

## **CITY COUNCIL MEETINGS RULES – PUBLIC DECORUM**

**Strict adherence to the following rules of decorum by the public will be observed and adhered to during City Council meetings, including open forum, public comment period on legislative items, and Council deliberations:**

- 1. No Clapping!**
- 2. No Cheering!**
- 3. No Booing!**
- 4. No public outbursts!**
- 5. Three-minute time limit for comments made during open forum and public testimony on legislative items!**
- 6. No person shall be permitted to speak at open forum more often than once per month. In addition, please silence your cell phones when entering the Council Chambers!**

Further, keep the following City Council Rules in mind:

### **Rule 2.2 Open Forum**

- D. The open forum is a limited public forum; all matters discussed in the open forum shall relate to the affairs of the City. No person shall be permitted to speak regarding items on the current or advance agendas, pending hearing items, or initiatives or referenda in a pending election. Individuals speaking during the open forum shall address their comments to the Council President and shall not use profanity, engage in obscene speech, or make personal comment or verbal insults about any individual.
- E. To encourage wider participation in open forum and a broad array of public comment and varied points of view, no person shall be permitted to speak at open forum more often than once per month. However, there is no limit on the number of items on which a member of the public may testify, such as legislative items, special consideration items, hearing items, and other items before the City Council and requiring Council action that are not adjudicatory or administrative in nature, as specified in Rules 5.3 and 5.4.

### **Rule 5.4 Public Testimony Regarding Legislative Agenda Items – Time Limits**

- A. 5.4.1 The City Council shall take public testimony on all matters included on its legislative agenda, with those exceptions stated in Rule 5.4(B). Public testimony shall be limited to the final Council action. Public testimony shall be limited to three (3) minutes per speaker, unless, at his or her discretion, the Chair determines that, because of the number of speakers signed up to testify, less time will need to be allocated per speaker in order to accommodate all of the speakers. The Chair may allow additional time if the speaker is asked to respond to questions from the Council.
- B. No public testimony shall be taken on consent agenda items, amendments to legislative agenda items, or procedural, parliamentary, or administrative matters of the Council.
- C. For legislative or hearing items that may affect an identifiable individual, association, or group, the following procedure may be implemented:
  1. Following an assessment by the Chair of factors such as complexity of the issue(s), the apparent number of people indicating a desire to testify, representation by designated spokespersons, etc., the Chair shall, in the absence of objection by the majority of the Council present, impose the following procedural time limitations for taking public testimony regarding legislative matters:
    - a. There shall be up to fifteen (15) minutes for staff, board, or commission presentation of background information, if any.
    - b. The designated representative of the proponents of the issue shall speak first and may include within his or her presentation the testimony of expert witnesses, visual displays, and any other reasonable methods of presenting the case. Up to thirty (30) minutes shall be granted for the proponent's presentation. If there be more than one designated representative, they shall allocate the 30 minutes between or among themselves.

- c. Three minutes shall be granted for any other person not associated with the designated representative who wishes to speak on behalf of the proponent's position.
  - d. The designated representative, if any, of the opponents of the issue shall speak following the presentation of the testimony of expert witnesses, visual displays, and any other reasonable methods of presenting the case. The designated representative(s) of the opponents shall have the same time allotted as provided for the proponents.
  - e. Three minutes shall be granted for any other person not associated with the designated representative who wishes to speak on behalf of the opponents' position.
  - f. Up to ten minutes of rebuttal time shall be granted to the designated representative for each side, the proponents speaking first, the opponents speaking second.
- 2. In the event the party or parties representing one side of an issue has a designated representative and the other side does not, the Chair shall publicly ask the unrepresented side if they wish to designate one or more persons to utilize the time allotted for the designated representative. If no such designation is made, each person wishing to speak on behalf of the unrepresented side shall be granted three minutes to present his/her position, and no additional compensating time shall be allowed due to the fact that the side has no designated representative.
  - 3. In the event there appears to be more than two groups wishing to advocate their distinct positions on a specific issue, the Chair may grant the same procedural and time allowances to each group or groups, as stated previously.
- D. The time taken for staff or Council member questions and responses thereto shall be in addition to the time allotted for any individual or designated representative's testimony.

# THE CITY OF SPOKANE



## ADVANCE COUNCIL AGENDA

MEETING OF MONDAY, JANUARY 7, 2019

### **MISSION STATEMENT**

**TO DELIVER EFFICIENT AND EFFECTIVE SERVICES  
THAT FACILITATE ECONOMIC OPPORTUNITY  
AND ENHANCE QUALITY OF LIFE.**

**MAYOR DAVID A. CONDON**

**COUNCIL PRESIDENT BEN STUCKART**

**COUNCIL MEMBER BREEAN BEGGS**

**COUNCIL MEMBER MIKE FAGAN**

**COUNCIL MEMBER CANDACE MUMM**

**COUNCIL MEMBER KATE BURKE**

**COUNCIL MEMBER LORI KINNEAR**

**COUNCIL MEMBER KAREN STRATTON**

**CITY COUNCIL CHAMBERS  
CITY HALL**

**808 W. SPOKANE FALLS BLVD.  
SPOKANE, WA 99201**

## CITY COUNCIL BRIEFING SESSION

Council will adopt the Administrative Session Consent Agenda after they have had appropriate discussion. Items may be moved to the 6:00 p.m. Legislative Session for formal consideration by the Council at the request of any Council Member.

SPOKANE CITY COUNCIL BRIEFING SESSIONS (BEGINNING AT 3:30 P.M. EACH MONDAY) AND LEGISLATIVE SESSIONS (BEGINNING AT 6:00 P.M. EACH MONDAY) ARE BROADCAST LIVE ON CITY CABLE CHANNEL FIVE AND STREAMED LIVE ON THE CHANNEL FIVE WEBSITE. THE SESSIONS ARE REPLAYED ON CHANNEL FIVE ON THURSDAYS AT 6:00 P.M. AND FRIDAYS AT 10:00 A.M.

The Briefing Session is open to the public, but will be a workshop meeting. Discussion will be limited to Council Members and appropriate Staff and Counsel. There will be an opportunity for the expression of public views on any issue not relating to the Current or Advance Agendas during the Open Forum at the beginning and the conclusion of the Legislative Agenda.

### ADDRESSING THE COUNCIL

- No one may speak without first being recognized for that purpose by the Chair. Except for named parties to an adjudicative hearing, a person may be required to sign a sign-up sheet as a condition of recognition.
- Each person speaking at the public microphone shall print his or her name and address on the sheet provided at the entrance and verbally identify him/herself by name, address and, if appropriate, representative capacity.
- If you are submitting letters or documents to the Council Members, please provide a minimum of ten copies via the City Clerk. The City Clerk is responsible for officially filing and distributing your submittal.
- In order that evidence and expressions of opinion be included in the record and that decorum befitting a deliberative process be maintained, modes of expression such as demonstration, banners, applause and the like will not be permitted.
- A speaker asserting a statement of fact may be asked to document and identify the source of the factual datum being asserted.

**SPEAKING TIME LIMITS:** Unless deemed otherwise by the Chair, each person addressing the Council shall be limited to a three-minute speaking time.

**CITY COUNCIL AGENDA:** The City Council Advance and Current Agendas may be obtained prior to Council Meetings from the Office of the City Clerk during regular business hours (8 a.m. - 5 p.m.). The Agenda may also be accessed on the City website at [www.spokanecity.org](http://www.spokanecity.org). Agenda items are available for public review in the Office of the City Clerk during regular business hours.

**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 Spokane City Council Chamber in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and also is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) at the City Cable 5 Production Booth located on the First Floor of the Municipal Building, directly above the Chase Gallery or through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Human Resources at 509.625.6383, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or [msteinolfson@spokanecity.org](mailto: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.

If you have questions, please call the Agenda Hotline at 625-6350.



# BRIEFING SESSION

(3:30 p.m.)

(Council Chambers Lower Level of City Hall)  
(No Public Testimony Taken)

Roll Call of Council

Council Reports

Staff Reports

Committee Reports

Advance Agenda Review

Current Agenda Review

## ADMINISTRATIVE SESSION

### CONSENT AGENDA

#### REPORTS, CONTRACTS AND CLAIMS

#### RECOMMENDATION

- |  |         |                              |
|--|---------|------------------------------|
| 1. Low Bid of L&L Cargile, Inc. (Spokane Valley, WA) for Rossmoor Ridge Force Main Replacement—\$423,953.20 (plus tax). An administrative reserve of \$42,395.32 (plus tax), which is 10% of the contract price plus tax, will be set aside.<br><b>David St. Pierre</b>  | Approve | OPR 2018-0851<br>ENG 2018049 |
| 2. City and Spokane County Interlocal Agreement for the purpose of aligning resources, property, and services to facilitate development and operation of the Northeast Public Development Authority—\$507,387.19.<br><b>Council President Stuckart</b>                   | Approve | OPR 2018-0852                |
| 3. Annual Contract Renewal of Hitachi SAN storage technical and software support from February 1, 2019 through December 31, 2020—\$67,924.81 (incl. tax).<br><b>Michael Sloon</b>  | Approve | OPR 2015-1109                |
| 4. Contract Renewal with Software House International for Microsoft Premier Support utilizing Master Agreement No. ADSPO16-130651, Washington State Contract No. 06016 from December 27, 2018 through December 26, 2019—\$75,013.86 (incl. tax).<br><b>Michael Sloon</b> | Approve | OPR 2018-0853                |

- |   |                        |               |
|---|------------------------|---------------|
| 5. Contract Extension with PMWeb, Inc. for continued Annual Support and Maintenance of the Capital Project Management Software from February 1, 2019 through January 31, 2020—\$75,200 (plus tax if applicable).<br><b>Michael Sloon</b>                    | Approve                | OPR 2017-0005 |
| 6. Contract with Spokane Transit Authority for the U-TAP Program Agreement—\$58,420.<br><b>Chris Cavanaugh</b>  | Approve                | OPR 2018-0854 |
| 7. Interlocal Agreement between Spokane Public Facilities District, the City of Spokane, and the City of Spokane Park Board for the Construction of an indoor sports facility.<br><b>Rick Romero</b>  | Approve                | OPR 2018-0855 |
| 8. Report of the Mayor of pending:  | Approve &<br>Authorize |               |
| a. Claims and payments of previously approved obligations, including those of Parks and Library, through _____, 2018, total \$_____, with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$_____. | Payments               | CPR 2018-0002 |
| b. Payroll claims of previously approved obligations through _____, 2018: \$_____.  |                        | CPR 2018-0003 |
| 9. City Council Meeting Minutes: _____, 2018.   | Approve<br>All         | CPR 2018-0013 |

## EXECUTIVE SESSION

(Closed Session of Council)

(Executive Session may be held or reconvened during the 6:00 p.m. Legislative Session)

## CITY COUNCIL SESSION

(May be held or reconvened following the 3:30 p.m. Administrative Session)

(Council Briefing Center)

This session may be held for the purpose of City Council meeting with Mayoral nominees to Boards and/or Commissions. The session is open to the public.

## LEGISLATIVE SESSION

(6:00 P.M.)

(Council Reconvenes in Council Chamber)

**WORDS OF INSPIRATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL OF COUNCIL**

**ANNOUNCEMENTS**

(Announcements regarding Changes to the City Council Agenda)

**NO BOARDS AND COMMISSIONS APPOINTMENTS**

**ADMINISTRATIVE REPORT**

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**COUNCIL COMMITTEE REPORTS**

(Committee Reports for Finance, Neighborhoods, Public Safety, Public Works, and Planning/Community and Economic Development Committees and other Boards and Commissions)

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**OPEN FORUM**

This is an opportunity for citizens to discuss items of interest not relating to the Current or Advance Agendas nor relating to political campaigns/items on upcoming election ballots. This Forum shall be for a period of time not to exceed thirty minutes. After all the matters on the Agenda have been acted on, unless it is 10:00 p.m. or later, the open forum shall continue for a period of time not to exceed thirty minutes. Each speaker will be limited to three minutes, unless otherwise deemed by the Chair. If you wish to speak at the forum, please sign up on the sign-up sheet located in the Chase Gallery.

Note: No person shall be permitted to speak at Open Forum more often than once per month (Council Rule 2.2.E).

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**LEGISLATIVE AGENDA**

**NO SPECIAL BUDGET ORDINANCES**

**NO EMERGENCY ORDINANCES**

**RESOLUTIONS & FINAL READING ORDINANCES**

(Require Four Affirmative, Recorded Roll Call Votes)

- |               |  |
|---------------|--|
| RES 2018-0112 | Requesting the addition of multifamily housing as a public benefit to the Projects of Citywide Significance Incentive Policy.<br><b>Council President Stuckart</b> |
| RES 2018-0113 | Making substantial amendments to the City's Annual Action Plan for CDBG, HOME and ESG.<br><b>Kelly Keenan</b>  |

- ORD C35697 Reaffirming that the first floor lobby of City Hall is open to all members of the public; enacting a new section 12.05.050 of the Spokane Municipal Code. (Deferred from December 17, 2018 Advance Agenda.)  
**Council Member Burke**
- ORD C35725 Relating to Imprest Funds for the Police Department's Investigations (increase from \$25,000 to \$50,000); amending SMC section 07.03.151 of the Spokane Municipal Code.  
**Eric Olsen**
- ORD C35727 Changing the zone from Office (O) to Office Retail (OR) for property located at (Site A) 6221 and 6215 N. Maple Street, 6222 and 6214 N. Ash Street (Site B) 6221 and 6227 N. Walnut Street, 6222 and 6228 N. Maple Street in the City and County of Spokane, State of Washington, by amending the Official Zoning Map. (Applicant: Land Use Solutions and Entitlement.)  
**Donna Debit**

## **FIRST READING ORDINANCES**

(No Public Testimony Will Be Taken)

- ORD C35730 Relating to dimensional standards for attached housing and multifamily development in residential zones, amending Spokane Municipal Code (SMC) sections 17C.110.200, 17C.110.215, 17C.110.310, and 17C.110.360.  
**Nathan Gwinn**
- ORD C35731 Relating to parking and loading standards, amending Spokane Municipal Code (SMC) sections 17C.230.100, 17C.230.130, and 17C.230.140.  
**Nathan Gwinn**
- ORD C35732 Relating to alternative residential subdivisions, amending Spokane Municipal Code (SMC) section 17G.080.065.  
**Nathan Gwinn**
- ORD C35733 Regarding My Spokane Imprest Funds; amending section 7.03.190 of the Spokane Municipal Code.  
**Gavin Cooley**

FURTHER ACTION DEFERRED

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## **NO SPECIAL CONSIDERATIONS**

## **NO HEARINGS**

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**Motion to Approve Advance Agenda for January 7, 2019**  
(per Council Rule 2.1.2)

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## **OPEN FORUM (CONTINUED)**

This is an opportunity for citizens to discuss items of interest not relating to the Current or Advance Agendas nor relating to political campaigns/items on upcoming election ballots. This Forum shall be for a period of time not to exceed thirty minutes. After all the matters on the Agenda have been acted on, unless it is 10:00 p.m. or later, the open forum shall continue for a period of time not to exceed thirty minutes. Each speaker will be limited to three minutes, unless otherwise deemed by the Chair. If you wish to speak at the forum, please sign up on the sign-up sheet located in the Chase Gallery.

Note: No person shall be permitted to speak at Open Forum more often than once per month (Council Rule 2.2.E).

## **ADJOURNMENT**

The January 7, 2019, Regular Legislative Session of the City Council is adjourned to January 14, 2018.

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## **NOTES**



**Agenda Sheet for City Council Meeting of:**  
01/07/2019

<b>Date Rec'd</b>	12/10/2018
<b>Clerk's File #</b>	OPR 2018-0851
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	2018049
<b>Bid #</b>	
<b>Requisition #</b>	2019

<b>Submitting Dept</b>	ENGINEERING SERVICES
<b>Contact Name/Phone</b>	DAVID ST. PIERRE 625-6548
<b>Contact E-Mail</b>	DSTPIERRE@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Contract Item
<b>Agenda Item Name</b>	0370 - LOW BID AWARD - L & L CARGILE, INC.

**Agenda Wording**

Low Bid of L&L Cargile, Inc. (Spokane Valley, WA) for Rossmoor Ridge Force Main Replacement - \$423,953.20 plus tax. An administrative reserve of \$42,395.32 plus tax, which is 10% of the contract price plus tax, will be set aside.

**Summary (Background)**

On December 10, 2018 bids were opened for the above project. The low bid was from L & L Cargile, Inc. in the amount of \$423,953.20, which is \$145,685.80 or 25.58% under the Engineer's Estimate; 569,639.00 other bids were received as follows: DW Excavating, Inc., \$446,257.24; Red Diamond Construction, Inc., \$578,248.20; T LaRiviere, Inc., \$603,464.46; and, S & L Underground, Inc., \$646,934.50. (Five-Mile Prairie Neighborhood Council)

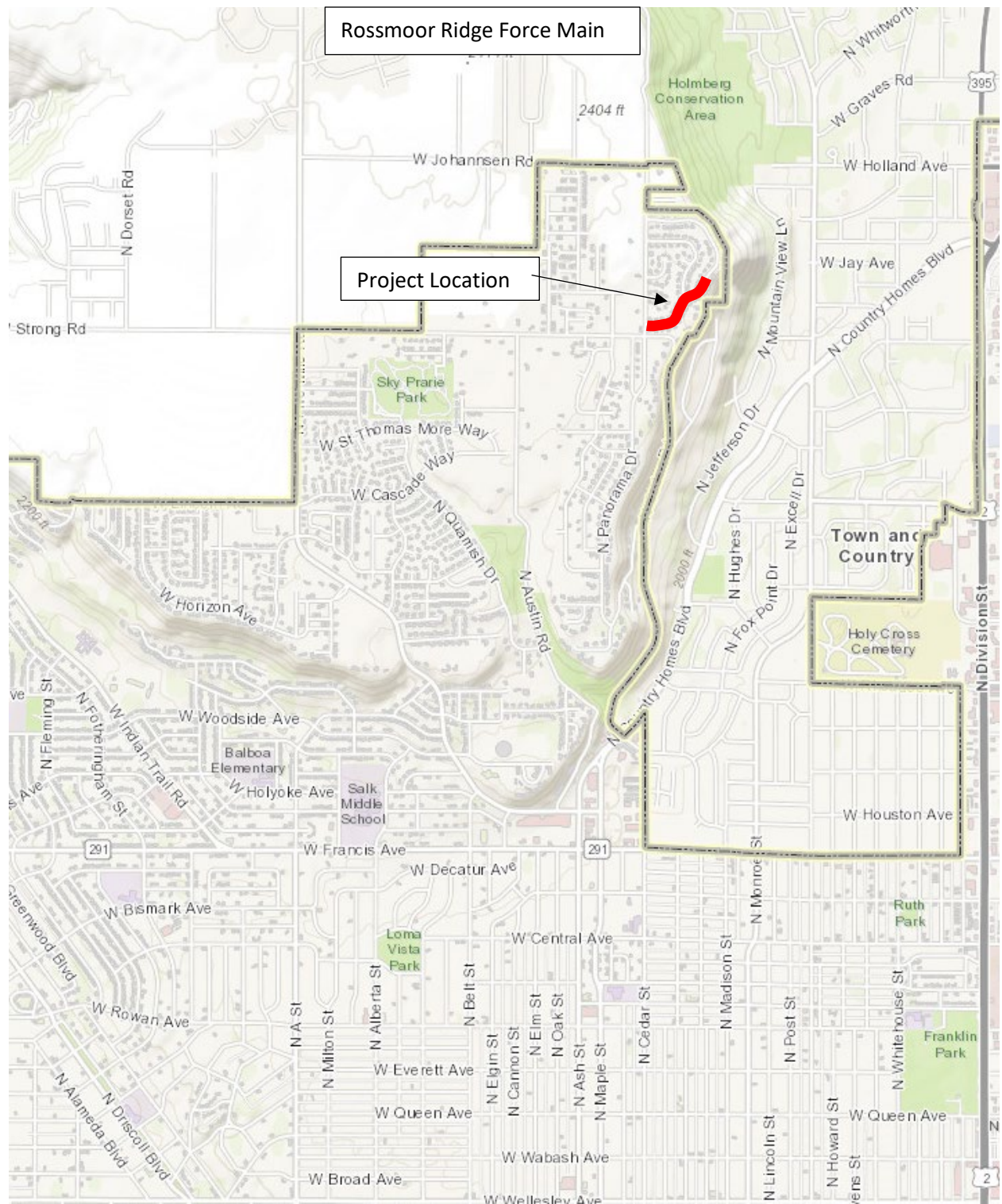
<b><u>Fiscal Impact</u></b>	Grant related? NO Public Works? YES	<b><u>Budget Account</u></b>
Expense	\$ 507,387.19	# 4250-43387-94000-56501-14403
Select	\$	#
Select	\$	#
Select	\$	#
<b><u>Approvals</u></b>	<b><u>Council Notifications</u></b>	
<b><u>Dept Head</u></b>	BULLER, DAN	<b><u>Study Session</u></b>
<b><u>Division Director</u></b>	SIMMONS, SCOTT M.	<b><u>Other</u></b> PIES 11/26/18
<b><u>Finance</u></b>	ALBIN-MOORE, ANGELA	<b><u>Distribution List</u></b>
<b><u>Legal</u></b>	ODLE, MARI	lhattenburg@spokanecity.org
<b><u>For the Mayor</u></b>	SANDERS, THERESA	mhughes@spokanecity.org
<b><u>Additional Approvals</u></b>		jsalstrom@spokanecity.org
<b><u>Purchasing</u></b>		htrautman@spokanecity.org
		publicworksaccounting@spokanecity.org

## Briefing Paper

### PIES

<b>Division &amp; Department:</b>	Engineering Services; Public Works
<b>Subject:</b>	Rossmoor Ridge Force Main Replacement
<b>Date:</b>	November 26, 2018
<b>Contact (email &amp; phone):</b>	Dan Buller ( <a href="mailto:dbuller@spokanecity.org">dbuller@spokanecity.org</a> , 625-6391)
<b>City Council Sponsor:</b>	
<b>Executive Sponsor:</b>	Scott Simmons
<b>Committee(s) Impacted:</b>	PIES
<b>Type of Agenda item:</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
<b>Alignment:</b> (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	This project is in the 6 year sewer plan.
<b>Strategic Initiative:</b>	Innovative Infrastructure
<b>Deadline:</b>	
<b>Outcome:</b> (deliverables, delivery duties, milestones to meet)	Approval of construction contract (to be forwarded to council following bid opening)
<u>Background/History:</u>	
<u>Executive Summary:</u> <ul style="list-style-type: none"> <li>• This project replaces an existing PVC pipe with a ductile iron pipe.</li> <li>• The sewer department is replacing all of its PVC force (pressure) mains with ductile iron mains due to several PVC force main breaks a number of years ago.</li> <li>• Public outreach consisted of letters to area property owners.</li> <li>• This project is on a residential street. Residents will have access to their property during construction. No detour will be necessary.</li> <li>• The attached exhibit shows the project location.</li> <li>• This project is funded with sewer dept. money.</li> </ul>	
<u>Budget Impact:</u> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.)	
<u>Operations Impact:</u> Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A Specify changes required: Known challenges/barriers:	







**City Of Spokane**  
**Engineering Services Department**  
**\*\*\* Bid Tabulation \*\*\***

**Project Number:** 2018049

**Project Description** Rossmoor Ridge Force Main  
**Funding Source** replacement  
 Local

**Original Date** 11/5/2018 9:45:12 AM

**Update Date** 12/10/2018 2:03:33 PM

**Preparer** David St Pierre

**Addendum**

<b>Project Number: 2018049</b>			<b>Engineer's Estimate</b>		L & L Cargile Inc		DW Excavating, Inc_		Red Diamond Construction Inc	
<b>Item No</b>	<b>Bid Item Description</b>	<b>Estimated Quantity</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>

**Schedule Description**

**Tax Classification**

**Schedule 01**

Sanitary Sewer Improvements

Sales tax shall NOT be included in unit prices

101	REIMBURSEMENT FOR THIRD PARTY DAMAGE	1 EST	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
102	SPCC PLAN	1 LS	*****	1,000.00	*****	50.00	*****	71.00	*****	1,200.00
103	POTHOLING	15 EA	400.00	6,000.00	150.00	2,250.00	470.00	7,050.00	300.00	4,500.00
104	PUBLIC LIAISON REPRESENTATIVE	1 LS	*****	7,000.00	*****	1,500.00	*****	2,700.00	*****	7,400.00
105	REFERENCE AND REESTABLISH SURVEY MONUMENT	3 EA	550.00	1,650.00	550.00	1,650.00	650.00	1,950.00	600.00	1,800.00
106	CLASSIFICATION AND PROTECTION OF SURVEY MONUMENTS	1 LS	*****	3,500.00	*****	5,000.00	*****	4,700.00	*****	4,500.00
107	MOBILIZATION	1 LS	*****	38,000.00	*****	38,680.00	*****	43,100.00	*****	97,044.00
108	PROJECT TEMPORARY TRAFFIC CONTROL	1 LS	*****	38,000.00	*****	12,000.00	*****	7,000.00	*****	17,000.00
109	TYPE III BARRICADE	15 EA	50.00	750.00	40.00	600.00	47.00	705.00	70.00	1,050.00
110	AIR OR HYDRO EVACUATION	2 EA	600.00	1,200.00	850.00	1,700.00	888.00	1,776.00	862.00	1,724.00
111	TREE PROTECTION ZONE	4 EA	350.00	1,400.00	275.00	1,100.00	888.00	3,552.00	190.00	760.00
112	TREE PRUNING	4 EA	350.00	1,400.00	360.00	1,440.00	840.00	3,360.00	220.00	880.00
113	REMOVAL OF STRUCTURE AND OBSTRUCTION	1 LS	*****	1,500.00	*****	2,600.00	*****	500.00	*****	7,000.00
114	REMOVE EXISTING CURB	103 LF	11.00	1,133.00	10.00	1,030.00	10.00	1,030.00	12.00	1,236.00

<i>Project Number:</i> <b>2018049</b>			<i>Engineer's Estimate</i>		L & L Cargile Inc		DW Excavating, Inc_		Red Diamond Construction Inc	
<i>Item No</i>	<i>Bid Item Description</i>	<i>Estimated Quantity</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>
<i>Schedule Description</i>					<i>Tax Classification</i>					
<i>Schedule 01</i> Sanitary Sewer Improvements					Sales tax shall NOT be included in unit prices					
115	REMOVE CEMENT CONCRETE SIDEWALK AND DRIVEWAY	58 SY	16.00	928.00	12.00	696.00	20.00	1,160.00	20.00	1,160.00
116	REMOVE MANHOLE, CATCH BASIN OR DRYWELL	4 EA	600.00	2,400.00	550.00	2,200.00	895.00	3,580.00	600.00	2,400.00
117	SAWCUTTING CURB	10 EA	35.00	350.00	20.00	200.00	50.00	500.00	75.00	750.00
118	SAWCUTTING RIGID PAVEMENT	360 LFI	1.20	432.00	0.75	270.00	0.85	306.00	3.00	1,080.00
119	SAWCUTTING FLEXIBLE PAVEMENT	14426 LFI	0.50	7,213.00	0.20	2,885.20	0.24	3,462.24	0.70	10,098.20
120	REMOVE UNSUITABLE FOUNDATION MATERIAL	155 CY	22.00	3,410.00	15.00	2,325.00	27.00	4,185.00	50.00	7,750.00
121	REPLACE UNSUITABLE FOUNDATION MATERIAL	155 CY	30.00	4,650.00	25.00	3,875.00	29.00	4,495.00	65.00	10,075.00
122	CONSTRUCTION GEOSYNTHETIC FOR SOIL STABILIZATION	2325 SY	5.00	11,625.00	3.00	6,975.00	2.00	4,650.00	4.50	10,462.50
123	CSTC FOR SIDEWALK AND DRIVEWAYS	7 CY	100.00	700.00	150.00	1,050.00	95.00	665.00	100.00	700.00
124	HMA FOR PAVEMENT REPAIR CL. 1/2 IN. PG 64-28,4 INCH THICK	2674 SY	43.00	114,982.00	24.50	65,513.00	24.00	64,176.00	27.00	72,198.00
125	HMA FOR PAVEMENT REPAIR CL. 1/2 IN. PG 64-28,2 INCH THICK	317 SY	25.00	7,925.00	17.00	5,389.00	17.00	5,389.00	20.00	6,340.00
126	PAVEMENT REPAIR EXCAVATION INCL. HAUL	2991 SY	45.00	134,595.00	22.00	65,802.00	34.00	101,694.00	21.50	64,306.50
127	GRAVEL BACKFILL FOR WALL	12 CY	40.00	480.00	100.00	1,200.00	125.00	1,500.00	120.00	1,440.00
128	FORCE MAIN BYPASS MANHOLE	1 EA	3,500.00	3,500.00	7,500.00	7,500.00	6,700.00	6,700.00	7,000.00	7,000.00
129	DRYWELL TYPE 2	4 EA	5,000.00	20,000.00	5,200.00	20,800.00	4,888.00	19,552.00	4,800.00	19,200.00
130	MANHOLE OR DRYWELL FRAME AND COVER (STANDARD)	2 EA	400.00	800.00	900.00	1,800.00	950.00	1,900.00	750.00	1,500.00
131	CONNECT 4 IN. TO 8 IN. DIAMETER PIPE TO EXISTING CATCH BASIN, DRYWELL, OR MANHOLE	7 EA	500.00	3,500.00	450.00	3,150.00	350.00	2,450.00	750.00	5,250.00
132	CONNECT 4 IN. TO 8 IN. DIAM. SEWER PIPE TO EXISTING SEWER PIPE	7 EA	350.00	2,450.00	350.00	2,450.00	161.00	1,127.00	1,000.00	7,000.00

<i>Project Number:</i> <b>2018049</b>			<i>Engineer's Estimate</i>		L & L Cargile Inc		DW Excavating, Inc_		Red Diamond Construction Inc	
<i>Item No</i>	<i>Bid Item Description</i>	<i>Estimated Quantity</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>
<i>Schedule Description</i>					<i>Tax Classification</i>					
<i>Schedule 01</i> Sanitary Sewer Improvements					Sales tax shall NOT be included in unit prices					
133	RECONSTRUCT MANHOLE INVERT	2 EA	1,500.00	3,000.00	500.00	1,000.00	860.00	1,720.00	1,200.00	2,400.00
134	CLEANING EXISTING DRAINAGE STRUCTURE	12 EA	300.00	3,600.00	225.00	2,700.00	285.00	3,420.00	375.00	4,500.00
135	REMOVE UNSUITABLE PIPE FOUNDATION MATERIAL	30 CY	30.00	900.00	15.00	450.00	19.00	570.00	50.00	1,500.00
136	REPLACE UNSUITABLE PIPE FOUNDATION MATERIAL	30 CY	20.00	600.00	25.00	750.00	23.00	690.00	60.00	1,800.00
137	IMPORTED BACKFILL	310 CY	35.00	10,850.00	24.00	7,440.00	34.00	10,540.00	55.00	17,050.00
138	TRENCH SAFETY SYSTEM	1 LS	*****	3,500.00	*****	2,500.00	*****	350.00	*****	5,000.00
139	CATCH BASIN SEWER PIPE 8 IN. DIAM.	97 LF	35.00	3,395.00	53.00	5,141.00	36.00	3,492.00	70.00	6,790.00
140	TEMPORARY ADJACENT UTILITY SUPPORT	1 LS	*****	5,500.00	*****	2,448.00	*****	567.00	*****	5,000.00
141	CLEANING EXISTING SANITARY SEWER	1 EA	450.00	450.00	400.00	400.00	850.00	850.00	450.00	450.00
142	DUCTILE IRON SANITARY SEWER PRESSURE PIPE 4 IN. DIAM.	1393 LF	50.00	69,650.00	70.00	97,510.00	63.00	87,759.00	71.00	98,903.00
143	GATE VALVE 4 IN.	4 EA	1,500.00	6,000.00	1,000.00	4,000.00	1,275.00	5,100.00	2,000.00	8,000.00
144	TEMPORARY BYPASS, TIE-IN	1 LS	*****	15,000.00	*****	12,000.00	*****	10,000.00	*****	26,000.00
145	ESC LEAD	1 LS	*****	1,200.00	*****	250.00	*****	150.00	*****	2,900.00
146	INLET PROTECTION	11 EA	90.00	990.00	100.00	1,100.00	85.00	935.00	145.00	1,595.00
147	TOPSOIL TYPE A, 2 INCH THICK	207 SY	15.00	3,105.00	8.00	1,656.00	8.00	1,656.00	5.00	1,035.00
148	HYDROSEEDING	207 SY	5.00	1,035.00	5.00	1,035.00	5.00	1,035.00	6.00	1,242.00
149	REMOVE AND REPLACE EXISTING SPRINKLER HEADS AND LINES	1 LS	*****	1,500.00	*****	2,400.00	*****	600.00	*****	4,000.00
150	ASPHALT CONC. GUTTER	202 LF	40.00	8,080.00	6.00	1,212.00	10.00	2,020.00	14.00	2,828.00

<b>Project Number: 2018049</b>			<b>Engineer's Estimate</b>		L & L Cargile Inc		DW Excavating, Inc_		Red Diamond Construction Inc	
<b>Item No</b>	<b>Bid Item Description</b>	<b>Estimated Quantity</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>	<b>Unit Price</b>	<b>Amount</b>

<i>Schedule Description</i>					<i>Tax Classification</i>					
<b>Schedule 01</b> Sanitary Sewer Improvements					Sales tax shall NOT be included in unit prices					
151	CEMENT CONCRETE DRIVEWAY	44 SY	85.00	3,740.00	70.00	3,080.00	106.00	4,664.00	100.00	4,400.00
152	MODIFY FENCING, STA LIFT STATION	1 LS	*****	1,200.00	*****	4,000.00	*****	850.00	*****	3,000.00
153	MONUMENT FRAME AND COVER	3 EA	550.00	1,650.00	600.00	1,800.00	386.00	1,158.00	450.00	1,350.00
154	CEMENT CONCRETE INTEGRAL CURB AND SIDEWALK 5 FT. WIDE	37 LF	60.00	2,220.00	200.00	7,400.00	85.00	3,145.00	100.00	3,700.00
<b>Schedule Totals</b>				569,639.00		423,953.20		446,257.24		578,248.20

<i>Project Number:</i> <b>2018049</b>			<i>Engineer's Estimate</i>		T LaRiviere Equipment & Excavation Inc.		S & L Underground inc			
<i>Item No</i>	<i>Bid Item Description</i>	<i>Estimated Quantity</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>
<i>Schedule Description</i>					<i>Tax Classification</i>					
<i>Schedule 01</i> Sanitary Sewer Improvements					Sales tax shall NOT be included in unit prices					
101	REIMBURSEMENT FOR THIRD PARTY DAMAGE	1 EST	1.00	1.00	1.00	1.00	1.00	1.00	0.00	0.00
102	SPCC PLAN	1 LS	*****	1,000.00	*****	1,313.00	*****	1,000.00	*****	0.00
103	POTHOLING	15 EA	400.00	6,000.00	606.00	9,090.00	250.00	3,750.00	0.00	0.00
104	PUBLIC LIAISON REPRESENTATIVE	1 LS	*****	7,000.00	*****	10,100.00	*****	15,000.00	*****	0.00
105	REFERENCE AND REESTABLISH SURVEY MONUMENT	3 EA	550.00	1,650.00	707.00	2,121.00	1,500.00	4,500.00	0.00	0.00
106	CLASSIFICATION AND PROTECTION OF SURVEY MONUMENTS	1 LS	*****	3,500.00	*****	5,050.00	*****	5,000.00	*****	0.00
107	MOBILIZATION	1 LS	*****	38,000.00	*****	87,870.00	*****	60,000.00	*****	0.00
108	PROJECT TEMPORARY TRAFFIC CONTROL	1 LS	*****	38,000.00	*****	39,390.00	*****	15,000.00	*****	0.00
109	TYPE III BARRICADE	15 EA	50.00	750.00	60.60	909.00	85.00	1,275.00	0.00	0.00
110	AIR OR HYDRO EVACUATION	2 EA	600.00	1,200.00	1,010.00	2,020.00	1,200.00	2,400.00	0.00	0.00
111	TREE PROTECTION ZONE	4 EA	350.00	1,400.00	252.50	1,010.00	200.00	800.00	0.00	0.00
112	TREE PRUNING	4 EA	350.00	1,400.00	303.00	1,212.00	250.00	1,000.00	0.00	0.00
113	REMOVAL OF STRUCTURE AND OBSTRUCTION	1 LS	*****	1,500.00	*****	5,050.00	*****	30,000.00	*****	0.00
114	REMOVE EXISTING CURB	103 LF	11.00	1,133.00	20.20	2,080.60	14.00	1,442.00	0.00	0.00
115	REMOVE CEMENT CONCRETE SIDEWALK AND DRIVEWAY	58 SY	16.00	928.00	21.21	1,230.18	14.00	812.00	0.00	0.00
116	REMOVE MANHOLE, CATCH BASIN OR DRYWELL	4 EA	600.00	2,400.00	1,010.00	4,040.00	500.00	2,000.00	0.00	0.00
117	SAWCUTTING CURB	10 EA	35.00	350.00	30.30	303.00	65.00	650.00	0.00	0.00
118	SAWCUTTING RIGID PAVEMENT	360 LFI	1.20	432.00	1.52	547.20	2.00	720.00	0.00	0.00
119	SAWCUTTING FLEXIBLE PAVEMENT	14426 LFI	0.50	7,213.00	0.40	5,770.40	0.75	10,819.50	0.00	0.00

<i>Project Number:</i> <b>2018049</b>			<i>Engineer's Estimate</i>		T LaRiviere Equipment & Excavation Inc.		S & L Underground inc			
<i>Item No</i>	<i>Bid Item Description</i>	<i>Estimated Quantity</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>
<i>Schedule Description</i>					<i>Tax Classification</i>					
<i>Schedule 01</i> Sanitary Sewer Improvements					Sales tax shall NOT be included in unit prices					
120	REMOVE UNSUITABLE FOUNDATION MATERIAL	155 CY	22.00	3,410.00	43.43	6,731.65	12.00	1,860.00	0.00	0.00
121	REPLACE UNSUITABLE FOUNDATION MATERIAL	155 CY	30.00	4,650.00	65.65	10,175.75	26.00	4,030.00	0.00	0.00
122	CONSTRUCTION GEOSYNTHETIC FOR SOIL STABILIZATION	2325 SY	5.00	11,625.00	3.03	7,044.75	7.00	16,275.00	0.00	0.00
123	CSTC FOR SIDEWALK AND DRIVEWAYS	7 CY	100.00	700.00	151.50	1,060.50	58.00	406.00	0.00	0.00
124	HMA FOR PAVEMENT REPAIR CL. 1/2 IN. PG 64-28,4 INCH THICK	2674 SY	43.00	114,982.00	26.26	70,219.24	24.00	64,176.00	0.00	0.00
125	HMA FOR PAVEMENT REPAIR CL. 1/2 IN. PG 64-28,2 INCH THICK	317 SY	25.00	7,925.00	18.18	5,763.06	18.00	5,706.00	0.00	0.00
126	PAVEMENT REPAIR EXCAVATION INCL. HAUL	2991 SY	45.00	134,595.00	31.31	93,648.21	8.00	23,928.00	0.00	0.00
127	GRAVEL BACKFILL FOR WALL	12 CY	40.00	480.00	46.46	557.52	58.00	696.00	0.00	0.00
128	FORCE MAIN BYPASS MANHOLE	1 EA	3,500.00	3,500.00	8,585.00	8,585.00	25,000.00	25,000.00	0.00	0.00
129	DRYWELL TYPE 2	4 EA	5,000.00	20,000.00	4,646.00	18,584.00	8,000.00	32,000.00	0.00	0.00
130	MANHOLE OR DRYWELL FRAME AND COVER (STANDARD)	2 EA	400.00	800.00	666.60	1,333.20	500.00	1,000.00	0.00	0.00
131	CONNECT 4 IN. TO 8 IN. DIAMETER PIPE TO EXISTING CATCH BASIN, DRYWELL, OR MANHOLE	7 EA	500.00	3,500.00	2,121.00	14,847.00	2,000.00	14,000.00	0.00	0.00
132	CONNECT 4 IN. TO 8 IN. DIAM. SEWER PIPE TO EXISTING SEWER PIPE	7 EA	350.00	2,450.00	2,121.00	14,847.00	2,500.00	17,500.00	0.00	0.00
133	RECONSTRUCT MANHOLE INVERT	2 EA	1,500.00	3,000.00	1,414.00	2,828.00	3,000.00	6,000.00	0.00	0.00
134	CLEANING EXISTING DRAINAGE STRUCTURE	12 EA	300.00	3,600.00	606.00	7,272.00	800.00	9,600.00	0.00	0.00
135	REMOVE UNSUITABLE PIPE FOUNDATION MATERIAL	30 CY	30.00	900.00	43.43	1,302.90	18.00	540.00	0.00	0.00
136	REPLACE UNSUITABLE PIPE FOUNDATION MATERIAL	30 CY	20.00	600.00	65.65	1,969.50	26.00	780.00	0.00	0.00
137	IMPORTED BACKFILL	310 CY	35.00	10,850.00	69.69	21,603.90	26.00	8,060.00	0.00	0.00

<i>Project Number:</i> <b>2018049</b>			<i>Engineer's Estimate</i>		T LaRiviere Equipment & Excavation Inc.		S & L Underground inc			
<i>Item No</i>	<i>Bid Item Description</i>	<i>Estimated Quantity</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>	<i>Unit Price</i>	<i>Amount</i>
<i>Schedule Description</i>					<i>Tax Classification</i>					
<i>Schedule 01</i> Sanitary Sewer Improvements					Sales tax shall NOT be included in unit prices					
138	TRENCH SAFETY SYSTEM	1 LS	*****	3,500.00	*****	1,010.00	*****	2,000.00	*****	0.00
139	CATCH BASIN SEWER PIPE 8 IN. DIAM.	97 LF	35.00	3,395.00	60.60	5,878.20	80.00	7,760.00	0.00	0.00
140	TEMPORARY ADJACENT UTILITY SUPPORT	1 LS	*****	5,500.00	*****	6,363.00	*****	8,000.00	*****	0.00
141	CLEANING EXISTING SANITARY SEWER	1 EA	450.00	450.00	636.30	636.30	12,000.00	12,000.00	0.00	0.00
142	DUCTILE IRON SANITARY SEWER PRESSURE PIPE 4 IN. DIAM.	1393 LF	50.00	69,650.00	50.50	70,346.50	98.00	136,514.00	0.00	0.00
143	GATE VALVE 4 IN.	4 EA	1,500.00	6,000.00	1,010.00	4,040.00	900.00	3,600.00	0.00	0.00
144	TEMPORARY BYPASS, TIE-IN	1 LS	*****	15,000.00	*****	24,745.00	*****	45,000.00	*****	0.00
145	ESC LEAD	1 LS	*****	1,200.00	*****	1,313.00	*****	2,000.00	*****	0.00
146	INLET PROTECTION	11 EA	90.00	990.00	101.00	1,111.00	200.00	2,200.00	0.00	0.00
147	TOPSOIL TYPE A, 2 INCH THICK	207 SY	15.00	3,105.00	9.09	1,881.63	18.00	3,726.00	0.00	0.00
148	HYDROSEEDING	207 SY	5.00	1,035.00	2.53	523.71	6.00	1,242.00	0.00	0.00
149	REMOVE AND REPLACE EXISTING SPRINKLER HEADS AND LINES	1 LS	*****	1,500.00	*****	3,838.00	*****	12,000.00	*****	0.00
150	ASPHALT CONC. GUTTER	202 LF	40.00	8,080.00	6.57	1,327.14	8.00	1,616.00	0.00	0.00
151	CEMENT CONCRETE DRIVEWAY	44 SY	85.00	3,740.00	88.88	3,910.72	85.00	3,740.00	0.00	0.00
152	MODIFY FENCING, STA LIFT STATION	1 LS	*****	1,200.00	*****	1,919.00	*****	8,500.00	*****	0.00
153	MONUMENT FRAME AND COVER	3 EA	550.00	1,650.00	636.30	1,908.90	1,500.00	4,500.00	0.00	0.00
154	CEMENT CONCRETE INTEGRAL CURB AND SIDEWALK 5 FT. WIDE	37 LF	60.00	2,220.00	141.40	5,231.80	130.00	4,810.00	0.00	0.00
<i>Schedule Totals</i>				569,639.00		603,464.46		646,934.50		0.00

Project Number

2018049

Rossmoor Ridge Force Main replacement

	SCHEDULE SUMMARY								
	Sched 1	Sched 2	Sched 3	Sched 4	Sched 5	Sched 6	Sched 7	Sched 8	Total
Engineer's Est	569,639.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	569,639.00
L & L Cargile Inc	423,953.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00	423,953.20
DW Excavating, Inc.	446,257.24	0.00	0.00	0.00	0.00	0.00	0.00	0.00	446,257.24
Red Diamond Construc	578,248.20	0.00	0.00	0.00	0.00	0.00	0.00	0.00	578,248.20
T LaRiviere Equipment	603,464.46	0.00	0.00	0.00	0.00	0.00	0.00	0.00	603,464.46
S & L Underground inc	646,934.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	646,934.50

Low Bid Contractor: L & L Cargile Inc

	Contractor's Bid	Engineer's Estimate	% Variance	
Schedule 01	\$461,261.08	\$619,767.23	25.58	% Under Estimate
Bid Totals	\$461,261.08	\$619,767.23	25.58	% Under Estimate





**Agenda Sheet for City Council Meeting of:**  
01/07/2019

<b>Date Rec'd</b>	12/11/2018
<b>Clerk's File #</b>	OPR 2018-0852
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	CITY COUNCIL
<b>Contact Name/Phone</b>	BEN STUCKART 6256269
<b>Contact E-Mail</b>	AMCDANIEL@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Contract Item
<b>Agenda Item Name</b>	CITY OF SPOKANE AND SPOKANE COUNTY NORTHEAST PDA INTERLOCAL AGREEMENT

**Agenda Wording**

City of Spokane and Spokane County Interlocal Agreement for the purpose of aligning resources, property, and services to facilitate development and operation of the Northeast Public Development Authority.

