing improvements	\$500,000
D Pedestrian Improvements	install pedestrian facilities on arterials	\$500,000
Assembly St / Francis Ave (SR291)	Intersection - Construct Roundabout	\$3,090,000
Indian Trail Rd - Kathleen to Barnes	Widening - Construct to 5-lane section	\$4,100,000
Wellesley / Driscoll	WB right turn lane	\$31,000
Wellesley / Assembly	signal	\$1,030,000
Francis/Alberta	modify NB and SB lanes to allow protected phasing	\$824,000
Francis/Maple	add WBR lane	\$824,000
NW Bicycle Improvements	stripe bike facilities on arterials	\$100,000
NW Pedestrian Improvements	install pedestrian facilities on arterials	\$100,000
29th Ave / Freya St	Stripe EBL and WBL turn lanes, and widen for NB and SB left turn lane. Keep 4-way stop.	\$167,707
29th/ Regal	EBR slip lane, bike lanes N-S, new cabinet, signal pole	\$520,000
37th / Ray, 37th/Freya	37th/Ray roundabout or realignment with signal. Includes modifications to Ferris High School driveways. Signalize 37th/Freya.	\$5,810,826
57th/Hatch	Reconfigure and install signal	\$1,654,933
44th/Regal	Widen northbound approach to 2 lanes	\$598,679
Freya / Palouse Hwy	roundabout (or turn lanes)	\$4,987,000
S Bicycle Improvements	stripe bike facilities on arterials	\$250,000
S Pedestrian Improvements	install pedestrian facilities on arterials	\$250,000
Lindeke frontage road from 16th to Thorpe	2-3 lane frontage road, with bridge for trail at 16th	\$9,300,000
US 195/Meadowlane	intersection improvement with J-turns	\$809,663
Inland Empire Way two-way	provide 2 way roadway from Cheney-Spokane to downtown	\$9,200,000
BNSF Tunnel on Thorpe - PE and concept eval	widen existing tunnel or bore new pedestrian tunnel	\$1,400,000
Fish Lake Trail Tunnel on Thorpe - PE and concept eval	replace with bridge to provide wider roadway	\$600,000
Qualchan and Cheney-Spokane Path	pathway from Lincoln Blvd to Yokes	\$1,093,917
Cheney-Spokane restripe and bike path	Qualchan to Interchange	\$1,860,627
Lincoln Rd / Nevada St	Intersection Improvements - Construct separate eastbound and westbound left-turn lanes; include west leg widening and construction of 3-lane east of Nevada 1000'	\$1,545,000
Mission/Havana	signal or protected receiving lane for NB left.	\$824,000
Crestline / Magnesium	add EBR turn lane, two lanes for NB, all-way stop.	\$670,000
Nevada / Magnesium	left turn protected-permitted phasing, restripe for WBL and EBL turn lanes, add WBR, one through lane east-west, maybe ROW on NE corner	\$1,030,000
Sprague/Freya	Add NBR turn lane	\$503,000
NE Bicycle Improvements	stripe bike facilities on arterials	\$100,000
NE Pedestrian Improvements	install pedestrian facilities on arterials	\$100,000
21st Avenue: Hazelwood to Lucas, Technology to Spotted	segment - construct new 3-lane arterial	\$10,715,560
21st Avenue: Lucas Drive to Flint (built)	segment - construct new 3-lane arterial	\$1,485,553
12th Avenue: Deer Heights to Flint	segment - construct new 3-lane arterial	\$3,733,396
12th-14th Avenue: Campus to Russell	segment - construct new arterial	\$7,506,982
Sidewalk on Lindeke	from 13th to 16th	\$1,114,474
Rustle Street Bridge Widening for Non-Motorized users	add non-motorized	\$5,872,347
Sidewalk on Grandview	from Garden Springs-Rustle to 17th	\$903,578
Sunset Highway/Assembly	new signal	\$823,690
Sunset/Government Way	signal upgrades to protected-permitted phasing	\$354,007
W Bicycle Improvements	stripe bike facilities on arterials or US 2 Bike Path	\$50,000
W Pedestrian Improvements	install pedestrian facilities on arterials	\$50,000