**Summary (Background)**

This interlocal agreement between the City of Spokane and Spokane County allows Spokane County to participate in the Northeast PDA and expands the boundary to include the joint planning areas and UGA land north and east of the current PDA boundaries.

<b><u>Fiscal Impact</u></b>		Grant related?	NO	<b><u>Budget Account</u></b>		
		Public Works?	NO			
Select	\$			#		
Select	\$			#		
Select	\$			#		
Select	\$			#		
<b><u>Approvals</u></b>			<b><u>Council Notifications</u></b>			
<b><u>Dept Head</u></b>		MCDANIEL, ADAM		<b><u>Study Session</u></b>		12/6/18
<b><u>Division Director</u></b>				<b><u>Other</u></b>		
<b><u>Finance</u></b>		BUSTOS, KIM		<b><u>Distribution List</u></b>		
<b><u>Legal</u></b>		PICCOLO, MIKE				
<b><u>For the Mayor</u></b>		ORMSBY, MICHAEL				
<b><u>Additional Approvals</u></b>						
<b><u>Purchasing</u></b>						

**INTERLOCAL AGREEMENT BETWEEN  
THE CITY OF SPOKANE AND SPOKANE COUNTY  
REGARDING REFORMATION OF  
THE NORTHEAST PUBLIC DEVELOPMENT AUTHORITY BOARD**

**THIS AGREEMENT** is between the **City of Spokane**, a Washington State municipal corporation, having offices for the transaction of business at 808 West Spokane Falls Boulevard, Spokane, Washington 99201, hereinafter referred to as “CITY” and **Spokane County**, a political subdivision of the State of Washington, having offices for the transaction of business at 1116 West Broadway Avenue, Spokane, Washington 99260, hereinafter referred to as “COUNTY,” and jointly hereinafter referred to as the “Parties.”

**W I T N E S S E T H:**

**WHEREAS**, pursuant to the provisions of RCW 36.32.120(6), the Board of County Commissioners of Spokane County, Washington, has the care of county property and the management of county funds and business; and

**WHEREAS**, the City of Spokane is a first-class charter city duly incorporated and validly existing under the laws and Constitution of the State of Washington; and

**WHEREAS**, pursuant to chapter 39.34 RCW (Interlocal Cooperation Act), two or more public entities may jointly cooperate between each other to perform functions which each may individually perform; and

**WHEREAS**, RCW 39.34.030 (3) authorizes two or more public agencies to create any separate legal or administrative agency with specific powers delegated thereto; and

**WHEREAS**, RCW 35.21.730-.755 and RCW 35.21.757 authorizes creation of public development authorities to (i) administer and execute federal grants or programs; (ii) receive and administer private funds, goods or services for any lawful public purpose; (iii); improve governmental efficiency and services; (iv) improve the general living conditions in the urban areas in and around the city; and (v) perform any lawful public purpose or public function; and

## **DRAFT – 10-18-18**

### ***For Discussion Purposes***

**WHEREAS**, the City initially created and established the Northeast Public Development Authority in November 2011 (ORD C-34813) to assist in providing economic development to the northeast portion of the City and provide economic stimulus and benefit the entire city and region. As a result of this Agreement between the Parties the prior PDA shall cease to operate; and

**WHEREAS**, the County would like to participate and incorporate additional property to include the joint planning areas and UGA land north and east of the current PDA boundaries; and

**WHEREAS**, the current PDA needs to be reformulated and revised to allow for additional property and inclusion of the County; and

**WHEREAS**, the Parties desire to enter into this interlocal agreement for the purpose of aligning resources, property, and services to facilitate development and operation of the Northeast Public Development Authority consistent with and for economic development initiatives of all Parties.

**NOW, THEREFORE**, the Parties hereby agree and covenant as follows:

### **Section 1: PURPOSE**

The purpose of this Agreement is to revise and reformulate the existing Northeast Public Development Authority (PDA) and to set forth the Parties' understanding of the terms and conditions under which the Parties shall facilitate economic development of the Northeast area of the City and County.

The purpose of the PDA is to provide a legal entity organized under 35.21. 730 - 755 and RCW 35.21.757 to undertake, assist with and otherwise facilitate the acquisition, construction, development equipping, leasing, operation and maintenance of public benefit projects consistent with economic development initiatives of the Parties ("the Projects") within the Geographic Boundaries, as defined herein, located in the City of Spokane and Spokane County in order to assist both the City of Spokane and Spokane County in their ability to improve the economic conditions in and around the City and County of Spokane consistent with RCW 36.01.085 and RCW 35.21.703. To the extent appropriate and consistent with the needs and objectives of the City and County, the PDA will acquire and manage real property, secure financing, undertake the construction and development of and otherwise accomplish all purposes required for development and management of the Projects.

### **Section 2: DEFINITIONS**

## **DRAFT – 10-18-18**

### *For Discussion Purposes*

“Administrative Board” or “Board” means the Board developed pursuant to this Agreement and any subsequent legal entity, such as a PDA.

“Agreement” means this Interlocal Agreement between the City of Spokane and Spokane County.

“Bonds” mean, collectively, bonds, notes, or other evidences of borrowing issued by the PDA to provide interim and permanent financing for the PDA to finance or refinance equipment, completion, expansion and other capital improvements essential to maintain the PDA.

“City” means City of Spokane, a political subdivision of the State of Washington.

“Costs of Maintenance and Operations” means all reasonable expenses incurred by the Administrative Board or Board in developing and maintaining the Northeast PDA property.

“County” means Spokane County, a political subdivision of the State of Washington.

“Designated Representative” means the Mayor or Chief Executive Officer, of each Party, or his or her designee.

“Geographic Boundaries” or “PDA Boundaries” means the area and those geographic boundaries depicted in the attached Map, Attachment “A”, which may be amended or revised from time to time by the legislative bodies of the City and County.

“PDA” means the Northeast Public Development Authority created to manage the Northeast area property as defined in Geographic Boundaries.

“Revenue” means any incremental increases in tax revenue from properties or conducting of business originating from the location of the properties within the PDA Boundaries which shall be calculated and shared based on the terms within this Agreement and any subsequent PDA.

### **Section 3: BUSINESS TERMS OF THE PARTIES**

The Parties have reached agreement on the following business terms in establishing a PDA for the Northeast Area:

## **DRAFT – 10-18-18**

### *For Discussion Purposes*

- (1) Geographic Boundaries of the PDA: The area and geographic boundaries as defined above and depicted in the map attached as Attachment “A”.
- (2) Revenue Sharing between City and County: Both the City and County shall share and pay to the PDA, 60% of all new incremental increases in new tax revenues from business located within the Geographic Boundaries of the PDA. The methodology for calculating and distributing the revenue sharing is outlined in Attachment “B”.

City and County will commit and include the following new tax revenue sources for their respective entities:

- a. Property (Real and Personal) Tax Revenue:*
    - i. City of Spokane Regular Levy within PDA – incremental increase.
    - ii. Spokane County Regular Levy within PDA – incremental increase.
    - iii. Spokane County Road Levy within PDA – incremental increase. Provided, however, this revenue can be spent by the PDA only for those purposes as authorized under chapter 36.82 RCW and/or 36.33.220.
  - b. Sales Tax Revenue:*
    - i. City of Spokane incremental Sales Tax increase within PDA.
    - ii. Spokane County incremental Sales Tax increase within PDA.
  - c. Utility Tax Revenue:*
    - i. City of Spokane incremental Private Utility Tax increase within PDA.
    - ii. Spokane County incremental Private Utility Tax increase within PDA (when levied).
  - d. Leasehold Excise Tax:*
    - i. City of Spokane share of incremental Leasehold Excise Tax increase within PDA.
    - ii. Spokane County share of incremental Leasehold Excise Tax increase within PDA.
- (3) Debt: City and County agree, to the extent allowed by law, to jointly back any outstanding debt when a guarantee is required. Either Party shall have the right to veto any debt proposal where either Party would be responsible for issuance or repayment of any debt. The Parties recognize that City Charter provisions may prohibit it from providing a guarantee without a vote of its constituents. The Parties agree in instances where a guarantee may require a vote of the City’s constituents to consider other mechanisms to satisfy the City’s obligation to guarantee any outstanding debt.

## **DRAFT – 10-18-18**

### ***For Discussion Purposes***

- (4) Stand Down on Annexation: For the duration of this Agreement, the City agrees to not initiate and pursue further annexation of property located within the Geographic Boundaries of the PDA.
- (5) GFC Waiver: All General Facilities Charges (GFC) shall be waived for development of properties which are located within the Geographic Boundaries of the PDA.
- (6) Water/Sewer Service Charges: For those areas where the City is the water or sewer utility service provider, utility service shall be provided to users located within the Geographic Boundaries of the PDA at in-City rates. All current rules and regulations for in-City customers, or as hereby amended, as determined by the Spokane City Public Works Division shall apply to all services within the Geographic Boundaries and within the City's designated service area.
- (7) Development Incentives: All available development incentives and tools shall be available for the Projects, to include the City's incentive matrix and any applicable County incentives.
- (8) Governance: Governance of the PDA shall be as described in Section 5 of this Agreement.
- (9) Initial Funding for PDA Operating Expenses: Initial funding for PDA executive shall be as described in Section 7 of this Agreement.

## **Section 4: TERM**

Termination of this Agreement may be: (1) by mutual agreement of the Parties; or (2) by formation of a Special Purpose District that assumes all duties and obligations of the PDA; or (3) by formation of a Port District as provided by Title 53 RCW that assumes all duties and obligations of the PDA; or (4) after a period of twenty (20) years, by either party, effective at the end of any calendar year, serving written notice on the other party at least eighteen (18) months prior to the end of any calendar year.

Notwithstanding any of the other rights, duties or obligations of any Party under this Agreement, withdrawal or termination of any Party from this Agreement shall not occur until all Bonds issued by the PDA or obligations to pay debt service, as provided herein, are paid in full.

## **Section 5: GOVERNANCE/ADMINISTRATIVE BOARD**

**DRAFT – 10-18-18**

*For Discussion Purposes*

- (1) Formation. An Administrative Board composed of the following positions shall govern the PDA:
  - a. Permanent Board Members (4):
    - i. Two County appointments, comprised of one elected official and one administrative position selected by the County Commissioners,
    - ii. Two City appointments comprised of one elected official and one administrative position nominated by the Mayor and appointed by the City Council
  - b. At-large Business Representative (3):
    - i. Three at-large business representatives who will be selected by the four (4) permanent Board Members as described in the above sub-paragraphs i and ii.
    - ii. The at-large business representatives will serve 3 year terms, or as otherwise designated by a majority of the Permanent Board Members.
- (2) Allocation of Votes. Each Board Member shall have an equal vote and vote in all Board decisions.
- (3) Voting Requirements. Votes regarding (a) debt; (b) approval of the Budget; (c) employment of the PDA executive director; (d) cost allocations made prior to issuance of Bonds; and (e) acquisition, sale, transfer, disposal, lease or conveyance of any interest in real property owned by the PDA and not otherwise subject to the Interlocal Agreement shall require an affirmative vote of a majority of the Permanent Members.
- (4) Executive Director. The Administrative Board may hire an Executive Director to carry out the business affairs of the PDA.
- (5) Officers of the Administrative Board. Members of the Administrative Board shall select a Chair from its members, together with such other officers as a majority of the Administrative Board may determine.
- (6) Meetings of the Administrative Board. There shall be a minimum of two meetings each year and not less than fifteen (15) days' notice shall be given to all members prior to any such meeting. A majority of the Administrative Board members must be present to comprise a quorum and for the Administrative Board to transact any business.

## **DRAFT – 10-18-18**

### ***For Discussion Purposes***

(7) Bylaws. The Administrative Board shall authorize to establish bylaws that govern procedures of the Board and the PDA's general operations.

(8) Budget, Policies and Operations. The Executive Director shall distribute a proposed Budget to the Administrative Board on or before August 1st of each year.

### **Section 6:    COMPENSATION**

There shall be no direct compensation to or from either party, except as provided for herein or as otherwise agreed in writing.

### **Section 7:    INITIAL FUNDING FOR PDA OPERATING EXPENSES/BUDGET**

Initial funding for the PDA operating expenses for the first three (3) years, 2018, 2019, and 2020, shall be as follows: The County shall provide \$60,000 per year as preliminary funding for operation of the PDA. The City has committed and contributed \$50,000 in 2017, \$133,333 in 2018 and has committed to \$50,000 in 2019 and \$0 for 2020. These amounts will be used to fund the staff and other operating expenses of the PDA.

### **Section 8:    RELATIONSHIP OF THE PARTIES**

No agent, employee, servant or representative of the County shall be deemed to be an employee, agent, servant or representative of the City. Likewise, no agent, employee, servant or representative of the City shall be deemed to be an employee, agent, servant or representative of the County

### **Section 9:    LIABILITY**

The COUNTY shall indemnify, defend and hold harmless the CITY, its officers and employees from all claims, demands, or suits in law or equity arising from the COUNTY's intentional or negligent acts or breach of its obligations under the Agreement. The COUNTY's duty to indemnify shall not apply to loss or liability caused by the intentional or negligent acts of the CITY, its officers and employees.

The CITY shall indemnify, defend and hold harmless the COUNTY, its officers and employees from all claims, demands, or suits in law or equity arising from the CITY's intentional or negligent acts or breach of its obligations under the Agreement. The CITY's duty to indemnify shall not apply to loss or liability caused by the intentional or negligent acts of the COUNTY, its officers and employees.



**DRAFT – 10-18-18**

*For Discussion Purposes*

If the comparative negligence of the Parties and their officers and employees is a cause of such damage or injury, the liability, loss, cost, or expense shall be shared between the Parties in proportion to their relative degree of negligence and the right of indemnity shall apply to such proportion.

Where an officer or employee of a Party is acting under the direction and control of the other Party, the Party directing and controlling the officer or employee in the activity and/or omission giving rise to liability shall accept all liability for the other Party's officer or employee's negligence.

Each Party's duty to indemnify shall survive the termination or expiration of the Agreement.

Each Party waives, with respect to the other Party only, its immunity under RCW Title 51, Industrial Insurance. The Parties have specifically negotiated this provision.

**Section 10: NOTICES**

All notices shall be in writing and served on the other party either personally or by certified mail, return receipt requested. Notices sent by certified mail shall be deemed served when deposited in the United States mail, postage prepaid.

**CITY:** Mayor or designee  
City of Spokane  
Seventh Floor, City Hall  
808 West Spokane Falls Boulevard  
Spokane, Washington 99201

With a Copy to: City Attorney's Office  
City of Spokane  
Fifth Floor, City Hall  
808 W. Spokane Falls Boulevard  
Spokane, Washington 99201

**COUNTY:** Chief Executive Officer or designee  
Spokane County Courthouse  
1116 West Broadway Avenue  
Spokane, Washington 99260

With a Copy to Chairman,  
Board of County Commissioners  
Spokane County Courthouse

**DRAFT – 10-18-18**

*For Discussion Purposes*

1116 West Broadway Avenue  
Spokane, Washington 99260

**Section 11:           INSURANCE**

During the term of the Agreement, the COUNTY and the CITY shall maintain in force at its own expense, each insurance noted below:

- a.     Worker's Compensation Insurance in compliance with RCW 51.12.020, which requires subject employers to provide workers' compensation coverage for all their subject workers and Employer's Liability or Stop Gap Insurance in the amount of \$5,000,000;
- b.     General Liability Insurance on an occurrence basis, with a combined single limit of not less than \$10,000,000 each occurrence for bodily injury and property damage. It shall include contractual liability coverage for the indemnity provided under this Agreement. It shall provide that the CITY, its officers and employees are additional insureds but only with respect to the COUNTY's services to be provided under this Agreement; and
- c.     Automobile Liability Insurance with a combined single limit, or the equivalent of not less than \$5,000,000 each accident for bodily injury and property damage, including coverage for owned, hired and non-owned vehicles.
- d.     Professional Liability Insurance with a combined single limit of not less than \$5,000,000 each claim, incident or occurrence. This is to cover damages caused by the error, omission, or negligent acts related to the professional services to be provided under this Agreement. The coverage must remain in effect for two years after the Agreement is completed.

There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without thirty (30) days written notice from the COUNTY or its insurer(s) to the CITY.

As evidence of the insurance coverages required by this Agreement, the COUNTY shall furnish acceptable insurance certificates to the CITY at the time it returns the signed Agreement. The certificate shall specify all of the parties who are additional insured; and include applicable policy endorsements, the thirty (30)-day cancellation clause, and the deduction or retention level. Insuring companies or entities are subject to CITY acceptance. If requested, complete copies of insurance policies shall be provided to the CITY. The COUNTY shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance.

## **DRAFT – 10-18-18**

*For Discussion Purposes*

### **Section 12: ANTI-KICKBACK**

No officer or employee of the Parties, having the power or duty to perform an official act or action related to this Agreement shall have or acquire any interest in the Agreement, or have solicited, accepted or granted a present or future gift, favor, service or other thing of value from or to any person involved in the Agreement.

### **Section 13: MISCELLANEOUS**

- A. NON-WAIVER:** No waiver by either party of any of the terms of this Agreement shall be construed as a waiver of the same or other rights of that party in the future.
- B. HEADINGS:** Headings are inserted for convenience of reference only and are not to be deemed part of or to be used in construing this Agreement.
- C. ENTIRE AGREEMENT:** This Agreement contains the entire understanding of the Parties. No representation, promises, or agreements not expressed herein have been made to induce either party to sign this Agreement.
- D. MODIFICATION:** No modification or amendment to this Agreement shall be valid until put in writing and signed with the same formalities as this Agreement.
- E. ASSIGNMENT:** This Agreement shall be binding upon the Parties, their successors and assigns. Neither party may assign, transfer, or subcontract its interest in this Agreement without the written approval of the other party.
- F. SEVERABILITY:** In the event any portion of this Agreement should become invalid or unenforceable, the rest of the Agreement shall remain in full force and effect.
- G. COMPLIANCE WITH LAWS:** The Parties shall observe all federal, state and local laws, ordinances and regulations, to the extent that they may be applicable to the terms of this Agreement.
- H. NON-DISCRIMINATION:** No individual shall be excluded from participation in, denied the benefit of, subjected to discrimination under, or denied employment in the administration of or in connection with this Agreement because of age, sex, race, color, religion, creed, marital status, familial status, sexual orientation, national origin, the presence of any sensory, mental or physical disability, or use of a service animal by a disabled person.

**DRAFT – 10-18-18**

*For Discussion Purposes*

- I. **VENUE:** This Agreement shall be under the laws Washington State. Any action at law, suit in equity or judicial proceeding regarding this Agreement, or any provision hereto, shall be instituted only in courts of competent jurisdiction within Spokane County, Washington.
- J. **COUNTERPARTS:** This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original, but such counterparts shall together constitute but one and the same.

**Section 14: RCW 39.34 REQUIRED CLAUSES**

- A. **PURPOSE:** See Section No. 1 above.
- B. **DURATION:** See Section No. 4 above.
- C. **ORGANIZATION OF SEPARATE ENTITY AND ITS POWERS:** Each Party shall adopt by its legislative body legislation to create the PDA.
- D. **RESPONSIBILITIES OF THE PARTIES:** See provisions above.
- E. **AGREEMENT TO BE FILED:** The CITY shall file this Agreement with its City Clerk or place it on its web site or other electronically retrievable public source. The COUNTY shall file this Agreement with its County Auditor or place it on its web site or other electronically retrievable public source.
- F. **FINANCING:** Each party shall be responsible for the financing of its contractual obligations under its normal budgetary process.
- G. **TERMINATION:** See Section No. 4 above.
- H. **PROPERTY UPON TERMINATION:** Title to all property acquired pursuant to this Agreement shall remain with the Party acquiring such property, unless otherwise agreed to by the Parties.

**IN WITNESS WHEREOF**, the parties have caused this Agreement to be executed on date and year opposite their respective signatures.

//

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**DRAFT – 10-18-18**  
*For Discussion Purposes*

DATED: \_\_\_\_\_

CITY OF SPOKANE

By: \_\_\_\_\_  
Its: \_\_\_\_\_

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

**DRAFT – 10-18-18**  
*For Discussion Purposes*

DATED: \_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS  
OF SPOKANE COUNTY, WASHINGTON

\_\_\_\_\_  
JOSH KERNS, Chair

\_\_\_\_\_  
MARY KUNEY, Vice Chair

\_\_\_\_\_  
AL FRENCH, Commissioner

Attest:

Approved as to form:

\_\_\_\_\_  
Ginna Vasquez  
Clerk of the Board

\_\_\_\_\_  
Deputy Civil Prosecuting Attorney

## ATTACHMENT "B"

### METHODOLOGY FOR CALCULATING TAX REVENUES AND DISTRIBUTING REVENUE

The following describes the taxes and allocation methods to be used for each tax as it relates to taxes collected within the geographic boundaries of the PDA:

#### Property (Real and Personal) Tax

The current expense (general fund) property tax levies of the City of Spokane and Spokane County and the road tax levy of the County, within the geographic boundaries of the PDA, will be allocated in the following manner. "Excess" levies and regular levies defined for specific purposes (i.e. conservation futures, EMS, etc.) of either entity will not be included in the allocation to the PDA since these revenues are voted on by the public for a specific purpose.

The methodology to be used is the same as used by entities within the Spokane County area for allocating revenues under Tax Increment Financing. In calendar year 2019, a new tax code area (TCA) will be created for the geographic area of the PDA by the Spokane County Assessor. This will establish the base year for the measurement of property value increases. Beginning in calendar year 2020, the increase in overall taxable assessed value within the PDA's TCA will be calculated. The "regular" levy rates of the City of Spokane and/or Spokane County will be calculated on the increase. The Spokane County Treasurer will allocate 60% of the increase to the PDA, and the remaining 40% will be distributed to the originating tax authority.

Subsequent year's allocations will be calculated using the same methodology.

#### Sales and Use Tax

The Administrative Board or its designee of the PDA will be responsible for reporting in writing all new businesses within the boundaries of the PDA to both the City of Spokane and Spokane County monthly. Based on this information, the following allocation will be used for the regular sales and use taxes of the City and County as defined in RCW 82.14.030. Beginning in calendar year 2019, 60% of any Spokane City or Spokane County regular sales or use tax generated within the geographic boundaries of the PDA from a new business (defined as a business that did not previously report sales or use tax within the geographic boundaries of the PDA per information reported to the County monthly by the Washington State Department of Revenue) will be allocated to the PDA. The remaining 40% will stay with the originating taxing authority.

Subsequent year's allocations will be calculated using the same methodology.

#### Leasehold Tax

The TCA established by the Spokane County Assessor in calendar year 2019 will also be used for the calculation as it applies to the Leasehold Tax. The first distributions would occur in 2020. 60% of any increase in the Leasehold Tax within the PDA TCA between 2019 and 2020 will be distributed to the PDA. The remaining 40% will remain with the originating jurisdiction. The calculation will be made as the information is reported by the State Treasurer to the City of Spokane and Spokane County.

Subsequent year's allocations will be calculated using the same methodology.

### Utility Tax

The Administrative Board or its designee of the PDA will be responsible for reporting in writing all new businesses within the boundaries of the PDA to the City of Spokane monthly. Based on this information, the following allocation will be applied to the incremental increase in Utility Taxes collected by the City and County as allowed by RCW 35.21.870. It is understood that at the time of adoption of this Agreement, that Counties are not authorized to assess Utility Tax per State Statute. At such time as the County is authorized and elects to assess utility taxes per State Statute, the County will participate in the sharing of their Utility Tax under this section, in the same manner as the City.

Effective with the execution of this Agreement, 60% of any increase in the Utility Taxes collected within the geographic boundaries of the PDA from a new business (defined as a business that did not previously report sales or use tax within the geographic boundaries of the PDA per information reported to the County monthly by the Washington State Department of Revenue) will be allocated to the PDA. The remaining 40% will remain with the originating jurisdiction. Subsequent year's allocations will be calculated using the same methodology.

The County and City will coordinate the development of a database to track new businesses within the geographic boundaries of the PDA for the purposes of tracking and calculating Sales Tax and Utility Tax under this Attachment.



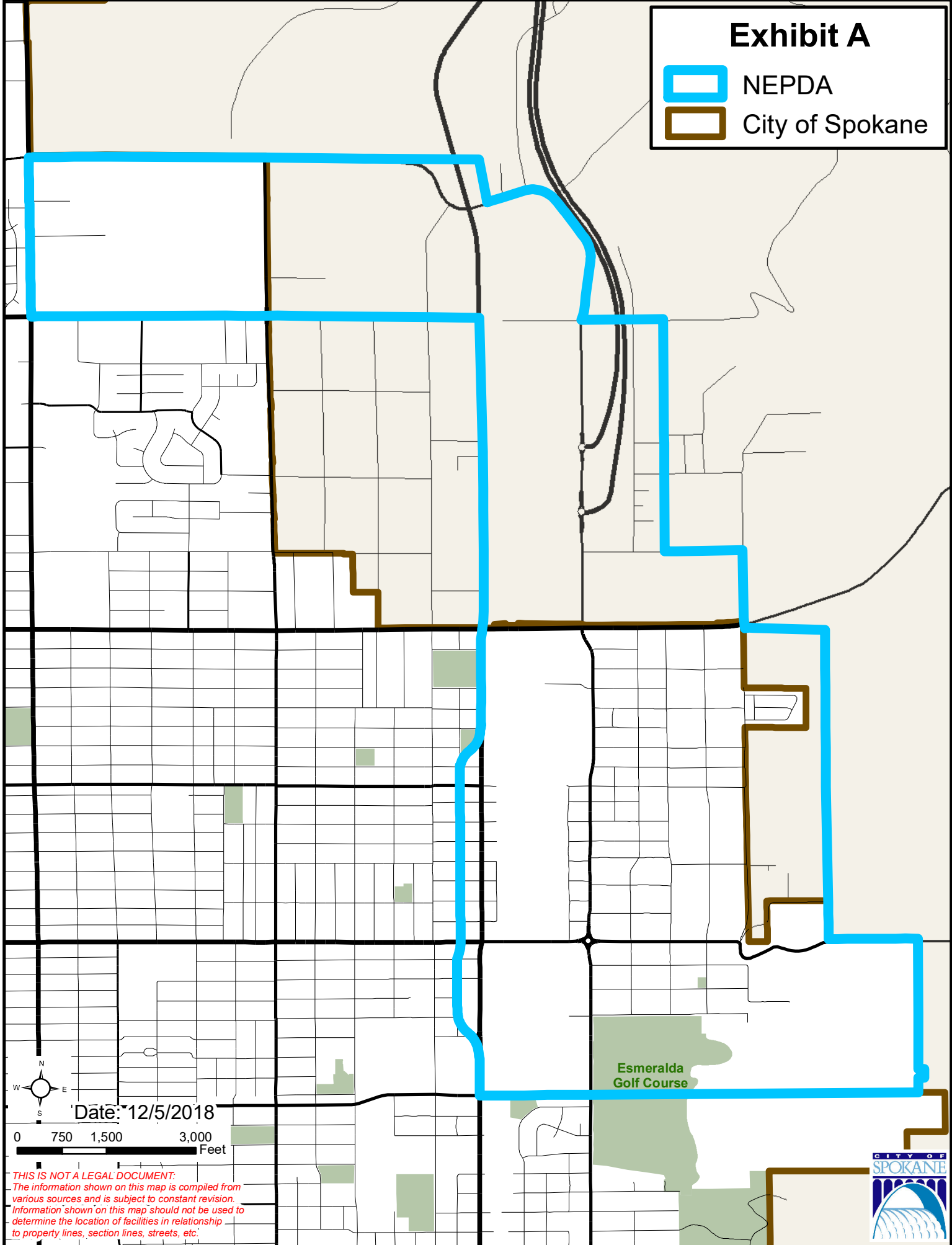
# Exhibit A



NEPDA



City of Spokane



Esmeralda  
Golf Course

Date: 12/5/2018

0 750 1,500 3,000 Feet

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





**Agenda Sheet for City Council Meeting of:**  
01/07/2019

<b>Date Rec'd</b>	12/14/2018
<b>Clerk's File #</b>	OPR 2015-1109
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	TBD 2019 FUNDS

<b>Submitting Dept</b>	INNOVATION & TECHNOLOGY SERVICES
<b>Contact Name/Phone</b>	MICHAEL SLOON 625-6468
<b>Contact E-Mail</b>	MSLOON@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Contract Item
<b>Agenda Item Name</b>	5300 STRUCTURED HITACHI SUPPORT 2019

**Agenda Wording**

Annual renewal of Hitachi SAN storage technical and software support. Requesting \$67,924.81, including tax, for the renewal of this contract for continued coverage. Contract term 2/1/2019 - 1/31/2020.

**Summary (Background)**

The Hitachi SAN system provides management for all data storage. Structured Communications Systems, Inc., was the selected vendor to provide maintenance and support for Hitachi equipment and software from RFP 3884-12. 2018 contracted amount was \$81,019.15, including tax.

<b><u>Fiscal Impact</u></b>	Grant related? NO Public Works? NO	<b><u>Budget Account</u></b>	
Expense	\$ \$67,924.81, including tax	#	5300-73500-18850-54804 2019 Funds
Select	\$	#	
Select	\$	#	
Select	\$	#	
<b><u>Approvals</u></b>		<b><u>Council Notifications</u></b>	
<b><u>Dept Head</u></b>	SLOON, MICHAEL	<b><u>Study Session</u></b>	12/17/18 Sustainable Resources Committee
<b><u>Division Director</u></b>	FINCH, ERIC	<b><u>Other</u></b>	
<b><u>Finance</u></b>	BUSTOS, KIM	<b><u>Distribution List</u></b>	
<b><u>Legal</u></b>	ODLE, MARI	Accounting - ywang@spokanecity.org	
<b><u>For the Mayor</u></b>	ORMSBY, MICHAEL	Contract Accounting - mdoval@spokanecity.org	
<b><u>Additional Approvals</u></b>		Legal - modle@spokanecity.org	
<b><u>Purchasing</u></b>		Purchasing - cwahl@spokanecity.org	
		IT - itadmin@spokanecity.org	
		Tax & Licenses	
		cschurter@structured.com	

## Briefing Paper

### Sustainable Resources Committee

<b>Division &amp; Department:</b>	Innovation and Technology Services Division
<b>Subject:</b>	Structured Communications Systems Inc. Hitachi Support
<b>Date:</b>	December 17, 2018
<b>Author (email &amp; phone):</b>	Michael Sloon, <a href="mailto:msloon@spokanecity.org">msloon@spokanecity.org</a> , 625-6468
<b>City Council Sponsor:</b>	
<b>Executive Sponsor:</b>	Eric Finch and Michael Sloon
<b>Committee(s) Impacted:</b>	Sustainable Resources Committee
<b>Type of Agenda item:</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
<b>Alignment:</b> (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	ITSD – continued Hardware and Software Support for the Hitachi SAN system
<b>Strategic Initiative:</b>	
<b>Deadline:</b>	January 31, 2019
<b>Outcome:</b> (deliverables, delivery duties, milestones to meet)	Ongoing technical and software support for our primary data storage technology.
<b>Background/History:</b>	
<p>The Hitachi SAN system provides management for all data storage. Structured Communications Systems, Inc., was the selected vendor to provide maintenance and support for Hitachi equipment and software from RFP 3884-12.</p>	
<b>Executive Summary:</b>	
<p>Annual renewal of Hitachi SAN storage technical and software support.</p> <ul style="list-style-type: none"> <li><i>Requesting \$67,924.81, including tax, for the renewal of this contract for continued coverage.</i></li> <li><i>Contract term February 1, 2019, through January 31, 2020.</i></li> <li><i>2018 contracted amount was \$81,019.15</i></li> <li><i>Utilizes budget account # 5300-73500-18850-54804</i></li> </ul>	
<b>Budget Impact:</b>	
Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Annual/Reoccurring expenditure? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impact:</b>	
Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Specify changes required: Known challenges/barriers:	



**City of Spokane**

**CONTRACT RENEWAL**

**Title: HARDWARE/SOFTWARE MAINTENANCE SUPPORT  
FOR THE HITACHI STORAGE AREA NETWORK**

This Contract Renewal is made and entered into by and between the **City of Spokane** as ("City"), a Washington municipal corporation, and **STRUCTURED COMMUNICATION SYSTEMS, INC.**, whose address is 12901 SE 97th Avenue, Suite 400, Clackamas, Oregon 97015, as ("Company"), individually hereafter referenced as a "party", and together as the "parties".

*WHEREAS, the parties entered into a Contract wherein the Company agreed to perform HARDWARE AND SOFTWARE MAINTENANCE SUPPORT FOR THE HITACHI STORAGE AREA NETWORK (SAN) for the City; and*

*WHEREAS, the original Contract needs to be formally renewed by this written Contract Renewal document; and*

*-- NOW, THEREFORE, in consideration of these terms, the parties mutually agree as follows:*

**1. CONTRACT DOCUMENTS.**

The original Contract from January 8, 2016, although not dated when signed by the parties any previous amendments, renewals and / or extensions / thereto, are incorporated by reference into this document as though written in full and shall remain in full force and effect except as provided herein.

**2. CONTRACT TERM.**

Contract shall begin February 1, 2019 and run through January 31, 2020, unless terminated sooner.

**3. COMPENSATION.**

The City shall pay an estimated maximum annual cost not to exceed **SIXTY SEVEN THOUSAND NINE HUNDRED TWENTY FOUR AND 81/100 DOLLARS (\$67,924.81)**, including tax, for everything furnished and done under this Contract Renewal. This is the maximum amount to be paid under this Renewal, and shall not be exceeded without the prior written authorization of the City, memorialized with the same formality as the original Contract and this Renewal document.

IN WITNESS WHEREOF, in consideration of the terms, conditions and covenants contained, or attached and incorporated and made a part, the parties have executed this Contract Renewal by having legally-binding representatives affix their signatures below.

**STRUCTURED COMMUNICATION  
SYSTEMS, INC.**

**CITY OF SPOKANE**

By \_\_\_\_\_  
Signature                      Date

By \_\_\_\_\_  
Signature                      Date

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
David A. Condon

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

**Attachments that are part of this Agreement:**

December 6, 2018 Quote

Company Name: City of Spokane  
Contact: Christina Coty  
Email: [ccoty@spokanecity.org](mailto:ccoty@spokanecity.org)  
Phone: 509.625.6478

Account Executive: **Craig Schurter**  
23403 East Mission Ave., Suite 216 - Spokane, WA 99019 - 509.926.3601  
Toll Free 800.881.0962 - Order Fax 888.729.0997



Line Item	Part Number	Description	Serial Number	Start Date	End Date	Qty.	Unit Sale Price	Ext. Sale Price
<b><u>City of Spokane - Hitachi Renewal 2019-2020</u></b>								
1		<b>HUS VM Hardware</b>						<b>10,245.07</b>
2		<b>HUS VM Software</b>						<b>17,959.17</b>
3		<b>HUS VM-FM Hardware</b>						<b>2,494.24</b>
4		<b>HUS VM-FM Software</b>						<b>956.79</b>
5		<b>HUS 150 Hardware</b>						<b>20,540.20</b>
6		<b>HUS 150 Software</b>						<b>1,473.07</b>
7		<b>Brocade 6520</b>						<b>8,762.35</b>
<b>GRAND TOTAL:</b>								<b><u>62,430.89</u></b>

Line Item	Part Number	Description	Serial Number	Start Date	End Date	Qty.	Unit Sale Price	Ext. Sale Price
<b><i>Solution Line Item Detail:</i></b>								
<b><u>HUS VM Hardware</u></b>								
8	043-992327-01.P	SVC HUS VM STANDARD YR-B+ 1MO	<u>211316</u>	<u>2/1/2019</u>	<u>1/31/2020</u>	1	3,382.24	3,382.24
9	043-992342-01.P	SVC HUS VM DBS STANDARD YR-B+ 1MO	<u>211316</u>	<u>2/1/2019</u>	<u>1/31/2020</u>	3	1,715.71	5,147.12
10	043-992342-01.P	SVC HUS VM DBS STANDARD YR-B+ 1MO	<u>211316</u>	<u>2/1/2019</u>	<u>1/31/2020</u>	1	1,715.71	1,715.71
<b><i>Subtotal</i></b>								<b><u>10,245.07</u></b>
<b><u>HUS VM Software</u></b>								
11	304-232001-03.P	SVC MO HUS VM HITACHI BOS BASE LIC (20TB	<u>044-232001-01- 130823-016</u>	<u>2/1/2019</u>	<u>1/31/2020</u>	1	1,949.56	1,949.56
12	304-232001-03L.P	SVC MO HUS VM HITACHI BOS UNLMTD CAP ACT	<u>044-232001-01- 130823-016</u>	<u>2/1/2019</u>	<u>1/31/2020</u>	1	878.05	878.05
13	304-232001-060.P	SVC MO HUS VM HITACHI BOS 60TB BLOCK LIC	<u>044-232001-01- 130823-016</u>	<u>2/1/2019</u>	<u>1/31/2020</u>	1	4,036.39	4,036.39
14	304-232003-03.P	SVC MO HUS VM HSC MOBILITY BASE LIC (20T	<u>044-232003-01- 130905-005</u>	<u>2/1/2019</u>	<u>1/31/2020</u>	1	2,007.37	2,007.37
15	304-232003-03L.P	SVC MO HUS VM HCS MOBILITY UNLMTD CAP AC	<u>044-232003-01- 130905-005</u>	<u>2/1/2019</u>	<u>1/31/2020</u>	1	807.07	807.07
16	304-232003-060.P	SVC MO HUS VM HCS MOBILITY 60TB BLOCK LI	<u>044-232003-01- 130905-005</u>	<u>2/1/2019</u>	<u>1/31/2020</u>	1	3,494.93	3,494.93
17	304-232004-03.P	SVC MO HUS VM HITACHI LOCAL REPLICATION	<u>044-232004-01- 130715-003</u>	<u>2/1/2019</u>	<u>1/31/2020</u>	1	1,162.54	1,162.54
18	304-232004-03L.P	SVC MO HUS VM HITACHI LOCAL REPLICATION	<u>044-232004-01- 130715-003</u>	<u>2/1/2019</u>	<u>1/31/2020</u>	1	612.15	612.15
19	304-232004-060.P	SVC MO HUS VM HITACHI LOCAL REPLICATION	<u>044-232004-01- 130715-003</u>	<u>2/1/2019</u>	<u>1/31/2020</u>	1	3,011.12	3,011.12
<b><i>Subtotal</i></b>								<b><u>17,959.17</u></b>
<b><u>HUS VM-FM Hardware</u></b>								
20	043-992178-01.P	SVC FILE MODULE M1 STANDARD YR-B+ 1MO	<u>M2SEKW1335052</u>	<u>2/1/2019</u>	<u>7/31/2019</u>	1	1,247.12	1,247.12
21	043-992178-01.P	SVC FILE MODULE M1 STANDARD YR-B+ 1MO	<u>M2SEKW1335093</u>	<u>2/1/2019</u>	<u>7/31/2019</u>	1	1,247.12	1,247.12
<b><i>Subtotal</i></b>								<b><u>2,494.24</u></b>

Line Item	Part Number	Description	Serial Number	Start Date	End Date	Qty.	Unit Sale Price	Ext. Sale Price
<b><u>HUS VM-FM Software</u></b>								
22	304-230404-03.P	SVC MO HUS/HUS VM FM-M1 VALUE SW BUNDLE	M2SEKW1335052	2/1/2019	7/31/2019	1	256.46	256.46
23	304-230441-03.P	SVC MO HUS/HUS VM FM-M1 SW LIC - 1 TB LI	M2SEKW1335052	2/1/2019	7/31/2019	10	0.00	0.00
24	304-230447-03.P	SVC MO HUS/HUS VM FM-M1 SW LIC - ISCSI	M2SEKW1335052	2/1/2019	7/31/2019	1	221.93	221.93
25	304-230404-03.P	SVC MO HUS/HUS VM FM-M1 VALUE SW BUNDLE	M2SEKW1335093	2/1/2019	7/31/2019	1	256.47	256.47
26	304-230447-03.P	SVC MO HUS/HUS VM FM-M1 SW LIC - ISCSI	M2SEKW1335093	2/1/2019	7/31/2019	1	221.93	221.93
<b>Subtotal</b>								<b><u>956.79</u></b>
<b><u>HUS 150 Hardware</u></b>								
27	043-992031-01.P	HUS 150 SVC STANDARD UPG YR-B+ 1MO	93042439	2/1/2019	1/31/2020	1	3,382.10	3,382.10
28	043-992043-01.P	HUS DBS SVC STANDARD UPG YR-B+ 1MO	93042439	2/1/2019	1/31/2020	1	1,715.85	1,715.85
29	043-992043-01.P	HUS DBS SVC STANDARD UPG YR-B+ 1MO	93042439	2/1/2019	1/31/2020	1	1,715.85	1,715.85
30	043-992043-01.P	HUS DBS SVC STANDARD UPG YR-B+ 1MO	93042439	2/1/2019	1/31/2020	1	1,715.71	1,715.71
31	043-992043-01.P	HUS DBS SVC STANDARD UPG YR-B+ 1MO	93042439	2/1/2019	1/31/2020	1	1,715.71	1,715.71
32	043-992043-01.P	HUS DBS SVC STANDARD UPG YR-B+ 1MO	93042439	2/1/2019	1/31/2020	5	1,715.85	8,579.27
33	043-992055-01.P	HUS DBL SVC STANDARD UPG YR-B+ 1MO	93042439	2/1/2019	1/31/2020	2	857.85	1,715.71
<b>Subtotal</b>								<b><u>20,540.20</u></b>
<b><u>HUS 150 Software</u></b>								
34	304-230199-03.P	SVC MO HUS 150 BASE OPERATING SYSTEM M L	044-230199-01-130823-043	2/1/2019	1/31/2020	1	1,444.10	1,444.10
35	304-230200-03.P	SVC MO HUS 150 BOS SECURITY EXTENSION LI	717082613-007	2/1/2019	1/31/2020	1	28.98	28.98
<b>Subtotal</b>								<b><u>1,473.07</u></b>



Line Item	Part Number	Description	Serial Number	Start Date	End Date	Qty.	Unit Sale Price	Ext. Sale Price
<b><u>Brocade 6520</u></b>								
36	301-003492-01.P	SVC STD BROCADE 6520 SWITCH	<u>CHQ2533L023</u>	<u>2/1/2019</u>	<u>1/31/2020</u>	1	808.68	808.68
37	6520SVC-SWMAINT.P	SVRS, BROCADE HD6520 MAINTENANCE MONTHLY	<u>CHQ2533L023</u>	<u>2/1/2019</u>	<u>1/31/2020</u>	1	1,501.90	1,501.90
38	301-003493-01.P	SVC PREM BROCADE 6520 SWITCH	<u>CHQ2534J00J</u>	<u>2/1/2019</u>	<u>1/31/2020</u>	1	1,155.37	1,155.37
39	6520SVC-SWMAINT.P	SVRS, BROCADE HD6520 MAINTENANCE MONTHLY	<u>CHQ2534J00J</u>	<u>2/1/2019</u>	<u>1/31/2020</u>	1	1,501.90	1,501.90
40	301-003492-01.P	SVC STD BROCADE 6520 SWITCH	<u>CHQ2544L005</u>	<u>2/1/2019</u>	<u>1/31/2020</u>	1	808.68	808.68
41	6520SVC-SWMAINT.P	SVRS, BROCADE HD6520 MAINTENANCE MONTHLY	<u>CHQ2544L005</u>	<u>2/1/2019</u>	<u>1/31/2020</u>	1	1,501.90	1,501.90
42	NASANPLU-SWMAINT.P	SRVS, B.N.A SAN PLU BACKLINE SUPPORT	<u>BVH00009188</u>	<u>2/1/2019</u>	<u>1/31/2020</u>	1	1,483.90	1,483.90
<b><i>Subtotal</i></b>								<b><u>8,762.35</u></b>
<b><u>Prepared by: Rachel Temple for Craig Schurter (HV 11/9)</u></b>								
<b>Please contact the person listed above at Structured for any questions regarding this quotation.</b>								

Line Item	Part Number	Description	Serial Number	Start Date	End Date	Qty.	Unit Sale Price	Ext. Sale Price
<p><u>Notes:</u></p> <ol style="list-style-type: none"> <li>Prices do not include shipping charges. All shipping charges are FOB origin and will be added at time of invoice.</li> <li>Prices do not include tax. All applicable sales taxes will be added at time of invoice.</li> <li>Payment terms are Cash, Visa, or COD. Net 20 day terms are available with approved credit.</li> </ol> <p>Structured Communication Systems, Inc. Standard Terms &amp; Conditions apply to this and all quotations. A copy is available upon request.</p> <ol style="list-style-type: none"> <li>All quotes and proposals are calculated using US Dollars.</li> <li>Quotes are valid for 30 days. Structured reserves the right to adjust prices at any time according to manufacturer price changes. In the event that the expiration date has been exceeded, please contact your Account Representative for an updated quote.</li> <li><b>Remit To Address:</b> 12901 SE 97th Ave Suite 400, Clackamas OR, 97015</li> </ol> <p><i>This Quotation contains information that is privileged and confidential. The information contained in this Quotation is intended only for use of the person to whom it is addressed. If the reader of this quotation is not (1) the intended recipient or (2) the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited.</i></p>								
<p align="center"><b>WHEN PLACING YOUR ORDER, PLEASE FAX OR EMAIL TO: 888-729-0997 or fax@structured.com</b></p>								
<p align="center"><b>Please fill out all of the below information to ensure that your order is processed as efficiently as possible.</b></p> <p>Signature: _____ Date: _____</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <p><b>Shipping Address:</b></p> <p>Street: _____</p> <p>City, ST Zip: _____</p> <p>Contact: _____</p> <p>Phone: _____</p> <p>Email: _____</p> </div> <div style="width: 35%;"> <p><b>Billing Address:</b></p> <p>_____</p> </div> </div> <p>Preferred Shipping Method: <u>Ground</u> _____ <u>2nd Day</u> _____ <u>Overnight</u> _____</p> <p>Date Needed: _____</p> <p align="center"><b>Customer Reference / Purchase Order Number:</b> _____</p> <p align="center"><b>Bridging People, Business &amp; Technology</b></p> <p align="center">Ask us about our high-quality Internet Security, Connectivity, Storage and Access Offerings...</p>								



STATE OF  
WASHINGTON

## BUSINESS LICENSE

Unified Business ID #: 601478854  
Business ID #: 001  
Location: 0003  
Expires: Dec 31, 2018

### Corporation

STRUCTURED COMMUNICATION SYSTEMS, INC.  
STRUCTURED COMMUNICATION SYSTEMS INC  
12901 SE 97TH AVE STE 400  
CLACKAMAS, OR 97015-7907

TAX REGISTRATION - ACTIVE

### CITY ENDORSEMENTS:

SPOKANE GENERAL BUSINESS #T12088451BUS - ACTIVE

This document lists the registrations, endorsements, and licenses authorized for the business named above. By accepting this document, the licensee certifies the information on the application was complete, true, and accurate to the best of his or her knowledge, and that business will be conducted in compliance with all applicable Washington state, county, and city regulations.

A handwritten signature in cursive script that reads "Vicki Smith".

Director, Department of Revenue



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

10/30/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> (OR) Heffernan Insurance Brokers 5100 SW Macadam, Suite 440 Portland OR 97239	<b>CONTACT NAME:</b>	
	<b>PHONE (A/C, No, Ext):</b> 503-226-1320	<b>FAX (A/C, No):</b> 503-226-1478
<b>INSURED</b> Structured Communication Systems, Inc 12901 SE 97th Ave Ste 400 Clackamas OR 97015	<b>E-MAIL ADDRESS:</b>	
	<b>INSURER(S) AFFORDING COVERAGE</b>	
	<b>INSURER A:</b> Travelers Property Casualty Company of America	
	<b>INSURER B:</b> The Charter Oak Fire Insurance Company	
	<b>INSURER C:</b>	
	<b>INSURER D:</b>	
<b>INSURER E:</b>		
<b>INSURER F:</b>		

**COVERAGES****CERTIFICATE NUMBER:** 1318673384**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:	Y	Y	ZLP61M47955	1/1/2018	1/1/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 WA Stop Gap Liab. \$ 1,000,000	
A	<input checked="" type="checkbox"/> <b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY		Y	BA6G656226	1/1/2018	1/1/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$	
A	<input type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			ZUP15T22175	1/1/2018	1/1/2019	EACH OCCURRENCE \$ 8,000,000 AGGREGATE \$ 8,000,000 \$	
B	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N <input type="checkbox"/>	N / A	UB6J218819	10/26/2018	10/26/2019	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000	
A	Technology E&O Liab.			ZPL41M47831	1/1/2018	1/1/2019	\$10,000,000 Limit	\$25,000 Deductible
A	Inland Marine			ZLP61M47955	1/1/2018	1/1/2019	\$500,000 Transport \$1,000,000 Install	\$2,500 Deductible \$2,500 Deductible

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES** (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Additional Coverage:  
Continental Casualty Company Policy# 425497177 eff. 1/1/2018-1/1/2019  
Employee Dishonesty/Theft Limit: \$1,000,000  
Employee Dishonesty/Theft Deductible: \$5,000  
Employee Theft of Client Property Included

Professional Liability coverage is excluded under the Excess Liability policy.  
RE: As per contract or agreement on file with insured.  
See Attached...

**CERTIFICATE HOLDER****CANCELLATION**

City of Spokane  
808 W. Spokane Falls Blvd.  
Spokane WA 99201-3316

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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## ADDITIONAL REMARKS SCHEDULE

AGENCY (OR) Heffernan Insurance Brokers		NAMED INSURED Structured Communication Systems, Inc 12901 SE 97th Ave Ste 400 Clackamas OR 97015
POLICY NUMBER		
CARRIER	NAIC CODE	EFFECTIVE DATE:

### ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,  
 FORM NUMBER: 25 FORM TITLE: CERTIFICATE OF LIABILITY INSURANCE

The City of Spokane, its agents, officers and employees are included as an additional insured, primary and non-contributory on the General Liability policy per the attached endorsement, if required.  
 Waiver of Subrogation is included on the General Liability and Auto Liability policies per the attached endorsement, if required.

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

## **BUSINESS AUTO EXTENSION ENDORSEMENT**

This endorsement modifies insurance provided under the following:

### **BUSINESS AUTO COVERAGE FORM**

With respect to coverage provided by this endorsement, the provisions of the Coverage Form apply unless modified by the endorsement.

**GENERAL DESCRIPTION OF COVERAGE** – This endorsement broadens coverage. However, coverage for any injury, damage or medical expenses described in any of the provisions of this endorsement may be excluded or limited by another endorsement to the Coverage Part, and these coverage broadening provisions do not apply to the extent that coverage is excluded or limited by such an endorsement. The following listing is a general coverage description only. Limitations and exclusions may apply to these coverages. Read all the provisions of this endorsement and the rest of your policy carefully to determine rights, duties, and what is and is not covered.

- |   |   |
|---|---|
| <b>A. BROAD FORM NAMED INSURED</b>                                  | <b>H. HIRED AUTO PHYSICAL DAMAGE – LOSS OF USE – INCREASED LIMIT</b>  |
| <b>B. BLANKET ADDITIONAL INSURED</b>                                | <b>I. PHYSICAL DAMAGE – TRANSPORTATION EXPENSES – INCREASED LIMIT</b> |
| <b>C. EMPLOYEE HIRED AUTO</b>                                       | <b>J. PERSONAL EFFECTS</b>  |
| <b>D. EMPLOYEES AS INSURED</b>                                      | <b>K. AIRBAGS</b>   |
| <b>E. SUPPLEMENTARY PAYMENTS – INCREASED LIMITS</b>                 | <b>L. NOTICE AND KNOWLEDGE OF ACCIDENT OR LOSS</b>                    |
| <b>F. HIRED AUTO – LIMITED WORLDWIDE COVERAGE – INDEMNITY BASIS</b> | <b>M. BLANKET WAIVER OF SUBROGATION</b>                               |
| <b>G. WAIVER OF DEDUCTIBLE – GLASS</b>                              | <b>N. UNINTENTIONAL ERRORS OR OMISSIONS</b>                           |

### **PROVISIONS**

#### **A. BROAD FORM NAMED INSURED**

The following is added to Paragraph **A.1., Who Is An Insured**, of **SECTION II – LIABILITY COVERAGE**:

Any organization you newly acquire or form during the policy period over which you maintain 50% or more ownership interest and that is not separately insured for Business Auto Coverage. Coverage under this provision is afforded only until the 180th day after you acquire or form the organization or the end of the policy period, whichever is earlier.

#### **B. BLANKET ADDITIONAL INSURED**

The following is added to Paragraph **c. in A.1., Who Is An Insured**, of **SECTION II – LIABILITY COVERAGE**:

Any person or organization who is required under a written contract or agreement between you and that person or organization, that is signed and

executed by you before the "bodily injury" or "property damage" occurs and that is in effect during the policy period, to be named as an additional insured is an "insured" for Liability Coverage, but only for damages to which this insurance applies and only to the extent that person or organization qualifies as an "insured" under the Who Is An Insured provision contained in Section II.

#### **C. EMPLOYEE HIRED AUTO**

- The following is added to Paragraph **A.1., Who Is An Insured**, of **SECTION II – LIABILITY COVERAGE**:

An "employee" of yours is an "insured" while operating an "auto" hired or rented under a contract or agreement in that "employee's" name, with your permission, while performing duties related to the conduct of your business.

## COMMERCIAL AUTO

2. The following replaces Paragraph **b.** in **B.5., Other Insurance**, of **SECTION IV – BUSINESS AUTO CONDITIONS**:

**b.** For Hired Auto Physical Damage Coverage, the following are deemed to be covered "autos" you own:

- (1) Any covered "auto" you lease, hire, rent or borrow; and
- (2) Any covered "auto" hired or rented by your "employee" under a contract in that individual "employee's" name, with your permission, while performing duties related to the conduct of your business.

However, any "auto" that is leased, hired, rented or borrowed with a driver is not a covered "auto".

### D. EMPLOYEES AS INSURED

The following is added to Paragraph **A.1., Who Is An Insured**, of **SECTION II – LIABILITY COVERAGE**:

Any "employee" of yours is an "insured" while using a covered "auto" you don't own, hire or borrow in your business or your personal affairs.

### E. SUPPLEMENTARY PAYMENTS – INCREASED LIMITS

1. The following replaces Paragraph **A.2.a.(2)**, of **SECTION II – LIABILITY COVERAGE**:

- (2) Up to \$3,000 for cost of bail bonds (including bonds for related traffic law violations) required because of an "accident" we cover. We do not have to furnish these bonds.

2. The following replaces Paragraph **A.2.a.(4)**, of **SECTION II – LIABILITY COVERAGE**:

- (4) All reasonable expenses incurred by the "insured" at our request, including actual loss of earnings up to \$500 a day because of time off from work.

### F. HIRED AUTO – LIMITED WORLDWIDE COVERAGE – INDEMNITY BASIS

The following replaces Subparagraph (5) in Paragraph **B.7., Policy Period, Coverage Territory**, of **SECTION IV – BUSINESS AUTO CONDITIONS**:

- (5) Anywhere in the world, except any country or jurisdiction while any trade sanction, embargo, or similar regulation imposed by the United States of America applies to and prohibits the transaction of business with or

within such country or jurisdiction, for Liability Coverage for any covered "auto" that you lease, hire, rent or borrow without a driver for a period of 30 days or less and that is not an "auto" you lease, hire, rent or borrow from any of your "employees", partners (if you are a partnership), members (if you are a limited liability company) or members of their households.

- (a) With respect to any claim made or "suit" brought outside the United States of America, the territories and possessions of the United States of America, Puerto Rico and Canada:

- (i) You must arrange to defend the "insured" against, and investigate or settle any such claim or "suit" and keep us advised of all proceedings and actions.

- (ii) Neither you nor any other involved "insured" will make any settlement without our consent.

- (iii) We may, at our discretion, participate in defending the "insured" against, or in the settlement of, any claim or "suit".

- (iv) We will reimburse the "insured" for sums that the "insured" legally must pay as damages because of "bodily injury" or "property damage" to which this insurance applies, that the "insured" pays with our consent, but only up to the limit described in Paragraph **C., Limit Of Insurance**, of **SECTION II – LIABILITY COVERAGE**.

- (v) We will reimburse the "insured" for the reasonable expenses incurred with our consent for your investigation of such claims and your defense of the "insured" against any such "suit", but only up to and included within the limit described in Paragraph **C., Limit Of Insurance**, of **SECTION II – LIABILITY COVERAGE**, and not in addition to such limit. Our duty to make such payments ends when we have used up the applicable limit of insurance in payments for damages, settlements or defense expenses.

- (b) This insurance is excess over any valid and collectible other insurance available



to the "insured" whether primary, excess contingent or on any other basis.

- (c) This insurance is not a substitute for required or compulsory insurance in any country outside the United States, its territories and possessions, Puerto Rico and Canada.

You agree to maintain all required or compulsory insurance in any such country up to the minimum limits required by local law. Your failure to comply with compulsory insurance requirements will not invalidate the coverage afforded by this policy, but we will only be liable to the same extent we would have been liable had you complied with the compulsory insurance requirements.

- (d) It is understood that we are not an admitted or authorized insurer outside the United States of America, its territories and possessions, Puerto Rico and Canada. We assume no responsibility for the furnishing of certificates of insurance, or for compliance in any way with the laws of other countries relating to insurance.

#### **G. WAIVER OF DEDUCTIBLE – GLASS**

The following is added to Paragraph **D.**, **Deductible**, of **SECTION III – PHYSICAL DAMAGE COVERAGE**:

No deductible for a covered "auto" will apply to glass damage if the glass is repaired rather than replaced.

#### **H. HIRED AUTO PHYSICAL DAMAGE – LOSS OF USE – INCREASED LIMIT**

The following replaces the last sentence of Paragraph **A.4.b.**, **Loss Of Use Expenses**, of **SECTION III – PHYSICAL DAMAGE COVERAGE**:

However, the most we will pay for any expenses for loss of use is \$65 per day, to a maximum of \$750 for any one "accident".

#### **I. PHYSICAL DAMAGE – TRANSPORTATION EXPENSES – INCREASED LIMIT**

The following replaces the first sentence in Paragraph **A.4.a.**, **Transportation Expenses**, of **SECTION III – PHYSICAL DAMAGE COVERAGE**:

We will pay up to \$50 per day to a maximum of \$1,500 for temporary transportation expense incurred by you because of the total theft of a covered "auto" of the private passenger type.

#### **J. PERSONAL EFFECTS**

The following is added to Paragraph **A.4.**, **Coverage Extensions**, of **SECTION III – PHYSICAL DAMAGE COVERAGE**:

##### **Personal Effects**

We will pay up to \$400 for "loss" to wearing apparel and other personal effects which are:

- (1) Owned by an "insured"; and
- (2) In or on your covered "auto".

This coverage applies only in the event of a total theft of your covered "auto".

No deductibles apply to this Personal Effects coverage.

#### **K. AIRBAGS**

The following is added to Paragraph **B.3.**, **Exclusions**, of **SECTION III – PHYSICAL DAMAGE COVERAGE**:

Exclusion **3.a.** does not apply to "loss" to one or more airbags in a covered "auto" you own that inflate due to a cause other than a cause of "loss" set forth in Paragraphs **A.1.b.** and **A.1.c.**, but only:

- a. If that "auto" is a covered "auto" for Comprehensive Coverage under this policy;
- b. The airbags are not covered under any warranty; and
- c. The airbags were not intentionally inflated.

We will pay up to a maximum of \$1,000 for any one "loss".

#### **L. NOTICE AND KNOWLEDGE OF ACCIDENT OR LOSS**

The following is added to Paragraph **A.2.a.**, of **SECTION IV – BUSINESS AUTO CONDITIONS**:

Your duty to give us or our authorized representative prompt notice of the "accident" or "loss" applies only when the "accident" or "loss" is known to:

- (a) You (if you are an individual);
- (b) A partner (if you are a partnership);
- (c) A member (if you are a limited liability company);
- (d) An executive officer, director or insurance manager (if you are a corporation or other organization); or
- (e) Any "employee" authorized by you to give notice of the "accident" or "loss".



**M. BLANKET WAIVER OF SUBROGATION**

The following replaces Paragraph **A.5., Transfer Of Rights Of Recovery Against Others To Us**, of **SECTION IV – BUSINESS AUTO CONDITIONS**:

**5. Transfer Of Rights Of Recovery Against Others To Us**

We waive any right of recovery we may have against any person or organization to the extent required of you by a written contract signed and executed prior to any "accident" or "loss", provided that the "accident" or "loss" arises out of operations contemplated by

such contract. The waiver applies only to the person or organization designated in such contract.

**N. UNINTENTIONAL ERRORS OR OMISSIONS**

The following is added to Paragraph **B.2., Concealment, Misrepresentation, Or Fraud**, of **SECTION IV – BUSINESS AUTO CONDITIONS**:

The unintentional omission of, or unintentional error in, any information given by you shall not prejudice your rights under this insurance. However this provision does not affect our right to collect additional premium or exercise our right of cancellation or non-renewal.

b. If a claim is made or "suit" is brought against any insured, you must:

- (1) Immediately record the specifics of the claim or "suit" and the date received; and
- (2) Notify us as soon as practicable.

You must see to it that we receive written notice of the claim or "suit" as soon as practicable.

c. You and any other involved insured must:

- (1) Immediately send us copies of any demands, notices, summonses or legal papers received in connection with the claim or "suit";
- (2) Authorize us to obtain records and other information;
- (3) Cooperate with us in the investigation or settlement of the claim or defense against the "suit"; and
- (4) Assist us, upon our request, in the enforcement of any right against any person or organization which may be liable to the insured because of injury or damage to which this insurance may also apply.

d. No insured will, except at that insured's own cost, voluntarily make a payment, assume any obligation, or incur any expense, other than for first aid, without our consent.

### 3. Legal Action Against Us

No person or organization has a right under this Coverage Part:

- a. To join us as a party or otherwise bring us into a "suit" asking for damages from an insured; or
- b. To sue us on this Coverage Part unless all of its terms have been fully complied with.

A person or organization may sue us to recover on an agreed settlement or on a final judgment against an insured; but we will not be liable for damages that are not payable under the terms of this Coverage Part or that are in excess of the applicable limit of insurance. An agreed settlement means a settlement and release of liability signed by us, the insured and the claimant or the claimant's legal representative.

### 4. Other Insurance

If other valid and collectible insurance is available to the insured for a loss we cover under Coverages **A** or **B** of this Coverage Part, our obligations are limited as follows:

#### a. Primary Insurance

This insurance is primary except when **b.** below applies. If this insurance is primary, our obligations are not affected unless any of the other insurance is also primary. Then, we will share with all that other insurance by the method described in **c.** below.

#### b. Excess Insurance

This insurance is excess over:

- (1) Any of the other insurance, whether primary, excess, contingent or on any other basis:
  - (a) That is Fire, Extended Coverage, Builder's Risk, Installation Risk or similar coverage for "your work";
  - (b) That is Fire insurance for premises rented to you or temporarily occupied by you with permission of the owner;
  - (c) That is insurance purchased by you to cover your liability as a tenant for "property damage" to premises rented to you or temporarily occupied by you with permission of the owner; or
  - (d) If the loss arises out of the maintenance or use of aircraft, "autos" or watercraft to the extent not subject to Exclusion **g.** of Section **I** – Coverage **A** – Bodily Injury And Property Damage Liability.
- (2) Any other primary insurance available to you covering liability for damages arising out of the premises or operations for which you have been added as an additional insured by attachment of an endorsement.

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

**OTHER INSURANCE – ADDITIONAL INSURED –  
PRIMARY AND NON-CONTRIBUTORY WITH RESPECT TO  
CERTAIN OTHER INSURANCE**

This endorsement modifies insurance provided under the following:

**COMMERCIAL GENERAL LIABILITY COVERAGE PART**

The following is added to Paragraph 4. a., **Primary Insurance**, of **SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS**:

However, if you specifically agree in a written contract or agreement that the insurance afforded to an additional insured under this Coverage Part must apply on a primary basis, or a primary and non-contributory basis, this insurance is primary to other insurance that is available to such additional insured which covers such additional insured as a named insured, and we will not share with that other insurance, provided that:

- (1) The "bodily injury" or "property damage" for which coverage is sought is caused by an "occurrence" that takes place; and
- (2) The "personal injury" or "advertising injury" for which coverage is sought arises out of an offense that is committed;

subsequent to the signing and execution of that contract or agreement by you.

**Agenda Sheet for City Council Meeting of:**

01/07/2019

<b><u>Date Rec'd</u></b>	12/17/2018
<b><u>Clerk's File #</u></b>	OPR 2018-0853
<b><u>Renews #</u></b>	
<b><u>Cross Ref #</u></b>	
<b><u>Project #</u></b>	
<b><u>Bid #</u></b>	
<b><u>Requisition #</u></b>	CR19973

<b><u>Submitting Dept</u></b>	INNOVATION & TECHNOLOGY SERVICES
<b><u>Contact Name/Phone</u></b>	MICHAEL SLOON 625-6468
<b><u>Contact E-Mail</u></b>	MSLOON@SPOKANECITY.ORG
<b><u>Agenda Item Type</u></b>	Contract Item
<b><u>Agenda Item Name</u></b>	5300 SOFTWARE HOUSE INTERNATIONAL MICROSOFT PREMIER SUPPORT RENEWAL

**Agenda Wording**

Approval to renew contract with Software House International (SHI) for Microsoft Premier Support utilizing Master Agreement No. ADSPO16-130651, Washington State Contract No. 06016. Contract term 12/27/18-12/26/19. Total amt: \$75,013.86, including tax.

**Summary (Background)**

The City of Spokane engaged Microsoft Premier Support for ITSD, SPD, and SFD Tier-3 technical assistance, security update evaluation/notification, onsite review and performance tuning/evaluation of our SQL databases, Exchange (email), Service Manager (Help Desk), and Active Directory. Premier Support also provides pro-active quarterly reviews of our Microsoft products and cloud services.

<b><u>Fiscal Impact</u></b>		Grant related?	NO	<b><u>Budget Account</u></b>	
		Public Works?	NO		
Expense	\$	\$75,013.86, incl. tax		#	5300-73300-18850-54820
Select	\$			#	
Select	\$			#	
Select	\$			#	
<b><u>Approvals</u></b>			<b><u>Council Notifications</u></b>		
<b><u>Dept Head</u></b>		SLOON, MICHAEL		<b><u>Study Session</u></b>	12/17/2018 Sustainable Resources Committee
<b><u>Division Director</u></b>		FINCH, ERIC		<b><u>Other</u></b>	
<b><u>Finance</u></b>		BUSTOS, KIM		<b><u>Distribution List</u></b>	
<b><u>Legal</u></b>		ODLE, MARI		Accounting - ywang@spokanecity.org	
<b><u>For the Mayor</u></b>		ORMSBY, MICHAEL		Contract Accounting - mdoval@spokanecity.org	
<b><u>Additional Approvals</u></b>				Legal - modle@spokanecity.org	
<b><u>Purchasing</u></b>				Purchasing - cwahl@spokanecity.org	
				IT - itadmin@spokanecity.org	
				Tax & Licenses	
				CASSIE SKELTON@SHI.COM	

## Briefing Paper

### Sustainable Resources Committee

<b>Division &amp; Department:</b>	Innovation and Technology Services Division
<b>Subject:</b>	Microsoft Premier Support Renewal from Software House International
<b>Date:</b>	December 17, 2018
<b>Author (email &amp; phone):</b>	Michael Sloon, <a href="mailto:msloon@spokanecity.org">msloon@spokanecity.org</a> , 625-6468
<b>City Council Sponsor:</b>	
<b>Executive Sponsor:</b>	Eric Finch and Michael Sloon
<b>Committee(s) Impacted:</b>	Sustainable Resources Committee
<b>Type of Agenda item:</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
<b>Alignment:</b> (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	ITSD – Approval to renew Microsoft Premier Support for an additional year.
<b>Strategic Initiative:</b>	Innovative Infrastructure and Sustainable Resources
<b>Deadline:</b>	December 27, 2018
<b>Outcome:</b> (deliverables, delivery duties, milestones to meet)	Microsoft Premier Support will provide improved incident resolution (Tier-3), 160-hours of Problem Resolution, 120-hours of Support Account Management for system upgrade assistance, Cloud deployment, and Fast-Track O365 services, 2-onsite visits, and unlimited access to Premier Online Website.
<b>Background/History:</b> <i>The City of Spokane engaged Microsoft Premier Support services January, 2018, through December 27, 2018. During this first year of Premier Support ITSD, SPD, and SFD received Tier-3 technical assistance, security update evaluation/notification, onsite review and performance tuning/evaluation of our SQL databases, Exchange (email), Service Manager (Help Desk), and Active Directory. Premier Support also provides pro-active quarterly reviews of our Microsoft products and cloud services.</i>	
<b>Executive Summary:</b> <u>One-year subscription to Microsoft Premier Support Services.</u> <ul style="list-style-type: none"> <li><i>Requesting \$75,013.86 (\$68,946.56 + \$6,067.28 sales tax) for the initiation of this contract.</i></li> <li><i>Software House International utilized Master Agreement No. ADSP016-130651, Washington State Master Contract No. 06016, for previously negotiated pricing for this purchase.</i></li> <li><i>Utilizing budget account # 5300-73300-18850-54820 (software maintenance)</i></li> </ul>	
<b>Budget Impact:</b> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Annual/Reoccurring expenditure? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impact:</b> Consistent with current operations/policy? <input type="checkbox"/> Yes <input type="checkbox"/> No Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Specify changes required: Known challenges/barriers:	



**City of Spokane**

**CONTRACT**

Title: **MICROSOFT PREMIER SUPPORT**

THIS CONTRACT is between the **CITY OF SPOKANE**, a Washington State municipal corporation, as ("City"), and **SHI INTERNATIONAL, CORP.**, whose address is 290 Davidson Avenue, Somerset, New Jersey 08873, as ("Company"), individually hereafter referenced as a "party", and together as the "parties".

The parties agree as follows:

1. **PERFORMANCE**. The Company shall provide **Microsoft Premier Support**, in accordance with NASPO ValuePoint - Software VAR, Contract #: ADSP016-130651, Subcontract #: 06016; and the Company's Pricing Proposal which is attached as Exhibit B.
2. **CONTRACT TERM**. The Contract shall begin December 27, 2018 and run through December 26, 2019, unless terminated sooner.
3. **COMPENSATION**. The City shall pay the Company a maximum amount not to exceed **SEVENTY FIVE THOUSAND THIRTEEN AND 86/100 DOLLARS (\$75,013.86)**, including tax for everything furnished and done under this Contract.
4. **PAYMENT**. The Company shall send its application for payment to Innovation and Technology Services Division, Administration Office, Seventh Floor, City Hall, 808 West Spokane Falls Boulevard, Spokane, Washington 99201. **Payment will be made via direct deposit/ACH** within thirty (30) days after receipt of the Contractor's application except as provided by state law.
5. **COMPLIANCE WITH LAWS**. Each party shall comply with all applicable federal, state, and local laws and regulations.
6. **ASSIGNMENTS**. This Contract is binding on the parties and their heirs, successors, and assigns. Neither party may assign, transfer or subcontract its interest, in whole or in part, without the other party's prior written consent.
7. **AMENDMENTS**. This Contract may be amended at any time by mutual written agreement.
8. **ANTI-KICKBACK**. No officer or employee of the City of Spokane, having the power or duty to perform an official act or action related to this Contract shall have or acquire any interest in the Contract, or have solicited, accepted or granted a present or future gift, favor, service or

other thing of value from or to any person involved in this Contract.

9. TERMINATION. Either party may terminate this Contract by thirty (30) days written notice to the other party. In the event of such termination, the City shall pay the Company for all work previously authorized and performed prior to the termination date.

10. INSURANCE. During the term of the Agreement, the Company shall maintain in force at its own expense, the following insurance coverages:

- A. Worker's Compensation Insurance in compliance with RCW 51.12.020, which requires subject employers to provide workers' compensation coverage for all their subject workers; and
- B. General Liability Insurance on an occurrence basis, with a combined single limit of not less than \$1,000,000 each occurrence for bodily injury and property damage. It shall include contractual liability coverage for the indemnity provided under this contract. It shall provide that the City, its officers and employees are additional insureds, but only with respect to the Contractor's services to be provided under this contract;
  - i. Acceptable supplementary Umbrella insurance coverage, combined with the Company's General Liability insurance policy must be a *minimum* of \$1,000,000, in order to meet the insurance coverages required under this Contract;
- C. Automobile Liability Insurance with a combined single limit, or the equivalent of not less than \$1,000,000 each accident for bodily injury and property damage, including coverage for owned, hired and non-owned vehicles.

There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without sixty (60) days written notice from the Company or its insurer(s) to the City. As evidence of the insurance coverage(s) required by this Agreement, the Company shall furnish acceptable Certificates of Insurance (COI) to the City at the time it returns this signed Agreement. The certificate shall specify the City of Spokane as "Additional Insured" specifically for Company's services under this Agreement, as well as all of the parties who are additional insureds, and include applicable policy endorsements, the sixty (60) day cancellation clause, and the deduction or retention level. The Company shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance.

11. INDEMNIFICATION. The Company shall defend, indemnify, and hold the City and its officers and employees harmless from all claims, demands, or suits at law or equity asserted by third parties for bodily injury (including death) and/or property damage which arise from the Company's negligence or willful misconduct under this Agreement, including attorneys' fees and litigation costs; provided that nothing herein shall require a Company to indemnify the City against and hold harmless the City from claims, demands or suits based solely upon the negligence of the City, its agents, officers, and employees. If a claim or suit is caused by or results from the concurrent negligence of the Company's agents or employees and the City, its agents, officers and employees, this indemnity provision shall be valid and enforceable to the extent of the negligence of the Company, its agents or employees. The Company specifically assumes liability and agrees to defend, indemnify, and hold the City harmless for actions brought by the Company's own employees against the City and, solely for the purpose of this indemnification and defense, the Company specifically waives any immunity under the Washington State industrial insurance



law, or Title 51 RCW. The Company recognizes that this waiver was specifically entered into pursuant to the provisions of RCW 4.24.115 and was the subject of mutual negotiation. The indemnity and agreement to defend and hold the City harmless provided for in this section shall survive any termination or expiration of this agreement.

12. **DEBARMENT AND SUSPENSION.**

The Contractor has provided its certification that it is in compliance with and shall not contract with individuals or organizations which are debarred, suspended, or otherwise excluded from or ineligible from participation in Federal Assistance Programs under Executive Order 12549 and "Debarment and Suspension", codified at 29 CFR part 98.

13. **SEVERABILITY.** In the event any provision of this Contract should become invalid, the rest of the Contract shall remain in full force and effect.

14. **STANDARD OF PERFORMANCE.** The silence or omission in the Contract regarding any detail required for the proper performance of the work, means that the Company shall perform the best general practice.

15. **NONDISCRIMINATION.** No individual shall be excluded from participation in, denied the benefit of, subjected to discrimination under, or denied employment in the administration of or in connection with this Contract because of age, sex, race, color, religion, creed, marital status, familial status, sexual orientation including gender expression or gender identity, national origin, honorably discharged veteran or military status, the presence of any sensory, mental or physical disability, or use of a service animal by a person with disabilities. The Company agrees to comply with, and to require that all subcontractors comply with, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, as applicable to the Company.

16. **BUSINESS REGISTRATION REQUIREMENT.** Section 8.01.070 of the Spokane Municipal Code states that no person may engage in business with the City without first having obtained a valid annual business registration. The Company shall be responsible for contacting the State of Washington Business License Services at <http://bls.dor.wa.gov> or 1-800-451-7985 to obtain a business registration. If the Company does not believe it is required to obtain a business registration, it may contact the City's Taxes and Licenses Division at (509) 625-6070 to request an exemption status determination.

17. **AUDIT / RECORDS.** The Company and its subcontractors shall maintain for a minimum of three (3) years following final payment all records related to its performance of the Contract. The Company and its subcontractors shall provide access to authorized City representatives, at reasonable times and in a reasonable manner to inspect and copy any such record. In the event of conflict between this provision and related auditing provisions required under federal law applicable to the Contract, the federal law shall prevail.

18. **CONFIDENTIALITY/PUBLIC RECORDS.** Notwithstanding anything to the contrary, City will maintain the confidentiality of Company's materials and information only to the extent that is legally allowed in the State of Washington. City is bound by the State Public Records Act, RCW Ch. 42.56. That law presumptively makes all records in the possession of the City public records which are freely available upon request by anyone. In the event that City gets a valid public records request for Company's materials or information, City will give Company notice and Company will be required to go to Court to get an injunction preventing the release of the



requested records. In the event that Company does not get a timely injunction preventing the release of the records, the City will comply with the Public Records Act and release the records.

SHI INTERNATIONAL, CORP.

CITY OF SPOKANE

By \_\_\_\_\_  
Signature Date

By \_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

Attachments that are part of this Agreement:

Exhibit A – Certificate Regarding Debarment  
Exhibit B – SHI Pricing Proposal

**EXHIBIT A**  
**CERTIFICATION REGARDING DEBARMENT, SUSPENSION,**  
**INELIGIBILITY AND VOLUNTARY EXCLUSION**

1. The undersigned (i.e., signatory for the Subrecipient / Contractor / Consultant) certifies, to the best of its knowledge and belief, that it and its principals:
  - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
  - b. Have not within a three-year period preceding this contract been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice;
  - c. Are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and,
  - d. Have not within a three-year period preceding this contract had one or more public transactions (federal, state, or local) terminated for cause or default.
2. The undersigned agrees by signing this contract that it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction.
3. The undersigned further agrees by signing this contract that it will include the following clause, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions:
 

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions

  1. The lower tier contractor certified, by signing this contract that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
  2. Where the lower tier contractor is unable to certify to any of the statements in this contract, such contractor shall attach an explanation to this contract.
4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, person, primary covered transaction, principal, and voluntarily excluded, as used in this exhibit, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. The undersigned may contact the City for assistance in obtaining a copy of these regulations.
5. I understand that a false statement of this certification may be grounds for termination of the contract.

<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Name of Subrecipient / Contractor / Consultant (Type or Print)	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Program Title (Type or Print)
<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Name of Certifying Official (Type or Print)	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Signature
<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Title of Certifying Official (Type or Print)	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Date (Type or Print)

## EXHIBIT B

**PARTICIPATING ADDENDUM**  
**NASPO ValuePoint**

**SOFTWARE VALUE-ADDED RESELLER (SVAR) SERVICES**

Administered by the State of Arizona (hereinafter "Lead State")

**MASTER AGREEMENT**

Master Agreement No: **ADSP016-130651**

**SHI International Corp.**  
(hereinafter "Contractor")

And

**State of Washington**  
(hereinafter "Participating State")

Washington Master Contract No.: **06016**

This Participating Addendum for the above referenced Master Agreement ("Participating Addendum") is made and entered into by and between the State of Washington acting by and through the Department of Enterprise Services, a Washington State governmental agency ("Enterprise Services") and SHI International Corp., a New Jersey corporation ("Contractor") and is dated and effective as of November 1, 2016.

1. **SCOPE:** This Participating Addendum covers the Software Value-Added Reseller (SVAR) Services led by the State of Arizona for use by state agencies and other entities located in the Participating State authorized by that state's statutes to utilize state contracts with the prior approval of the State's chief procurement official.
2. **EXCLUSIONS:** The following software publishers are excluded from this Participating Addendum:
  - ESRI
  - Microsoft EA
  - Autodesk
  - SAS
3. **PARTICIPATION:** Use of specific NASPO ValuePoint cooperative contracts by agencies, political subdivisions and other entities (including cooperatives) authorized by an individual state's statutes to use state contracts are subject to the prior approval of the respective State chief procurement official. Issues of interpretation and eligibility for participation are solely within the authority of the State chief procurement official. Pursuant to this Participating Addendum, the Master Agreement may be utilized by the following ("Purchasing Entities"):
  - (a) **WASHINGTON STATE AGENCIES.** Washington state agencies, departments, offices, divisions, boards, and commission; and any the following institutions of higher education in Washington: state universities, regional universities, state college, community colleges, and technical colleges.

- (b) **MCUA PARTIES.** The Master Agreement also may be utilized by any of the following types of entities that have executed a Master Contract Usage Agreement (MCUA) with Enterprise Services:

- Political subdivisions (e.g., counties, cities, school districts, public utility districts);
- Federal governmental agencies or entities;
- Public-benefit nonprofit corporations (i.e., § 501(c) (3) nonprofit corporations that receive federal, state, or local funding); and
- Federally-recognized Indian Tribes located in the State of Washington.
- [Oregon Cooperative Purchasing Program \(ORCPP\)](#)

**4. PARTICIPATING STATE MODIFICATIONS OR ADDITIONS TO MASTER AGREEMENT:**

- 4.1. **PRICING.** Although Contractor may offer lower prices to Purchasing Entities, Contractor guarantees to provide the Products at no greater than the prices set forth in the Master Agreement, whereas ‘Reseller Cost’ is defined as the price that Contractor pays the Publisher or Distributor to purchase software on behalf of the Participating State. If Purchasing Entities use a credit card as a method of payment for an order over ten thousand dollars (\$10,000), prices may be subject to payment processing fees, as agreed to in the applicable Purchase Order. Unless otherwise specified herein, Contractor shall not include or impose any additional charges including, but not limited to, charges for shipping, handling, or payment processing.
- 4.2. **WASHINGTON’S ELECTRONIC BUSINESS SOLUTIONS (WEBS) SYSTEM.** Within seven (7) days of execution of this Participating Addendum, Contractor shall register in the Washington State Department of Enterprise Services’ Electronic Business Solutions (WEBS) System at <https://fortress.wa.gov/ga/webcust/home.html>. Contractor shall ensure that all of its information therein is current and accurate and that, throughout the term of the Master Agreement, Contractor shall maintain an accurate profile in WEBS.
- 4.3. **WASHINGTON’S STATEWIDE PAYEE DESK.** To be paid for contract sales, Contractors must register with Washington’s Statewide Payee Desk. Washington state agencies cannot make payments to a contractor until it is registered. Registration materials are available here: [Receiving Payment from the State](#).
- 4.4. **CONTRACT SALES REPORTING.** Contractor shall report total contract sales quarterly to Enterprise Services, as set forth below.
- (a) **REPORTING.** Contractor shall report quarterly Contract sales in Enterprise Services’ [Contract Sales Reporting System](#). Enterprise Services will provide Contractor with a login password and a vendor number.
  - (b) **DATA.** Each sales report must identify every authorized Purchasing Entity by name as it is known to Enterprise Services and its total combined sales amount invoiced during the reporting period (i.e., sales of an entire agency or political subdivision, not its individual subsections). The “Miscellaneous” option may be used only with prior approval by Enterprise Services. Upon request, Contractor shall provide contact information for all authorized Purchasing Entities specified herein during the term of

this Participating Addendum. Refer sales reporting questions to the Primary Contact set forth below. If there are no contract sales during the reporting period, Contractor must report zero sales.

- (c) **DUE DATES FOR CONTRACT SALES REPORTING.** Quarterly Contract Sales Reports must be submitted electronically by the following deadlines for all sales invoiced during the applicable calendar quarter:

For Calendar Quarter Ending	Contract Sales Report Due
March 31	April 30
June 30	July 31
September 30	October 31
December 31	January 31

- 4.5. **VENDOR MANAGEMENT FEE.** Contractor shall pay to Enterprise Services a vendor management fee ("VMF") of 0.74% on the purchase price for all contract sales (the purchase price is the total invoice price less applicable sales tax).

- (d) The sum owed by Contractor to Enterprise Services as a result of the VMF is calculated as follows:

Amount owed to Enterprise Services = Total contract sales invoiced (not including sales tax) x .0074.

- (e) The VMF must be rolled into Contractor's current pricing. The VMF must not be shown as a separate line item on any invoice unless specifically requested and approved by Enterprise Services.
- (f) Enterprise Services will invoice Contractor quarterly based on contract sales reported by Contractor. Contractor shall not remit payment until an electronic invoice from Enterprise Services becomes available in [Contract Sales Reporting System](#). Contractor's VMF payment to Enterprise Services must reference the following:
- This Washington Master Contract No.: 06016
  - The NASPO Master Agreement No.: ADSP016-130651
  - The year and quarter for which the VMF is being remitted, and
  - Contractor's name as set forth in this Contract, if not already included on the face of the check.
- (g) Contractor's failure accurately and timely to report total net sales, to submit usage reports, or remit payment of the VMF to Enterprise Services, may be cause for suspension or termination of this Participating Addendum or the exercise of any other remedies as provided by law.
- (h) Enterprise Services reserves the right, upon thirty (30) days advance written notice, to increase, reduce, or eliminate the VMF for subsequent purchases.
- (i) For purposes of the VMF, the parties agree that the initial management fee is included in the pricing. Therefore, any increase or reduction of the management fee must be reflected in contract pricing commensurate with the adjustment.

- 4.6. **CONTRACT REVIEWS.** Enterprise Services reserves the right to conduct quarterly reviews of Contractor's sales and prices, and request Contractor to provide copies of Publisher invoices for up to ten percent (10%) of sales in order to validate Reseller Costs.

- 4.7. **COMPLIANCE WITH LAW; TAXES, LICENSES, & REGISTRATION.** Contractor shall comply with all applicable law. Contractor shall register to conduct business in the State of Washington and promptly acquire and maintain all necessary licenses and registrations and pay all applicable taxes and fees. In addition, for all sales to purchasers in the State of Washington, Contractor shall calculate, collect, and remit, as appropriate, the applicable state and local sales tax on all invoices.
- 4.8. **RECORDS ADMINISTRATION AND AUDIT.** Participating State's right as specified in Section 25 of the Master Agreement shall survive for a period of six (6) years following termination of this Participating Addendum or final payment for any order placed by a Purchasing Entity against this Participating Addendum, whichever is later, to assure compliance with the terms hereof or to evaluate performance hereunder.
- 4.9. **WAIVER OF SUBROGATION.** Contractor waives all rights of subrogation against the Participating State and any Purchasing Entity for the recovery of damages to the extent such damages are or would be covered by the insurance specified herein.
- 4.10. **PURCHASE ORDERS.** To utilize the NASPO ValuePoint Master Agreement, each order must include the following information and be submitted to SHI International Corp.:
- (j) Order is subject to NASPO ValuePoint Master Agreement No. ADSP016-130651 and Washington Master Contract No. 06016;
  - (k) Purchase Order amount; and
  - (l) Purchaser's contact information (i.e., name, address, telephone number, email).
5. **LEASE AGREEMENTS:** Leasing or renting equipment is not allowed throughout the term of the Master Agreement.
6. **PRIMARY CONTACTS:** The primary contact individuals for this Participating Addendum are as follows (or their named successors):

Contractor	Participating State
SHI International Corp. 290 Davidson Ave. Somerset, NJ 08873	State of Washington Department of Enterprise Services Contracts, Procurement and Risk Mgmt. P.O. Box 41411 Olympia, WA 98504-1411
Attn: Alison Turner Tel: (425) 974-5997 Email: <a href="mailto:alison_turner@shi.com">alison_turner@shi.com</a>	Attn: Mike Dombrowsky Tel: (360) 407-8717 Email: <a href="mailto:mike.dombrowsky@des.wa.gov">mike.dombrowsky@des.wa.gov</a>


7. **ORDERS:** Unless the parties to the Order agree in writing that another contract or agreement applies to such order, any Order placed by a Participating Entity or Purchasing Entity for a Product and/or Service available from this Master Agreement shall be deemed to be a sale under (and governed by the prices and other terms and conditions of) the Master Agreement as conditioned by this Participating Addendum.