Total Project Cost

\$88,138,125

Exhibit B

2017 DRAFT Capacity Improvement Project List

Project	Description	Estimated Cost	Region
5th Ave / Sherman St	Intersection - Install new traffic signal	\$700,000	D
Trent / Hamilton intersection	modifications due to new traffic patterns with NSC	\$1,000,000	D
Downtown Bike Share	Paid bike share program	\$200,000	D
D Bicycle Improvements	stripe bike facilities on arterials	\$500,000	D
D Pedestrian Improvements	install pedestrian facilities on arterials	\$250,000	D
Ash Street 2-way from Broadway to Dean	Convert Ash Street to a 2-way street to allow access to Maple Street Bridge SB.	\$250,000	D
Assembly St / Francis Ave (SR291)	Intersection - Construct Roundabout	\$3,000,000	NW
Indian Trail Rd - Kathleen to Barnes	Widening - Construct to 5-lane section	\$4,100,000	NW
Francis/Alberta	modify NB and SB lanes to allow protected phasing	\$500,000	NW
Francis/Maple	add WBR lane	\$500,000	NW
NW Bicycle Improvements	stripe bike facilities on arterials	\$250,000	NW
NW Pedestrian Improvements	install pedestrian facilities on arterials	\$250,000	NW
29th Ave / Freya St	Stripe EBL and WBL turn lanes, and widen for NB and SB left turn lane. Keep 4-way stop.	\$1,500,000	S
29th Ave TWLTL	between Martin and Strong	\$300,000	S
37th Ave / Freya st	Construct traffic signal	\$250,000	S
37th Ave / Ray St	Construct traffic signal and WBR channelization	\$250,000	S
Ray-Freya Crossover	Segment - construct road project	\$4,056,000	S
44th Ave from Crestline to Altamont	new collector road section	\$500,000	S
44th/Regal	Widen northbound approach to 2 lanes	\$150,000	S
Freya / Palouse Hwy	roundabout (or turn lanes)	\$1,000,000	S
S Bicycle Improvements	stripe bike facilities on arterials	\$250,000	S
S Pedestrian Improvements	install pedestrian facilities on arterials	\$250,000	S
Lincoln Rd / Nevada St	Intersection Improvements - Construct separate eastbound and westbound left-turn lanes; include west leg widening and construction of 5-lane east of Nevada 1000'	\$1,000,000	NE
Hamilton St Corridor - Desmet Ave to Foothills Ave	Segment Improvements - Construct traffic signal modifications to accommodate protected or protected/permitted signal phasing. New signal at Desmet.	\$0	NE
Mission/Havana	signal	\$800,000	NE
Nevada / Magnesium	left turn phasing, additional lanes	\$1,000,000	NE
Greene/Ermina	New signal to accommodate SCC access for transit and future NSC (mostly funded by STA)	\$200,000	NE
NE Bicycle Improvements	stripe bike facilities on arterials	\$250,000	NE
NE Pedestrian Improvements	install pedestrian facilities on arterials	\$250,000	NE
US 2 / Deer Heights Signal	new signal	\$1,200,000	W
21st Avenue: Deer Heights to Flint/Granite	segment - construct new 3-lane arterial	\$2,583,000	W
Deer Heights Road: south end to 18th/21st	segment - construct new 2-lane arterial	\$610,000	W
12th Avenue: Deer Heights to Flint/Granite	segment - construct new 2-lane arterial	\$1,865,000	W
US 2 Bike Path	bike path from Deer Heights to Sunset Hill	\$0	W
W Bicycle Improvements	stripe bike facilities on arterials	\$100,000	W
W Pedestrian Improvements	install pedestrian facilities on arterials	\$100,000	W