**8. GENERAL:**

- (a) **INTEGRATED AGREEMENT; MODIFICATION.** This Participating Addendum and Master Agreement, together with its exhibits, set forth the entire agreement and understanding of the Parties with respect to the subject matter and supersedes all prior negotiations and representations. This Participating Addendum may not be modified except in writing signed by the Parties.
- (b) **AUTHORITY.** Each party to this Participating Addendum, and each individual signing on behalf of each party, hereby represents and warrants to the other that it has full power and authority to enter into this Participating Addendum and that its execution, delivery, and performance of this Participating Addendum has been fully authorized and approved, and that no further approvals or consents are required to bind such party.
- (c) **SURVIVAL.** All representations, warranties, covenants, agreements, and indemnities set forth in or otherwise made pursuant to this Participating Addendum shall survive and remain in effect following the expiration or termination of this Participating Addendum, *Provided*, however, that nothing herein is intended to extend the survival beyond any applicable statute of limitations periods.
- (d) **ELECTRONIC SIGNATURES.** A signed copy of this Participating Addendum or any other ancillary agreement transmitted by facsimile, email, or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this Participating Addendum or such other ancillary agreement for all purposes.
- (e) **COUNTERPARTS.** This Participating Addendum may be executed in one or more counterparts, each of which shall be deemed an original, and all of which counterparts together shall constitute the same instrument which may be sufficiently evidenced by one counterpart. Execution of this Participating Addendum at different times and places by the parties shall not affect the validity thereof so long as all the parties hereto execute a counterpart of this Participating Addendum.

EXECUTED as of the date and year first above written.

**STATE OF WASHINGTON**  
**DEPARTMENT OF ENTERPRISE SERVICES**

By: 


Its: Washington State IT Contract MGR

**SHI INTERNATIONAL CORP.**  
**A NEW JERSEY CORPORATION**

By:   
Cassie Skelton

Its: Sr. Contracts Specialist


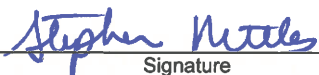



	<b>Contract Amendment</b>		State of Arizona State Procurement Office 100 N. 15 <sup>TH</sup> Avenue, Suite 402 Phoenix, AZ 85007
	Contract No.: ADSP016-130651	PAGE 1 OF 1	
	Amendment No.: One (1)		
<b>CONTRACTOR:</b> SHI International Corp. 290 Davidson Ave. Somerset, NJ 08873  <b>CONTACT:</b> Alison Turner <b>PHONE:</b> 425-974-5997 <b>EMAIL:</b> <a href="mailto:alison_turner@shi.com">alison_turner@shi.com</a>		<b>STATE AGENCY:</b> AZ Department of Administration State Procurement Office 100 N. 15 <sup>th</sup> Avenue, Suite 402 Phoenix, AZ 85007  <b>CONTACT:</b> Deepika Bajpayee <b>PHONE:</b> (602) 542-8991 <b>EMAIL:</b> <a href="mailto:deepika.bajpayee@azdoa.gov">deepika.bajpayee@azdoa.gov</a>	

### Software Value Added Reseller (SVAR)

Pursuant to State of Arizona Uniform Terms and Conditions, Paragraph 5, Contract Changes, 5.1 Amendments, the above referenced Contract shall be amended as follows:

1. The term of this contract is hereby extended through April 7, 2019.
2. All other Terms, Conditions, and Pricing remain the same.



This Contract Amendment is not binding against the State of Arizona unless signed by an <u>authorized representative</u> of the Contractor and then accepted in writing by an authorized representative of the State.	
Contractor hereby acknowledges receipt and understanding of the above amendment.	The above referenced contract amendment is hereby executed this date by the State.
<div style="text-align: center;">           Signature       </div> <div style="text-align: right;">         02/27/2018          Date       </div>	<div style="text-align: center;">           Signature       </div> <div style="text-align: right;">         2/28/2018          Date       </div>
<div style="text-align: center;">         Cassie Skelton          _____          Contracts Manager          _____          Printed/Typed Name and Title       </div>	<div style="text-align: center;">         Stephen Nettles          _____          Procurement Group Manager          _____          Printed/Typed Name and Title       </div>

	<b>Contract Amendment</b>		State of Arizona State Procurement Office 100 N. 15 <sup>TH</sup> Avenue, Suite 402 Phoenix, AZ 85007
	Contract No.: ADSP016-130651	PAGE 1 OF 1	
	Amendment No.: Two (2)		
<b>CONTRACTOR:</b> SHI International Corp. 290 Davidson Ave. Somerset, NJ 08873  <b>CONTACT:</b> Alison Turner <b>PHONE:</b> 425-974-5997 <b>EMAIL:</b> <a href="mailto:alison_turner@shi.com">alison_turner@shi.com</a>		<b>STATE AGENCY:</b> AZ Department of Administration State Procurement Office 100 N. 15 <sup>th</sup> Avenue, Suite 402 Phoenix, AZ 85007  <b>CONTACT:</b> Deepika Bajpayee <b>PHONE:</b> (602) 542-8991 <b>EMAIL:</b> <a href="mailto:deepika.bajpayee@azdoa.gov">deepika.bajpayee@azdoa.gov</a>	

### Software Value Added Reseller (SVAR)

Pursuant to State of Arizona Uniform Terms and Conditions, Paragraph 5, Contract Changes, 5.1 Amendments, the above referenced Contract shall be amended as follows:

1. SHI Government Solutions, Inc. is being added as a subcontractor to the SHI SVAR Master Contract # ADSP016-130651. SHI Government Solutions, Inc. will be providing products and services as stated within the scope of this contract.
2. All other Terms, Conditions, and Pricing remain the same.

This Contract Amendment is not binding against the State of Arizona unless signed by an <u>authorized representative</u> of the Contractor and then accepted in writing by an authorized representative of the State.			
Contractor hereby acknowledges receipt and understanding of the above amendment.		The above referenced contract amendment is hereby executed this date by the State.	
			
March 28, 2018 Date		3/30/18 Date	
Signature		Signature	
Cassie Skelton- Contracts Manager		Michael Hladik	
Printed/Typed Name and Title		Printed/Typed Name and Title	

# Contract Summary

## NASPO ValuePoint Software VAR

**Contract#:** 06016

Department of Enterprise Services through participation with NASPO ValuePoint has established master contracts to purchase commercial off-the-shelf (COTS) software licenses, basic installation, training, and maintenance. These contracts do not include customizable software that requires design and configuration.

**Current Term Start Date:** 11-01-2016

**Award Date:** 11-01-2016

**Est. Annual Worth:** \$0

**Current Term Ends On:** 04-07-2018

**Final Term Ends On:** 04-07-2021

**Diversity:** 0% WBE 0% MBE

**Contact Info:** Master Contracts & Consulting – Mike Dombrowsky at (360) 407-8717 or [mike.dombrowsky@des.wa.gov](mailto:mike.dombrowsky@des.wa.gov)

### Who can use this contract?

- » [Organizations with Master Contract Usage Agreements](#)
- » [Oregon Coop Members](#)

Current Documents    Historical Documents    Resources

- » [Contract Summary and Ordering Information](#)
  - » [SHI International Group](#)
  - » [En Pointe Technologies](#)
- » [Original Solicitation Documents](#)
- » [Contract Comments](#)
  - » [Vendor and Contract Performance Feedback](#)
  - » [Best Buy Form](#)

Contractors	OMWBE	Veteran	Small Business
EN POINTE TECHNOLOGIES SALES LLC - W4387		N	N
SOFTWARE HOUSE INTERNATIONAL - W9089		N	N

**M**=OMWBE Certified Minority Owned **W**=OMWBE Certified Women Owned **MW**=OMWBE Certified Minority Women Owned

[NASPO ValuePoint](#)

The NASPO ValuePoint Cooperative Purchasing Organization (formerly WSCA-NASPO) creates multi-State contracts in order to achieve cost-effective and efficient acquisition of quality products and services. NASPO VP contracts maximize cost avoidance, reduce individual state administrative costs, and encourage market competition and product availability through standard specifications and consolidated requirements. NASPO VP contracts are available for use by public agencies when approved by the State Purchasing Director. [List of current NASPO ValuePoint contracts](#)



**Agenda Sheet for City Council Meeting of:**

01/07/2019

<b><u>Date Rec'd</u></b>	12/10/2018
<b><u>Clerk's File #</u></b>	OPR 2017-0005
<b><u>Renews #</u></b>	
<b><u>Cross Ref #</u></b>	
<b><u>Project #</u></b>	
<b><u>Bid #</u></b>	
<b><u>Requisition #</u></b>	TBD 2019 FUNDS

<b><u>Submitting Dept</u></b>	INNOVATION & TECHNOLOGY SERVICES
<b><u>Contact Name/Phone</u></b>	MICHAEL SLOON 625-6468
<b><u>Contact E-Mail</u></b>	MSLOON@SPOKANECITY.ORG
<b><u>Agenda Item Type</u></b>	Contract Item
<b><u>Agenda Item Name</u></b>	5300 PMWEB SOFTWARE MAINT RENEWAL

**Agenda Wording**

Contract with PMWeb, Inc. for continued Annual Support and Maintenance of the Capital Project Management Software. February 1, 2019 through January 31, 2020. Contract amount is \$75,200.00 plus tax if applicable.

**Summary (Background)**

The City selected PMWeb, Inc. through RFP #4196-16 to provide Capital Project Management software and implementation services for the Public Works Division for department-wide management of capital improvement projects. PMWeb is a SaaS (Software as a Service) solution that will be hosted and maintained by PMWeb.

<b><u>Fiscal Impact</u></b>	Grant related? NO Public Works? NO	<b><u>Budget Account</u></b>	
Expense	\$ 75,200.00 plus tax if appl	#	4250-30210-38141-54201 2019 FUNDS
Select	\$	#	
Select	\$	#	
Select	\$	#	
<b><u>Approvals</u></b>		<b><u>Council Notifications</u></b>	
<b><u>Dept Head</u></b>	SLOON, MICHAEL	<b><u>Study Session</u></b>	Sustainable Res 12/17/18
<b><u>Division Director</u></b>	FINCH, ERIC	<b><u>Other</u></b>	
<b><u>Finance</u></b>	BUSTOS, KIM	<b><u>Distribution List</u></b>	
<b><u>Legal</u></b>	ODLE, MARI	Accounting - ywang@spokanecity.org;kkeck@spokanecity.org	
<b><u>For the Mayor</u></b>	ORMSBY, MICHAEL	Contract Accounting - mdoval@spokanecity.org	
<b><u>Additional Approvals</u></b>		Legal - modle@spokanecity.org	
<b><u>Purchasing</u></b>		Purchasing - cwahl@spokanecity.org	
		IT - itadmin@spokanecity.org	
		Tax & Licenses	
		PMWeb - michael.vernon@pmweb.com	



**City of Spokane**

**CONTRACT EXTENSION**

Title: **CAPITOL PROJECT MANAGEMENT  
SOFTWARE AND IMPLEMENTATION**

This Contract Extension is made and entered into by and between the **City of Spokane** as ("City"), a Washington municipal corporation, and **PMWEB, Inc.**, whose address is 1 Pope Street, Wakefield, Massachusetts, 01880 ("Consultant"), individually hereafter referenced as a "party", and together as the "parties".

*WHEREAS, the parties entered into a Contract wherein the Consultant agreed to provide for the City Capitol Management Software and Implementation Services for the Public Works Division, and*

*WHEREAS, a change or revision of the Work has been requested, and the Contract time for performance needs to be extended, thus the original Contract needs to be formally Amended and Extended by this written document; and*

*-- NOW, THEREFORE, in consideration of these terms, the parties mutually agree as follows:*

**1. CONTRACT DOCUMENTS.**

The Contract, dated January 23, 2017, any previous amendments, addendums and / or extensions / renewals thereto, are incorporated by reference into this document as though written in full and shall remain in full force and effect except as provided herein.

**2. EFFECTIVE TERM.**

This Contract Extension shall become effective on February 1, 2019 and shall end on January 31, 2020.

**3. COMPENSATION.**

The City shall pay an additional amount not to exceed **SEVENTY FIVE THOUSAND TWO HUNDRED AND NO/100 DOLLARS (\$75,200.00)**, not including tax, for everything furnished and done under this Contract Extension. This is the maximum amount to be paid under this Extension, and shall not be exceeded without the prior written authorization of the City, memorialized with the same formality as the original Contract and this document.

IN WITNESS WHEREOF, in consideration of the terms, conditions and covenants contained, or attached and incorporated and made a part, the parties have executed this Contract Extension by having legally-binding representatives affix their signatures below.

**PMWEB, INC.**

**CITY OF SPOKANE**

By \_\_\_\_\_  
Signature                      Date

By \_\_\_\_\_  
Signature                      Date

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

**Attachments that are part of this Agreement:**

PMWeb October 8, 2018 Estimate



**PMWeb, Inc.**  
1 Pope Street  
Wakefield, MA 01880  
P: 617-207-7080  
F: 978 246-0248  
WWW.PMWEB.COM

# Estimate

**Proposal #:** 4755

**Date:** 10/8/2018

**Bill To:**

CITY OF SPOKANE  
INFORMATION TECHNOLOGY DEPARTMENT  
Seventh Floor, City Hall  
808 West Spokane Falls Boulevard  
Spokane, WA 99201

Project Coordinator: Christina  
Coty

P.O. NO.

Description	Qty	U/M	Rate	Total
PMWeb Annual SaaS Renewal: 2/1/19 - 1/31/20				
CAPITOL PROJECT MANAGEMENT SOFTWARE AND IMPLEMENTATION				
PMWeb Support & Maintenance (Annual Fee): Development Package Support & Maintenance	1	EA	2,000.00	2,000.00
Subtotal: Support and Maintenance	1			2,000.00
PMWeb SaaS Licenses:				
PMWeb SaaS Full User- Annual	14		1,500.00	21,000.00
PMWeb SaaS Guest Licenses Concurrent- Annual	23		1,200.00	27,600.00
PMWeb SaaS Guest Licenses Named- Annual	21		600.00	12,600.00
Subtotal: SaaS Licenses	58			61,200.00
Other Hosting Services:				
PMWeb SaaS Dedicated Server	2		6,000.00	12,000.00
Subtotal: Other Hosting Services	2			12,000.00
Thank you for your business.	Total:			<b>\$75,200.00</b>

- Travel & Expenses apply if Consulting or Training is at client site  
- Written Cancellation must be submitted 5 days in advance via certified mail.  
- Software invoices are due upon delivery.  
- Invoices over 30 days late will be charged an 18% fee  
- Prices are valid for 30 days  
- Custom Reports and Dashboards as requested by client will be billed separately as T & M

- The client or through any other company shall not offer direct or indirect employment to any employee of PMWEB at any time for a period of 5 years after the latter of the last payment date, or the last day of work performed, except by written agreement and permissions of the PMWEB. Should the client violate this term & condition, the client agrees to a compensation fee of \$300,000.  
- In the event the client fails to pay any amount due to PMWEB on or before its due date, then the client shall be in default hereunder, all amounts then owed to PMWEB shall become immediately due and payable without notice and, in addition to all amounts owed to PMWEB, the Client shall pay to PMWEB all of PMWEB's costs and expenses of collection including reasonable attorney's fees and disbursements.

Authorized Name

Authorized Signature

Date



## Briefing Paper

### Sustainable Resources Committee

<b>Division &amp; Department:</b>	Innovation and Technology Services Division
<b>Subject:</b>	Annual Support and Maintenance with PMWeb, Inc.
<b>Date:</b>	December 17, 2018
<b>Author (email &amp; phone):</b>	Michael Sloon, <a href="mailto:msloon@spokanecity.org">msloon@spokanecity.org</a> , 625-6468
<b>City Council Sponsor:</b>	
<b>Executive Sponsor:</b>	Eric Finch and Michael Sloon
<b>Committee(s) Impacted:</b>	Sustainable Resources Committee
<b>Type of Agenda item:</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
<b>Alignment:</b> (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	ITSD - Continued support and maintenance of the PMWeb software.
<b>Strategic Initiative:</b>	Innovative Infrastructure – to build and effectively manage innovative infrastructure that supports community accessibility, mobility, and resiliency.
<b>Deadline:</b>	January 31, 2019
<b>Outcome:</b> (deliverables, delivery duties, milestones to meet)	Ongoing Support and Service
<b>Background/History:</b> The City selected PMWeb, Inc. through RFP #4196-16 to provide Capital Project Management Software and implementation services for the Public Works Division for department-wide management of capital improvement projects. PMWeb is a SaaS (Software as a Service) solution that will be hosted and maintained by PMWeb. This contract will provide support and maintenance from February 1, 2019 through January 31, 2020.	
<b>Executive Summary:</b> <ul style="list-style-type: none"> <li><i>Requesting \$75,200.00</i></li> <li><i>2018 contracted amount was the same</i></li> <li><i>Utilizes budget account # 4250-30210-38141-54201</i></li> </ul>	
<b>Budget Impact:</b> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Annual/Reoccurring expenditure? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impact:</b> Consistent with current operations/policy? <input type="checkbox"/> Yes <input type="checkbox"/> No Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Specify changes required: Known challenges/barriers:	



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
10/10/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Tarpey Insurance Group, Inc. 343 Washington Street Newton, MA 02458	<b>CONTACT NAME:</b> Emily Miles	
	<b>PHONE (A/C No. Ext):</b> 617-527-6070	<b>FAX (A/C No.):</b> 617-527-1980
	<b>E-MAIL ADDRESS:</b> emily@tarpeyinsurance.com	
	<b>INSURER(S) AFFORDING COVERAGE</b>	
	<b>INSURER A:</b> Travelers Cas & Sure of ILL	
	<b>INSURER B:</b> Travelers Indemnity Company	
<b>INSURED</b> PMWeb, Inc. 1 Pope Street Floor 1 Wakefield, MA 01880	<b>INSURER C:</b> Travelers Insurance Co	
	<b>INSURER D:</b>	
	<b>INSURER E:</b>	
	<b>INSURER F:</b>	
	<b>NAIC #</b>	
	<b>19046</b>	

**COVERAGES** **CERTIFICATE NUMBER:** 2018-2019 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			6805407R826	07/22/2018	07/22/2019	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000
A	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			6805407R826	07/22/2018	07/22/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
B	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 5,000			CUP7E642032	07/22/2018	07/22/2019	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y / N If yes, describe under DESCRIPTION OF OPERATIONS below		N / A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
C	Crime			106900309	04/03/2018	04/03/2019	Computer Fraud 1,000,000 Employee Dishonesty 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

## CERTIFICATE HOLDER

## CANCELLATION

City of Spokane  
808 W Spokane Falls Blvd  
Spokane, WA 992013344

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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DETACH BEFORE POSTING



STATE OF  
WASHINGTON

Corporation

PMWEB, INC.  
PMWEB  
1 POPE ST  
WAKEFIELD, MA 01880-2179  
TAX REGISTRATION - ACTIVE

BUSINESS LICENSE

Unified Business ID #: 604090803  
Business ID #: 001  
Location: 0001  
Expires: Feb 28, 2019

CITY ENDORSEMENTS:  
SPOKANE GENERAL BUSINESS - ACTIVE

This document lists the registrations, endorsements, and licenses authorized for the business named above. By accepting this document, the licensee certifies the information on the application was complete, true, and accurate to the best of his or her knowledge, and that business will be conducted in compliance with all applicable Washington state, county, and city regulations.

*Vikki Smith*

Director, Department of Revenue

UBI: 604090803 001 0001

PMWEB, INC.  
PMWEB  
1 POPE ST  
WAKEFIELD, MA 01880-2179

FOLD HERE

TAX REGISTRATION - ACTIVE  
SPOKANE GENERAL BUSINESS -  
ACTIVE

FOLD HERE



STATE OF WASHINGTON

Expires: Feb 28, 2019

*Vikki Smith*

Director, Department of Revenue

DETACH THIS SECTION FOR YOUR WALLET

## IMPORTANT!

### PLEASE READ THE FOLLOWING INFORMATION CAREFULLY BEFORE POSTING THIS LICENSE

#### General Information

- Post this Business License in a visible location at your place of business.
- If you were issued a Business License previously, **destroy the old one and post this one in its place.**
- All endorsements should be renewed by the expiration date that appears on the front of this license to avoid any late fees that may apply.

If there is no expiration date, the endorsements remain active as long as you continue required reporting (see Endorsements).

- Login to **My DOR** at [business.wa.gov/BLS](http://business.wa.gov/BLS) if you need to make changes to your business name, location, mailing address, telephone number, or business ownership.

Telephone: 1-800-451-7985

#### Endorsements

Although tax registration, unemployment, and industrial insurance endorsements appear on your Business License, the registration with the agencies that govern these endorsements is not complete until they have established an account for your business.

Each registering agency requires you to submit periodic reports. Each agency will send you the necessary reporting forms and instructions.

#### Corporations, limited liability companies, etc.

You must submit a Business License Application **and** file with the Corporations Division of the Secretary of State before you can legally operate as a corporation, limited liability company, or other business organization type that requires registration. If you have any questions, call (360) 725-0377.

For assistance or to request this document in an alternate format, visit <http://business.wa.gov/BLS> or call 1-800-451-7985. Teletype (TTY) users may use the Washington Relay Service by calling 711.

BLS-700-107 (04/14/16)



**Agenda Sheet for City Council Meeting of:**  
01/07/2019

<b>Date Rec'd</b>	12/13/2018
<b>Clerk's File #</b>	OPR 2018-0854
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	HUMAN RESOURCES
<b>Contact Name/Phone</b>	CHRIS CAVANAUGH 6383
<b>Contact E-Mail</b>	CCAVANAUGH@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Contract Item
<b>Agenda Item Name</b>	0620 UNIVERSAL TRANSIT ACCESS PASS PROGRAM AMENDMENT

**Agenda Wording**

U-TAP Program Agreement between City of Spokane and STA.

**Summary (Background)**

The purpose of this amendment is to continue a pass program authorizing City employees use of STA services.

<b><u>Fiscal Impact</u></b>	Grant related? NO Public Works? NO	<b><u>Budget Account</u></b>
Expense	\$ 58,420.00	# 0020-88400-18900-54201
Select	\$	#
Select	\$	#
Select	\$	#
<b><u>Approvals</u></b>		<b><u>Council Notifications</u></b>
<b><u>Dept Head</u></b>	CAVANAUGH, CHRISTINE	<b><u>Study Session</u></b>
<b><u>Division Director</u></b>	CAVANAUGH, CHRISTINE	<b><u>Other</u></b>
<b><u>Finance</u></b>	MARCHAND, CRYSTAL	<b><u>Distribution List</u></b>
<b><u>Legal</u></b>	DALTON, PAT	rkokot@spokanecity.org
<b><u>For the Mayor</u></b>	SANDERS, THERESA	mlesesne@spokanecity.org
<b><u>Additional Approvals</u></b>		ccavanaugh@spokanecity.org
<b><u>Purchasing</u></b>		lwilliams@spokanecity.org
		gkinyon@spokanecity.org

## FIRST AMENDMENT TO THE CITY OF SPOKANE UNIVERSAL TRANSIT ACCESS PASS AGREEMENT

This First Amendment to the City of Spokane Universal Transit Access Pass Agreement is between the **City of Spokane** and the **Spokane Transit Authority**; jointly referred to as “Parties”.

WHEREAS, on November 27<sup>th</sup>, 2017, the Parties executed the City of Spokane Universal Transit Access Pass Agreement (“Agreement”); and

WHEREAS, Section 4 of the Agreement allows for an annual adjustment of the Direct Utility Rates and the NTE Fee for each Renewal Term.

NOW, THEREFORE, the Parties agree as follows:

The following changes shall be effective January 1<sup>st</sup>, 2019:

1. The NTE Fee for the 2019 Renewal Term of the Agreement is \$58,420.00 (fifty-eight thousand, four-hundred-twenty dollars and zero cents).
2. Exhibit A shall be deleted in its entirety and replaced with Exhibit A, 2018-19 Direct Utility Billing Rates, attached hereto.
3. Section 5.A shall be deleted in its entirety and replaced with the following:

Monthly Invoices. STA shall invoice the City by the 15<sup>th</sup> day of each month for the preceding month’s Member trips, as established by STA’s record of actual usage of the Pass issued by the City.

4. Section 21 shall be deleted in its entirety and replaced with the following:

Each Party to this Agreement understands and acknowledges that STA and the City is each a municipal corporation of the State of Washington subject to the Public Records Act, RCW 42.56 et seq.

5. Section 23, SIGNATURES, shall be retitled as “24. SIGNATURES”.

6. The following paragraph shall be added to the Agreement as Section 23:

**ELECTRONIC SIGNATURES**

A signed copy of this Agreement or any other ancillary agreement transmitted by facsimile, email or other means of electronic transmission shall be deemed to have the same legal effect as delivery of any original executed copy of this Agreement or such other ancillary agreement for all purposes.

All other terms, prices and conditions as they currently relate to this Agreement shall remain unchanged.

<b>City of Spokane</b>	<b>Spokane Transit Authority</b>
By: David Condon Title: Mayor Date: _____	By: E. Susan Meyer Title: Chief Executive Officer Date: _____
By: Terri Pfister Title: City Clerk Date: _____	Attest:  By: Jan Watson Title: Clerk of the Authority Date: _____

2018-2019 Direct Utility Billing Rates		
Route	Route Name	Direct Utility Rate (per boarding)
1	Arena Shuttle	\$ 0.87
2	Medical Shuttle	\$ 1.07
20	Spokane Falls Community College	\$ 0.97
21	West Broadway	\$ 0.87
22	NW Blvd.	\$ 0.95
23	Maple/Ash	\$ 0.78
24	Monroe	\$ 0.85
25	Division	\$ 1.13
26	Lidgerwood	\$ 1.18
27	Hillyard	\$ 1.07
28	Nevada	\$ 1.07
29	SCC	\$ 1.02
32	Trent/Montgomery	\$ 1.33
33	Wellesley	\$ 0.83
34	Freya (New Route)	\$ 0.98
39	Mission	\$ 0.96
42	South Adams	\$ 0.80
43	Lincoln/37th	\$ 0.86
44	29th Ave	\$ 0.89
45	Regal	\$ 1.02
60	Airport/Browne's Add	\$ 0.97
61	Highway 2/ Browne's Add	\$ 1.25
62	Medical Lake	\$ 1.75
66	Cheney/EWU	\$ 1.46
68	Cheney Local	\$ 0.89
74	Mirabeau/Liberty Lake	\$ 1.75
88	Special Events	\$ 1.12
90	Sprague	\$ 1.18
94	East Central	\$ 1.14
95	Mid Valley	\$ 1.12
96	Pines/Sullivan	\$ 1.13
97	South Valley	\$ 1.12
98	Liberty Lake via Sprague	\$ 1.08
124	North Express	\$ 1.41
165	Cheney Express	\$ 1.43
172	Liberty Lake Express	\$ 1.75
173	Valley Transit Center Express	\$ 1.56
P	Paratransit	\$ 2.00



# City of Spokane Universal Transit Access Program (UTAP) 2019

# CITY of SPOKANE

## RIDERSHIP HISTORY

### RIDERSHIP

Academic Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total Ridership
2012 Actual	6035	5824	5995	6158	6501	5878	5,452	6,257	5,014	5,834	5,206	4,943	69,097
2013 Actual	5,899	5,224	5,372	4,869	5,097	5,052	5,040	4,931	4,802	5,676	4,922	5,037	61,921
2014 Actual	5,597	5,093	5,281	5,374	5,241	4,885	5,173	4,747	4,915	4,834	4,138	4,816	60,094
2015 Actual	4,558	4,482	4,904	5,292	4,868	5,223	5,273	4,958	4,791	4,871	4,148	4,914	58,282
2016 Actual	4,945	4,892	5,357	5,157	5,643	5,495	4,935	5,963	5,103	5,280	4,829	5,181	62,780
2017 Actual	5,863	5,437	5,380	4,403	4,611	4,367	4,166	4,726	4,271	5,234	4,760	4,471	57,689
2018 Actual/Projected	4,972	4,046	4,479	4,186	4,645	4,752	4,300	4,700	4,300	4,900	4,700	4,500	54,490

\*2018 Actual Ridership through June; Projected August - December

- The ridership comparison from July 2016 through June 2017 and July 2017 through June 2018 is as follows:
  - July 2016 through June 2017 = 61,352
  - July 2017 through June 2018 = 54,718
- Ridership was down (12%) comparing the last 12 months with the previous 12 month period
- Ridership for the first 6 months of 2017 is down 9.8%
- Using last 12 month figures, projected 2018 ridership = 54,990

# Contract Renewal

# CITY OF SPOKANE

## Universal Transit Access

### ■ **Contract formula** **Pass Program**

- Ridership by route x Individual route utility rate = monthly bill
- Establish a “not to exceed” total cost for contract period
  - Annual ridership estimate x average utility rate = “not to exceed” cost for the contract

### ■ **Strengths**

- Reflects current ridership
- Tied to STA’s cost of providing service (still highly subsidized)
- Reflects patrons’ use of short or long trips
- Retains budget predictability for participating organizations



# City of Spokane

## Universal Transit Access

### Pass Program

#### ■ Previous Contracts

■ 2012 Contract	\$57,032
■ 2013 Contract	\$58,930
■ 2014 Contract	\$54,290
■ 2015 Contract	\$58,240
■ 2016 Contract	\$56,295
■ 2017 Contract	\$60,425
■ 2018 Contract	\$60,425

**2019 Contract (Not to Exceed ) = .9746 x 59,939 = \$58,420**

■ 2019 ridership estimate = 59,939

■ 10% increase over 2018 projected 54,990 ridership to accommodate improved services to downtown

■ Average utility rate = .9746

■ 2019 ridership estimate x calculated average utility rate = 'no greater than' contract total

# Monthly Billing

Spokane Transit Authority

Bus Pass Program 2019

Customer City of Spokane

Period January

Not to Exceed Rate

EMU Monthly Invoice

Route	Off-peak Utility Charge per Boarding	Number of Boardings	Number of Rides from 1-30	Number of Rides 50% Discount on Rides over 31*	Billing
1-Area Shuttle					\$
2-Medical Shuttle					\$
20 Spokane Falls Community College					\$
21 West Broadway					\$
22 NW Blvd					\$
23 Maple/Asht					\$
24 Morton					\$
25 Division					\$
26 Lidgerwood					\$
27 Hillview					\$
28 Wendt					\$
29 SC					\$
32 Trent/Montgomery					\$
33 Westside					\$
39 Midvale					\$
43 South Adams					\$
43 Lincoln/17th					\$
44 70th Ave					\$
45 Reg					\$
60 Airport/Brown's Ave					\$
61 Highway 2/ Brown's Ave					\$
62 Medical Lab					\$
66 Cherry/19th					\$
68 Cherry/Lock					\$
90 Sprague					\$
94 East Central					\$
96 Phelan/Sullivan					\$
97 South Valley					\$
98 South Valley					\$
124 North Express					\$
155 Cherry Express					\$
173 Valley Transit Center Express					\$
174 Liberty Lake Express					\$
Paratransit					\$
Total					\$

Individual route rates were recalculated in May for 2018/2019

- Monthly billing will reflect new rates
- Total of monthly billings will not be greater than 'Not to Exceed' ceiling

Total Monthly Bill

\$0.00



**Agenda Sheet for City Council Meeting of:**  
01/07/2019

<b>Date Rec'd</b>	12/26/2018
<b>Clerk's File #</b>	OPR 2018-0855
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	MAYOR
<b>Contact Name/Phone</b>	RICK ROMERO 6361
<b>Contact E-Mail</b>	RROMERO
<b>Agenda Item Type</b>	Contract Item
<b>Agenda Item Name</b>	INTERLOCAL AGREEMENT FOR DEVELOPMENT OF SPORTSPLEX

**Agenda Wording**

Interlocal Agreement between Spokane Public Facilities District, the City of Spokane, and the City of Spokane Park Board for the Construction of an indoor sports facility.

**Summary (Background)**

The Spokane Public Facilities District, the City of Spokane and City of Spokane Park Board desire to enter into an Interlocal Agreement to provide for the District's acquisition, development, construction and operation of a multi-purpose indoor sports facility for athletic and recreational events with seating for spectators, known as the "SportsPlex."

<b><u>Fiscal Impact</u></b>	Grant related? NO Public Works? NO	<b><u>Budget Account</u></b>
Expense \$ \$5,000,000.00		# 1610-49854-58700-54201
Select \$		#
Select \$		#
Select \$		#
<b><u>Approvals</u></b>		<b><u>Council Notifications</u></b>
<b><u>Dept Head</u></b>	SANDERS, THERESA	<b><u>Study Session</u></b>
<b><u>Division Director</u></b>	SANDERS, THERESA	<b><u>Other</u></b> 1/7/2019
<b><u>Finance</u></b>	MARCHAND, CRYSTAL	<b><u>Distribution List</u></b>
<b><u>Legal</u></b>	DALTON, PAT	RROMERO@SPOKANECITY.ORG
<b><u>For the Mayor</u></b>	SANDERS, THERESA	JRICHMAN@SPOKANECITY.ORG
<b><u>Additional Approvals</u></b>		leadie@SPOKANECITY.ORG
<b><u>Purchasing</u></b>		

## INTERLOCAL COOPERATION AGREEMENT FOR DEVELOPMENT OF SPORTSPLEX

THIS INTERLOCAL COOPERATION AGREEMENT is made Effective Date (defined herein), by and between the SPOKANE PUBLIC FACILITIES DISTRICT, a municipal corporation (“**District**”), the CITY OF SPOKANE, WASHINGTON, a first-class charter city (the “**City**”), and the City of Spokane Park Board (“**Park Board**”), hereinafter collectively referred to as the “**Parties**.”

### RECITALS

- A. Washington’s legislature permits the creation of public facilities districts through Chapter 36.100 RCW to carry out certain objectives of local municipalities, including acquisition, construction, ownership, remodeling, maintenance, repair and operation of sports, entertainment, and convention facilities, together with contiguous parking facilities.
- B. Consistent with the legislature’s authorization, the City and County of Spokane created the District to carry out certain City and County objectives, including establishment of a concentrated development and management structure for the region’s sports, convention and entertainment facilities that benefits City and Spokane County residents, businesses and visitors.
- C. After authorization by the Spokane County electors, the District in September 1995 completed the development and construction of the Spokane Veterans Memorial Arena, which provides a venue for basketball, ice hockey, volleyball and other sports and entertainment events.
- D. On July 14, 2003, the Spokane City Council approved Resolution 03-74 and Resolution 03-75 which provided for the intergovernmental transfer of the Spokane Convention Center, Spokane Opera House, Washington State Agricultural Trade Center and Spokane Center Parking Lots to establish the partnership between the City and the District for the purpose of renovating, expanding, operating and managing the Spokane Convention Center to include constructing capital improvements to the existing facilities.
- E. The District has subsequently completed two expansions to the Convention Center, facilitated the development of a public parking garage adjacent to the Convention Center Facilities and engaged in other public facility developments.
- F. Chapter 39.34 RCW authorizes the District and the City to enter into agreements for joint or cooperative action to exercise any power or powers, privileges, or authority exercised or capable of exercise by either the District or the City.
- G. Chapter 35.59 RCW authorizes the City, either individually or jointly with any other municipality such as the District, to acquire and to construct, install, add to, improve, replace, repair, maintain, operate and regulate the use of sports and recreation facilities located within the City, and to pay for any investigations and any engineering, planning, financial, legal and professional services incident to the development and operation of



such multi-purposes community centers, and further authorizes the City to appropriate and/or expend any public moneys available for carrying out such purposes.

- H. Chapter 67.28 RCW authorizes the City and Park Board to convey or lease any lands, properties or facilities to any other municipality for the development by such other municipality of tourism-related facilities, or to participate in the financing of all or any part of the public facilities on such terms as may be fixed by agreement between the respective legislative bodies.
- I. The District, the City and Park Board desire to enter into this Agreement to provide for the District's acquisition, development, construction and operation of a multi-purpose indoor sports facility for athletic and recreational events with seating for spectators, known as the "**SportsPlex**."
- J. The District, the City and Park Board each hereby find and determine that this Agreement is mutually fair and advantageous to the District, the City, and Park Board.

***NOW, THEREFORE***, in consideration of the foregoing, and the mutual covenants contained herein, the Parties agree as follows:

- 1. **DEFINITIONS** As used in this Agreement, the following terms have the meanings provided in this Section:

**1.1 Acquisition Costs** shall mean any and all costs to acquire Additional Sportsplex Property, whether or not such costs arise out of the activities of the City and/or its officers, agents, and/or employees. Without limiting the generality of the foregoing, such costs may include: (a) amounts payable as an option and/or purchase price to the seller(s) of Additional Sportsplex Property, including attorneys' fees and costs, if any, which are either due or payable as part of any settlement relating to voluntary acquisition of Additional Sportsplex Property; (b) amounts awarded by a court/jury to the owner(s) of Additional Sportsplex Property as just compensation following trial, including any attorneys' fees and costs awarded by the court to the owner(s) and/or their attorneys; (c) amounts paid to the owner(s) of Additional Sportsplex Property and/or their attorneys as attorneys' fees and costs upon discontinuance and/or abandonment of efforts to acquire Additional SportsPlex Property by eminent domain; (d) any relocation assistance paid to such owner(s) or seller(s), whether or not required under Chapter 8.26 RCW; (e) costs of necessary appraisals and title insurance to acquire Additional Sportsplex Property; (f) environmental compliance services, demolition, and site preparation costs; (g) amounts payable as a result of any claim against the City that a property owner suffered damages or that such owner's property was inversely condemned as a result of any pre-condemnation; and (h) legal and other professional costs and fees incurred by the City to acquire Additional SportsPlex Property as provided in Section below.

**1.2 Additional SportsPlex Property** means any real property to be acquired by the City of Spokane and the District which is necessary and reasonable to develop the SportsPlex.

**1.3 Agreement** means this Interlocal Cooperation Agreement.

1.4 **Effective Date** means [ \_\_\_\_\_ ], 2018.

1.5 **Permits** mean all licenses, permits, approvals, waivers, and consents applicable to the Property, issued by any governmental authority.

1.6 **SportsPlex Property** means real property owned or acquired by the District or the City (and Park Board) upon which the SportsPlex will be located.

1.7 **Sportsplex** means a facility which shall consist of a field house to generate sports tourism through use by the general public that will include basketball, volleyball, indoor track and other court sports with associated meeting rooms, locker rooms, rest rooms, public areas, office space, concession areas and may include an ice house.

1.8 **Title Company** means a Title Insurance Company located in Spokane.

1.9 **Title Policy** means a policy of title insurance, insuring title to the fee and leasehold interests in the SportsPlex Property in an amount agreed to by the Parties.

1.10 **Title Report** means a preliminary commitment for a Leasehold Title Policy, issued by the Title Company.

2. **PURPOSES.** The purposes of this Agreement are to set forth certain agreements between the City, the Park Board and the District relating to the SportsPlex including: (a) the lease and acquisition of real property and (b) its financing, development, operation and management.

### 3. **THE SPORTSPLEX.**

3.1 **Lease and Acquisition of SportsPlex Property.** Within sixty (60) days of the Effective Date or as otherwise agreed, the Park Board shall lease the real property described on Exhibit A, attached hereto ("**SportsPlex Property**"), "AS IS", to the District for purposes consistent with this Agreement ("**Lease Agreement**"). It is understood that "**Additional Sportsplex Property**" may be necessary to develop and operate the Sportsplex. In consideration for matters set forth in this Agreement, the annual rent for the lease shall be one dollar (\$1.00) per year for thirty (30) years with an automatic renewal for an additional thirty (30) years upon the same terms, unless agreed otherwise. The Parties shall agree upon the form and content of the lease agreement for the SportsPlex to include the Additional SportsPlex Property.

3.1.1 **Identification and Acquisition.** The City shall cooperate with the District and its consultants to identify Additional Sportsplex Property reasonable and necessary to develop, construct, operate and maintain the SportsPlex. Thereafter, the City and the District shall exercise best efforts to acquire such real property, consistent with the terms of this Agreement and shall lease the same to the District.

3.1.2 **Property Purchase.** The City and the District have identified Additional SportsPlex Property which is legally described on Exhibit B and depicted on

Exhibit B-1 as reasonably necessary to develop, construct and operate the Sportsplex in accordance with design documents developed by consultants to the District. To acquire the Property the form and content of the Real Estate Purchase and Sale Agreement (REPSA) shall be agreed to by the District and the City and thereafter submitted to the owner of property described on Exhibit B, attached hereto. Upon acceptance of the REPSA by the property owner and the Parties the closing of the property purchase shall proceed as set forth in the REPSA. The City and the District have agreed to share in the cost of the real property acquisition as set forth in Sections 3.4.2.1 and Section 3.4.3.1 herein.

**3.1.3 Title Insurance.** Within ten (10) days from the Effective Date or as mutually agreed, the City shall provide the District with a Title Report for review and comment. Ten (10) days after receipt of the title report, the District shall provide the City with its written objections to the title report whereupon the Parties shall meet and confer in order to resolve such objections. In the event the Parties are unable to resolve the District's title objections within a reasonable period of time, the District may postpone placing its signature upon the Lease Agreement until such matters are addressed to the reasonable satisfaction of the District. Following execution of the Lease Agreement by the Parties, the City, at its sole cost and expense, shall provide the District with a Title Policy from a Title Company.

**3.2 Design and Development.** The District shall, at its sole cost and expense, design and construct the Sportsplex. To facilitate such design and construction, the District shall obtain, manage, and coordinate the conceptual design work for the SportsPlex and periodically provide updates to the City Executive Team (a group to be designated by the City). The site design shall include pedestrian connections from the SportsPlex Property to Riverfront Park and shall conform to reasonable standards established by the City Park Board in a manner consistent with the redevelopment of Riverfront Park. Parks staff will participate in the design development discussions and meetings through the design-build validation period.

The District and the City acknowledge, pursuant to the Letter of Understanding between the Parties dated January 11, 2018, the design of the SportsPlex shall include keeping the Executive Team informed on matters that are of mutual interest to the Parties.

**3.2.1 Design-Build Procedure.** The District, for the purpose of designing and constructing the SportsPlex shall use the design-build procedure set forth in RCW 39.10.300 - .330 ("**D-B Procurement Procedure**") to include making application and seeking approval from the State of Washington Project Review Committee. The District shall be responsible for managing the design, permitting and construction of the SportsPlex.

Following approval by the Project Review Committee the District through the D-B Procurement Procedure shall enter into a contract with a Design-Builder (consisting of a design professional and general contractor). Such process shall

provide that the Design-Builder shall provide the District with a Guaranteed Maximum Price for construction of the Sportsplex.

The District shall pay the costs and expenses incurred in connection with the design and construction of the SportsPlex including costs of site preparation, labor, materials, supplies, and equipment, costs of obtaining required governmental approvals, as well as the District's legal, architectural, engineering, and other professional costs associated with the design and construction of the SportsPlex.

### **3.2.2 Site Preparation and Environmental Covenants and Indemnification.**

The City agrees to reimburse the District for site preparation costs relating directly to demolition and environmental remediation on the SportsPlex Property in an amount not to exceed Eight Hundred Thousand 00/100 Dollars (\$800,000.00). Should site preparation or land acquisition issues arise that are not contemplated by the terms of this Agreement, the Parties agree to enter into an addendum to this Agreement, using the language and concepts in the Letter of Understanding.

With respect to any Hazardous Materials discovered on, under, or in the SportsPlex Property, whether or not relating to actions of the City, its agents or consultants, as between the District and the City, District (a) will be responsible for all investigations, studies, cleanup, corrective action, removal or remedial action required by any authority, or by any consent decree or court or administrative order now or hereafter applicable to the SportsPlex Property, or by any applicable laws and environmental laws; (b) will pay all costs in connection with any such investigations, studies, cleanup, corrective action, removal or remedial action, including, without limitation, all remedial costs, installation, operation, maintenance, testing, and monitoring costs, preparation of plans, designs, applications, studies, or reports to appropriate government bodies, and retention of legal counsel, engineers, and other expert consultants; and (c) will have the right to manage and control all such investigations and any such environmental cleanup, remediation, or related activities, including the exclusive right to negotiate with and to settle, contest, or otherwise fulfill any requirements or claims made by any government body related to such Hazardous Materials. With respect to any such Hazardous Materials, the District agrees to indemnify, defend by counsel reasonably acceptable to the City, and hold the City harmless from any and all (i) claims arising from such Hazardous Materials, (ii) damages resulting from failure to comply with applicable environmental laws, and (iii) any other damages imposed pursuant to applicable Environmental Laws. The District further agrees to indemnify, defend by counsel reasonably acceptable to the City, and hold the City harmless from any and all claims or damages arising from or relating to the generation, transportation, storage, treatment, or disposal of Hazardous Materials sent or caused to be sent by the District from the SportsPlex Property to any other site that is or becomes the subject of any claim or any pending or threatened litigation or administrative proceeding with any government body or third party. The foregoing covenants shall survive closing.

For purposes of this Agreement, Hazardous Materials means explosives, radioactive materials, asbestos and asbestos-containing materials, urea formaldehyde, PCBs, hydrocarbon contaminants, pentachlorophenol, pollutants, contaminants, hazardous, corrosive, or toxic substances, or special waste or substance of any kind, the use, storage, manufacture, disposal, treatment, generation, transport, or release into the environment, or remediation of which is prohibited, controlled, regulated, or licensed under Federal, State, and local environmental laws and regulations.

**3.3 Final Decision Authority.** Although the City may consult and assist the District with the acquisition of Additional SportsPlex Property, if any such property needs to be acquired, subject to the provisions herein, the District shall retain final responsibility for and decision making authority and discretion regarding design and construction of the SportsPlex.

**3.4 Financing.**

**3.4.1 Spokane County.** Pursuant to Joint Resolution adopted by the Board of County Commissioners of Spokane County, Washington, and the Board of Directors of the Spokane Public Facilities District ("**Joint Resolution**") (attached hereto as Exhibit D), Spokane County has agreed to issue County bonds in the amount of up to \$25,000,000.00 plus issuance costs for the purpose of constructing the SportsPlex.

**3.4.2 Spokane Public Facilities District.** Pursuant to the Joint Resolution, the District agrees to pledge, subject to other outstanding priority debt, its sales/use tax and lodging tax revenues to pay the County Bonds identified in Section 3.4.1 above and to offset any operating losses of the SportsPlex using City Lodging Tax pledged to this purpose by the District's Lodging Tax Allocation Committee. Beginning in the sixth (6<sup>th</sup>) year of operation for the SportsPlex, any net profits (defined as operating revenue less operating expenses) from the SportsPlex, excluding any contribution of lodging tax and other legally available funds contributed to the SportsPlex pursuant to this Agreement shall be distributed as follows: 80% to the District and 20% to the City of Spokane Park Department.

**3.4.2.1 District Contribution.** The District shall make available a total amount of \$1,100,000.00 for the purpose of acquiring Additional SportsPlex Property.

**3.4.3 City of Spokane Contribution.** Within thirty (30) days of establishing the Guaranteed Maximum Price under the Design-Build Agreement, the City of Spokane, for the purpose of financing a portion of the SportsPlex Project, shall pay the District the amount of \$5,000,000.

**3.4.3.1 City Contribution.** In addition to the above, at closing, the City shall contribute the amount of \$1,100,000.00 for the purpose of

participating in the acquisition of Additional Sportsplex Property as set forth on Exhibit B, attached hereto.

**3.4.4 Matching Contributions.** The City and the District shall each advance \$300,000.00 toward the costs for design services and expenses associated with the D-B Procurement Procedure, as well as design costs through the validation period established pursuant to the contract between the Design-Builder and the District. The contributions of the City and the District shall be lump sum payments with any remainder used to fund construction and other development costs set forth herein. The City's advance shall be paid within thirty (30) days of Project Review Committee's approval of the SportsPlex. The City's advance shall be a part of the City's contribution identified in **3.4.3**.

#### **4. USE, OPERATION, ETC., OF SPORTSPLEX.**

**4.1 Control; Compliance with Laws.** The District shall have sole control and discretion regarding the use, licensing, naming rights, operation and management of the SportsPlex including all policy and procedures regarding the above.

**4.1.1 Sports Commission.** The District shall engage the Spokane Sports Commission to provide personnel and resources to market, license and program use of the SportsPlex to include forming a committee comprised of representatives from the District, Parks and the Sports Commission ("**Joint Committee**"). The Joint Committee shall develop a "Joint Use Agreement" that will provide for use and occupancy of the SportsPlex for certain purposes, events, and activities that benefit the Parties and serve the best interest of the public. The Joint Use Agreement is intended to establish the means and methods to promote large tournament style events (and may include team ice use) in the SportsPlex. The Joint Committee shall meet within sixty (60) days of the Effective Date. All parties agree on finalizing the Joint Use Agreement by June 2019.

**4.2 City Parks Department's Use of SportsPlex.** The City Parks Department shall have the following rights, exercisable upon reasonable notice, subject to this Agreement: the right to use the SportsPlex for its intended purposes, Monday –Thursday, except as needed for event conversions or sports tourism events, with any scheduling conflicts determined solely by the District CEO or designee consistent with the goals and arrangements set forth in the Joint Use Agreement. The City and the Parks Department shall not have the right under this section to use the SportsPlex for (1) commercial purposes, that is, to provide use of the facilities to a third party that otherwise would be obligated to compensate the District for such use, or (2) political purposes, that is, to promote a candidate for elective public office, or to campaign for or against an issue that is the subject of a public vote. The City Parks Department shall reimburse the District's for conversion costs and any event-specific security expenses that exceed normal operations, but shall not be charged rent for use of the SportsPlex. To memorialize the matters set forth herein and other reasonable terms for use and occupancy of the Sportsplex , the Parties shall enter into a mutually agreed use agreement consistent with the foregoing.

**4.3 Public Use and Access to Sportsplex.** The SportsPlex shall be a community focal point for residents and visitors alike, offering a place for sports, recreation, education, and celebration. The District acknowledges that public use and access is part of the consideration for the City's commitments under this Agreement.

5. **INSURANCE.** During the District's operation of the SportsPlex, the District shall maintain the insurance policies described on Exhibit E and shall name the City as an additional insured on such policies. The District reserves the right to amend insurance provisions that the District determines are commercially reasonable.
6. **INDEMNIFICATION OBLIGATION.** District shall defend, indemnify and hold City, and its officers, directors, employees, agents and contractors including successors and assigns of each of the foregoing (collectively, the "**Indemnitees**") harmless against and from any and all claims, costs, damages or expenses arising from or caused by the acts and omissions associated with the construction, management and operation of the Sportsplex and Sportsplex Property, including, without limitation, any and all claims arising from: (a) any breach or default on the part of District of any covenant or agreement on its part to be performed pursuant to the terms of this Agreement; and (b) any act of negligence or willful misconduct of District, or its officers, directors, employees, agents and contractors including successors and assigns.

Except as provided in Section 3.2.2 above, the City shall defend, indemnify and hold the District, and its Indemnitees harmless against and from any and all claims, costs, damages or expenses arising from or caused by acts or omissions of City, including, without limitation, any and all claims arising from: (a) any breach or default on the part of City, its officers, agents, employees and contractors including successors and assigns in performance of any covenant or agreement on its part to be performed pursuant to the terms of this Agreement; and (b) any act of negligence or willful misconduct of City, or its officers, directors, employees, agents and contractors.

Such indemnity shall include any and all costs, attorney fees, expenses, and liabilities incurred in or about any such claim, action, or proceeding brought thereon, and if any action or proceeding be brought against any Indemnitees by reason of any such claim. Each of the parties hereto shall defend against such action or proceeding, unless such action or proceeding is defended by counsel for any carrier of public liability insurance provided herein. Nothing in this Section shall require: (i) District to indemnify or defend City from or against City's own negligent acts or omissions and (ii) City to indemnify or defend District from or against District's own negligent acts or omissions.

**6.1 Limitation on Indemnification.** If and to the extent this Agreement is a contract or agreement subject to Revised Code of Washington ("**RCW**") Section 4.24.115 as in effect on the date of this Agreement, all provisions of this Agreement pursuant to which a party hereto agrees to indemnify Indemnitees against liability for damages arising out of bodily injury to persons or damage to property ("**Damages**") in connection with the construction, alteration, repair, addition to, subtraction from, improvement to or maintenance of any improvement hereunder ("**Indemnitees**") will be limited by the provisions of this section. None of such Indemnities will apply to Damages caused by or

resulting from the sole negligence of the indemnitee, its agents or employees. To the extent that any such Damages are caused or result from the concurrent negligence of (a) the indemnitee or its agents or employees and (b) the indemnitor or its agents or employees, the Indemnities will apply only to the extent of the indemnitor's negligence. If RCW 4.24.115 is hereafter amended to eliminate or modify the limitations on indemnities set forth therein, this section will automatically and without further act by either Party be deemed amended to remove any of the limitations contained in this section that are no longer required by then-applicable law. The Parties have specifically negotiated the waiver of and hereby specifically waive any provisions of any industrial insurance act, including Title 51 of the RCW, or any other employee benefit act which might otherwise operate to release or immunize either party from its obligations hereunder.

**7. ADDITIONAL COVENANTS.** The City and the District agree and covenant as follows:

**7.1 Cooperation; Efforts.** The City and the District will each use reasonable efforts to take all action and do all things necessary, proper, or advisable in order to consummate and make effective the transactions contemplated in this Agreement.

**7.2 Covenant to Complete and Operate the SportsPlex** . The District shall promptly design and complete the SportsPlex and shall take all reasonable actions necessary to maintain or cause to be maintained in good repair, working order and condition the Sportsplex. The District pursuant to its reasonable discretion, from time to time, shall make or cause to be made all needed or appropriate repairs, renewals, replacements, additions, betterments and improvements thereto, in a good and workmanlike manner, so that the use of the Sportsplex may be properly and legally conducted.

The District shall not be in default of its obligations under this Section if the prompt completion of the SportsPlex is hindered, delayed, or prevented as a result of fire, explosion, flood, war, accident, interruption, delay in transportation, labor trouble, inability to maintain materials and supplies, unanticipated government regulations, acts of God, or any other causes of like or different character beyond the District's control.

If, during the course of developing the SportsPlex, the Parties discover there are additional or unforeseeable costs associated with the SportsPlex, the Parties shall meet and confer in order to reasonably allocate the unforeseeable costs. It is generally understood that the City and Park Board will assume responsibility for costs associated with delivering the site to the District for development. Thereafter, the District is responsible for designing, constructing and operating the SportsPlex.

**8. TERMINATION.**

**8.1 Termination by Mutual Consent.** This Agreement may be terminated by the mutual written consent of the City or Park Board and the District.



**8.2 Effect of Termination.** If this Agreement terminates pursuant to this Section, all rights and obligations of the City, the Park Board and District shall terminate without liability of one party to the other.

9. **EVENTS OF DEFAULT.** It shall be an “**Event of Default**” under this Agreement if any party fails to perform, observe or comply with any covenants, term or conditions contained in this Agreement, and such default continues for a period of thirty (30) days after written notice of such failure. Following written notice, if a default is not reasonably susceptible of cure within the applicable cure period provided above, but the defaulting party commences to cure such default within the applicable cure period and thereafter completes such cure within fifteen (15) days of commencing the cure, such default shall not become an Event of Default.
10. **REMEDIES.** Upon the occurrence and continuance of any Event of Default, the non-defaulting party’s exclusive remedies shall be: (a) perform any and all work necessary to complete, secure and/or protect its property; (d) specifically enforce the defaulting Party’s unperformed obligations; and/or seek legal and equitable remedies.

11. **MISCELLANEOUS.**

**11.1 Additional Documents.** Each party hereby agrees, upon the request of any other party, to execute any additional documents reasonably required to effectuate the purposes of the transactions contemplated herein.

**11.2 Amendments.** This Agreement may not be modified or amended, except by a written document executed by both the District and the City.

**11.3 Applicable Law.** This Agreement and the rights of the parties hereunder shall be governed by the laws of the State of Washington.

**11.4 Dispute Resolution.** All disputes arising out of this Agreement shall be determined by the Superior Court of the State of Washington, with venue located in Spokane County, Washington. The substantially prevailing party in any litigation shall be entitled to recover from the substantially nonprevailing party its reasonable attorney fees and costs as determined by the court.

**11.5 Counterparts.** This Agreement may be executed in any number of separate counterparts, all of which taken together shall be deemed one original instrument, notwithstanding that all parties are not signatory to the same counterpart.

**11.6 Entire Agreement.** This Agreement, including all Attachments, contains the entire agreement between the parties with respect to the subject matter hereof, and supercedes all prior understandings, agreements, or representations by or between the parties, written or oral, to the extent they relate in any way to the subject matter hereof.

**11.7 Filing.** Pursuant to RCW 39.34.040 this Agreement shall be placed on the District's and City's website or other electronically retrievable public source. In lieu of

posting on public agency's website, the Agreement may be filed with the Spokane County Auditor.

**11.8 No Third-Party Beneficiaries.** This Agreement shall not confer any rights or remedies upon any person other than the City and the District and their respective successors and permitted assigns.

**11.9 No Waiver** . The failure to enforce or the delay in enforcement of any provision of this Agreement by a party hereto, or the failure of a party to exercise any right hereunder, shall not be construed to be a waiver of such provision or right (or of any other provision or right hereof, whether of a similar or dissimilar nature) unless such party expressly waives such provision or right in writing.

**11.10 Notices.** Any notice required or authorized under this Agreement shall be in writing and shall be delivered personally or by certified mail at the following addresses or at such addresses as a party shall have designated to the other party in accordance with this Section. Alternatively, any such notice may be sent by email provided proof of delivery and receipt is made available upon request. Notice sent by email shall be deemed to be received by a party when dispatched to said party at the email address provided below. A failure to provide proof of delivery by email, shall be deemed a failure to deliver proper notice.

If to the District:                      Spokane Public Facilities District  
ATTN: Stephanie Curran, CEO  
720 West Mallon Avenue  
Spokane, WA 99201  
Phone: (509) 279-7002  
Email:

If to the City:                              Office of the Mayor  
ATTN: David Condon, Mayor  
W. 808 Spokane Falls Blvd.  
Spokane, WA 99201  
Phone: (509) \_\_\_\_\_  
Email:

Copy to:                                      Office of the City Attorney  
W. 808 Spokane Falls Blvd.  
Spokane, WA 99201  
Fax: (509) 625-6277  
Email:

If to Parks Department:              Attn: Leroy Eadie, Director of Parks and Recreation  
5<sup>th</sup> Floor City Hall  
808 W Spokane Falls Blvd.

Spokane, WA 99201  
Email:

**11.11 Successors and Assigns.** This Agreement and each and every provision hereof shall be binding upon and shall inure to the benefit of each party hereto, and each and every of their respective successors and permitted assigns. No party's right or obligations under this Agreement may be assigned or otherwise transferred without the prior written consent of the other party.

**11.12 Relationship of Parties.** This Agreement contemplates a joint venture of the City and the District, undertaken for the public purpose of preserving the region's role in the convention and tourism industry, as authorized under Chapter 36.100 and 67.28 RCW. In the performance of this Agreement, the Parties, and their respective officers, employees, agents, or subcontractors shall not be considered employees or agents of the other party.

**11.13 Severability.** In the event of a determination by any court of competent jurisdiction that a portion of this Agreement is invalid or unenforceable, such portion shall be deemed modified or eliminated in accordance with the court's order and the remaining portions of this Agreement shall nonetheless be enforced; provided, however, that if the court deems any restriction on the disclosure of information to be unenforceable, such restriction shall be modified by the court only to the extent required to make such restriction reasonable and enforceable.

**11.14 Separate Legal Entity.** This Agreement does not create or seek to create a separate legal entity pursuant to RCW 39.34.030.

**11.15 Confidential Information.** The Parties acknowledge that they, with the support of counsel, architects, appraisers, and other consultants, are engaging in a cooperative venture for their joint benefit. In furtherance of this cooperative venture and the Parties' common interests in obtaining SportsPlex Property, the Parties and their respective legal counsel agree to share information relating to such efforts. Such exchanges and disclosures will be for the exclusive purpose of facilitating the Parties' common interests in the acquisition of SportsPlex Property and will not diminish in any way the confidentiality of the materials exchanged, nor will this exchange constitute a waiver of any of the Parties' attorney-client or work product privileges. To the extent allowed by law, and consistent with the Parties' respective obligations under the Public Records Act, Chapter 42.17 RCW, the District and the City each agree to preserve and protect the confidentiality of all financial, valuation, and other proprietary information that they may obtain, and to create and preserve any applicable attorney/client and litigation work product privileges, and public record disclosure exemptions, in compliance with applicable State law.

IN WITNESS WHEREOF, the parties have executed this Agreement, effective as of the Effective Date.

CITY OF SPOKANE

By: \_\_\_\_\_  
Mayor David Condon

Attest: \_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Assistant City Attorney

CITY OF SPOKANE PARK BOARD

By: \_\_\_\_\_

SPOKANE PUBLIC FACILITIES DISTRICT

By: \_\_\_\_\_  
Nathaniel Greene, Chair of the Board

Attest:

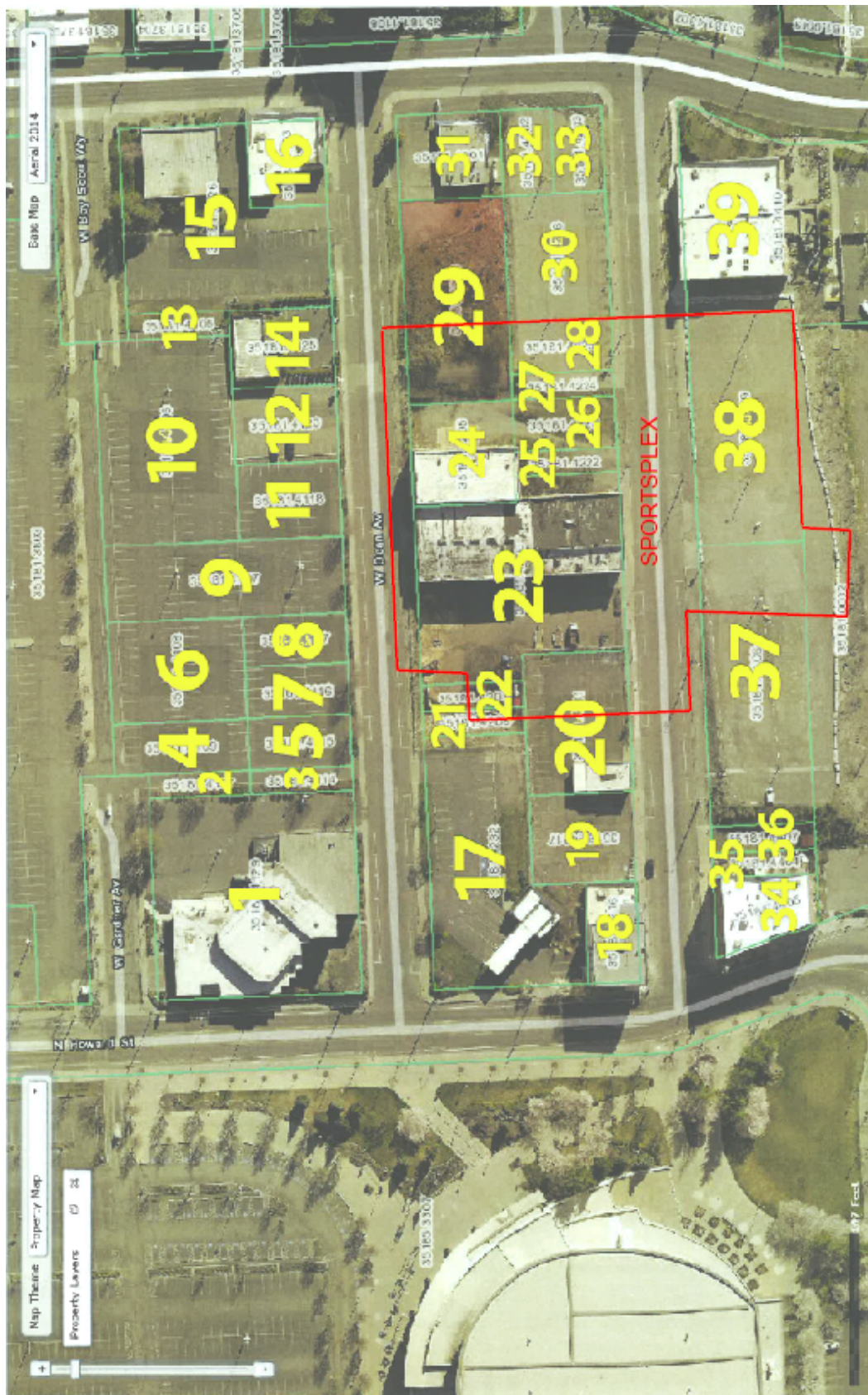
\_\_\_\_\_  
Brianna Scott, Clerk of the Board  
Approved:

\_\_\_\_\_  
Stanley M. Schwartz, General Counsel

# EXHIBIT A

## SportsPlex Property

Address	Parcel	Owner	Land size sf	Land	Improvement	Total	Mailing Address			
1 1020 N Howard	35181.4129	Spokane Civic Theatre	35,730	\$ 321,570	\$ 964,800	\$ 1,286,370	1020 N Howard	Spokane	WA	99201
2 523 W Gardner	35181.4127	PFD	2,500	\$ 20,000	\$ 3,800	\$ 23,800				
3 522 W Dean	35181.4114	PFD	2,500	\$ 20,000	\$ 3,800	\$ 23,800				
4 521 W Gardner	35181.4109	PFD	5,000	\$ 40,000	\$ 7,400	\$ 47,400				
5 518 W Dean	35181.4115	PFD	5,000	\$ 40,000	\$ 7,400	\$ 47,400				
6 540 W Dean	35181.4108	PFD	10,000	\$ 80,000	\$ 22,300	\$ 102,300				
7 512 W Dean	35181.4116	PFD	5,000	\$ 40,000	\$ 7,400	\$ 47,400				
8 502 W Dean	35181.4117	PFD	5,000	\$ 40,000	\$ 7,400	\$ 47,400				
9 501 W Gardner	35181.4107	PFD	15,000	\$ 120,000	\$ 23,600	\$ 143,600				
10 431 W Gardner	35181.4106	PFD	20,000	\$ 160,000	\$ 31,500	\$ 191,500				
11 442 W Dean	35181.4118	PFD	7,500	\$ 60,000	\$ 11,200	\$ 71,200				
12 432 W Dean	35181.4123	Diamond Parking	7,500	\$ 60,000	\$ 10,500	\$ 70,500	605 First Ave Ste. 600	Seattle	WA	98104
13 421 W Gardner	35181.4105	Boy Scouts of America	2,500	\$ 20,000	\$ -	\$ 20,000	1017 N Washington St	Spokane	WA	99201
14 420 W Dean	35181.4125	North Park Building LLC	7,500	\$ 60,000	\$ 242,100	\$ 302,100	2430 S Helena Ct	Spokane	WA	99203
15 1017 N Washington	35181.4126	Boy Scouts of America	30,294	\$ 302,940	\$ 319,200	\$ 622,140	1017 N Washington St	Spokane	WA	99201
16 1009 N Washington	35181.4103	Muriel Bach Diamond Te	6,176	\$ 61,750	\$ 338,900	\$ 400,660	605 First Ave Ste. 600	Seattle	WA	98104
17 930 N Howard	35181.4232	Spo Fed CU	29,775	\$ 267,980	\$ 150,500	\$ 414,480	PO Box 2519	Spokane	WA	99220
18 920 N Howard	35181.4216	Future Vision Properties	4,925	\$ 44,330	\$ 1,000,400	\$ 1,044,730	540 W Cataldo	Spokane	WA	99201
19 532 W Cataldo	35181.4217	Park Center Bldg LLC	8,750	\$ 70,000	\$ 12,200	\$ 82,200	12906 N Addison	Spokane	WA	99218
20 522 W Cataldo	35181.4231	Spo Fed CU	13,750	\$ 110,000	\$ 66,400	\$ 176,400	PO Box 2519	Spokane	WA	99220
21 487 W Dean	35181.4208	City of Spokane	2,500	\$ 20,000	\$ -	\$ 20,000				
22 483 W Dean	35181.4207	City of Spokane	2,500	\$ 20,000	\$ -	\$ 20,000				
23 444 W Cataldo	35181.4206	City of Spokane	35,000	\$ 280,000	\$ 154,300	\$ 434,300				
24 433 W Dean	35181.4205	GW Investments LLC	10,000	\$ 80,000	\$ 229,500	\$ 309,500	12014 E Maxwell	Spokane	WA	99206
25 436 W Cataldo	35181.4222	GW Investments LLC	2,500	\$ 20,000	\$ -	\$ 20,000				
26 422 W Cataldo	35181.4223	GW Investments LLC	5,000	\$ 40,000	\$ -	\$ 40,000				
27 426 W Cataldo	35181.4224	City of Spokane	2,500	\$ 20,000	\$ -	\$ 20,000				
28 432 W Cataldo	35181.4225	City of Spokane	5,000	\$ 40,000	\$ 6,600	\$ 46,600				
29 431 W Dean	35181.4204	City of Spokane	20,000	\$ 120,000	\$ -	\$ 120,000				
30 418 W Cataldo	35181.4226	City of Spokane	12,500	\$ 100,000	\$ 6,500	\$ 106,500				
31 933 N Washington	35181.4201	Hunter, Brian & Gail	8,235	\$ 82,350	\$ 126,800	\$ 209,150	933 N Washington	Spokane	WA	99201
32 923 N Washington	35181.4202	City of Spokane	4,117	\$ 41,170	\$ 5,600	\$ 46,770				
33 921 N Washington	35181.4203	City of Spokane	4,117	\$ 41,170	\$ 5,600	\$ 46,770				
34 908 N Howard	35181.4405	Park Center Bldg LLC	6,281	\$ 56,530	\$ 1,845,300	\$ 1,901,830				
35 531 W Cataldo	35181.4404	Park Center Bldg LLC	2,500	\$ 22,500	\$ 10,200	\$ 32,700				
36 527 W Cataldo	35181.4407	Park Center Bldg LLC	2,500	\$ 20,000	\$ 9,500	\$ 29,500				
37 507 W Cataldo	35181.4406	City of Spokane	27,500	\$ 302,500	\$ 8,500	\$ 311,000				
38 427 W Cataldo	35181.4409	City of Spokane	22,500	\$ 225,000	\$ 243,600	\$ 468,600				
39 411 W Cataldo	35181.4410	Huckleberry Bay Co	56,532	\$ 508,790	\$ 1,874,900	\$ 2,383,690	818 W Riverside Ste 300	Spokane	WA	99201



**EXHIBIT B**

Legal Description for Additional SportsPlex Property

Lots 17 to 20, Block 6, KEYSTONE ADD.

Spokane County Tax Parcel No.: 35181.4205

Lot 60, Block 6, KEYSTONE ADD.

Spokane County Tax Parcel No.: 35181.4223

[and]

Lots 61 & 62, Block 6, KEYSTONE ADD.

Spokane County Tax Parcel No.: 35181.4222

**EXHIBIT B-1**

Depiction of Additional SportsPlex Property





**EXHIBIT C**

Property subject to demolition and environmental remediation.

1.      Carnation Building, Spokane County Assessor Parcel No. \_\_\_\_\_.
2.      Dance Studio, Spokane County Assessor Parcel No. \_\_\_\_\_.

## **EXHIBIT D**

Joint Resolution between Spokane County and the Public Facilities District

**EXHIBIT E**  
Insurance Requirements



**Agenda Sheet for City Council Meeting of:**  
01/07/2019

<b>Date Rec'd</b>	12/11/2018
<b>Clerk's File #</b>	RES 2018-0112
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	
<b>Submitting Dept</b>	CITY COUNCIL
<b>Contact Name/Phone</b>	BEN STUCKART 6256269
<b>Contact E-Mail</b>	AMCDANIEL@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Resolutions
<b>Agenda Item Name</b>	0320 ADDING MULTIFAMILY HOUSING AS A PUBLIC BENEFIT RESOLUTION

**Agenda Wording**

A resolution requesting the addition of multifamily housing as a public benefit to the Projects of Citywide Significance Incentive Policy.

**Summary (Background)**

This resolution requests multifamily housing be formally added as a public benefit that would make a project eligible under the Projects of Citywide Significance Policy.

<b><u>Fiscal Impact</u></b>	Grant related? NO Public Works? NO	<b><u>Budget Account</u></b>
Select \$		#
Select \$		#
Select \$		#
Select \$		#
<b><u>Approvals</u></b>		<b><u>Council Notifications</u></b>
<b><u>Dept Head</u></b>	MCDANIEL, ADAM	<b><u>Study Session</u></b>
<b><u>Division Director</u></b>		<b><u>Other</u></b> Urban Exp - 12/10/18
<b><u>Finance</u></b>	ORLOB, KIMBERLY	<b><u>Distribution List</u></b>
<b><u>Legal</u></b>	RICHMAN, JAMES	htrautman@spokanecity.org
<b><u>For the Mayor</u></b>	ORMSBY, MICHAEL	tstripes@spokanecity.org
<b><u>Additional Approvals</u></b>		aworlock@spokanecity.org
<b><u>Purchasing</u></b>		
<b><u>CITY COUNCIL</u></b>	MCDANIEL, ADAM	

Resolution No. 2018-0112

A resolution requesting the addition of multifamily housing as a public benefit to the Projects of Citywide Significance Incentive Policy.

WHEREAS, the Spokane City Council passed Resolution 2016-0036 which approved and supported the creation of the Projects of Citywide Significance Incentive Policy; and

WHEREAS, the purpose of the Projects of Citywide Significance Incentive Policy is to provide uniform operating rules and procedures for the consideration and award of financial assistance to development and investment project(s) under the City of Spokane Financial Partnership Portfolio Fund for projects of citywide significance; and

WHEREAS, a project of citywide significance means a single private development which entails the development, construction or physical improvement to real property located within the City of Spokane which equals or exceeds \$5 million in value, not including the value of the property itself, for which there is evidence that such project will provide significant public benefits; and

WHEREAS, significant Citywide public benefits include bringing new living wage jobs to the community, generating new tax revenues, implementation of the Comprehensive Plan, protecting natural and historic resource, and advancing local, regional, and state economic development objectives; and

WHEREAS, important values for housing in Spokane's Comprehensive Plan include keeping housing affordable, developing a good mix of housing types, and encouraging housing for the low-income and homeless throughout the entire city; and

WHEREAS, Spokane Comprehensive Plan Housing Policy 1.3 calls for the City to provide incentives to sponsor or develop affordable housing in proximity to their place of employment; and

WHEREAS, Spokane Comprehensive Plan Housing Policy 1.10 calls for the City to support and assist the public and private sectors to develop lower-income or subsidized housing for households that cannot compete in the market; and

WHEREAS, Spokane Comprehensive Plan Economic Development Policy 1.4 encourages public-private partnerships that advance economic development opportunities including the creation of affordable housing for the workforce in proximity to areas targeted for economic growth; and

WHEREAS, Spokane Comprehensive Plan Economic Development Policy 7.5 supports the use of tax incentives and investments to encourage revitalization,

modernization, or rehabilitation of deteriorated residential and commercial properties and buildings for new economic activity; and

WHEREAS, the City's Strategic Plan supports partnering with large investors to support catalytic development projects; and

WHEREAS, the City's Strategic Plan supports increasing housing quality and diversity; and

WHEREAS, 206 housing units have been created through projects of citywide significance with an additional 165 units pending before the Project Review Committee;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Spokane that we hereby request that "multifamily housing" be formally added to the Projects of Citywide Significance Incentive Policy as a significant citywide public benefit.

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City Clerk

Approved as to form:

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Assistant City Attorney

## Briefing Paper

### Urban Experience

<b>Division &amp; Department:</b>	City Council
<b>Subject:</b>	Multifamily Housing as a public benefit - Projects of Citywide Significance Incentive Policy Resolution
<b>Date:</b>	12/10/18
<b>Contact (email &amp; phone):</b>	Ben Stuckart/bstuckart@spokanecity.org/509-625-6269
<b>City Council Sponsor:</b>	Ben Stuckart
<b>Executive Sponsor:</b>	None
<b>Committee(s) Impacted:</b>	Urban Experience; PIES
<b>Type of Agenda item:</b>	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
<b>Alignment:</b> (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	Spokane Comprehensive Plan Housing Policy 1.3 Spokane Comprehensive Plan Housing Policy 1.10 Spokane Comprehensive Plan Economic Development Policy 1.4 Spokane Comprehensive Plan Economic Development Policy 7.5 Spokane Strategic Plan
<b>Strategic Initiative:</b>	Encouraging Private Investment; Affordable Housing
<b>Deadline:</b>	Will file after committee
<b>Outcome:</b> (deliverables, delivery duties, milestones to meet)	N/A
<b><u>Background/History:</u></b>  <p>The Spokane City Council passed Resolution 2016-0036 which approved and supported the creation of the Projects of Citywide Significance Incentive Policy. The purpose of the Projects of Citywide Significance Incentive Policy is to provide uniform operating rules and procedures for the consideration and award of financial assistance to development and investment project(s) under the City of Spokane Financial Partnership Portfolio Fund for projects of citywide significance. A project of citywide significance means a single private development which entails the development, construction or physical improvement to real property located within the City of Spokane which equals or exceeds \$5 million in value, not including the value of the property itself, for which there is evidence that such project will provide significant public benefits.</p> <p>Projects of citywide significance have added 206 units to the City's housing stock since the policy was created<sup>1</sup> with an additional 165 units in process and pending<sup>2</sup> final approval of development agreements.</p>	
<b><u>Executive Summary:</u></b>  <p>This resolution requests multifamily housing be formally added as a public benefit that would make a project eligible under the Projects of Citywide Significance Policy.</p>	

<sup>1</sup> Ridpath – 206 units

<sup>2</sup> The "M" – 114 units; Parkview West Apartments – 51 units

**Budget Impact:**

TOTAL COST: N/A

Approved in current year budget? ☐ Yes ☐ No ☒ N/A

Annual/Reoccurring expenditure? ☐ Yes ☒ No ☐ N/A

If new, specify funding source:

Other budget impacts: (revenue generating, match requirements, etc.):

**Operations Impact:**

Consistent with current operations/policy? ☐ Yes ☒ No ☐ N/A

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

Specify changes required:

Known challenges/barriers: None





**Agenda Sheet for City Council Meeting of:**  
01/07/2019

<b>Date Rec'd</b>	12/10/2018
<b>Clerk's File #</b>	RES 2018-0113
<b>Renews #</b>	
<b>Cross Ref #</b>	RES 2018-0066
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	HOUSING & HUMAN SERVICES
<b>Contact Name/Phone</b>	KELLY KEENAN 625-6056
<b>Contact E-Mail</b>	KKEENAN@SPOKANCITY.ORG
<b>Agenda Item Type</b>	Resolutions
<b>Agenda Item Name</b>	1680 - RESOLUTION FOR THE SUBSTANTIAL AMENDMENT TO THE 2018 ACTION PLAN

**Agenda Wording**

CHHS seeks approval of the resolution for the substantial amendment to the 2018 Annual Action Plan and approval to enter into an agreement with Catholic Charities for the House of Charity.

**Summary (Background)**

CHHS is proposing a substantial amendment to the 2018 Annual Action Plan. The Annual Action Plan is a process for communicating to the Spokane community and to HUD regarding how the City intends to allocate CDBG, HOME, and ESG resources. Substantial Amendments are intended to communicate with the community when projects are cancelled or added to the Annual Action Plan list of projects. See attached briefing paper for further detail.

<b><u>Fiscal Impact</u></b>	Grant related? YES Public Works? NO	<b><u>Budget Account</u></b>
Select \$		#
Select \$		#
Select \$		#
Select \$		#
<b><u>Approvals</u></b>		<b><u>Council Notifications</u></b>
<b><u>Dept Head</u></b>	KEENAN, KELLY	<b><u>Study Session</u></b> UE - 12/10/2018
<b><u>Division Director</u></b>	KINDER, DAWN	<b><u>Other</u></b> CHHS Board - 12/5/2018
<b><u>Finance</u></b>	HUGHES, MICHELLE	<b><u>Distribution List</u></b>
<b><u>Legal</u></b>	RICHMAN, JAMES	gdahl@spokanecity.org
<b><u>For the Mayor</u></b>	ORMSBY, MICHAEL	cpfortmiller@spokanecity.org
<b><u>Additional Approvals</u></b>		cbrown@spokanecity.org
<b><u>Purchasing</u></b>		kburnett@spokanecity.org
<b><u>CITY COUNCIL</u></b>	MCDANIEL, ADAM	kkeenan@spokanecity.org
<b><u>GRANTS &amp; CONTRACT MGMT</u></b>	BROWN, SKYLER	tsigler@spokanecity.org
		sbrown@spokanecity.org

## Briefing Paper

### Public Infrastructure, Environment and Sustainability Committee

<b>Division &amp; Department:</b>	Neighborhood and Business Services Division – Community, Housing, and Human Services (CHHS) Department
<b>Subject:</b>	Amendment to 2018 Action Plan – HOC Emergency Services
<b>Date:</b>	December 6, 2018
<b>Author (email &amp; phone):</b>	Kelly Keenan ( <a href="mailto:kkeen@spokanecity.org">kkeen@spokanecity.org</a> ) / 625-6056
<b>City Council Sponsor:</b>	
<b>Executive Sponsor:</b>	Kelly Keenan
<b>Committee(s) Impacted:</b>	Public Safety and Community Health
<b>Type of Agenda item:</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
<b>Alignment:</b> (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	2015-2020 Strategic Plan to End Homelessness; 2015-2020 Consolidated Plan for Community Development
<b>Strategic Initiative:</b>	Reduce Homelessness / Safe and Healthy
<b>Deadline:</b>	Winter 2018
<b>Outcome:</b> (deliverables, delivery duties, milestones to meet)	Approve an amendment to the 2018 Action Plan to include funding for House of Charity.

#### Background/History:

Effective 9/1/18, the City and Catholic Charities jointly agreed to reduce the capacity at the House of Charity facility back to a level that provides for the safety of shelter clients and staff. That includes nightly shelter capacity for 109 men on the second floor of building, plus overflow sleeping capacity for women on the first floor of the facility, in addition to the availability of many ancillary shelter services available on-site to shelter clients. While shelter capacity and hours at House of Charity are reduced from 24/7 levels offered during the last 18 months, the project continues to provide essential sheltering for extremely vulnerable men and women on a nightly basis.

#### Executive Summary:

To accomplish the final funding amendment supporting shelter services at House of Charity for 2018, CHHS is proposing to allocate \$100,000 in CDBG public services funds to the project. This allocation would bring the total 2018 City support for House of Charity shelter services to \$768,151. The final total would include \$668,151 in local funds, and \$100,000 in federal CDBG funds.

This CDBG allocation ensures House of Charity can continue to provide overflow sleeping capacity for women on the first floor of the facility.

The Annual Action Plan is HUD's required document that outlines projects funded with federal CDBG, HOME, and ESG dollars. Each year, City Council approves a resolution accepting the Action Plan, after which the Action Plan is submitted to HUD. Adding projects to the Annual Action Plan requires an Amendment process conducted in accordance with our Citizen Participation Plan, and another resolution accepting the amendment.

A public hearing on this proposed amendment was advertised and held at the CHHS Board meeting on 11/7/18 and a public comment period on the Action Plan amendment was opened on 11/7/18 and closed on 12/7/18, with no comments received as of the date of this briefing paper. The CHHS Board

approved this Amendment to the Action Plan on 12/5/18, contingent on CHHS responding to any public comment on the amendment received between 12/5/18 and 12/7/18.

CHHS Staff has verified that the addition of this \$100,000 public services project to the Program Year 2018 Action Plan does not exceed the regulatory cap on annual CDBG public service commitments.

Budget Impact:

Approved in current year budget? ☐ Yes ☒ No  
Annual/Reoccurring expenditure? ☐ Yes ☒ No

If new, specify funding source: This amendment is fully funded by CDBG grant funds and has no general fund impact.

Other budget impacts: None.

Operations Impact:

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

Specify changes required: None.

Known challenges/barriers: None.

RESOLUTION 2018-0113

A Resolution Making Substantial Amendments to the City's Annual Action Plan for CDBG, HOME and ESG.

WHEREAS, the Congress of the United States of America has found that the Nation's cities and urban communities face social, economic and environmental problems resulting from the growth and concentration of population in metropolitan areas; and

WHEREAS, in order to assist local governments in meeting these problems, the Housing and Community Development Act of 1974, as amended, and the National Affordable Housing Act, as amended, provide for a program of community development and housing assistance; and

WHEREAS, the City has received substantial sums of money over the years from the federal government for the Community Development Block Grant Program (CDBG), the Home Investment Partnership Program (HOME) and the Emergency Solutions Grant Program (ESG); and

WHEREAS, the City has adopted Annual Action Plans for expenditures of these funds annually, but not all funds have been expended as anticipated by the Annual Action Plan for 2018; and

WHEREAS, the City desires to amend its approved plan by making a change in the City's allocation priorities AND by using funds from a program covered by the City's consolidated plan not previously described in the adopted Action Plan; and

WHEREAS, 24 CFR § 91.505 describes the process for making substantial amendments to our Plan, which process has been followed and will be completed prior to the substantial amendments being finalized;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spokane that the City's Action Plan shall be substantially amended by using a total of \$100,000 of Program Year 2018 CDBG funds to support the House of Charity Shelter.

Adopted by the City Council \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
City Clerk

**BRIEFING PAPER**  
**City of Spokane**  
**Infill Development Code Revisions**  
**December 17, 2018**

---

**Subject:** Infill Code Amendments for Attached Houses and Multifamily Zones

**Background**

In 2016, the Infill Development Steering Committee called for a review and potential regulatory update of development standards to support attached housing and more efficient use of land. The proposed changes align with [Comprehensive Plan](#) policies to allow more compact and affordable housing while ensuring that infill and redevelopment projects are well-designed and compatible with their surroundings (LU 2.2, LU 3.6, LU 5.5). The [Strategic Plan's](#) Urban Experience Initiative encourages high-quality and diverse residential investment, strengthening residential character, and encouraging adequate usable open space.

**Impact**

The text amendments proposed would make changes to lot area and depth, building coverage, building height, design standards, and minimum parking requirements that are favorable to the development of attached housing (such as townhouses on separate lots) and multifamily development in higher-density residential zones. The proposals described may encourage development of more separately owned attached homes in RMF and RHD zones, as opposed to multifamily development. The number of housing units per acre designated by the Comprehensive Plan would not be changed by these proposals.

The Plan Commission held workshops and hearings on the proposal and voted on November 28, 2018, to recommend that the City Council approve the proposal.

**Action**

The City Council will consider the Plan Commission's recommendation and hold a public hearing. Following the hearing, the City Council will take action on the proposal under [SMC 17G.025.010](#)(H).

Attached items in this packet in addition to the proposed ordinances include:

- Plan Commission Findings, Conclusions and Recommendation
- City of Spokane Planning Staff Report
- Public Outreach Summary
- SEPA Determination and Checklist
- Public Comments Received

**Agenda Sheet for City Council Meeting of:**

11/05/2018

**Date Rec'd**

10/22/2018

**Clerk's File #**

ORD C35697

**Renews #****Cross Ref #****Submitting Dept**

CITY COUNCIL

**Contact Name/Phone**

KATE BURKE 625-6275

**Project #****Contact E-Mail**

KATEBURKE@SPOKANECITY.ORG

**Bid #****Agenda Item Type**

Final Reading Ordinance

**Requisition #****Agenda Item Name**

0320 - ORDINANCE CONCERNING PUBLIC ACCESS TO PUBLIC SPACES AT CITY HALL

**Agenda Wording**

An ordinance reaffirming that the first floor lobby of City Hall is open to all members of the public; enacting a new section 12.05.050 of the Spokane Municipal Code.

**Summary (Background)**

This ordinance provides that the first floor of City Hall is a publicly-accessible space during working hours, and that members of the public are welcome unless they are obstructing or interfering with the work of City employees.

**Fiscal Impact**

Grant related? NO

Public Works? NO

**Budget Account**

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

**Approvals****Dept Head**

MCDANIEL, ADAM

**Division Director****Finance**

BUSTOS, KIM

**Legal**

DALTON, PAT

**For the Mayor**

ORMSBY, MICHAEL

**Council Notifications****Study Session****Other**

PIES Comm., 8/22/2018

**Distribution List****Additional Approvals****Purchasing****CITY COUNCIL**

MCDANIEL, ADAM

## **ORDINANCE NO. C35697**

An ordinance reaffirming that the first floor lobby of City Hall is open to all members of the public; enacting a new section 12.05.050 of the Spokane Municipal Code.

**WHEREAS**, City Hall is a publicly-owned building; and

**WHEREAS**, the City of Spokane strives to be a transparent government body, and seeks to encourage greater public participation in our local government activities; and

**WHEREAS**, one of the City's goals, as outlined in its strategic plan, is to "[c]reate a compassionate community so that all people can feel safe, empowered, and welcome"; and

**WHEREAS**, our strategic plan also calls on the City to "protect vulnerable populations," some of whom are people in Spokane who may have nowhere else to go during the coldest times of the year; and

**WHEREAS**, the recent "#spokind" City initiative tells the world that "[i]n Spokane, we strive to be a city of kindness," "no matter what you look like"; and

**WHEREAS**, the lobby of City Hall, on the first, floor, has a designated seating area where people can sit and rest without disturbing the work of City employees; and

**WHEREAS**, the City Council has determined that a specific statement that certain areas of City Hall are always accessible to the public is required.