Total Downtown =	\$2,650,000
Total Northwest =	\$8,600,000
Total South =	\$8,506,000
Total Northeast =	\$3,500,000
West Plains =	\$6,458,000
Grand Total =	\$29,714,000

Exhibit C

Transportation Impact Fee Advisory Committee Members

Members	Occupation/Affiliation
Bill White	Transportation Consultant
Craig Soehren	Commercial Broker
Jennifer Thomas	Homebuilder's Government Affairs Director
Greg Francis	District 2 Citizen, Plan Commission
Michelle Pappas	Futurewise
Mary Winkes	District 2 Citizen, Plan Commission, Community Assembly
Lori Kinnear	City Council Member, District 2
Mike Ulrich	SRTC
Kai Huschke	District 2 Citizen, Latah-Hangman Neighborhood
Elizabeth Tellesen	Land Use Attorney
Darin Watkins	Spokane Association of Realtors
Jonathan Bingle	City Council Member, District

Exhibit D

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization, or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. **You may use “not applicable” or “does not apply” only when you can explain why it does not apply and not when the answer is unknown.** You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to **all parts of your proposal**, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for lead agencies

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B, plus the Supplemental Sheet for Nonproject Actions (Part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in “Part B: Environmental Elements” that do not contribute meaningfully to the analysis of the proposal.

A. Background

1. Name of proposed project, if applicable:

City of Spokane Comprehensive Plan Map Amendment to Appendix D of the City's Comprehensive Plan to revise the Capital Facilities Plan, more specifically to update the impact fee project list related to the City's Transportation Impact Fee Program.

2. Name of applicant:

City of Spokane

3. Address and phone number of applicant and contact person:

City of Spokane
Tim Thompson – Planning Services
808 W. Spokane Falls Boulevard
Spokane, WA 99201
509-625-6893

4. Date checklist prepared:

January 31, 2023

5. Agency requesting checklist:

City of Spokane

6. Proposed timing or schedule (including phasing, if applicable):

A Plan Commission hearing on this proposal will be requested to be held on February 22, 2023, at which time the Plan Commission will make a recommendation to the City Council. The amendment must be approved by City Council and signed by the Mayor if they are to be adopted. The transportation improvement projects itemized on the impact fee project list may be constructed over the course of the next 20 years.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Yes, minor updates may be necessary depending on transportation needs associated with specific development proposals. A broad review of the impact fee program is anticipated as part of the City of Spokane Comprehensive Plan update, due to be completed by 2025.

- 8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.**

No, impact fees Transportation impact fees must be used for “public streets and roads” that are addressed by a capital facilities plan element of a comprehensive plan adopted under the Growth Management Act.

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

None that is directly related to this proposal. When the transportation impact fee program was adopted, a Determination of Nonsignificance (DNS 08-2209) was issued. Additionally, the Six-Year Comprehensive Street Program has associated SEPA Checklists adopted with the program on an annual basis. They are available upon request. At the time of this checklist no technical reports are required or expected as a result of this proposal.

- 10. List any government approvals or permits that will be needed for your proposal, if known.**

The proposed amendments to the City of Spokane Comprehensive Plan require approval of the Spokane City Council and Mayor. For any new construction projects involving proposals included on the Transportation Impact Fee project list, any necessary permits will be obtained.

- 11. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)**

This proposed amendment would update Appendix D of the City’s Comprehensive Plan to revise the Capital Facilities Plan, more specifically to update the impact fee project list related to the City’s Transportation Impact Fee Program.

- 12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.**

Proposed transportation impact fee projects are located throughout the City of Spokane and within its Urban Growth Area.

- 13. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? The General Sewer Service Area? The Priority Sewer Service Area? The City of Spokane? (See: Spokane County's ASA Overlay Zone Atlas for boundaries.)**

This is a nonproject action. However, the projects included within the Transportation Impact Fee Program are located throughout the City. Therefore, it is also likely projects will be located within the Aquifer Sensitive Area (ASA) and the Priority Sewer Service Area.