**NOW THEREFORE**, the City of Spokane does ordain:

**Section 1.** That there is enacted a new section 12.05.050 of the Spokane Municipal Code to read as follows:

### **Section 12.05.050 Public Access to City Hall**

- A. City Hall is a public building, owned by the City of Spokane and its people, for the access of, and provision of services to, the people of Spokane.
- B. In addition to other areas to which the public has access during the City's office hours (defined in SMC 03.02.010 as 8 a.m. to 5 p.m., Monday through Friday, public holidays excepted), the first-floor lobby of City Hall is a public area, and any member of the public may enter and remain there during office hours, without time limit. A member of the public may be removed from the first-floor lobby of City Hall if he or she engages in violent or threatening behavior or causes a disturbance which impairs the ability of City employees to conduct City business.

- C. Other areas of City Hall may, by appropriate administrative policy, be designated as non-public areas, to which public access may be restricted during normal City office hours.
- D. The Mayor or the Mayor's Designee may activate City Hall for purposes of a warming center, cooling center, safe air center, or emergency center in compliance with activation criteria set forth in SMC 18.05.020. Any working condition impacts to City of Spokane employees from the activation of City Hall as a warming center, cooling center, safe air center, or emergency shelter may be subject to mandatory bargaining.
- E. All administrative policies which are in conflict with this section are superseded to the extent of the conflict.

**PASSED** by the City Council on \_\_\_\_\_.

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date



**Agenda Sheet for City Council Meeting of:**

12/17/2018

**Date Rec'd**

12/4/2018

**Clerk's File #**

ORD C35725

**Renews #****Submitting Dept**

POLICE

**Cross Ref #****Contact Name/Phone**

ERIC OLSEN 835-4505

**Project #****Contact E-Mail**

ELOSEN@SPOKANEPOLICE.ORG

**Bid #****Agenda Item Type**

First Reading Ordinance

**Requisition #****Agenda Item Name**

0680 - SPD IMPREST FUNDS - INVESTIGATIONS

**Agenda Wording**

An amendment to increase the Police Department Imprest Fund SMC 07.03.151 (INVESTIGATIONS) from \$25,000.00 to \$50,000.00.

**Summary (Background)**

SPD's Investigations Imprest Fund is currently split between three separate units and one internal bank totaling \$25,000; SIU - \$10,000, TCU - \$1,500, Patrol - \$500, and internal bank - \$13,000. This amount pays for informants, information sources, as well as the purchase of illegal narcotics, firearms, and other stolen property. While the existing amount is significant, it is no longer adequate to meet the needs of the units utilizing these imprest funds.

**Fiscal Impact**

Grant related? NO

**Budget Account**

Public Works? NO

Neutral

\$

#

Select

\$

#

Select

\$

#

Select

\$

#

**Approvals****Council Notifications**Dept Head

MEIDL, CRAIG

Study Session

Finance Committee

Division Director

MEIDL, CRAIG

OtherFinance

SCHMITT, KEVIN

**Distribution List**Legal

DALTON, PAT

spdfinance

For the Mayor

ORMSBY, MICHAEL

eolsen

**Additional Approvals**

kfriesen

PurchasingCITY COUNCIL

MCDANIEL, ADAM

FINANCE & ADMIN

STOPHER, SALLY

## Briefing Paper (Sustainable Resources Committee)

<b>Division &amp; Department:</b>	Police
<b>Subject:</b>	Increase to SIU Imprest fund
<b>Date:</b>	
<b>Contact (email &amp; phone):</b>	Eric Olsen <a href="mailto:eolsen@spokanepolice.org">eolsen@spokanepolice.org</a> 835-4505
<b>City Council Sponsor:</b>	
<b>Executive Sponsor:</b>	
<b>Committee(s) Impacted:</b>	Sustainable Resources/Public Safety
<b>Type of Agenda item:</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
<b>Alignment:</b> (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	
<b>Strategic Initiative:</b>	
<b>Deadline:</b>	
<b>Outcome:</b> (deliverables, delivery duties, milestones to meet)	Update to SMC 07.03.151 increasing the Investigations imprest fund to an amount not to exceed fifty-thousand dollars
<p><b>Background/History:</b> Currently the Imprest Funds of Police Department Investigations is split between three separate units and one internal bank totaling \$25,000; SIU - \$10,000, TCU - \$1,500, Patrol - \$500, and internal bank - \$13,000. This amount pays for informants, information sources, as well as the purchase of illegal narcotics, firearms, and other stolen property. While the existing amount is significant, it is no longer adequate to meet the needs of the units utilizing these imprest funds.</p> <p>The Police Department would like to amend the Municipal Code to allow for a total of \$50,000 between the three units and internal bank that replenishes them. For the level of work they perform, they require a larger sum of money to use for enforcement purposes to continue their efforts in putting dangerous criminals in jail.</p>	
<p><b>Executive Summary:</b></p> <ul style="list-style-type: none"> <li>• <i>SIU focuses on drug investigations and has the largest portion imprest funds at \$10,000</i></li> <li>• <i>Money pays for informants and other sources of information critical to identifying the sale of controlled substances as well as funds the controlled purchases of those narcotics in order to build cases</i></li> <li>• <i>Due to the number of active cases, there are many times the cases developed by the investigators reach a point where \$10,000 is no longer adequate to meet the needs of purchasing controlled substances</i></li> </ul>	
<p><b>Budget Impact:</b></p> <p>Approved in current year budget?    <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No    <input type="checkbox"/> N/A</p> <p>Annual/Reoccurring expenditure?    <input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No    <input type="checkbox"/> N/A</p> <p>If new, specify funding source:</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
<p><b>Operations Impact:</b></p> <p>Consistent with current operations/policy?    <input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No    <input type="checkbox"/> N/A</p> <p>Requires change in current operations/policy?    <input type="checkbox"/> Yes    <input checked="" type="checkbox"/> No    <input type="checkbox"/> N/A</p> <p>Specify changes required:</p> <p>Known challenges/barriers:</p>	

ORDINANCE NO. C35725

AN ORDINANCE relating to Imprest Funds for the Police Department's Investigations; amending SMC section 07.03.151 of the Spokane Municipal Code.

The City of Spokane does ordain:

Section 1. That SMC section 07.03.151 is amended to read as follows:

**07.03.151 Police Department – Investigations**

There is established in the police department an Investigations imprest fund in an amount not to exceed ~~twenty five thousand dollars~~ fifty thousand dollars.

PASSED by the City Council on \_\_\_\_\_.

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date

**Agenda Sheet for City Council Meeting of:**

12/17/2018

**Date Rec'd**

12/5/2018

**Clerk's File #**

ORD C35727

**Renews #****Cross Ref #****Submitting Dept**

DEVELOPER SERVICES CENTER

**Contact Name/Phone**

DONNA DEBIT 625-6637

**Project #****Contact E-Mail**

DDEBIT@SPOKANECITY.ORG

**Bid #****Agenda Item Type**

First Reading Ordinance

**Requisition #****Agenda Item Name**

4700 - REDDING REZONE - OFFICE TO OFFICE RETAIL

**Agenda Wording**

Proposal to rezone parcels south of Francis, between Ash and Walnut, from Office to Office Retail.

**Summary (Background)**

On July 25, 2018 the City's Hearing Examiner approved file no. Z18-423REZN to rezone multiple parcels from Office (O) to Office Retail (OR). The subject properties are located on the south side of Francis Ave., between N. Ash St. and N. Walnut St. Currently on 'Site A' there are four (4) single family homes, all constructed in 1952. Currently on 'Site B' there are also four (4) single family homes, all constructed between 1953 and 1954.

**Fiscal Impact**

Grant related? NO

Public Works? NO

**Budget Account**

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

**Approvals****Dept Head**

CORTRIGHT, CARLY

**Division Director**

KINDER, DAWN

**Council Notifications****Study Session****Other**

Urban Experience 11-12-18

**Finance**

ORLOB, KIMBERLY

**Distribution List****Legal**

RICHTMAN, JAMES

ddebit@spokanecity.org

**For the Mayor**

ORMSBY, MICHAEL

sbishop@spokanecity.org

**Additional Approvals**

kbecker@spokanecity.org

**Purchasing**

dkinder@spokanecity.org

**CITY COUNCIL**

MCDANIEL, ADAM

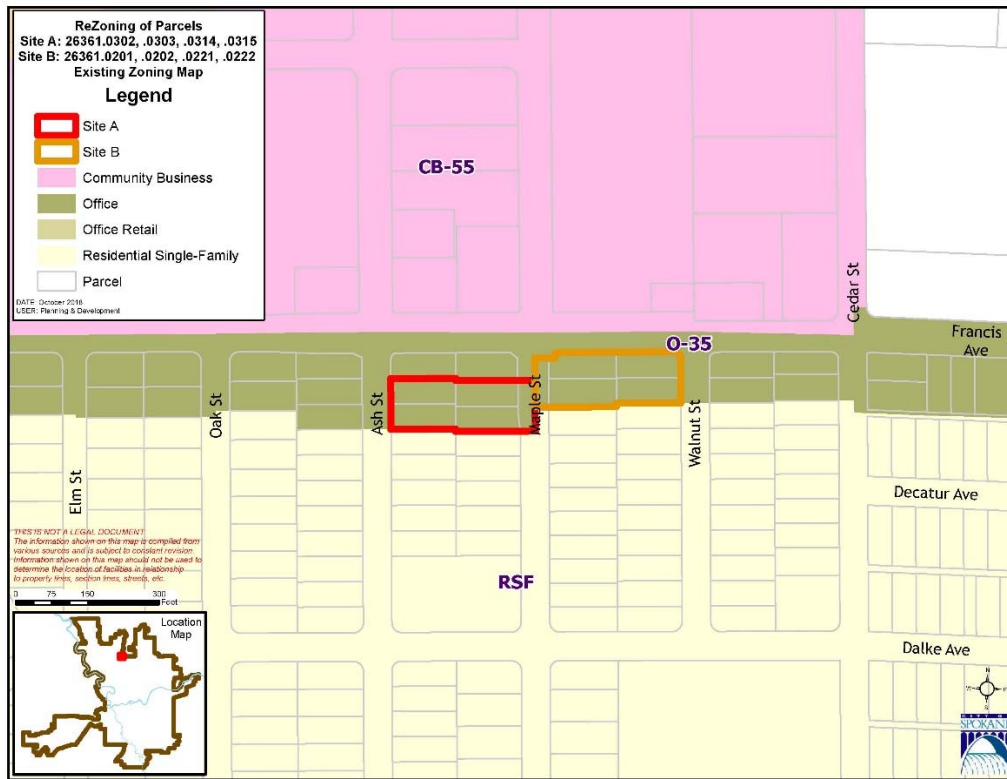
tpalmquist@spokanecity.org

# Briefing Paper

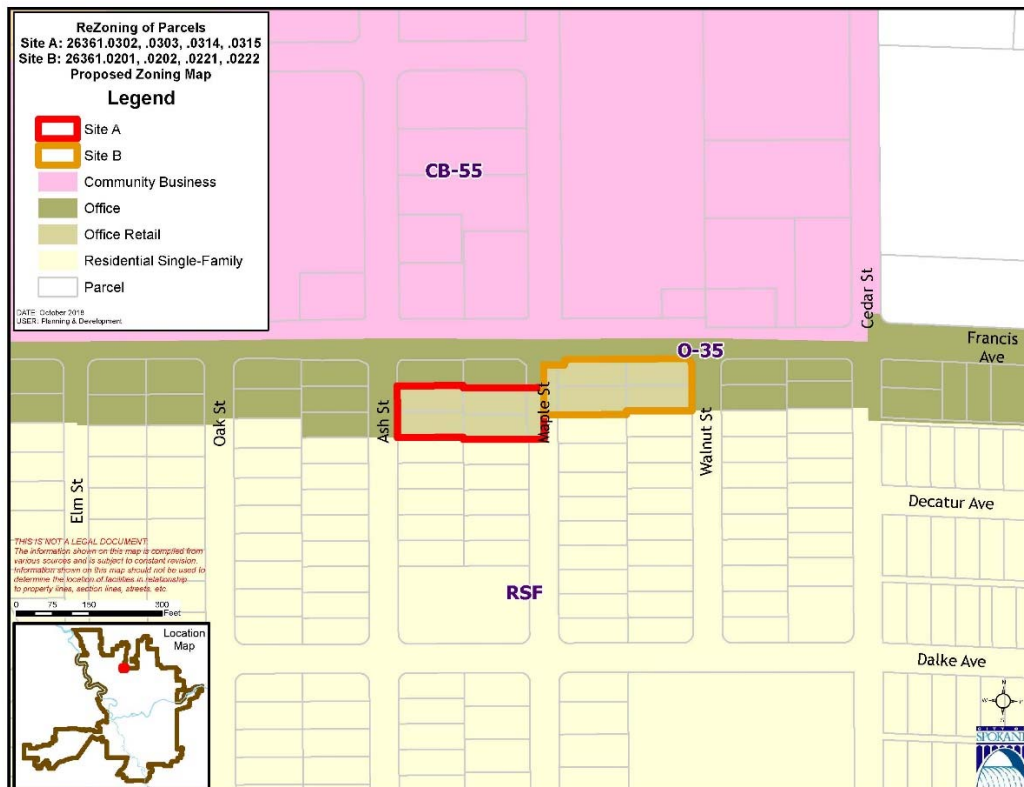
## Urban Experience Committee

<b>Division &amp; Department:</b>	Development Services Center
<b>Subject:</b>	Redding Rezone – Office (O) to Office Retail (OR)
<b>Date:</b>	November 12, 2018
<b>Contact (email &amp; phone):</b>	Donna deBit ( <a href="mailto:ddebit@spokanecity.org">ddebit@spokanecity.org</a> , 625-6637)
<b>City Council Sponsor:</b>	N/A
<b>Executive Sponsor:</b>	Dawn Kinder
<b>Committee(s) Impacted:</b>	Urban Experience
<b>Type of Agenda item:</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
<b>Alignment:</b> (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	SMC 17G.060.170 Land Use Application Procedures Decision Criteria SMC 17G.060T Land Use Application Tables  Spokane Comprehensive Plan
<b>Strategic Initiative:</b>	
<b>Deadline:</b>	Will file for Council consideration following committee meeting
<b>Outcome:</b> (deliverables, delivery duties, milestones to meet)	Approval of Zoning Map change
<p><b>Background/History:</b> On July 25, 2018 the City's Hearing Examiner approved file no. Z18-423REZN to rezone multiple parcels from Office (O) to Office Retail (OR). The subject properties are located on the south side of Francis Ave., between N. Ash St. and N. Walnut St. Currently on 'Site A' there are four (4) single family homes, all constructed in 1952. Currently on 'Site B' there are also four (4) single family homes, all constructed between 1953 and 1954.</p>	
<p><b>Executive Summary:</b></p> <ul style="list-style-type: none"> <li><i>The applicant is proposing a change to the City's Zoning Map to change the above parcels from Office (O-35) to Office Retail (OR). The Office Retail Zone is a more intense Office zone, as it allows for limited retail uses.</i></li> <li><i>The City's Hearing Examiner approved the rezone on July 25, 2018. The decision was not appealed. The next step is to adopt the updates to the City's Zoning Map.</i></li> <li><i>The Land use Designation remains Office.</i></li> <li><i>The proposal includes 8 parcels.</i></li> <li><i>Location: (Site A) 6221 and 6215 N Maple St., 6222 and 6214 N Ash St. (Site B) 6221 and 6227 N Walnut St., 6222 and 6228 N Maple St.</i></li> <li><i>Parcel numbers Site A - 26361.0302, .0303, .0314, .0315. Site B- 26361.0201, .0202, .0221, .0222.</i></li> </ul>	
<p><b>Budget Impact:</b></p> <p>Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>Annual/Reoccurring expenditure? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>If new, specify funding source:</p> <p>Other budget impacts: (revenue generating, match requirements, etc.)</p>	
<p><b>Operations Impact:</b></p> <p>Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Specify changes required:</p> <p>Known challenges/barriers:</p>	

## Existing Zoning:



## Proposed Zoning:



**ORDINANCE NO. \_\_\_\_\_**

An Ordinance changing the zone from Office (O) to Office Retail (OR) for property located at (Site A) 6221 and 6215 N Maple St., 6222 and 6214 N Ash St. (Site B) 6221 and 6227 N Walnut St., 6222 and 6228 N Maple St. in the City and County of Spokane, State of Washington, by amending the Official Zoning Map.

**WHEREAS**, the Hearing Examiner held a public hearing on this matter on July 12th, 2018 on the request of the owner of certain property zoned O, and generally located to the south of the Francis Ave. and Maple St. intersection, south of the Francis Ave. and Walnut St. intersection, and south of the Francis Ave. and Ash St. intersection in the City and County of Spokane, State of Washington, and on July 25<sup>th</sup>, 2018, recommended approval of said zone change for said property subject to conditions; and

**WHEREAS**, this designation is not a major action significantly affecting the quality of the environment; and

**WHEREAS**, the City Council, upon public hearing, adopts the Findings, Conclusions, and Decision of the Hearing Examiner, dated July 25<sup>th</sup>, 2018 and further determines that this rezone furthers the accomplishment of the Land Use Element of the Comprehensive Plan, encourages orderly development of a type and at a time that enhances the neighborhood, and does not produce adverse effects on the local environment; NOW, THEREFORE - - -

The City of Spokane does ordain that the Director of Planning Services be directed to change the Official Zoning Map adopted by Spokane Municipal Code Section 17A.040.020, so as to designate the properties described as:

**VANDERVERTS ADD N48FT OF L19;S5FT OF L20 B1  
VANDERVERTS ADD N40FT OF L18;S13FT OF L19 B1  
VANDERVERTS ADD N54FT L2 B1 EXC E 4.85FT FOR R/W  
VANDERVERTS ADD S7FT OF L2;N45FT OF L3 B1 EXC RD R/W  
SPECKS ADD LT 20 BLK 2 EXC ST  
SPECKS ADD L19 B2  
SPECKS ADD LT 1 BLK 2 EXC S1FT AND EXC ST  
SPECKS ADD S1FT L1;N52FT L2 B2**

in the County of Spokane, State of Washington, with an Office Retail Zone.

Passed the City Council \_\_\_\_\_

\_\_\_\_\_  
Council President

Attest: \_\_\_\_\_  
City Clerk

Approved as to Form:

---

Assistant City Attorney

---

Mayor

---

Date








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Effective Date

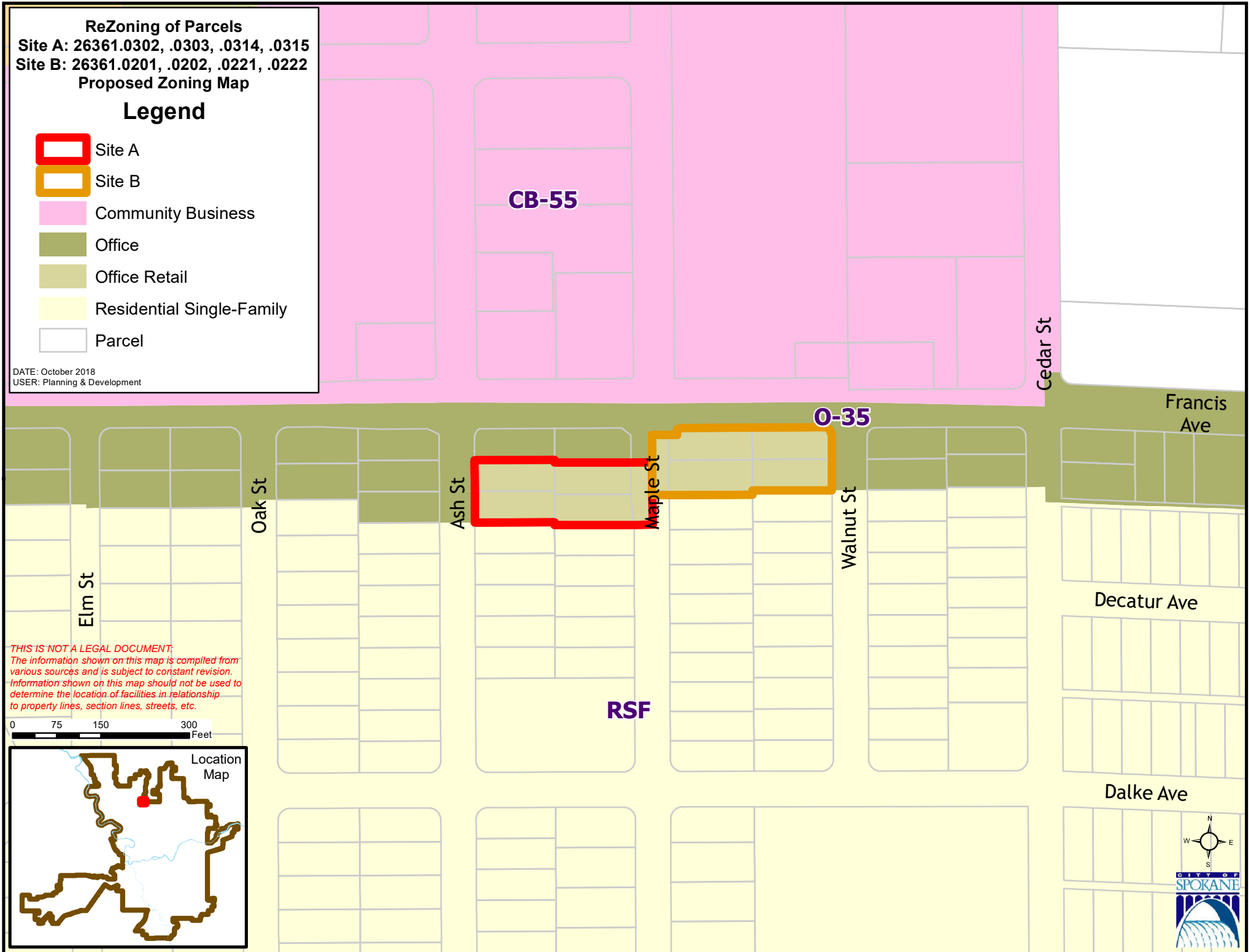


**ReZoning of Parcels**  
**Site A: 26361.0302, .0303, .0314, .0315**  
**Site B: 26361.0201, .0202, .0221, .0222**  
**Proposed Zoning Map**

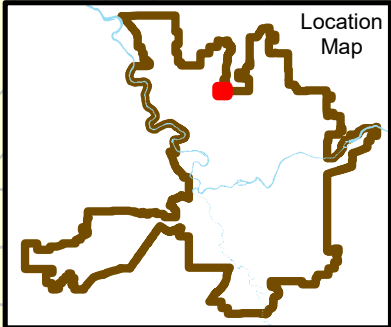
**Legend**

-  Site A
-  Site B
-  Community Business
-  Office
-  Office Retail
-  Residential Single-Family
-  Parcel

DATE: October 2018  
 USER: Planning & Development










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

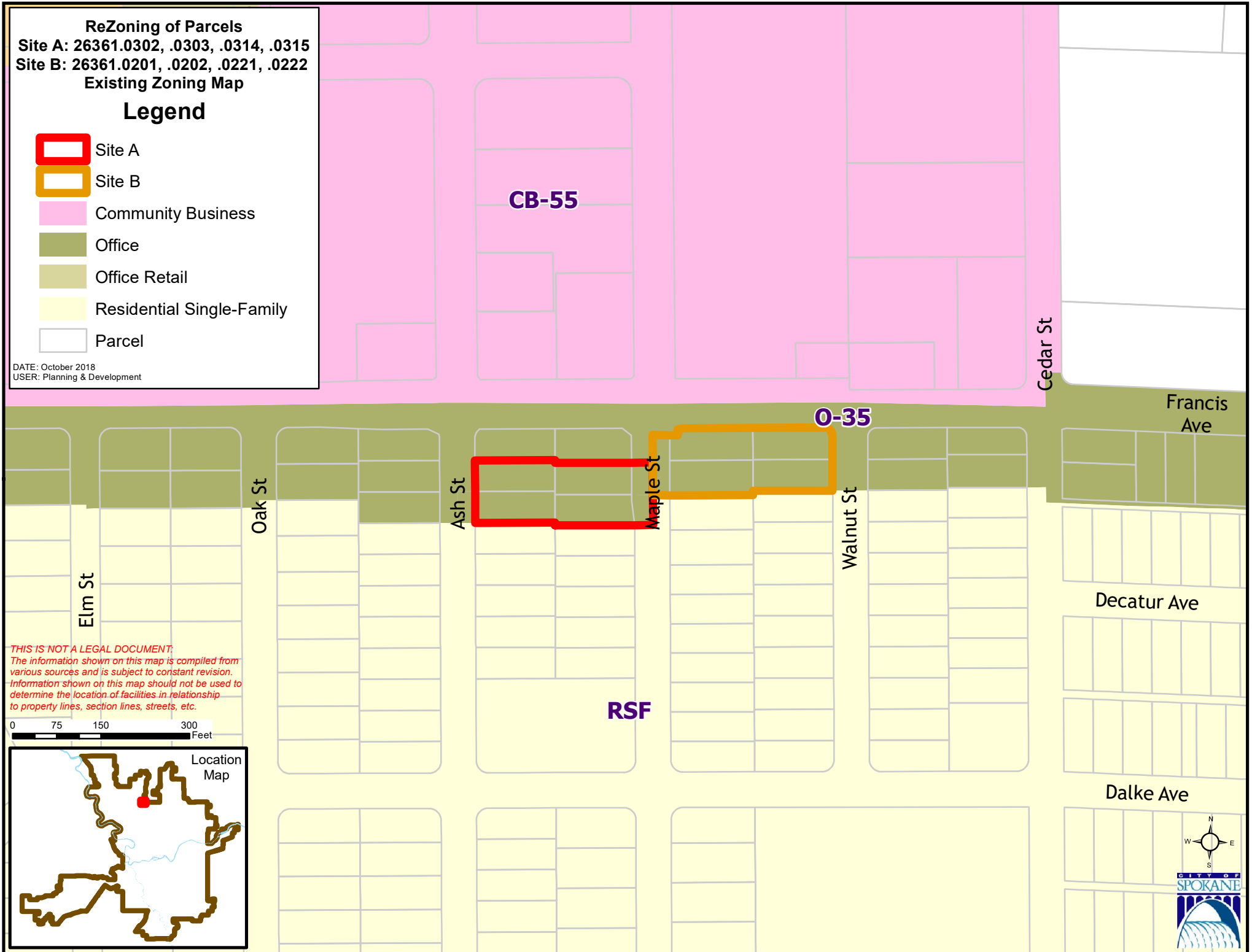


**ReZoning of Parcels**  
**Site A: 26361.0302, .0303, .0314, .0315**  
**Site B: 26361.0201, .0202, .0221, .0222**  
**Existing Zoning Map**

**Legend**

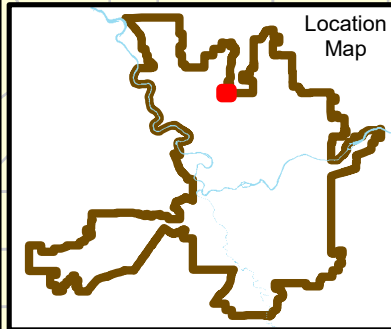
-  Site A
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-  Community Business
-  Office
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-  Residential Single-Family
-  Parcel

DATE: October 2018  
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0 75 150 300 Feet



## CITY OF SPOKANE HEARING EXAMINER

Re: Rezone Application by Land Use ) FINDINGS, CONCLUSIONS,  
Solutions and Entitlement on behalf of ) AND DECISION  
Gary Redding to rezone multiple )  
parcels located near the intersection )  
of Maple Street and Francis Avenue )  
from Office-35 to Office Retail ) FILE NO. Z18-423REZN

### SUMMARY OF PROPOSAL AND DECISION

**Proposal:** The applicant seeks to change the zoning of several parcels of property from Office (O-35) to Office Retail (OR). The Office Retail is a more intense office use as it allows for limited retail uses.

**Decision:** Approved, with conditions.

### FINDINGS OF FACT BACKGROUND INFORMATION

**Applicant/** Land Use Solutions and Entitlement  
**Agent:** c/o Dwight Hume  
9101 N. Mt. View Lane  
Spokane, WA 99218

**Owner:** Gary Redding  
P.O. Box 9815  
Spokane, WA 99209

**Property Location:** The property can be described as consisting of two sites. Site A includes parcels located at 6221 and 6125 N. Maple Street, and 6222 and 6214 N. Ash Street. Site B includes parcels located at 6221 and 6227 N. Walnut Street and 6222 and 6228 N. Maple Street.

**Legal Description:** The legal description of the property is provided in Exhibit 2B.

**Zoning:** Office (O-35).

**Comprehensive Plan Map Designation:** Office

**Site Description:** The properties are located on the south side of W. Francis Avenue, between N. Ash Street and N. Walnut Street. For ease of reference, the eight tax parcels are divided into two groups of four parcels each, described as Site A and Site B. Sites A and B are separated by N. Maple Street. Site B is adjacent to W. Francis Avenue. Site A, however, has no frontage on Francis Avenue. Site A is separated from W. Francis Avenue by another ownership. Currently on Site A there are four (4) single family homes,

all constructed in 1952. On Site B there are also four single family homes, all constructed between 1953 and 1954.

**Surrounding Conditions and Uses:** The property to the north and on the opposite side of W. Francis Avenue is zoned Community Business (CB-55) and is being used for a mixture of commercial purposes. The property to the south is zoned Residential Single Family (RSF) and is developed with single family residences. The property to the east is zoned Office (O-35) and is being used for residential purposes. The property to the west is also zoned Office (O-35) and is being used for office and residential purposes.

### **PROCEDURAL INFORMATION**

**Authorizing Ordinances:** Spokane Municipal Code ("SMC") 17C.120, Commercial Zones, and SMC 17G.060.170, Decision Criteria.

**Notice of Community Meeting:** Mailed: March 27, 2018  
Posted: March 27, 2018

**Notice of Application/Public Hearing:** Mailed: June 18, 2018  
Posted: June 18, 2018

**Community Meeting:** April 12, 2018

**Public Hearing Date:** July 12, 2018

**Site Visit:** July 10, 2018

**SEPA:** A Determination of Nonsignificance ("DNS") was issued by the City of Spokane Planning Department on June 19, 2018. The DNS was not appealed.

#### **Testimony:**

Donna deBit, Assistant Planner  
City of Spokane Planning & Development  
808 West Spokane Falls Boulevard  
Spokane, WA 99201

Dwight Hume  
Land Use Solutions and Entitlement  
9101 N. Mt. View Lane  
Spokane, WA 99218

#### **Exhibits:**

1. Planning Services Staff Report
2. Application, including:
  - 2A General Application
  - 2B Zone Change Supplement
  - 2C Notification Map Application
  - 2D Aerial view of parcels
3. Wastewater comments
4. Notice map

5. Parcel listing
  - 5A Title Company and Applicant Certification
6. Notice of Community Meeting
7. Notice of Application and Public Hearing
8. Affidavit of mailings
  - 8A Community Meeting 03-27-18
  - 8B Combined Application and Hearing dated 06-18-18
9. Affidavit of posting
  - 9A Community Meeting dated 03-27-18
  - 9B Combined Application and Hearing dated 06-18-18
10. Removal of Community Meeting Public Sign dated 04-13-18
11. Determination of Nonsignificance (DNS) issued on 06-19-18
12. Environmental Checklist dated 04-19-18
13. Community Meeting sign in sheet
14. Community Meeting minutes
15. Letter dated 03-26-18 to Dwight Hume from Donna deBit  
re: community meeting instructions
16. Letter dated 05-01-18 to Interested Parties from Donna deBit  
re: requesting comments
17. Letter dated 06-12-18 to Dwight Hume from Donna deBit  
re: Notice of Application and Public Hearing Instructions.
18. Public Comments
  - 18A Doug Bierce, traffic concerns dated 05-11-18
  - 18B Charley Owen, traffic, access, property value concerns dated 05-15-18
  - 18C Doug Bierce, hearing time comment with response from D. deBit dated 06-22-18
  - 18D Charley Owen, traffic, neighborhood blight, hearing time dated 07-03-18
- A Exhibits received at the hearing:
  - A-1 Hardcopy of Planning's PowerPoint presentation

### **FINDINGS AND CONCLUSIONS**

To be approved, the proposed rezone must comply with the criteria set forth in Section 17G.060.170 of the Spokane Municipal Code. The Hearing Examiner has reviewed the application for a rezone and the evidence of record with regard to the application and makes the following findings and conclusions:

1. *The proposal is allowed under the provisions of the land use codes. See SMC 17G.060.170(C)(1).*

The applicant seeks to change the zoning of the subject property from Office (O-35) to Office Retail, another commercial category. The question is whether the subject property is an appropriate location for future Office Retail uses. Office Retail uses are typically found in areas around downtown Spokane and Medical Districts shown in the Downtown Plan. See SMC 17C120.030(B). However, Office Retail uses can also be found in "other areas" which are already developed with higher intensity retail and service uses. See *id.* In addition, the code recognizes that the size of retail uses will be limited to

reduce the detrimental impacts on nearby residential uses. See *id.* It is apparent that the legislature has acknowledged that OR uses can be situated near residential uses.

The properties to the east and west of the site are already zoned Office, a commercial category. North of Francis, there is a mixture of commercial uses, of varying intensity. Farther north, there is also an area of OR-zoned property which is currently improved with an office building. *Testimony of D. Hume.* The properties east of Ash and along Francis Avenue contain a variety of office and retail uses. See Exhibit 1, p. 3. Some distance to the east there is an area, along Francis Avenue, that is zoned OR. *Testimony of D. deBit.* There are other pockets of OR-zoned property in the city which are outside the downtown districts. See *id.* Like other similarly situated properties, this site is an appropriate location for an OR zone. See *id.*

The zone code does acknowledge that, in typical cases, the OR zone is found in downtown districts. However, the code does not prohibit the OR zone from being established in other locations, and there are other examples of that, including with respect to properties in the vicinity of the subject site. The Hearing Examiner concludes that the proposed zone change is allowed under the land use codes. Therefore, this criterion is satisfied.

2. *The proposal is consistent with the comprehensive plan designation and goals, objectives, and policies for the property. See SMC 17G.060.170(C)(2).*

Under the comprehensive plan, the land use designation for the property is "Office." Both Office and Office Retail are zones which implement this land use designation. *Testimony of D. deBit.* Thus, the proposed rezone is consistent with the comprehensive plan designation for this property. The proposed zone change is also consistent with the relevant goals and policies of the comprehensive plan.

The applicant's representative testified that the market has not demonstrated interest in the property for purely office purposes. *Testimony of D. Hume.* The hope is that having a retail component to support future office uses, as intended under the OR zone, will facilitate the development of the property for commercial purposes. See *id.* This proposal is supported by Goal LU 3, which promotes the efficient use of land through various means, including mixed-use development in proximity to retail businesses and public services. See Comprehensive Plan ("CP"), Goal LU 3, p. 3-17. Policy LU 1.5 also supports the zone change. That policy encourages office uses along the south side of Francis Avenue, including the portion that is next to the subject properties. See CP, Policy LU 1.5, p. 3-8; see also Exhibit 1, p. 3.

The proposed rezone is also consistent with comprehensive plan policies that are designed to encourage economic development. Policy ED 3.5 supports opportunities to expand and increase the number of locally-owned businesses. See CP, Policy ED 3.5, p. 7-10. Policy ED 3.5, meanwhile, recognizes the significant contributions of small business to the local economy and therefore seeks to enhance opportunities for small businesses. See CP, Policy ED 3.6, p. 7-10. Creating an area for additional office and retail uses will provide opportunities for small businesses to operate. The current office zone has not resulted in any response from the market. *Testimony of D. Hume.* However, there are three Office Retail zones to the south of Francis Avenue, and all are

currently occupied. See Exhibit 1, p. 4. "Staff agrees with the applicant that rezoning the sites to Office Retail would increase the opportunity of revitalizing these underused parcels, resulting in a positive impact to the City's economy." See Exhibit 1, p. 4.

The Hearing Examiner concludes that the proposed rezone is consistent with the designation, goals, and policies of the comprehensive plan. Therefore, this criterion for approval of the rezone is met.

3. *The proposal meets the concurrency requirements of Chapter 17D.010 SMC. See SMC 17G.060.170(C)(3).*

The decision criteria for Type III decisions (such as a rezone) mandate that all proposals must satisfy the concurrency requirements under SMC 17D.010. See SMC 17G.060.170(C)(3). Accordingly, on May 1, 2018, a Request for Comments on the application was circulated to all City departments and outside agencies with jurisdiction. See Exhibit 16. The city received only one comment on the proposal. See Exhibit 1, p. 4. The comment came from the Waste Water Department and did not indicate that concurrency could not be satisfied. See Exhibit 3; see also Exhibit 1, p. 4. Thus, no departments or agencies reported that concurrency could not be achieved. In addition, there was no testimony at the public hearing suggesting that the concurrency standards would not be satisfied. The Hearing Examiner finds that the project satisfies the concurrency requirements of the municipal code. Therefore, this criterion for approval of the rezone is fulfilled.

4. *If approval of a site plan is required, the property is suitable for the proposed use and site plan considering the physical characteristics of the property, including but not limited to size, shape, location, topography, soils, slope, drainage characteristics, the existence of ground or surface water and the existence of natural, historic or cultural features. See SMC 17G.060.170(C)(4).*

The proposal to rezone the property is a non-project action. See Exhibit 1, p. 4. There are no specific development proposals or site plans to consider. See id. Any detailed analysis of the suitability of the property will have to wait until a specific development proposal is made. That said, there are no obvious conditions that make the property unsuitable for a future Office Retail use. The property is already improved with eight single-family residences. The property is essentially flat, having only slight slopes. See id. Sites A and B consist of four contiguous lots each, and both sites are rectangular in shape. The properties have at least 100 linear feet of frontage on each side. See id. The properties are bounded by busy thoroughfares, including Francis, Ash, and Walnut, and there is a mixture of residential, office, and commercial use in the immediate vicinity. Thus, there is nothing about the size, shape, topography, or location that is problematic to a proposed future use for Office Retail.

There is no evidence, at this non-project stage, that the soils are not appropriate for a future commercial development, or that there are problematic groundwater conditions. The property has already been improved with residences, suggesting that the property has development potential. There are no surface waters on the site. See Exhibit 12 (Environmental Checklist ¶ B(3)(a)(1)). And there are no known natural, historic or cultural features on the development site itself. See Exhibit 12 (Environmental

Checklist ¶ B(13)).

The Hearing Examiner concludes that the property is suitable for the proposed use, given the conditions and characteristics of the site known at this time. As a result, this criterion is satisfied.

5. *The proposal will not have a significant adverse impact on the environment or the surrounding properties, and if necessary conditions can be placed on the proposal to avoid significant effect or interference with the use of neighboring property or the surrounding area, considering the design and intensity of the proposed use. See SMC 17G.060.170(C)(5).*

The application seeks to rezone the property from Office to Office Retail. No specific development project has been proposed in conjunction with the rezone. In other words, if this application is approved, only the classification of the land will change. The Hearing Examiner does not view the proposed change as radical in nature. The zone will change from one type of office use to another. The same uses are permitted in both the Office and Office Retail zones, with one exception—the Office Retail zone allows retail uses to be developed in conjunction with the primary office use. See Table 17C.120-1. In the Hearing Examiner's view, this change of zoning will not have significant, environmental impacts that would not be equivalent to an office use allowed in the existing zone. Possible exceptions include traffic and parking. Presumably, a retail component could result in materially more traffic or different traffic patterns, and may or may not result in greater parking demands. The extent of the traffic and parking, or the specific impacts of each, however, cannot be specifically determined at the non-project stage.

Although there is no development proposal on the table, the environmental analysis does not end here. If, in the future, the owner proposes a development that exceeds the minimum SEPA thresholds, "then that development will be required to complete SEPA specific to that development." See Exhibit 1, p. 4; see also SMC 17E.050.070 (Flexible Thresholds).

The applicant prepared an environmental checklist for the proposed zone change. See Exhibit 12. The information supplied is somewhat limited, due to the non-project nature of the proposal. Even so, the non-project portions of the checklist were completed. Based upon its review of the available information, the City of Spokane (Planning Department) issued a Determination of Nonsignificance (DNS) for the proposal. See Exhibit 11. The deadline to appeal the DNS was July 3, 2018. No appeals were filed and thus the city's evaluation of the environmental conditions is unchallenged.

The Hearing Examiner concludes that the proposed rezone will not have significant impacts on the environment, which cannot be adequately addressed through mitigation. To the extent a specific project action is proposed in the future, that project will again be evaluated under SEPA as appropriate. Therefore, this criterion for approval is satisfied.



6. *The Hearing Examiner concludes that the rezone should be approved, although some neighboring property owners have voiced objections.*

At least two neighboring property owners raised concerns about the proposed rezone. Those concerns included impacts from increased traffic; endangerment of children due to traffic; wear-and-tear on the roads; decreased property values; incongruity of the new zone with the existing residential use; and a lack of benefit to the neighborhood or community. See Exhibits 18A and 18B. While the neighbors raise understandable concerns, the Hearing Examiner does not believe that these objection warrant denial of the application.

The property is already zoned for commercial use, despite the existing residences. The proposal is not seeking to rezone land from residential to commercial. Sites A and B have been zoned for office use for a decade or more. The concerns raised would likely exist whether the property was converted to offices (which is allowed by the current zoning) or to offices with a retail component (only allowed with upon rezone approval). In addition, evaluation of the specific traffic impacts will have to await a specific development proposal. The neighbors are very concerned about increased traffic and related impacts, but the record contains no specific information about the amount of traffic, the traffic patterns, or any specific safety concerns or measures that might be relevant. Nor can those issues be meaningfully evaluated at the non-project stage. It is known that the proposed rezone would allow more intense use of the property than would be allowed under the current zone. However, there is no evidence that the more intense use would result in significant impacts that could not be adequately addressed through project conditions or mitigation measures. To the extent that a specific project will have material impacts, those matters should be addressed at the project phase.

There was no expert testimony or analysis regarding the potential impacts of the zone change. There is insufficient evidence in this record for the Hearing Examiner to evaluate the alleged impacts to safety, road capacity or circulation, or property values, to list a few examples. The general fears and concerns of the neighbors are understandable, but more specific information is required before the Hearing Examiner would deny the rezone on such rationales.

### **DECISION**

Based on the findings and conclusions above, it is the decision of the Hearing Examiner to approve the proposed rezone subject to the following conditions:

1. Approval is for a rezone to change the parcels identified in the application from Office (O-35) to Office Retail (OR).
2. The project will be developed in substantial conformance with SMC 17C.120.500, Design Standards Implementation for Commercial Zones, to maintain compatibility with and limit the negative impacts on surrounding areas.

3. If any artifacts or human remains are found upon excavation, the Spokane Tribe of Indians and the City of Spokane Planning & Development Services should be immediately notified and the work in the immediate area cease. Pursuant to RCW 27.53.060 it is unlawful to destroy any historic or prehistoric archaeological resources. RCW 27.44 and RCW 27.53.060 require that a person obtain a permit from the Washington State Department of Archaeology & Historic Preservation before excavating, removing or altering Native American human remains or archaeological resources in Washington.

4. This approval does not waive the applicant's obligation to comply with all of the requirements of the Spokane Municipal Code, including the International Codes, as well as requirements of City Departments and outside agencies with jurisdiction over land development.

5. This project must adhere to any additional performance and development standards documented in comments or required by the City of Spokane, the County of Spokane, the State of Washington, and any federal agency.

6. Spokane Municipal Code section 17G.060.240 regulates the expiration of this approval, and Table 17G.060-3 sets forth the time frame for the expiration of all approvals.

7. This approval is subject to the above-stated conditions. By accepting this approval the applicant acknowledges that these conditions are reasonable and agrees to comply with them. The filing of the above required covenant constitutes the applicant's written agreement to comply with all conditions of approval. The property may not be developed except in accordance with these conditions and failure to comply with them may result in the revocation of this approval.

DATED this 25<sup>th</sup> day of July, 2018.



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Brian T. McGinn  
City of Spokane Hearing Examiner

### **NOTICE OF RIGHT TO APPEAL**

Appeals of decisions by the Hearing Examiner are governed by Spokane Municipal Code 17G.060.210 and 17G.050.