14. The following questions supplement Part A.

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

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

Not applicable, this is a non-project action. Appropriate disposal of stormwater will be addressed for new projects at the time of construction.

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

Not applicable, this is a non-project action.

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

Not applicable, this is a non-project action. At the time of construction, listed projects will be analyzed for their consistence with the City of Spokane Critical Aquifer Recharge Area Aquifer Protection Code, Chapter 17E.010 SMC, as well as other local, state, and federal regulations, per Spokane Municipal Code requirements.

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

Not applicable, this is a non-project action. Storage, handling, and use will be addressed when each project is designed and constructed.

b. Stormwater

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

The depth to groundwater varies, depending on location within the Urban Growth Area.

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

Not applicable, this is a non-project action.

B. Environmental Elements

1. Earth

a. General description of the site:

Not applicable. This is a non-project action.

Circle or highlight one: Flat, rolling, hilly, steep slopes, mountainous, other:

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

f. Could erosion occur because of clearing, construction, or use? If so, generally describe.

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

2. Air

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

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

3. Water

a. Surface Water:

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

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

4. Will the proposal require surface water withdrawals or diversions? Give a general description, purpose, and approximate quantities if known.

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

b. Ground Water:

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

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

c. Water Runoff (including stormwater):

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

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

- 4. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any.**

Not applicable. This is a non-project action.

4. Plants

a. Check the types of vegetation found on the site:

Not applicable. This is a non-project action.

- ☐ deciduous tree: alder, maple, aspen, other
- ☐ evergreen tree: fir, cedar, pine, other
- ☐ shrubs
- ☐ grass
- ☐ pasture
- ☐ crop or grain
- ☐ orchards, vineyards, or other permanent crops.
- ☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ☐ water plants: water lily, eelgrass, milfoil, other
- ☐ other types of vegetation

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

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

5. Animals

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

Not applicable. This is a non-project action.

Examples include:

- Birds: hawk, heron, eagle, songbirds, other:
- Mammals: deer, bear, elk, beaver, other:
- Fish: bass, salmon, trout, herring, shellfish, other:

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

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

6. Energy and Natural Resources

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

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

7. Environmental Health

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

Not applicable. This is a non-project action.

1. Describe any known or possible contamination at the site from present or past uses.

Not applicable. This is a non-project action.

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

Not applicable. This is a non-project action.

b. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Not applicable. This is a non-project action.

c. Describe special emergency services that might be required.

Not applicable. This is a non-project action.

d. Proposed measures to reduce or control environmental health hazards, if any.

Not applicable. This is a non-project action.

b. Noise

1. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Not applicable. This is a non-project action.

2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site)?

Not applicable. This is a non-project action.

3. Proposed measures to reduce or control noise impacts, if any.

Not applicable. This is a non-project action.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Not applicable. This is a non-project action.

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses because of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Not applicable. This is a non-project action.

1. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how?

Not applicable. This is a non-project action.

c. Describe any structures on the site.

Not applicable. This is a non-project action.

d. Will any structures be demolished? If so, what?

Not applicable. This is a non-project action.

e. What is the current zoning classification of the site?

Not applicable. This is a non-project action.

f. What is the current comprehensive plan designation of the site?

Not applicable. This is a non-project action.

g. If applicable, what is the current shoreline master program designation of the site?

Not applicable. This is a non-project action.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Not applicable. This is a non-project action.

i. Approximately how many people would reside or work in the completed project?

Not applicable. This is a non-project action.

j. Approximately how many people would the completed project displace?

Not applicable. This is a non-project action.

k. Proposed measures to avoid or reduce displacement impacts, if any.

Not applicable. This is a non-project action.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.

Not applicable. This is a non-project action.

m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any.

Not applicable. This is a non-project action.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Not applicable. This is a non-project action.