Decisions by the Hearing Examiner regarding variances are final. They may be appealed by any party of record by filing a Land Use Petition with the Superior Court of Spokane County. **THE LAND USE PETITION MUST BE FILED AND THE CITY OF SPOKANE MUST BE SERVED WITHIN TWENTY-ONE (21) CALENDAR DAYS OF THE DATE OF THE ISSUANCE OF THE DECISION.** Pursuant to RCW 36.70C.040(4)(a), the date of the issuance of the decision is three days after a written decision is mailed by the local jurisdiction. This decision was mailed on July 25, 2018. **THEREFORE, THE DATE OF THE LAST DAY TO APPEAL IS THE 20<sup>th</sup> DAY OF AUGUST 2018 AT 5:00 P.M.**

In addition to paying any Court costs to appeal the decision, the ordinance requires payment of a transcript fee to the City of Spokane to cover the costs of preparing a verbatim transcript and otherwise preparing a full record for the Court.

Pursuant to RCW 36.70B.130, affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation.



**Agenda Sheet for City Council Meeting of:**  
01/07/2019

<b>Date Rec'd</b>	12/20/2018
<b>Clerk's File #</b>	ORD C35730
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	PLANNING
<b>Contact Name/Phone</b>	NATHAN GWINN 6893
<b>Contact E-Mail</b>	NGWINN@SPOKANECITY.ORG
<b>Agenda Item Type</b>	First Reading Ordinance
<b>Agenda Item Name</b>	0650 ORDINANCE 17C.110

**Agenda Wording**

An ordinance relating to alternative residential subdivisions, amending Spokane Municipal Code (SMC) sections 17G.080.065.

**Summary (Background)**

Code amendments to apply multifamily design standards of SMC 17C.110.400 through .465 to attached housing in the RMF and RHD zones, and eliminate homeowners' association requirements to correspond with changes to Pocket Residential Development (SMC 17C.110.360) in all locations. On November 28, 2018, the City Plan Commission voted to recommend that the City Council approve the proposal.

<b><u>Fiscal Impact</u></b>	Grant related? NO	<b><u>Budget Account</u></b>
	Public Works? NO	
Neutral	\$	#
Select	\$	#
Select	\$	#
Select	\$	#
<b><u>Approvals</u></b>	<b><u>Council Notifications</u></b>	
<b><u>Dept Head</u></b>	TRAUTMAN, HEATHER	<b><u>Study Session</u></b> 12/13/2018
<b><u>Division Director</u></b>	KINDER, DAWN	<b><u>Other</u></b> 10/08/2018
<b><u>Finance</u></b>	HUGHES, MICHELLE	<b><u>Distribution List</u></b>
<b><u>Legal</u></b>	RICHMAN, JAMES	dkinder@spokanecity.org
<b><u>For the Mayor</u></b>	ORMSBY, MICHAEL	htrautman@spokanecity.org
<b><u>Additional Approvals</u></b>		tpalmquist@spokanecity.org
<b><u>Purchasing</u></b>		tblack@spokanecity.org
<b><u>CITY COUNCIL</u></b>	MCDANIEL, ADAM	ngwinn@spokanecity.org

## ORDINANCE NO. C35730

An ordinance relating to dimensional standards for attached housing and multifamily development in residential zones, amending Spokane Municipal Code (SMC) sections 17C.110.200, 17C.110.215, 17C.110.310, and 17C.110.360.

WHEREAS, it is a planning goal of the Washington State Growth Management Act under RCW 36.70A.020(1) to “Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner;” and

WHEREAS, in compliance with Chapter 36.70A RCW, the City of Spokane adopted a Comprehensive Plan on May 21, 2001; and

WHEREAS, the City of Spokane is required under RCW 36.70A.040(4)(d) to implement the goals and policies of the City’s Comprehensive Plan by adoption of implementing development standards; and

WHEREAS, the Washington Administrative Code 365-196-300(3)(b)(i) states “Development regulations must allow development at the densities assumed in the comprehensive plan;” and

WHEREAS, the City of Spokane’s Comprehensive Plan encourages the efficient use of land in proximity to Centers and Corridors designated on the Land Use Plan Map (Goal LU 3), provides minimum and maximum residential densities (Land Use Chapter, Section 3.4), and provides opportunities for a variety of housing types that are safe and affordable for all income levels (Goal H1); and

WHEREAS, the City of Spokane Comprehensive Plan, Land Use Chapter, Goal LU 5, Development Character, states: “*Promote development in a manner that is attractive, complementary, and compatible with other land uses;*” and

WHEREAS, the City of Spokane Comprehensive Plan, Land Use Chapter, Policy LU 7.1, Regulatory Structure, states: “*Develop a land use regulatory structure that utilizes a variety of mechanisms to promote development that provides a public benefit;*” and

WHEREAS, according to the Washington Commerce Department’s 2015 Housing Needs Assessment (“Assessment”), more than 24,000 of homeowner households at every income level assessed in the Spokane Urbanized Area paid more than 30 percent of their income on housing, a status defined as “cost-burdened;” and

WHEREAS, more than 28,000 renter households were also cost-burdened, according to the Assessment; and

WHEREAS, together these households represented a third of the total number of households; meanwhile, only 43 percent of households earning less than \$31,500 (50% of median family income) had access to affordable and available housing, according to the Assessment; and

WHEREAS, according to American Community Survey 1-year estimates, rental vacancies in 2017 in Spokane County and the city of Spokane were at 2.4 percent, the lowest level for at least thirteen years; and

WHEREAS, in 2016, a Plan Commission subcommittee (“committee”) was formed to identify local issues and develop strategies to overcome obstacles to infill development that would enable and promote high-quality development on vacant land; and

WHEREAS, during a public engagement process that solicited community input, the committee learned of interest in construction of attached housing, such as townhouses, and identified potential barriers that are making it difficult or impossible to achieve the densities and housing options envisioned in the Comprehensive Plan; and

WHEREAS, the committee prepared a series of recommendations that included proposed regulatory changes, including amendments to update dimensional and other standards such as smaller lot sizes to support attached housing and more efficient use of land (SMC 17C.110.200); and

WHEREAS, the Spokane City Council adopted Resolution 2016-94 on November 21, 2016, recognizing the committee’s summary report and recommendation as a guide for future program development and potential regulatory implementation measures; and

WHEREAS, in January 2018, the City Council adopted, and in February 2018, the Mayor signed Ordinance C35575, which carried out committee recommendations related to lower-density residential zones by providing alternative residential development standards in those areas; and

WHEREAS, it is necessary to create opportunities in higher-density residential zones for development that can achieve the densities envisioned in the Comprehensive Plan, thus reducing impacts on City service delivery; and

WHEREAS, it is necessary to create additional opportunities to compatibly increase the affordable housing supply and respond to demands of citizens of every income level experiencing a shortage of housing, as indicated by comments received and the historic low vacancy rates; and

WHEREAS, related to public health, safety, welfare, and protection of the environment, this ordinance is intended to make more efficient use of available lands, and encourage development in closer proximity to services, effectively reducing sprawl; and

WHEREAS, the changes are aligned with the committee recommendations to remove identified barriers that make it difficult or impossible to achieve the densities and housing options envisioned in the Comprehensive Plan; and

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

WHEREAS, the City conducted open house meetings on May 3 and May 9, 2018; and

WHEREAS, the City encouraged public participation and provided information on the amendments on its website (<http://my.spokanecity.org/projects>); and

WHEREAS, the City of Spokane Plan Commission held workshops throughout the process; and

WHEREAS, a State Environmental Policy Act ("SEPA") Checklist was prepared and a Determination of Non-Significance ("DNS") was issued on June 27, 2018, for the proposed amendments; and

WHEREAS, public notice was published in the Spokesman Review on June 27, and July 4, 2018, giving notice of the Plan Commission public hearing and SEPA Checklist and DNS; and

WHEREAS, on July 11, 2018, the City Plan Commission held a public hearing on the proposed amendments, where the Plan Commission heard testimony from the public; and

WHEREAS, during the hearing, the Plan Commission entertained a number of proposals to amend the draft regulations; and

WHEREAS, the Plan Commission voted to consider several of the amendments and asked staff to conduct research regarding the proposed amendments and their impacts; and

WHEREAS, the Plan Commission continued the hearing to November 14, 2018, for the purposes of allowing additional public comment and testimony on the proposed amendments; and

WHEREAS, a revised SEPA Checklist was prepared and a revised DNS was issued on October 31, 2018, for the proposed amendments; and

WHEREAS, public notice was published in the Spokesman Review on October 31, and November 7, 2018, giving notice of the Plan Commission public hearing and of the revised SEPA Checklist and DNS; and

WHEREAS, on November 14, 2018, the Plan Commission held a public hearing on the recommended amendments and continued its deliberations until November 28, 2018; and

WHEREAS, on November 28, 2018, the Plan Commission recommended, by a vote of 8-0, approval of the amendments in this Ordinance and in two separate ordinances related to text amendments in chapter 17C.230 SMC, Parking and Loading; and in SMC 17G.080.065, Alternative Residential Subdivisions; and

WHEREAS, the City Council adopts the findings and conclusions of the Plan Commission and further incorporates the Planning Department's entire file into the record in support of the Council's adoption of this Ordinance; and

WHEREAS, the public has had opportunities to participate throughout the process and all persons desiring to comment were given an opportunity to be heard; -- Now, Therefore

The City of Spokane does ordain:

Section 1. That SMC section 17C.110.200 is amended to read as follows:

**17C.110.200            Lot Size**

**A.     Purpose.**

The standards of this section allow for development on lots, but do not legitimize lots that were divided in violation of chapter 17G.080 SMC, Subdivisions. The required minimum lot size, lot depth, lot width and frontage requirements for new lots ensure that development will, in most cases, be able to comply with all site development standards. The standards also prevent the creation of very small lots that are difficult to develop at their full density potential. Finally, the standards also allow development on lots that were reduced by condemnation or required dedications for right-of-way.

**B.     Existing Lot Size.**

1.     Development is prohibited on lots that are not of sufficient area, dimension and frontage to meet minimum zoning requirements in the base zone. Except:
  - a.     one single-family residence may be developed on a lot that was legally created under the provisions of chapter 58.17 RCW, Plats – Subdivisions – Dedications, or applicable platting statutes;
  - b.     a PUD lot may be less than the minimum size of the base zone, if such lot is delineated on a PUD plan, which has been approved by the hearing examiner. All use and development standards of the zone wherein such lot is located, shall be complied with, unless modified through the PUD process by the hearing examiner. A PUD shall comply with the requirements of subsection (C) of this section.
2.     No lot in any zone may be reduced so that the dimension, minimum lot area, frontage or area per dwelling unit is less than that required by this chapter, except as modified through the PUD process by the hearing examiner.
3.     Lots Reduced by Condemnation or Required Dedication for Right-of-way. Development that meets the standards of this chapter is permitted on lots,



or combinations of lots, that were legally created and met the minimum size requirements at the time of subdivision, but were reduced below one or more of those requirements solely because of condemnation or required dedication by a public agency for right-of-way.

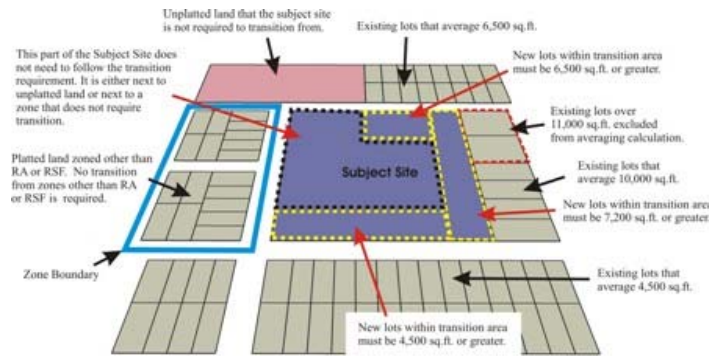
C. Land Division.

All new lots created through subdivision must comply with the standards for the base zone listed in Table 17C.110-3.

1. Transition Requirement.

For sites two acres or greater, transition lot sizes are required to be included as a buffer between existing platted land and new subdivision subject to the requirements of this section. The purpose of this section is to transition lot sizes between the proposed and existing residential developments in order to facilitate compatible development and a consistent development pattern. In the RA and RSF zones, the minimum lot size is subject to transitioning of lots sizes. Lots proposed within the initial eighty feet of the subject property are required to transition lot sizes based on averaging under the following formulas:

- a. Transitioning is only required of properties adjacent to or across the right-of-way from existing residential development. "Existing residential development" in this section shall mean existing lots created through subdivision or short plat.
- b. Lot size in the transition area is based on the average of the existing lot size in subdivisions adjacent to, or across the street from, the subject property. Lots greater than eleven thousand square feet are not counted in the averaging.
- c. If the existing average lot size is greater than seven thousand two hundred square feet, then the lot size in the transition area can be no less than seven thousand two hundred square feet.
- d. If the existing average lot size is less than seven thousand two hundred square feet, then the lot size in the transition area can be equal to or greater than the average.
- e. If the subject site shares boundaries with more than one subdivision, the minimum lot size in the transition area shall be based on the average lot sizes along each boundary. When two boundaries meet, the lot size shall be based on the larger of the two boundaries. See example below; and



- f. If the subject site shares a boundary with property zoned other than RA or RSF, then there are no transition requirements along that boundary.
  - g. After the first set of lots in the transition area, lot sizes may be developed to the minimum lot size of the base zone, i.e., four thousand three hundred fifty square feet in the RSF zone.
2. Planned unit developments, combined with a subdivision, may reduce the minimum lot size, lot width, lot depth and frontage requirements in the RA and RSF zones pursuant to SMC 17G.070.030(C)(1), except in the transition area required by subsection (C)(1) of this section.
- D. **Ownership of Multiple Lots.**  
Where more than one adjoining lot is in the same ownership, the ownership may be separated as follows:
1. If all requirements of this chapter will be met after the separation, including lot size, density and parking, the ownership may be separated through either a boundary line adjustment (BLA) or plat, as specified under chapter 17G.080 SMC, Subdivisions.
  2. If one or more of the lots does not meet the lot size standards in this section, the ownership may be separated along the original plat lot lines through a boundary line adjustment (BLA).
- E. **New Development on Standard Lots.** New development on lots that comply with the lot size standards in this section are allowed subject to the development standards and density requirements of the base zone as required under Table 17C.110-3.
- F. **Lot Frontage.** All residential lots shall front onto a public street and meet the minimum lot frontage requirements of Table 17C.110-3. Except, that frontage on a public street is not required for lots created through alternative residential subdivision under SMC 17G.080.065, and lots approved in a planned unit

development or a manufactured home park may have lots or spaces fronting onto private streets, subject to the decision criteria of SMC 17H.010.090.

TABLE 17C.110-3 DEVELOPMENT STANDARDS [1]					
DENSITY STANDARDS					
	RA	RSF & RSF-C	RTF	RMF	RHD
Density - Maximum	4,350 (10 units/acre)	4,350 (10 units/acre)	2,100 (20 units/acre)	1,450 (30 units/acre)	--
Density - Minimum	11,000 (4 units/acre)	11,000 (4 units/acre)	4,350 (10 units/acre)	2,900 (15 units/acre)	2,900 (15 units/acre)
MINIMUM LOT DIMENSIONS LOTS TO BE DEVELOPED WITH:					
Multi-Dwelling Structures or Development					
	RA	RSF & RSF-C	RTF	RMF	RHD
Minimum Lot Area				2,900 sq. ft.	2,900 sq. ft.
Minimum Lot Width				25 ft.	25 ft.
Minimum Lot Depth				70 ft.	70 ft.
Minimum Front Lot Line				25 ft.	25 ft.
Compact Lot Standards [2]					
Minimum Lot Area [3]		3,000 sq. ft.			
Minimum Lot Width		36 ft.			
Minimum Lot Depth		80 ft.			
Minimum Front Lot Line		30 ft.			
Attached Houses <u>as defined in SMC 17A.020.010</u>					
Minimum Lot Area [3]	7,200 sq. ft.	4,350 sq. ft.	1,600 sq. ft.	<del>((1,600))</del> 1,450 sq. ft.	None

Minimum Lot Width	40 ft.	40 ft.	36 ft. or 16 ft. with alley parking and no street curb cut	Same	Same
Minimum Lot Depth	80 ft.	80 ft.	50 ft.	((25 ft.)) <u>None</u>	((25 ft.)) <u>None</u>
Minimum Front Lot Line	40 ft.	40 ft.	Same as lot width	Same as lot width	Same as lot Width
Detached Houses					
Minimum Lot Area [3]	7,200 sq. ft.	4,350 sq. ft.	1,800 sq. ft.	1,800 sq. ft.	None
Minimum Lot Width	40 ft.	40 ft.	36 ft.	25 ft.	25 ft.
Minimum Lot Depth	80 ft.	80 ft.	40 ft.	25 ft.	25 ft.
Minimum Front Lot Line	40 ft.	40 ft.	30 ft.	25 ft.	25 ft.
Duplexes					
Minimum Lot Area			4,200 sq. ft.	2,900 sq. ft.	None
Minimum Lot Width			25 ft.	25 ft.	25 ft.
Minimum Lot Depth			40 ft.	40 ft.	25 ft.
Minimum Front Lot Line			25 ft.	25 ft.	25 ft.
PRIMARY STRUCTURE					
Maximum Building Coverage					
	RA	RSF & RSF-C	RTF	RMF	RHD
Lots 5,000 sq. ft. or larger	40%	2,250 sq. ft. +35% for portion of lot over 5,000 sq. ft.	2,250 sq. ft. +35% for portion of lot over 5,000 sq. ft.	50%	60%
Lots 3,000 - 4,999 sq. ft.	1,500 sq. ft. + 37.5% for portion of lot over 3,000 sq. ft.				
Lots less than 3,000 sq. ft.	50%				

<u>Attached housing as defined in SMC 17A.020.010, lots any size</u>	<u>Same as above</u>			<u>Up to 70%</u>	<u>Up to 80%</u>
Building Height					
Maximum Roof Height (([5]))	35 ft. [5]	35 ft. [5]	35 ft. [5]	35 ft. [6]	35 ft. [6]
Maximum Wall Height	25 ft.	25 ft.	25 ft.	((30 ft.)) = [6]	--
Floor Area Ratio (FAR)					
FAR	0.5	0.5 [4]	0.5 [4]	--	--
Setbacks					
Front Setback [7, 8]	15 ft.				
Side Lot Line Setback – Lot width more than 40 ft.	5 ft.				
Side Lot Line Setback – Lot width 40 ft. or less	3 ft.				
Street Side Lot Line Setback [7]	5 ft.				
Rear Setback [9, 10]	25 ft.	25 ft. [11]	15 ft.	10 ft.	10 ft.
Required Outdoor Area					
Required Outdoor Area for attached and detached houses. Minimum dimension (See SMC 17C.110.223)	250 sq. ft. 12 ft. x 12 ft.	250 sq. ft. 12 ft. x 12 ft.	250 sq. ft. 12 ft. x 12 ft.	200 sq. ft. 10 ft. x 10 ft.	48 sq. ft. 7 ft. x 7 ft.
ACCESSORY STRUCTURES					
	RA	RSF & RSF-C	RTF	RMF	RHD
Maximum Roof Height	30 ft.	20 ft.	20 ft.	35 ft.	35 ft.

Maximum Wall Height	30 ft.	15 ft.	15 ft.	35 ft.	35 ft.
Maximum Coverage [12]	20%	15%	15%	See Primary Structure	See Primary Structure
Front Setback	20 ft.				
Side Lot Line Setback – Lot width 40 ft. or wider [13]	5 ft.				
Side Lot Line Setback – Lot width less than 40 ft. [13]	3 ft.				
Street Side Lot Line [14]	20 ft.				
Rear [13]	5 ft.				
Rear with Alley	0 ft.				

**Notes:**

-- No requirement

[1] Plan district, overlay zone, or development standards contained in SMC 17C.110.310 through 360 may supersede these standards.

[2] See SMC 17C.110.209, Compact Lot Standards.

[3] For developments two acres or greater, lots created through subdivision in the RA, RSF and the RSF-C zones are subject to the lot size transition requirements of SMC 17C.110.200(C)(1).

[4] In the RSF-C and RTF zones, and sites in the RSF zone qualifying for compact lot development standards, described in SMC 17C.110.209, FAR may be increased to 0.65 for attached housing development only.

[5] No structure located in the rear yard may exceed twenty feet in height.

[6] Base zone height may be modified according to SMC 17C.110.215, Height.

[7] Attached garage or carport entrance on a street is required to be setback twenty feet from the property line.

[8] See SMC 17C.110.220(D)(1), setbacks regarding the use of front yard averaging.

[9] See SMC 17C.110.220(D)(2), setbacks regarding reduction in the rear yard setback.

[10] Attached garages may be built to five feet from the rear property line except, as specified in SMC 17C.110.225(C)(6)(b), but cannot contain any living space.

[11] In the RSF-C zone and sites in the RSF zone qualifying for compact lot development standards, described in SMC 17C.110.209, the rear setback is 15 feet.

[12] Maximum site coverage for accessory structures is counted as part of the maximum site coverage of the base zone.

[13] Setback for a detached accessory structure and a covered accessory structure may be reduced to zero feet with a signed waiver from the neighboring property owner, except, as specified in SMC 17C.110.225(C)(5)(b).

[14] The setback for a covered accessory structure may be reduced to five feet from the property line.

Section 2. That SMC section 17C.110.215 is amended to read as follows:

**17C.110.215            Height**

A.     Purpose.

The height standards promote a reasonable building scale and relationship of one residence to another and they promote privacy for neighboring properties. The standards contained in this section reflect the general building scale and placement of houses in the City's neighborhoods.

B.     Height Standards.

The maximum height standards for all structures are stated in Table 17C.110-3. The building height shall be measured using the following method:

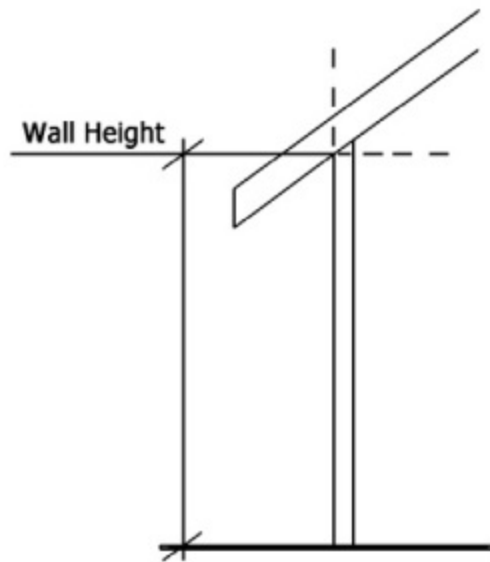
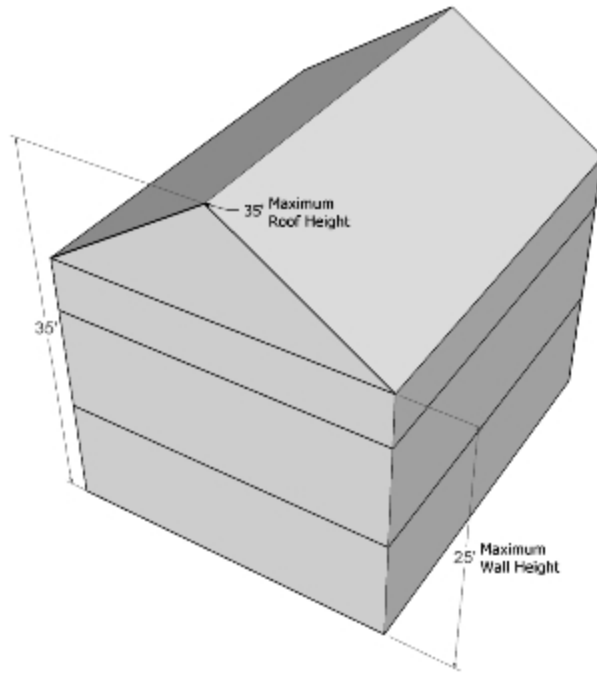
1.     The height shall be measured at the exterior walls of the structure. Measurement shall be taken at each exterior wall from the existing grade or finished grade, whichever is lower, up to a plane essentially parallel to the existing or finished grade. For determining structure height, the exterior wall shall include a plane between the supporting members and between the roof and the ground. The vertical distance between the existing grade, or finished grade, if lower, and the parallel plane above it shall not exceed the maximum height of the zone.
2.     When finished grade is lower than existing grade, in order for an upper portion of an exterior wall to avoid being considered on the same vertical ~~((plan))~~ plane as a lower portion, it must be set back from the lower portion a distance equal to two times the difference between the existing and finished grade on the lower portion of the wall.
3.     Depressions such as window wells, stairwells for exits required by other codes, "barrier free" ramps on grade, and vehicle access driveways into garages shall be disregarded in determining structure height when in combination they comprise less than fifty percent of the facade on which they are located. In such cases, the grade for height measurement purposes shall be a line between the grades on either side of the depression.
4.     No part of the structure, other than those specifically exempted or excepted under the provisions of the zone, shall extend beyond the plan of the maximum height limit.
5.     Underground portions of the structure are not included in height calculations. The height of the structure shall be calculated from the point at which the sides meet the surface of the ground.
6.     For purposes of ~~((measure))~~ measuring building height in residential zones, the following terms shall be interpreted as follows:

- a. “Grade” means the ground surface contour (see also “existing grade” and “finished grade”).
- b. “Fill” means material deposited, placed, pushed, pulled or transported to a place other than the place from which it originated.
- c. “Finished grade” means the grade upon completion of the fill or excavation.
- d. “Excavation” means the mechanical removal of earth material.
- e. “Existing grade” means the natural surface contour of a site, including minor adjustments to the surface of the site in preparation for construction.

<b>TABLE 17C.110.215-1 MAXIMUM HEIGHT</b>	
Maximum Wall Height [1]	25 ft.
Maximum Roof Height [2]	35 ft.
[1] The height of the lowest point of the roof structure intersects with the outside plane of the wall. [2] The height of the ridge of the roof. See “Example A” below.	

((G-)) **Example A**





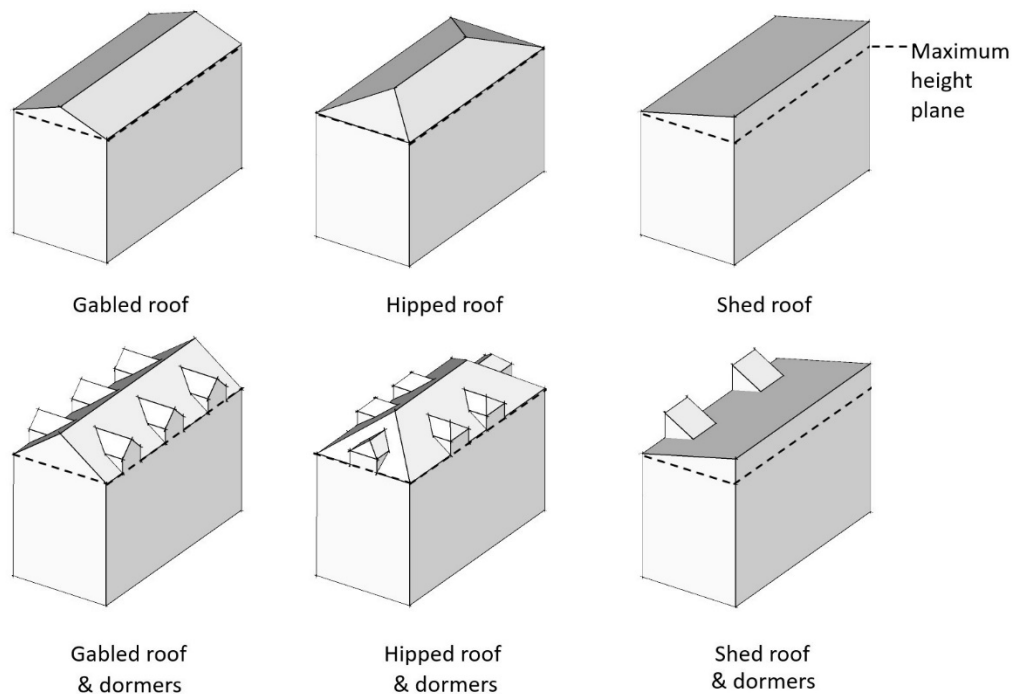
C. Exceptions to the maximum height standard are stated below:

1. Exceptions to the maximum structure height in the RMF and RHD zones are designated on the official zoning map by a dash and a height listed after the zone map symbol (i.e., ((CB)) RHD-150). Changes to the height limits in the RMF and RHD zones require a rezone. Height limits are ((thirty feet,))

thirty-five feet, forty feet, fifty-five feet, seventy feet, or one hundred fifty feet depending on location.

2. In RMF and RHD zones where the maximum structure height is thirty-five feet, pitched roof structures are allowed an additional fifteen feet above the maximum height standard stated in Table 17C.110-3, provided that the roof incorporates all of the following:
  - a. pitched roof forms having slopes between 4:12 and 12:12; and
  - b. a minimum of one roof plane that intersects the maximum height plane (see Figure 17C.110-A for eligible examples); and
  - c. establishes sense of “top” per SMC 17C.110.455.

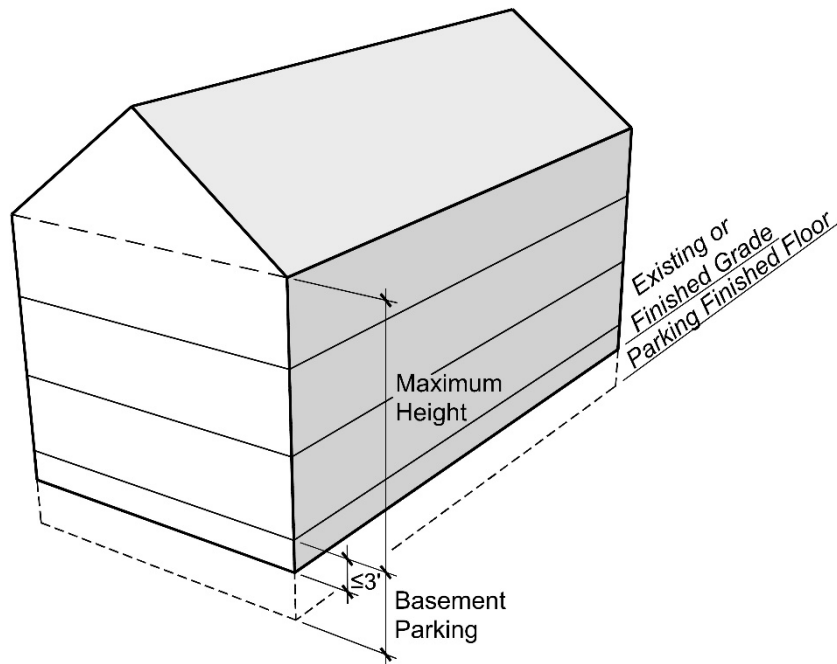
Figure 17C.110-A: Roof Type Examples for Height Exception.



*[Note: Add the graphic above.]*

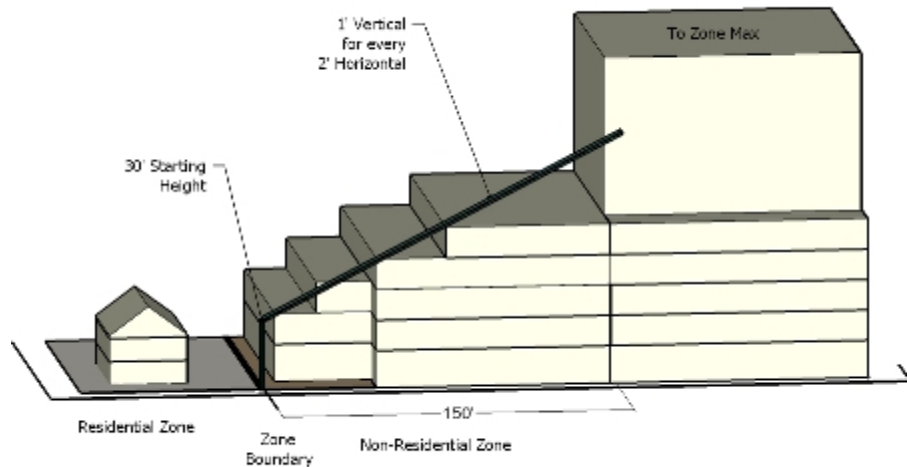
3. In the RMF and RHD zones, height does not include up to three feet of the above-grade portions of basement parking, where the elevation of the first residential finished floor is three feet or less above the lowest elevation of the existing grade or finished grade, whichever is lower. See Figure 17C.110-D.

Figure 17C.110-D: Basement Parking Excluded from Height.



[Note: Add the graphic above.]

- ((2)) 4. Buildings and structures over fifty feet in height must follow the design, setback and dimensional standards found in chapter 17C.250 SMC, Tall Building Standards.
- ((3)) 5. Adjacent to Single-family and Two-family Residential Zones.  
To provide a gradual transition and enhance the compatibility between the more intensive commercial zones and adjacent single-family and two-family residential zones:
  - a. for all development within one hundred fifty feet of any single-family or two-family residential zone the maximum building height is as follows:
    - i. Starting at a height of thirty feet ((7)) at the residential zone boundary additional building height may be added at a ratio of one to two (one foot of additional building height for every two feet of additional horizontal distance from the closest single-family or two-family residential zone). The building height transition requirement ends one hundred fifty feet from the single-family or two-family residential zone and then full building height allowed in the zone applies.



6. In the RMF zone within forty feet of a common boundary with a RSF zone, the maximum wall height is thirty feet.

((4)) 7. Projections Allowed.

Chimneys, flagpoles, satellite receiving dishes and other similar items with a width, depth or diameter of three feet or less may extend above the height limit, as long as they do not exceed three feet above the top of the highest point of the roof. If they are greater than three feet in width, depth or diameter, they are subject to the height limit.

8. In addition to the projections allowed under subsection (7) above, in the RMF and RHD zones, the following projections above the roof height are allowed:

a. Parapets and rooftop railings may extend four feet above the height limit.

b. Walls or fences located between individual rooftop decks may extend six feet above the height limit if the wall or fence is set back at least four feet from the edges of the roof.

c. Stairway enclosures that provide rooftop access and cumulatively cover no more than ten percent of the roof area may extend up to ten feet above the height limit, provided that the enclosures are setback at least fifteen feet from all roof edges on street facing facades.

((5)) 9. Farm Buildings.

Farm buildings such as silos, elevators and barns are exempt from the height limit as long as they are set back from all lot lines at least one foot for every foot in height.

((6)) 10. Utility power poles and public safety facilities are exempt from the height limit.

((7)) 11. Radio and television antennas are subject to the height limit of the applicable zoning category.

((8)) 12. Wireless communication support towers are subject to the height requirements of chapter 17C.355A SMC, Wireless Communication Facilities.

((9)) 13. Uses approved as a conditional use may have building features such as a steeple or tower which extends above the height limit of the underlying zone. Such building features must be set back from the side property line adjoining a lot in a residential zone a distance equal to the height of the building feature or one hundred fifty percent of the height limit of the underlying zone, whichever is lower.

D. Special Height Districts.

Special height districts are established to control structure heights under particular circumstances such as preservation of public view or airport approaches. See [chapter 17C.170 SMC](#), Special Height Overlay Districts.

E. Accessory Structures.

The height of any accessory structure located in the rear yard, including those attached to the primary residence, is limited to twenty feet in height, except a detached ADU above a detached accessory structure may be built to twenty-three feet in height.

Section 3. That SMC section 17C.110.310 is amended to read as follows:

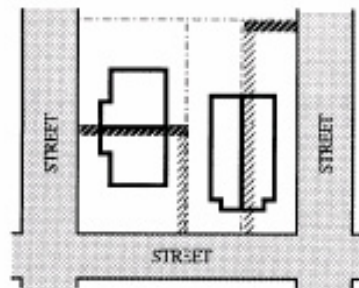
**17C.110.310 Attached Housing, Detached Houses on Lots Less than Forty Feet Wide, and Duplexes**

A. Purpose.

Attached housing, detached houses on narrow lots and duplexes allow for energy-conserving housing and a more efficient use of land. See definition of attached housing under chapter 17A.020 SMC.



- B. Qualifying Situations.  
Sites located in the ((RSF)) RA through the RHD zones. All lots must be under the same ownership or a signed and recorded agreement to participate in an attached housing development must be submitted to the City by all property owners at the time of building permit application.
- C. Lot Development Standards.  
Each house must be on a lot that complies with the lot development standards in the base zone as provided in Table 17C.110-3.
- D. Building Setbacks for Attached Housing.
1. Interior Lots.  
On interior lots, the side building setback on the side containing the common wall is reduced to zero. ~~((The side building setbacks on the side opposite the common wall must be double the side setback standard of the base zone.))~~
  2. Corner Lots.  
On corner lots, either the rear setback or non-street side setback may be reduced to zero. However, the remaining street side lot line setback must comply with the requirements for a standard side or rear setback.



On corner lots, either the rear setback or the nonstreet side setback can be reduced to zero. However, the remaining nonstreet setback must comply with the requirements for a standard rear setback.

————— Rear lot line

----- Nonstreet side lot line

E. Design Standards.

This section is subject to the provisions of SMC 17C.110.015, Design Standards Administration.

1. A multi-family residential building of three or more units ~~((is))~~ and attached housing in the RMF and RHD zones are subject to the design standards of SMC 17C.110.400 through 17C.110.465.
2. For detached houses on lots forty feet or less wide ~~((and attached housing))~~ and duplexes, where permitted, in the RSF, RSF-C, RTF, RMF and RHD zones, as well as attached housing in the RA, RSF, RSF-C, and RTF zones, the following design standards must be met:
  - a. All street-facing facades must have landscaping along the foundation. There must be at least one three-gallon shrub for every three lineal feet of foundation. (R)
  - b. Sixty percent of the area between the front lot line and the front building line must be landscaped. At a minimum, the required landscaped area must be planted with living ground cover. Up to one-third of the required landscaped area may be for recreational use, or for use by pedestrians. Examples include walkways, play areas, or patios. (R)
  - c. ~~((Generous))~~ Use of planting materials and landscape structures such as trellises, raised beds and fencing to unify the overall site design is encouraged, with plantings consistent with L3 open area landscaping standard of SMC 17C.200.030. (P)
  - d. Front facade.  
Fire escapes, or exterior stairs that provide access to an upper level are not allowed on the front facade of the building. (R)
  - e. Duplexes and attached houses on corner lots ~~((should))~~ shall be designed so each unit is oriented towards a different street. This gives the structure the overall appearance of a house when viewed from either street. (R)
  - f. Detached houses on lots forty feet or less wide and both units of a duplex or attached houses must meet the following standards to ensure that the units have compatible elements. Adjustments to this paragraph are prohibited, but modifications may be requested through a design departure. The standards are:
    - i. Entrances. Each of the units must have its address and main entrance oriented toward a street frontage. Where an existing house is being converted to two units, one main entrance with internal access to both units is allowed. (R)

- ii. Each unit must have a covered, main entry-related porch or stoop area of at least fifty square feet with no dimension less than five feet. (R)
- iii. Buildings must be modulated along the public street at least every thirty feet. Building modulations must step the building wall back or forward at least four feet. (R)
- iv. Reduce the potential impact of new duplex and attached housing development on established and historic neighborhoods by incorporating elements and forms from nearby buildings. This may include reference to architectural details, building massing, proportionality, and use of high-quality materials such as wood, brick, and stone. (P)
- v. Create a human scale streetscape by including vertical and horizontal patterns as expressed by bays, belt lines, doors and windows. (P)
- g. Garages are subject to the garage limitation standards of SMC 17C.110.208(E). (R)
- h. Where off-street parking for two or more dwellings will be developed on abutting lots that are each less than forty feet in width, only one curb cut and sidewalk crossing for each two lots may be permitted, to promote pedestrian-oriented environments along streets, reduce impervious surfaces, and preserve on-street parking and street tree opportunities. (P)

F. Number of Units.

- 1. RA, RSF and RSF-C Zones.  
A maximum of two houses may be with a common wall. Structures made up of three or more attached houses are prohibited unless approved as a planned unit development.
- 2. RTF Zone.  
Up to eight attached houses may have a common wall. Structures made up of nine or more attached houses are prohibited unless approved as a planned unit development.
- 3. RMF and RHD zones.  
There is no limit to the number of attached houses that may have common walls.

Section 4. That SMC section 17C.110.360 is amended to read as follows:



**17C.110.360****Pocket Residential Development****A. Purpose.**

The purpose of the pocket residential development is to:

1. Encourage greater efficiency of land use by allowing compact infill development on aggregate sites.
2. Stimulate new housing that is compatible in scale and character to established surrounding residential areas.
3. Produce a broader range of building forms for residential development.
4. Expand opportunities for affordable home ownership.
5. Promote high quality housing of a character compatible with existing neighborhoods.
6. Encourage adequate, usable open space.

**B. Applicability.**

Pocket residential development is permitted within the RSF, RSF-C, RTF, RMF, RHD, O, OR, CC, NR, CB, and GC zones.

**C. Application Procedure.**

Pocket residential development is allowed outright with a building permit. When pocket residential development involves subdivision of land, the application shall be processed in accordance with the procedures of chapter 17G.080 SMC, Subdivisions.

**D. Basic Development Standards.**

1. **Maximum Building Height.**  
The maximum height of structures within a pocket residential development is as allowed in the underlying zone.
2. **Maximum Building Coverage.**  
The maximum building coverage of the aggregate buildings located upon the parent site shall not exceed the maximum building coverage permitted by the underlying zone. Maximum building coverage is not limited in the O, OR, CC, NR, CB, and GC zones.
3. **Setbacks.**  
Setbacks in a pocket residential development are measured from the exterior boundary of the parent site. The following setbacks are required except in commercial and center and corridor zones where the setbacks are as required in the underlying zoning district.

- a. Front Setback.  
The front yard requirement for the parent site shall be fifteen feet except as allowed under the front yard averaging provisions of SMC 17C.110.220(D)(1).
  - b. Side Setback, Abutting a Residential Zoning District.  
If the side yard of the site is adjacent to other residentially zoned property the side yard shall be a minimum of five feet.
  - c. Side Setback, Interior to Parent Site.  
If platted, the side yard, interior to the parent site, may be zero, provided, however, that any structure located upon a lot created under SMC 17G.080.065 shall comply with applicable building and fire code and the setbacks applicable to the underlying site development plan.
  - d. Side Setback, Street.  
The street side yard requirement for the parent site shall be a minimum of five feet.
  - e. Rear Setback of the Parent Site.  
Twenty-five feet or as required in the underlying zoning district.
4. Minimum and Maximum Parent Site Size:
- a. The minimum parent site size for a pocket residential development is as follows:
    - i. RSF and RSF-C zone: Eight thousand seven hundred square feet.
    - ii. RTF zone: Four thousand two hundred square feet.
    - iii. RMF, RHD zones: Two thousand nine hundred square feet.
    - iv. O, OR, CC, NR, CB, and GC zones: No minimum parent site size.
  - b. The maximum parent site size for a pocket residential development is as follows:
    - i. RSF, RSF-C, and RTF zones: One and a half acres. Pocket residential developments in the RSF, RSF-C, and RTF zones over one and a half acres must be approved as a planned unit development.

ii. RMF, RHD, O, OR, CC, NR, CB, and GC zones: No maximum parent site size.

5. Density.  
The maximum density allowed in a pocket residential development is limited to that allowed in the underlying zoning district in which the parent site is located, except as permitted by SMC 17C.110.330(C) for transitional sites.
6. Frontage and Access.  
Frontage on a public street is not required for lots created in a pocket residential development. Private streets or private access may be used to provide lot frontage when a private street or private access is approved in accordance with chapter 17H.010 SMC. The parent site shall have frontage on a public street sufficient for adequate access and utilities.
7. Parking.  
The minimum required off-street parking for a pocket residential development shall comply with the required parking standards of the underlying zone for residential uses in chapter 17C.230 SMC Parking and Loading.
8. Required Outdoor Area.  
Pocket residential developments shall comply with the required outdoor area standards of the underlying zone in accordance with SMC 17C.110.223 and Table 17C.110-3 Development Standards. Common outdoor areas designated to meet this requirement will be permanently maintained by the owner or an appropriate property management entity, if under singular ownership. ~~((In the event that the development is subdivided or condominium platted, a homeowners' association is required to be created for the maintenance of the common open space within the development.))~~ This requirement shall be included in deed restrictions as required in SMC 17G.080.065(D).
9. Permitted Housing Types.  
The housing types allowed in a pocket residential development are those allowed in the underlying zone in accordance with Table 17C.110-2.
10. Lot Size.  
There is no minimum lot size for lots created within a pocket residential development.

E. Design Standards.

This section is subject to the provisions of SMC 17C.110.015, Design Standards Administration. A multi-family residential building of three or more units and attached housing in the RMF and RHD zones are subject to the design standards of SMC 17C.110.400 through 17C.110.470.

1. Ground Level Access.

In order to create the appearance of individual homes, rather than apartments, each attached dwelling unit shall have its own individual access from grade. Stacked units are permitted to have one main entrance with an internal stair accessed from grade to internal individual unit entrances.