- b. **Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**

Not applicable. This is a non-project action.

- c. **Proposed measures to reduce or control housing impacts, if any.**

Not applicable. This is a non-project action.

10. Aesthetics

- a. **What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**

Not applicable. This is a non-project action.

- b. **What views in the immediate vicinity would be altered or obstructed?**

Not applicable. This is a non-project action.

- c. **Proposed measures to reduce or control aesthetic impacts, if any.**

Not applicable. This is a non-project action.

11. Light and Glare

- a. **What type of light or glare will the proposal produce? What time of day would it mainly occur?**

Not applicable. This is a non-project action.

- b. **Could light or glare from the finished project be a safety hazard or interfere with views?**

Not applicable. This is a non-project action.

- c. **What existing off-site sources of light or glare may affect your proposal?**

Not applicable. This is a non-project action.

- d. **Proposed measures to reduce or control light and glare impacts, if any.**

Not applicable. This is a non-project action.

12. Recreation

- a. **What designated and informal recreational opportunities are in the immediate vicinity?**

Not applicable. This is a non-project action.

- b. **Would the proposed project displace any existing recreational uses? If so, describe.**

Not applicable. This is a non-project action.

- c. **Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any.**

Not applicable. This is a non-project action.

13. Historic and Cultural Preservation

- a. **Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.**

Not applicable. This is a non-project action.

- b. **Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.**

Not applicable. This is a non-project action.

- c. **Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.**

Not applicable. This is a non-project action.

- d. **Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.**

Not applicable. This is a non-project action.

14. Transportation

- a. **Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.**

Not applicable. This is a non-project action.

- b. **Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?**

Not applicable. This is a non-project action.

- c. **Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).**

Not applicable. This is a non-project action.

- d. **Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

Not applicable. This is a non-project action.

- e. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?**

Not applicable. This is a non-project action.

- f. Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.**

Not applicable. This is a non-project action.

- g. Proposed measures to reduce or control transportation impacts, if any.**

Not applicable. This is a non-project action.

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.**

Not applicable. This is a non-project action.

- b. Proposed measures to reduce or control direct impacts on public services, if any.**

Not applicable. This is a non-project action.

16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:**

Not applicable. This is a non-project action.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.**

Not applicable. This is a non-project action.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

X 

Type name of signee: Tim Thompson

Position and agency/organization: Principal Planner, City of Spokane

Date submitted: 2/1/2023

D. Supplemental sheet for nonproject actions

IT IS NOT REQUIRED to use this section for project actions.

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Projects within the Transportation Impact Fee Program are likely to improve the environment by reducing inefficient infrastructure and maintenance requirements. Particulate and exhaust emissions will occur during construction of most of the listed projects. The extent of these emissions will vary greatly between different types of projects. Many of the projects will improve the quality of waters discharged and decrease the emissions of pollutants, once they are completed.

- **Proposed measures to avoid or reduce such increases are:**

Best management practices for construction controls such as watering will be used to control particulate emissions.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

No significant effects are expected.

- **Proposed measures to protect or conserve plants, animals, fish, or marine life are:**

Projects will be designed in accordance with local and state regulations regarding development and construction in or near natural habitats. Best Management Practices will be incorporated.

3. How would the proposal be likely to deplete energy or natural resources?

Construction and operational activities will use petroleum fuels. Once completed, electric energy is used such as to operate pump and control systems or power new systems.

- **Proposed measures to protect or conserve energy and natural resources are:**

The City generates power from the Upriver Dam as well as the Waste to Energy Facility. New equipment will be more energy efficient and will use less energy.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

No significant effect on environmentally sensitive areas is expected. This issue will be addressed at the individual project environmental reviews, as required.

- **Proposed measures to protect such resources or to avoid or reduce impacts are:**

Alternative sites will be used whenever feasible or mitigating measures to restore or replace the resources will be implemented.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Projects proposed under the Transportation Impact Fee Program, at the time of construction, are required to meet development regulations adopted under the Comprehensive Plan and, where applicable, shoreline development standards.

- **Proposed measures to avoid or reduce shoreline and land use impacts are:**

Projects will be designed to comply with shoreline and land use plans. Any deviations would be approved through the appropriate required process during design. Standard procedures for land use and zoning changes shall be required.

The Transportation Impact Fee Program is reviewed by the City's Plan Commission for consistency with the City's Comprehensive Plan and approved by the City Council. This process ensures that the projects are compatible with land uses within the City and Spokane County.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Construction of the projects included on the impact fee project list will likely be completed

- **Proposed measures to reduce or respond to such demand(s) are:**

Communication of construction closures ahead of and during the construction season will be maintained.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

No conflicts with environmental protection laws are expected.

SEPA ADDENDUM TO EXISTING ENVIRONMENTAL DOCUMENT

Existing Environmental Documents: EIS issued for City of Spokane Comprehensive Plan Final Environmental Impact Statement and Draft Comprehensive Plan and Draft Environmental Impact Statement an integrated GMA and SEPA Document 2000-2020, in 2001; as amended in 2006, and as additionally amended in 2017 for the City's 2017-2037 Comprehensive Plan Periodic Update (201700881).

Description of proposal/non-project action: Amendment to Appendix D of the City's Comprehensive Plan, amending the transportation subsection of the Capital Facilities Plan, more specifically to update the impact fee capacity project list related to the City's Transportation Impact Fee Program (page 41, Appendix D)

Location: Citywide

Lead agency: City of Spokane, Planning

The lead agency for this proposal has determined that the proposal does not have a probable significant adverse impact on the environment and does not have an environmental impact substantially different from the original project list. An Environmental Impact Statement is not required under Chapter 43.21C RCW. This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

There is no required comment period for a SEPA Addendum to a DNS.

Date: February 7, 2023

Signature:  _____

Spencer Gardner, Planning Director, City of Spokane
SEPA Responsible official

Exhibit E

ORDINANCE NO. C _____

AN ORDINANCE AMENDING APPENDIX D OF THE COMPREHENSIVE PLAN TO REVISE THE CAPITAL FACILITIES PLAN TO INCLUDE ADDITIONAL CAPACITY IMPROVEMENT TRANSPORTATION PROJECTS; AND DECLARING AN EMERGENCY.

WHEREAS, Washington's legislature adopted RCW 82.02.050 *et seq* in order to enable cities to plan for new growth and development and to recoup from developers a predictable share of the infrastructure costs attributable to anticipated growth, and further intended that impact fees are to be a proportionate share of the costs of transportation system improvements that are reasonably related to and reasonably benefit the development; and

WHEREAS, pursuant to Ordinance No. C36276, the City Council recently imposed a moratorium on building permits for new residential construction in the Latah/Hangman and Grandview/Thorpe Neighborhood (the "Moratorium"); and

WHEREAS, as outlined in the Moratorium (the recitals of which along with the Council's related supplemental findings in support of the Moratorium are incorporated herein), the City has identified several capacity improvement transportation projects that are needed in order to accommodate the increased growth and development occurring and anticipated in the Latah/Hangman and Grandview/Thorpe Neighborhoods (the "Neighborhood"); and

WHEREAS, the purpose of the Moratorium was to give the City time to update its transportation impact fees to include these new capacity improvements in order to recoup from new development in the Neighborhood a predictable and proportionate share of the infrastructure costs that are reasonably related to and that will reasonably benefit their development(s); and

WHEREAS, in order to add these projects to the City's transportation impact fee project list, it is necessary to update the capital facilities element of the City's Comprehensive Plan to include the projects; and

WHEREAS, pursuant to Chapter 36.70A RCW ("GMA"), the City's comprehensive plan is subject to continuing review and evaluation by the City, but amendments to the plan are generally limited to once per year, except that, after appropriate public participation, amendments may be adopted whenever an emergency exists; and

WHEREAS, the City established an impact fee advisory board consisting of various community representatives which worked to review proposed changes to the fee schedules and service area boundaries; and

WHEREAS, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed

changes to the Comprehensive Plan on August 29, 2022, with additional information provided on January 31, 2023; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on February 1, 2023; and

WHEREAS, staff requested comments from agencies and departments on February 7, 2023, and a public comment period ran from February 7, 2023 to March 13, 2023; and

WHEREAS, notice of the SEPA Checklist and Determination and announcement of the Plan Commission Hearing was published on February 8, 2023 and February 15, 2023; and

WHEREAS, the Spokane Plan Commission held a workshop to study the proposal on February 8, 2023; and

WHEREAS, a staff report reviewed all the criteria relevant to consideration of the proposal was published on February 14, 2023; and

WHEREAS, the Spokane Plan Commission held a public hearing, including the taking of public testimony, on February 22, 2023, during which the verbal public record was closed; and

WHEREAS, the Spokane Plan Commission closed the public written record on February 22, 2023; and

WHEREAS, the Spokane Plan Commission found the proposal is consistent with and implements the Comprehensive Plan; and

WHEREAS, the Spokane Plan Commission found the proposal satisfies the final review criteria for Comprehensive Plan Amendments set forth in Spokane Municipal Code 17G.020.030; and

WHEREAS, the Spokane Plan Commission voted X to X to recommend approval of the proposed amendment; and

WHEREAS, this ordinance was reviewed and evaluated consistent with the requirements of RCW 36.70A.370; and

WHEREAS, the City Council adopts the recitals set forth herein as its findings and conclusions in support of its adoption of this ordinance and further adopts the findings, conclusions, and recommendations from the Staff Report and the City of Spokane Plan Commission for the same purposes; and

WHEREAS, the City Council adopts the foregoing as its findings of fact documenting the existence of an emergency allowing this ordinance to become effective immediately upon adoption; and

WHEREAS, the city Council finds that this ordinance is necessary for the protection of public peace, health, or safety and for the immediate support of City government and its existing public institutions;

NOW, THEREFORE,

The City of Spokane does ordain:

Section 1. Approval. The Capital Facilities Element of the Comprehensive Plan, specifically the Impact Fee Project List within Appendix D is amended to adopt an updated list of capital projects as shown on Exhibit A attached hereto.

Section 2. This ordinance, passed by a majority plus one of the whole membership of the City Council as a public emergency ordinance is necessary for the protection of the public safety and for the immediate support of City government and its existing public institutions, shall become effective immediately upon its passage. Without the updates approved by this ordinance, the City would not be able to require new growth and development to pay its proportionate share of the costs of system improvements that reasonably benefit the new development and transportation impact fees collected in the Neighborhood will be inadequate to cover the cost of system improvements that are reasonably related to and that will reasonably benefit new growth and development occurring and anticipated in the Neighborhood, thereby slowing the City's ability to finance and construct the needed system improvements.

ADOPTED BY THE CITY COUNCIL ON _____

(Delivered to the Mayor on the _____ day of _____

Council President

Attest:

Approved as to form:

City Clerk
Assistant City Attorney

Mayor

Date

Effective Date

Exhibit A

Appendix D - Impact Fee Project List for Capital Facilities Plan

Project	Description	Estimated Cost (in 2022 dollars)
5th Ave / Sherman St	Intersection - Install new traffic signal	\$858,004
Ash Street 2-way from Broadway to Dean	Convert Ash Street to a 2-way street to allow access to Maple Street Bridge SB.	\$296,182
D Bicycle Improvements	stripe bike facilities on arterials, , crossing improvements	\$500,000
D Pedestrian Improvements	install pedestrian facilities on arterials	\$500,000
Assembly St / Francis Ave (SR291)	Intersection - Construct Roundabout	\$3,090,000
Indian Trail Rd - Kathleen to Barnes	Widening - Construct to 5-lane section	\$4,100,000
Wellesley / Driscoll	WB right turn lane	\$31,000
Wellesley / Assembly	signal	\$1,030,000
Francis/Alberta	modify NB and SB lanes to allow protected phasing	\$824,000
Francis/Maple	add WBR lane	\$824,000
NW Bicycle Improvements	stripe bike facilities on arterials	\$100,000
NW Pedestrian Improvements	install pedestrian facilities on arterials	\$100,000
29th Ave / Freya St	Stripe EBL and WBL turn lanes, and widen for NB and SB left turn lane. Keep 4-way stop.	\$167,707
29th/ Regal	EBR slip lane, bike lanes N-S, new cabinet, signal pole	\$520,000
37th / Ray, 37th/Freya	37th/Ray roundabout or realignment with signal. Includes modifications to Ferris High School driveways. Signalize 37th/Freya.	\$5,810,826
57th/Hatch	Reconfigure and install signal	\$1,654,933
44th/Regal	Widen northbound approach to 2 lanes	\$598,679
Freya / Palouse Hwy	roundabout (or turn lanes)	\$4,987,000
S Bicycle Improvements	stripe bike facilities on arterials	\$250,000
S Pedestrian Improvements	install pedestrian facilities on arterials	\$250,000
Lindeke frontage road from 16th to Thorpe	2-3 lane frontage road, with bridge for trail at 16th	\$9,300,000
US 195/Meadowlane	intersection improvement with J-turns	\$809,663
Inland Empire Way two-way	provide 2 way roadway from Cheney-Spokane to downtown	\$9,200,000
BNSF Tunnel on Thorpe - PE and concept eval	widen existing tunnel or bore new pedestrian tunnel	\$1,400,000
Fish Lake Trail Tunnel on Thorpe - PE and concept eval	replace with bridge to provide wider roadway	\$600,000
Qualchan and Cheney-Spokane Path	pathway from Lincoln Blvd to Yokes	\$1,093,917
Cheney-Spokane restripe and bike path	Qualchan to Interchange	\$1,860,627
Lincoln Rd / Nevada St	Intersection Improvements - Construct separate eastbound and westbound left-turn lanes; include west leg widening and construction of 3-lane east of Nevada 1000'	\$1,545,000
Mission/Havana	signal or protected receiving lane for NB left.	\$824,000
Crestline / Magnesium	add EBR turn lane, two lanes for NB, all-way stop.	\$670,000
Nevada / Magnesium	left turn protected-permitted phasing, restripe for WBL and EBL turn lanes, add WBR, one through lane east-west, maybe ROW on NE corner	\$1,030,000
Sprague/Freya	Add NBR turn lane	\$503,000
NE Bicycle Improvements	stripe bike facilities on arterials	\$100,000
NE Pedestrian Improvements	install pedestrian facilities on arterials	\$100,000
21st Avenue: Hazelwood to Lucas, Technology to Spotted	segment - construct new 3-lane arterial	\$10,715,560
21st Avenue: Lucas Drive to Flint (built)	segment - construct new 3-lane arterial	\$1,485,553
12th Avenue: Deer Heights to Flint	segment - construct new 3-lane arterial	\$3,733,396
12th-14th Avenue: Campus to Russell	segment - construct new arterial	\$7,506,982
Sidewalk on Lindeke	from 13th to 16th	\$1,114,474
Rustle Street Bridge Widening for Non-Motorized users	add non-motorized	\$5,872,347
Sidewalk on Grandview	from Garden Springs-Rustle to 17th	\$903,578
Sunset Highway/Assembly	new signal	\$823,690
Sunset/Government Way	signal upgrades to protected-permitted phasing	\$354,007
W Bicycle Improvements	stripe bike facilities on arterials or US 2 Bike Path	\$50,000
W Pedestrian Improvements	install pedestrian facilities on arterials	\$50,000

Total Project Cost

\$88,138,125