*Individual Access from Grade*



*Example of Individual Access for Each Unit*



*Example of Individual Access with Shared Open Space*



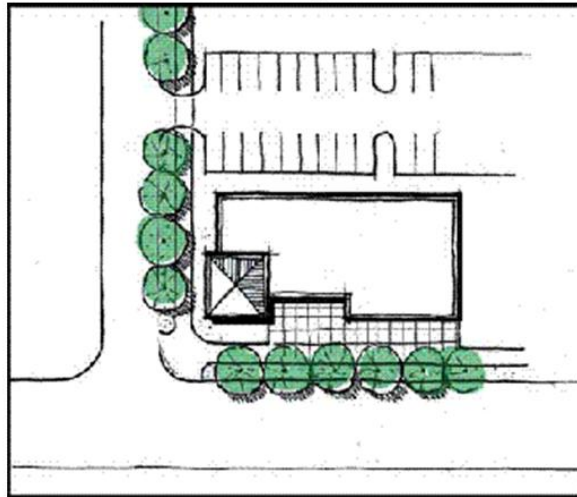
2. Parking Lots.

To ensure that parking is as unobtrusive as possible the following standards must be met:

a. Alley Access.

If the development abuts an alley, parking must be accessed from the alley.

*Example of Surface Parking Accessed from Alley*

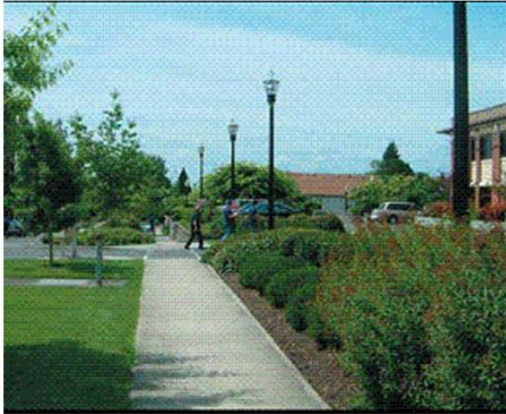


- b. Screening: Surface parking lots shall be screened both from the street and adjacent residential development by landscape type L2 see-through buffer in SMC 17C.200.030, Landscape Types. Decorative walls or fences no more than forty-two inches in height may be used in lieu of shrubs. Parking is not allowed in a required front yard setback area.

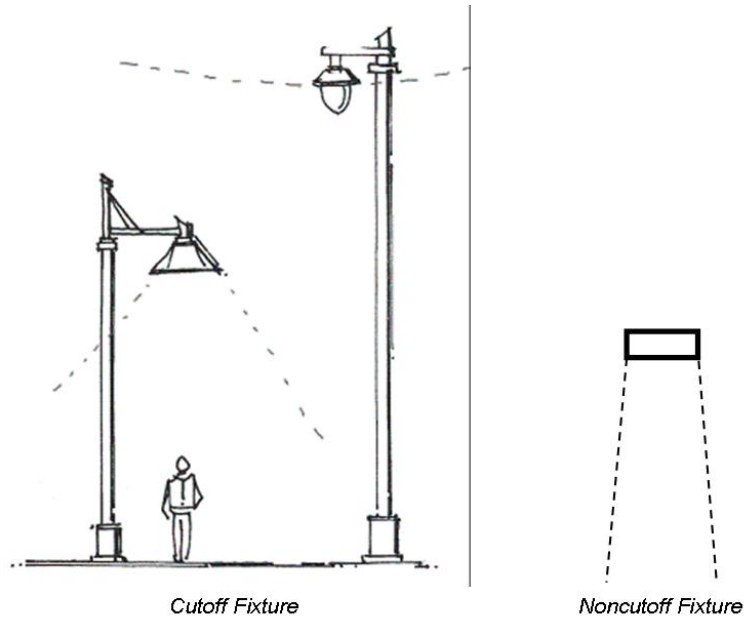
*Planting Material Screen*



*Example of Surface Parking Screened from Street*

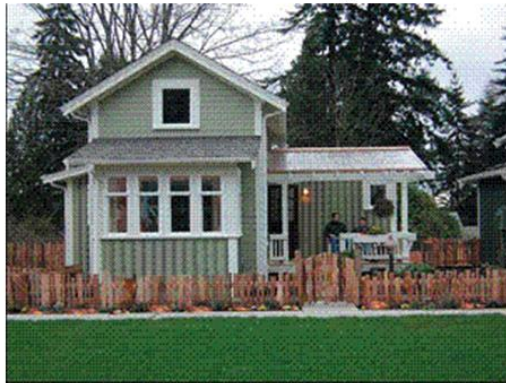


- c. Paving: All surface parking shall be improved in accordance with the standards of SMC 17C.230.140.
- 3. Lighting.  
To diminish the amount of glare and spillover from lighting, the following standards shall apply:
  - a. Intensity: Exterior lighting fixtures shall not exceed one foot-candle in intensity.
  - b. Cutoffs Required: Lighting fixtures shall comply with the standards of SMC 17C.220.080

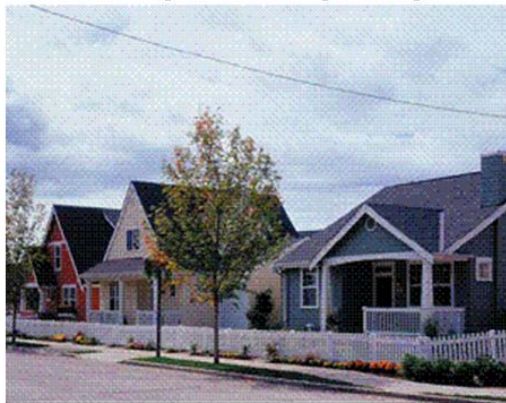


4. Fencing: To ensure a residential atmosphere, fencing higher than forty two inches shall not be permitted along any street frontage.

*Residential Fencing*



*Residential Fence Along Street Frontage No Higher than 42 inches*



5. Residential Building Design.

This section is subject to the provisions of SMC 17C.110.015, Design Standards Administration. For pocket residential development, the following design standards must be met:

- a. All street-facing facades must have landscaping along the foundation. There must be at least one three-gallon shrub for every three lineal feet of foundation. (R)
- b. Sixty percent of the area between the front lot line and the front building line must be landscaped. At a minimum, the required landscaped area must be planted with living ground cover. Up to one-third of the required landscaped area may be for recreational use, or for use by pedestrians. Examples include walkways, play areas, or patios. (R)
- c. Use of planting materials and landscape structures such as trellises, raised beds and fencing to unify the overall site design is encouraged, with plantings consistent with L3 open area landscaping standard of SMC 17C.200.030.(P)
- d. Front facade. Fire escapes, or exterior stairs that provide access to an upper level are not allowed on the front facade of the building. (R)
- e. Duplexes and attached houses on corner lots shall be designed so each unit is oriented towards a different street. This gives the structure the overall appearance of a house when viewed from either street. (R)
- f. All units must meet the following standards. Adjustments to this paragraph are prohibited, but modifications may be requested through a design departure. The standards are:
  - i. Entrances. Each of the units fronting on the street must have its address, windows, and main entrance oriented toward a street frontage. Units that are on the interior of a parent site may be oriented toward a private access or shared open space. Where an existing house is being converted to two units, one main entrance with internal access to both units is allowed. (R)
  - ii. Each unit must have a covered, main entry-related porch or stoop area of at least fifty square feet with no dimension less than five feet. (R)
  - iii. Attached units must be modulated along the public street at least every thirty feet. Building modulations must step the building wall back or forward at least four feet. (R)



- iv. Reduce the potential impact of new Pocket Residential Development on established and historic neighborhoods by incorporating elements and forms from nearby buildings. This may include reference to architectural details, building massing, proportionality, and use of high-quality materials such as wood, brick, and stone. (P)
- v. Create a human scale streetscape by including vertical and horizontal patterns as expressed by bays, belt lines, doors and windows. (P)

**BRIEFING PAPER**  
**City of Spokane**  
**Infill Development Code Revisions**  
**December 17, 2018**

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**Subject:** Infill Code Amendments for Attached Houses and Multifamily Zones

**Background**

In 2016, the Infill Development Steering Committee called for a review and potential regulatory update of development standards to support attached housing and more efficient use of land. The proposed changes align with [Comprehensive Plan](#) policies to allow more compact and affordable housing while ensuring that infill and redevelopment projects are well-designed and compatible with their surroundings (LU 2.2, LU 3.6, LU 5.5). The [Strategic Plan's](#) Urban Experience Initiative encourages high-quality and diverse residential investment, strengthening residential character, and encouraging adequate usable open space.

**Impact**

The text amendments proposed would make changes to lot area and depth, building coverage, building height, design standards, and minimum parking requirements that are favorable to the development of attached housing (such as townhouses on separate lots) and multifamily development in higher-density residential zones. The proposals described may encourage development of more separately owned attached homes in RMF and RHD zones, as opposed to multifamily development. The number of housing units per acre designated by the Comprehensive Plan would not be changed by these proposals.

The Plan Commission held workshops and hearings on the proposal and voted on November 28, 2018, to recommend that the City Council approve the proposal.

**Action**

The City Council will consider the Plan Commission's recommendation and hold a public hearing. Following the hearing, the City Council will take action on the proposal under [SMC 17G.025.010](#)(H).

Attached items in this packet in addition to the proposed ordinances include:

- Plan Commission Findings, Conclusions and Recommendation
- City of Spokane Planning Staff Report
- Public Outreach Summary
- SEPA Determination and Checklist
- Public Comments Received

**Spokane City Plan Commission**  
**Findings of Fact, Conclusions, and Recommendation**  
**Proposed Text Amendment to Spokane Municipal Code Chapters 17C.110,**  
**17C.230, and 17G.080**

**A recommendation from the City Plan Commission to the City Council to APPROVE proposed amendments to the Development Code. The proposal is related to dimensional standards for attached housing and multifamily development in residential zones, amending Spokane Municipal Code (SMC) 17C.110.200, 17C.110.215, 17C.110.310, 17C.110.360, 17C.230.100, 17C.230.130, 17C.230.140, and 17G.080.065.**

**Findings of Fact:**

- A. The City of Spokane's Comprehensive Plan encourages the efficient use of land in proximity to Centers and Corridors designated on the Land Use Plan Map (Goal LU 3), provides minimum and maximum residential densities (Land Use Chapter, Section 3.4), and provides opportunities for a variety of housing types that are safe and affordable for all income levels (Goal H1).
- B. City of Spokane Comprehensive Plan, Land Use Chapter, Policy LU 2.2, Performance Standards, states: *Employ performance and design standards with sufficient flexibility and appropriate incentives to ensure that development is compatible with surrounding land uses.*
- C. City of Spokane Comprehensive Plan, Land Use Chapter, Policy LU 3.1, Coordinated and Efficient Land Use, states: *Encourage coordinated and efficient growth and development through infrastructure financing and construction programs, tax and regulatory incentives, and by focusing growth in areas where adequate services and facilities exist or can be economically extended.*
- D. City of Spokane Comprehensive Plan, Land Use Chapter, Goal LU 5, Development Character, states: *Promote development in a manner that is attractive, complementary, and compatible with other land uses.*
- E. City of Spokane Comprehensive Plan, Land Use Chapter, Policy LU 7.1, Regulatory Structure, states: *Develop a land use regulatory structure that utilizes a variety of mechanisms to promote development that provides a public benefit.*
- F. City of Spokane Comprehensive Plan, Transportation Chapter, Goal TR 18, Parking, states: *Develop and administer vehicle parking policies that appropriately manage the demand for parking based upon the urban context desired.*
- G. City of Spokane Comprehensive Plan, Housing Chapter, Policy H 1.18, Distribution of Housing Options, states: *Promote a wide range of housing types and housing diversity to meet the needs of the diverse population and ensure that this housing is available throughout the community for people of all income levels and special needs.*
- H. City of Spokane Comprehensive Plan, Urban Design and Historic Preservation Chapter, Policy DP 2.12, Infill Development states: *Encourage infill construction and*

*area redevelopment that complement and reinforce positive commercial and residential character.*

- I. According to the Washington Commerce Department's 2015 Housing Needs Assessment, more than 24,000 of homeowner households at every income level assessed in the Spokane Urbanized Area paid more than 30 percent of their income on housing, a status defined as "cost-burdened." More than 28,000 renter households were also cost-burdened. Together these represented a third of the total number of households. Only 43 percent of households earning less than \$31,500 (50% of area median income) had access to affordable and available housing.
- J. According to American Community Survey ("ACS") 1-year estimates, rental vacancies in Spokane County in 2017 were at the lowest level for at least 13 years, at 2.4 percent, falling from a high of 8 percent in 2011. The city of Spokane's rental vacancy rate also reached a 13-year low of 2.4 percent in 2017, which was down from a high of 9.7 percent in 2009 for that period.
- K. According to 2012-2016 ACS 5-year estimates, more than 10 percent of all households in the city of Spokane had no vehicle, while 36 percent of households in the city had one vehicle. More than 9 percent of all households were renter-occupied with no vehicle.
- L. In 2016, a Plan Commission subcommittee ("committee") was formed to identify local issues and develop strategies to overcome obstacles to infill development that would enable and promote high-quality development on vacant land. During a public engagement process that solicited community input, the committee learned of interest in construction of attached housing, such as townhouses, and identified potential barriers that are making it difficult or impossible to achieve the densities and housing options envisioned in the Comprehensive Plan.
- M. The committee prepared a series of recommendations that included proposed regulatory changes, including amendments to update dimensional and other standards such as smaller lot sizes to support attached housing and more efficient use of land (SMC 17C.110.200). The Spokane City Council adopted Resolution 2016-94 on November 21, 2016, recognizing the committee's summary report and recommendation as a guide for future program development and potential regulatory implementation measures.
- N. In January 2018, the City Council adopted, and in February 2018, the Mayor signed Ordinance C35575, which carried out committee recommendations related to lower-density residential zones by providing alternative residential development standards in those areas.
- O. On March 14, April 11, April 25, May 9, September 12, September 26, October 10, and October 24, 2018, the Spokane City Plan Commission held workshops to study the separate proposed amendments to SMC Title 17 regarding primarily higher-density residential zones.
- P. Public open houses were held May 3 and May 9, 2018, at West Central Community Center and Spokane City Hall, seeking public feedback on the proposal to amend chapters 17C.110 and 17C.230. The City provided notice of the open house meeting

by advertising on its website and via email notice to neighborhood councils and interested parties.

- Q. On May 18, 2018, pursuant to RCW 36.70A.106, the City notified the Washington Department of Commerce of its intent to adopt proposed changes to SMC Title 17. On May 23, 2018, the City received an acknowledgement letter from the Department of Commerce.
- R. On June 27, 2018, the responsible official issued a State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance for the proposed amendments to chapters 17C.110 and 17C.230 SMC. The public comment period for the SEPA determination ended on July 11, 2018.
- S. On July 4, 2018, the City caused notice of the proposed amendments to chapters 17C.110 and 17C.230 SMC and announcement of the Plan Commission's July 11, 2018 hearing to be published in the City's Official Gazette. The Notice and announcement was also published in the Spokesman-Review on June 27 and July 4, 2018.
- T. On July 11, 2018, the City Plan Commission held a public hearing on the proposed amendments, where the Plan Commission heard testimony from the public. During the hearing, the Plan Commission entertained a number of proposals to amend the draft regulations. The Plan Commission voted to consider several of the amendments and asked staff to research regarding the proposed amendments and their impacts. The Plan Commission continued the hearing to November 14, 2018, for the purposes of allowing additional public comment and testimony on the proposed amendments.
- U. On October 31, 2018, the responsible official issued an amended SEPA Checklist and Revised Determination of Non-Significance for the proposed amendments to chapters 17C.110, 17C.230, and 17G.080 SMC. The public comment period for the SEPA determination ended on November 14, 2018.
- V. On November 7, 2018, the City caused notice of the additional proposed amendments to chapters 17C.110, 17C.230, and 17G.080 SMC and announcement of the November 14 continued hearing to be published in the City's Official Gazette. The Notice and announcement was also published in the Spokesman-Review on October 31 and November 7, 2018.
- W. Prior to the continued Plan Commission hearing on November 14, 2018, staff prepared a report providing staff's analysis of the proposed amendments, copies of which were circulated to the Commissioners.
- X. On November 14, 2018, the City Plan Commission held a continued public hearing on the proposed amendments, where the Plan Commission heard testimony. Deliberations were continued to the Commission's November 28, 2018 meeting.
- Y. As a result of the City's efforts, the public has had extensive opportunities to participate throughout the process and persons desiring to comment were given an opportunity to comment.

- Z. During deliberations, the Plan Commission considered the proposed text amendments using the criteria set forth in SMC 17G.025.010.
- AA. Except as otherwise indicated herein, the Plan Commission adopts the findings and analysis set forth in the Staff Report prepared for the amendments.
1. With respect to maximum building coverage, the Plan Commission finds that it is necessary to increase the standards in SMC Table 17C.110-3 for all attached housing development from 50 percent to up to 70 percent for lots in RMF, and from 60 percent to up to 80 percent for lots in RHD.
  2. With respect to maximum wall height, the Plan Commission finds that the existing standard should be maintained in the RMF zone within 40 feet of a common boundary with a RSF zone, and that SMC 17C.110.200 and 17C.110.215 should be amended to continue the existing maximum wall height regulation of 30 feet in those locations.
  3. With respect to roof forms and maximum roof height, the Plan Commission finds that the exception to allow limited height exceptions above the roof height in RMF and RHD-35 zones of 15 feet for pitched roofs should include other roof types in addition to gabled and hipped roofs, as long as a minimum of one roof plane intersects the maximum height plane (such as for shed roofs), and that draft changes for SMC 17C.110.215 should be amended to allow those roof types and establish a sense of “top” per SMC 17C.110.455 (multi-family design standards).
  4. With respect to maximum roof height, the Plan Commission finds that new exceptions should be added in SMC 17C.110.215 to allow limited projections for parapets, railings, and fences and walls in the RMF and RHD zones to extend above the height limit.
  5. With respect to minimum parking requirements for attached housing development, the Plan Commission finds that the 30- and 50-percent parking reductions proposed for the RMF and RHD zones in SMC 17C.230.130 are necessary to add additional housing units and remove an impediment to development.
- BB. There is an immediate need in the city of Spokane for housing, particularly affordable housing. The Plan Commission heard testimony that the requirement for off-street parking increases the cost of development, making it an impediment to providing affordable housing. The proposed amendments will remove an impediment to providing affordable housing by reducing parking requirements to create opportunities for development that achieves the Residential 15-30 and Residential 15+ densities envisioned for these areas in the Comprehensive Plan.
- CC. The proposed amendments respond to looming crises due to the number of houses that need to be constructed, while creating additional opportunities to compatibly increase affordable housing and respond to demands of citizens of every income level experiencing a shortage of housing, as indicated by comments received and the historic low vacancy rates.

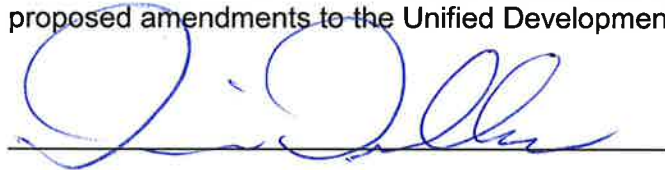
**Conclusions:**

With regard as to whether the proposed amendments to chapters 17C.110, 17C.230, and 17G.080 SMC, as amended, meet the approval criteria of SMC 17G.025.010(G) for text amendments to the Development Code, the Plan Commission concludes:

1. The proposed amendments are consistent with the applicable provisions of the City's Comprehensive Plan.
2. The proposed amendments bear a substantial relation to public health, safety, welfare, and protection of the environment.

**Recommendation:**

By a vote of 8 to 0, the Plan Commission recommends to the City Council APPROVAL of the proposed amendments to the Unified Development Code, with changes as deliberated.



**Dennis Dellwo, President  
Spokane Plan Commission**

December 12, 2018

**STAFF REPORT ON UNIFIED DEVELOPMENT CODE**  
**TEXT AMENDMENT**  
**DIMENSION/TRANSITION STANDARDS FOR MULTIFAMILY ZONES**

**A. SUMMARY OF REQUEST AND RECOMMENDATIONS:**

**DESCRIPTION OF PROPOSAL:** This proposal is a second phase in a series of code changes recommended by the infill development steering committee in 2016 (draft proposal Exhibit A). This proposal relates to development regulations and attached housing standards in zones that allow residential uses, primarily multifamily zones, and sites adjacent to residential zones (see map – Exhibit B).

The City Plan Commission opened a public hearing on July 11, 2018, and continued the hearing to November 14, 2018, in order to consider additional changes proposed in public comments. These additional changes are summarized as items 1 through 7 in a July 11 [briefing paper](#) (Exhibit C). The additions considered concerned height increases and reduced regulation of lot layout and minimum parking requirements for development of attached single-family houses in the higher-density zones. The specific sections affected are summarized below.

**STAFF RECOMMENDATION:** Staff recommends PARTIAL APPROVAL of the draft proposal Exhibit B, with recommendations to not approve certain changes to SMC 17C.110.200 and 17C.230.130.

- For details and analysis of the consistency with comprehensive plan and Spokane Municipal Code criteria for amendments to the Unified Development Code, see Section E of this report below.

Recommendations are summarized next to each draft change proposed below, with draft changes suggested in public testimony received (including those received at the July 11 hearing) shown in shaded cells below:

SMC Section/Change Proposed		Staff Recommendation
17C.110.200	Remove the wall height, currently 30 feet, leaving only the roof height of 35 feet for primary buildings in the RMF zone	<b>Approve</b> removal of 30-foot wall height
17C.110.200	Eliminate minimum lot area of 1,600 sq. ft. for attached houses in the RMF zone <ul style="list-style-type: none"> <li>▪ <i>Note: Corresponds with item #3 from July 11, 2018, hearing briefing paper</i></li> </ul>	<b>Proposed alternative: change to 1,450 sq. ft.</b> Eliminating minimum area is unnecessary to achieve development objective and inconsistent with Policy LU 3.7. See Section (E)(1-2) of this report, below
17C.110.200	Eliminate lot depth for attached houses in the RMF zone <ul style="list-style-type: none"> <li>▪ <i>Note: Corresponds with item #4 from July 11, 2018, hearing briefing paper</i></li> </ul>	<b>Approve</b> elimination of lot depth
17C.110.200	Add new building coverage standards for individual lots to apply to the whole development for attached houses in all residential zones <ul style="list-style-type: none"> <li>▪ <i>Note: Corresponds with item #5 from July 11, 2018, hearing briefing paper</i></li> </ul>	<b>Do not approve:</b> the text is unnecessary to achieve development objective and uncoordinated with other requirements that limit building coverage. See Section (E)(1-2) of this report, below.



SMC Section/Change Proposed	Staff Recommendation
17C.110.215 Adopt limited height exceptions above the roof height in RMF and RHD-35 zones of 15 ft. for pitched roofs (up to 50 ft. at roof ridge) <b>and</b> 3 ft. for partially above-grade parking	<b>Approve</b> height exceptions
17C.110.310 Reduce side lot line setbacks for attached houses and combine curb cuts for some housing types on narrow lots in all residential zones	<b>Approve</b> changes to side lot line setbacks and curb cut locations
17C.110.310 and 17C.110.360 Apply multifamily design standards of SMC 17C.110.400 through .465 to attached housing in the RMF and RHD zones ▪ <i>Note: Corresponds with item #6 from July 11, 2018, hearing briefing paper</i>	<b>Approve</b> multifamily design standards for attached housing in RMF, RHD
17C.110.360 Change the maximum size for Pocket Residential Development in higher-density zones without requiring a PUD	<b>Approve</b> change
17C.110.360 Change homeowners' association requirements in all locations	<b>Approve</b> change
17C.230.100 Specify whole number rounding for parking calculations	<b>Approve</b> change
17C.230.130 Introduce new parking exceptions for attached housing only in RMF and RHD zones, of 30-50 percent reduction depending on proximity to centers ▪ <i>Note: Corresponds with item #7 from July 11, 2018, hearing briefing paper</i>	<b>Proposed alternative: adopt the 1:1,000 sq. ft. calculation available to Centers, nearby areas only.</b> Existing reductions and exceptions are adequate; proposal conflicts with existing neighborhoods. See Section (E)(1-2) of this report, below.
17C.230.140 Reduce some parking area setbacks on sites that abut residential zones	<b>Approve</b> changes
17G.080.065 Make corresponding changes to design standards and homeowners' association requirements in alternative residential subdivisions ▪ <i>Note: Corresponds with item #6 from July 11, 2018, hearing briefing paper</i>	<b>Approve</b> changes

**Note: Exhibits are attached to this report. Citizen comment letters and department comments are included in the file and available online at:**

- [static.spokanecity.org/documents/projects/infill-housing-strategies-infill-development/2018-11-08-comments-infill-compressed.pdf](http://static.spokanecity.org/documents/projects/infill-housing-strategies-infill-development/2018-11-08-comments-infill-compressed.pdf)

Changes to *minimum lot width* and *front lot line* for attached houses with a street curb cut (no alley parking), proposed originally, and were removed from this proposal, following public testimony, plan commission workshops, and difficulty providing on-street parking at reduced lot dimensions.

**B. GENERAL INFORMATION:**

Staff Contact:	Nathan Gwinn, Asst. Planner, 808 W. Spokane Blvd., Spokane, WA 99201, Phone: (509) 625-6893 <a href="mailto:ngwinn@spokanecity.org">ngwinn@spokanecity.org</a>
Applicant:	City of Spokane Planning
Location of Proposal:	Citywide
Zoning/Land Use Plan Designation:	Varies: primarily residential zones (RA, RSF, RTF, RMF, RHD) and residential land use plan map designations, and adjacent sites.
SEPA Status:	A SEPA threshold Revised Determination of Nonsignificance (DNS) was issued on Oct. 31, 2018.
Enabling Procedure:	SMC 17G. 025, Unified Development Code Amendment Procedure
Plan Commission Hearing Dates:	July 11, 2018 continued to November 14, 2018

**C. BACKGROUND INFORMATION:**

1. **Site Description:** The several locations affected are shown on the map of zoning districts in Exhibit B.
2. **Project Description:** Development Code text amendments for dimension and transition standards for attached houses and multifamily zones.
3. **Existing and Proposed Text:** Exhibit A attached to the proposed Ordinance contains the proposed edits in “line in/line out” format, with text to be added indicated by underlining, and text to be deleted indicated with ~~strikeouts~~.
4. **Applicable Municipal Code Regulations:** SMC 17G.025, Unified Development Code Amendment Procedures.
5. **Procedural Requirements:**
  - Notice of intent to adopt text amendments emailed to contact list on April 25, 2018;
  - Request for comments for SEPA review sent to agencies, and 60-day notice of intent to adopt text amendments sent to Washington Commerce Department, on May 18, 2018;
  - SEPA threshold determination issued June 27, 2018; revised threshold determination issued Oct. 31, 2018;
  - Notice of Plan Commission Public Hearing was posted, published, and mailed June 27, 2018, and Oct. 31, 2018;
  - Notice of Public Hearing was published in the Spokesman Review on June 27, July 4, October 31, and November 7, 2018;
  - Plan Commission Public Hearing convened July 11, 2018, continued date is scheduled for November 14, 2018.

**D. AGENCY, INTERESTED DEPARTMENT, AND PUBLIC COMMENTS:**

Notice of this proposal was sent to City departments and outside agencies for their review. Department comments are included in the file.

**E. REVIEW CRITERIA:**

SMC 17G.025.010 provides the criteria for decisions on amendments to the unified development code. The following is a list of considerations used by the plan commission and city council in determining whether a criterion for approval has been met. Following the review criteria is an analysis of the consistency of the proposal with the review criteria.

**SMC 17G.025.010 Approval Criteria**

The City may approve amendments to this code if it finds that:

1. The proposed amendment is consistent with the applicable provisions of the comprehensive plan; and

Staff comment: Except for proposed changes to 17C.110.200 related to minimum lot area and building coverage, and 17C.230.130 related to parking exceptions, staff advises that most changes proposed are consistent with the especially relevant Comprehensive Plan Goals and Policies listed below on pages 6-9 of this report.

One overall objective of this update is to remove current impediments in the code to achieving the densities envisioned by the comprehensive plan. For the RMF and RHD zones, which implement the Residential 15-30 and Residential 15+ residential designations of the comprehensive plan, these amendments are needed to facilitate achieving those densities through the additional flexibility for building height and site layout for various forms of housing development.

- Primary Building Height - SMC 17C.110.200, Table 17C.110-3; SMC 17C.110.215  
Staff advises that the proposed height exceptions in SMC 17C.110.215 developed by the Plan Commission in workshops in 2018 are sufficient to allow three full stories and partially underground parking in all RMF and RHD-35 zones, with pitched roof forms for taller buildings, consistent with policies such as LU 5.5 Compatible Development, and DP 1.2 New Development in Established Neighborhoods.

Staff advises that it would be inconsistent to include additional height on a citywide basis for the primary structure in RMF and RHD-35 zones—to 50 feet for all roof types—as proposed in public comments, and that further review of proposals for increased height pursuant to subarea plans or rezone would be needed to complement existing neighborhoods and maintain consistency with policies LU 5.5 and DP 1.2.

- Minimum Lot Area and Maximum Building Coverage - SMC 17C.110.200, Table 17C.110-3  
The changes proposed to eliminate minimum lot area in the RMF zone (part of the “Option 2” changes to the table), where there is established a maximum density of 30 dwellings per acre, are inconsistent with Policy LU 3.7 Minimum and Maximum Lot Sizes. Meanwhile, the existing 1,600 sq. ft. minimum for attached houses only allows up to 27 dwelling units per acre of land, falling short of the designated range Residential 15-30.

Therefore, instead of eliminating lot area, staff advises that the minimum lot area should not be eliminated, and instead, the lot area should be reduced from 1,600 sq. ft. to 1,450 sq. ft. for attached houses in Table 17C.110-3 to accommodate expectations for developments outside a Pocket Residential Development or Alternative Residential Subdivision. This smaller change would maintain consistency with LU 3.7.

While staff advises against eliminating the lot size and building coverage text changes to the table, as proposed under Option 2, the same development objective can be achieved under existing code, through a Pocket Residential Development (See SMC 17C.110.360 (D)(10): “There is no minimum lot size for lots created within a pocket residential development;” and SMC 17G.080.065(D)(3): “Each lot’s area and width for purposes of subdivision may be as small as the footprint of the individual dwelling unit.”)

The City balances efficient land use policies such as LU 3.6 3.6 Compact Residential Patterns with standards to implement policies such as NE 4.3 Impervious Surface Reduction. The changes to add building coverage text to the table (also part of the Option 2 text) may cause expectations of additional impervious surface and could result in confusion as pieces of attached housing are redeveloped over time.

Existing text in the code anticipates this need and provides for building coverage to be tracked over time. The Alternative Residential Subdivision regulations require a plat note to acknowledge potential limitations on development as a result of application of development standards on the parent site under SMC 17G.080.065(D)(8).

Given the ability to achieve full building coverage on individual lots under SMC 17G.080.065(D)(3), there is no need to state the same in the development table and insert greater uncertainty about successive developments exceeding the building coverage, and staff advises not adding the Option 2 text to Table 17C.110-3.

- Parking Exceptions - SMC 17C.230.130

The new parking exceptions for attached housing in the RMF and RHD zones, which were not part of the original proposal, are inconsistent in some residential areas with respect to LU 1.4 Higher Density Residential Uses, TR 18 Parking, and DP 1.2 New Development in Established Neighborhoods. Conflicts between existing development and capacity to absorb new development will create problems if the current levels of parking for new development are changed.

For example, areas zoned RHD such as Browne’s Addition and West Central recognize areas with established multifamily development and a context that is expected to continue. Other areas farther from the downtown core are less developed and do not already rely upon on-street parking for established development. Some areas of the city are platted with alleys and some areas are not.

In its recognition of urban context and key actions, Policy TR 18 Parking suggests a future, broader review of parking or parking reductions for specific areas with supportive data. Policies also direct incentives to Centers, such as parking reductions, rather than to the RMF and RHD zones, which under the proposal would see greater parking reductions than those priority growth areas. Staff advises that for the meantime, the existing code provides sufficient reductions to parking, with mechanisms in place to allow an applicant to seek a reduction in off-street parking,

such as counting qualifying on-street parking adjacent to the site (SMC 17C.230.100[G]), and receiving a reduction when frequent transit is adjacent (SMC 17C.230.130[C]).

However, a previously discussed alternative maintains consistency with Comprehensive Plan policy by ensuring proximity to Centers for the parking reduction incentive (see Goal LU 1 Citywide Land Use and LU 3 Efficient Land Use), while also tying the reduction directly to the size of the home by allowing the option of one stall per 1,000 gross square feet of floor area (Table 17C.230-1). This version was labeled “Option 1” for those workshops.

If some reduction is necessary to help incentivize construction of attached housing, staff suggests replacing the text in the draft of SMC 17C.230.130 with the text previously discussed in the October 10 and October 24 workshops, which would allow developments to use the same calculation as development with Center zoning, but only within proximity to Centers:

**Option 1. F.** In the RMF and RHD zones, attached housing built on a lot at least partially within one thousand three hundred twenty feet of a CC, CA, or DT zone or CC3 zoning overlay may use the minimum number of parking spaces required for residential developments in CC1, CC2, or CC3 zones in Table 17C.230-1.

Remaining parts of the proposal are consistent with supporting documents of the Comprehensive Plan. See the full text of the Comprehensive Plan for discussion following each Policy.

<https://my.spokanecity.org/shapingspokane/comprehensive-plan/>

### Relevant Comprehensive Plan Goals and Policies

#### From Chapter 3 Land Use

#### Goal: LU 1 CITYWIDE LAND USE

Offer a harmonious blend of opportunities for living, working, recreation, education, shopping, and cultural activities by protecting natural amenities, providing coordinated, efficient, and cost effective public facilities and utility services, carefully managing both residential and non-residential development and design, and proactively reinforcing downtown Spokane’s role as a vibrant urban center. Promote the efficient use of land by the use of incentives, density and mixed-use development in proximity to retail businesses, public services, places of work, and transportation systems.

- LU 1.4 Higher Density Residential Uses  
Direct new higher density residential uses to Centers and Corridors designated on the Land Use Plan Map.

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

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

**Goal: LU 2 PUBLIC REALM ENHANCEMENT.**

Encourage the enhancement of the public realm.

- **LU 2.2 Performance Standards**

Employ performance and design standards with sufficient flexibility and appropriate incentives to ensure that development is compatible with surrounding land uses ... Performance and design standards should address, among other items, traffic and parking/loading control, ... reduced parking, and increased density, in exchange for development that enhances the public realm.

**Goal: LU 3 EFFICIENT LAND USE**

Promote the efficient use of land by the use of incentives, density and mixed-use development in proximity to retail businesses, public services, places of work, and transportation systems.

- **LU 3.1 Coordinated and Efficient Land Use**

Encourage coordinated and efficient growth and development through ... regulatory incentives ... The Centers and Corridors designated on the Land Use Plan Map are the areas of the city where incentives and other tools should be used to encourage infill development, redevelopment and new development.

- **LU 3.6 Compact Residential Patterns**

Allow more compact and affordable housing in all neighborhoods, in accordance with design guidelines.

- **LU 3.7 Maximum and Minimum Lot Sizes**

Prescribe maximum, as well as minimum, lot size standards to achieve the desired residential density for all areas of the city.

**Goal: LU 5 DEVELOPMENT CHARACTER**

Promote development in a manner that is attractive, complementary, and compatible with other land uses.

- **LU 5.5 Compatible Development**

Ensure that infill and redevelopment projects are well-designed and compatible with surrounding uses and building types.

- **LU 7.1 Regulatory Structure**

Develop a land use regulatory structure that utilizes a variety of mechanisms to promote development that provides a public benefit.

Discussion: ... For instance, a development may be allowed ... increased building height if there is ... some other development feature that results in a direct benefit to the public.

#### From Chapter 4 Transportation

- TR 18 Parking

Develop and administer vehicle parking policies that appropriately manage the demand for parking based upon the urban context desired.

##### Key Actions

... f. Review parking minimums to ensure they are not resulting in a disconnect in the amount of parking provided and land use goals.

... h. Enforce on-street parking in areas where there are spill over parking from neighboring development to ensure that driveways are not blocked.

#### From Chapter 6 Housing

##### Goal: H 1 HOUSING CHOICE AND DIVERSITY

Provide opportunities for a variety of housing types that is safe and affordable for all income levels to meet the diverse housing needs of current and future residents.

- H 1.7 Socioeconomic Integration  
Promote socioeconomic integration throughout the city.
- H 1.9 Mixed-Income Housing  
Encourage mixed-income developments throughout the city.
- H 1.18 Distribution of Housing Options  
Promote a wide range of housing types and housing diversity to meet the needs of the diverse population and ensure that this housing is available throughout the community for people of all income levels and special needs.
- H 1.19 Senior Housing  
Encourage and support accessible design and housing strategies that provide seniors the opportunity to remain within their neighborhoods as their housing needs change.

#### From Chapter 7 Economic Development

- ED 7.6 Development Standards and Permitting Process  
Periodically evaluate and improve the City of Spokane's development standards and permitting process to ensure that they are equitable, cost-effective, timely, and meet community needs and goals.

#### From Chapter 8 Urban Design and Historic Preservation

##### Goal: DP 1 PRIDE AND IDENTITY

Enhance and improve Spokane's visual identity and community pride.

- DP 1.2 New Development in Established Neighborhoods

Encourage new development that is of a type, scale, orientation, and design that maintains or improves the character, aesthetic quality, and livability of the neighborhood.

Goal: DP 2 URBAN DESIGN

Design new construction to support desirable behaviors and create a positive perception of Spokane.

- DP 2.2 Design Guidelines and Regulations  
Adopt regulations and design guidelines consistent with current definitions of good urban design.
- DP 2.12 Infill Development  
Encourage infill construction and area redevelopment that complement and reinforce positive commercial and residential character.

From Chapter 9 Natural Environment

Goal: NE 4 SURFACE WATER

Provide for clean rivers that support native fish and aquatic life and that are healthy for human recreation.

- NE 4.3 Impervious Surface Reduction  
Continue efforts to reduce the rate of impervious surface expansion in the community.

**SMC 17G.025.010 Approval Criteria**

The City may approve amendments to this code if it finds that:

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

Staff comment: Except for the specific changes in Sections 17C.110.200 and 17C.230.130 identified below, the proposed changes balance the objectives of the comprehensive plan in changing the existing residential development standards to use building sites in higher-density residential zones and areas near centers more efficiently. The changes improve conditions for townhouse development to incentivize more medium density, attached single-family construction, providing additional housing choice to the community. The changes improve conditions for infill development and reducing sprawl, and contribute to the public health, safety, and welfare of these areas designated for higher density.

Proposed changes to development standards in the RHD and RMF zone, including the new limited height exceptions in RMF and RHD-35 zones, would make development of vacant or underutilized sites easier, contributing to urban growth in desired areas closer to the desired densities of housing units per residential acre.

This proposal has been reviewed by city departments responsible for providing public services and facilities. All affected departments and outside agencies providing services in the subject areas have had an opportunity to comment on the proposal.



- Minimum lot area and maximum building coverage - SMC 17C.230.130  
The Development Services Center staff expressed verbal concerns that changes to the minimum lot area and building coverage standards in Table 17C.110-3 in SMC 17C.110.200 may create confusion and false expectations for applicants for a building permit, short plat, or other project permit, given desired coordination with stormwater and other requirements which limit building coverage, and bypassing provisions recently passed in 2018 under Ordinance C35575 to Pocket Residential Development (SMC 17C.110.360) and Alternative Residential Subdivision (SMC 17G.080.065), designed to provide property title notice. This text is labeled “Option 2” in the hearing draft (Exhibit A). The changes labeled “Option 1” would make recommended changes to existing language in Pocket Residential Development/Alternative Residential Subdivision, including removing a PUD requirement for any development larger than 1.5 acres in higher-density zones, and the requirement for a homeowners’ association for common areas. Meanwhile, City staff recommend the Plan Commission does not approve the Option 2 text and leave the minimum lot area and building coverage standards the same.
- Parking Exceptions – SMC 17C.230.130  
Comments in the record were received from the City’s Solid Waste Collection Department and Code Enforcement and Parking Services office that indicated the parking exceptions proposed in SMC 17C.230.130 pose operational problems and would not be appropriate for all of the areas proposed. As drafted, the exceptions conflict with the public safety and welfare in some of the locations affected due to existing challenges with enforcement and solid waste service delivery. Comments were directed to **earlier** versions of the exception than those in the hearing draft, one version of which would have required more parking and encouraged smaller homes to qualify for reductions.

The City balances housing affordability concerns (providing parking is a development cost) with the need to ensure that streets and alleys comprising the public right-of-way continue to function adequately for transportation, emergency services, stormwater treatment, provision of utilities, and solid waste collection. Staff advises that the existing code provides sufficient reductions to parking, or that a more modest reduction near centers is appropriate, as described under (E)(1) of this report, above.

The non-project action has been reviewed in accordance with the State Environmental Policy Act (SEPA), a DNS was issued October 31, 2018. Implementation of the changes will occur through development project approvals (such as building permits) and may be subject to project action SEPA review at that time.

Staff advises that except for proposed changes to 17C.110.200 and 17C.230.130, this criterion is met.

## **ATTACHMENT A**

### **PUBLIC OUTREACH SUMMARY**

Infill Code Amendments to Chapters 17C.110, 17C.230, and 17G.080  
Dimensional Standards for Attached Houses and Multifamily Zones

Plan Commission workshops	March 14, 2018 April 11 and 25, 2018 May 9, 2018 September 12 and 26, 2018 October 10 and 24, 2018
Neighborhood Council presentations	
Cliff-Cannon	April 3 and May 1, 2018
North Indian Trail	June 12, 2018
Bemiss	June 14, 2018
Peaceful Valley	September 12, 2018
West Central	October 10, 2018
Manito/Cannon Hill	October 11, 2018
Northwest	October 17, 2018
Latah/Hangman	November 8, 2018
Emerson Garfield	November 14, 2018
Shiloh Hills	November 15, 2018
Logan	November 28, 2018
Community Assembly	May 3, 2018 June 7, 2018
CA Land Use Committee	May 17, 2018 September 20, 2018
Open houses/events	
West Central Comm. Center	May 3, 2018
City Hall	May 9, 2018
Connect Downtown	May 21, 2018
Logan Block Party	September 13, 2018
Lower South Hill Block Party	September 15, 2018
City Council study sessions	June 14, 2018 December 13, 2018
Plan Commission public hearings	July 11, 2018 (continued) November 14, 2018 – record closed November 28, 2018 – deliberations only
Urban Experience Committee	October 8, 2018
City Council public hearing (tentative)	January 14, 2019

**SPOKANE ENVIRONMENTAL ORDINANCE  
REVISED NONPROJECT DETERMINATION OF NONSIGNIFICANCE**

**FILE NO(S):** *Proposed amendments to Spokane Municipal Code chapters 17C.110, 17C.230, and 17G.080 (no ordinance numbers yet assigned). A DNS was previously issued on July 27, 2018. This revised DNS replaces the previous DNS.*

**PROPONENT:** *City of Spokane*

**REVISED DESCRIPTION OF PROPOSAL:** *Code amendments to remove a lower wall height for primary buildings in the RMF zone (SMC 17C.110.200); adopt a limited height exception above the roof height in RMF and RHD zones (SMC 17C.110.215); reduce side lot line setbacks for attached houses and combine curb cuts for some housing types on narrow lots in all residential zones (SMC 17C.110.310); and reduce some parking area setbacks on sites that abut residential zones (SMC 17C.230.140). The proposal was modified to eliminate minimum lot area and lot depth for attached houses in the RMF zone and apply building coverage standards to the whole development for attached houses in all residential zones (SMC 17C.110.200); change the maximum size for Pocket Residential Development in certain locations, and homeowners' association requirements in all locations (SMC 17C.110.360); apply multifamily design standards of SMC 17C.110.400 through .465 to attached housing in the RMF and RHD zones (SMC 17C.110.310 and .360); specify whole number rounding for parking calculations (SMC 17C.230.100); introduce a new parking exception for attached housing in RMF and RHD zones (SMC 17C.230.130); and make corresponding changes to alternative residential subdivisions in SMC 17G.080.065.*

**LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY:** *Areas within or adjacent to certain residential zones in the city of Spokane: specifically, the RA, RSF, RTF, RMF, RHD zones. A zoning map is available for viewing at: [maps.spokanecity.org](http://maps.spokanecity.org)*

**LEAD AGENCY:** *City of Spokane*

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

- [ ] There is no comment period for this DNS.
- [ ] This DNS is issued after using the optional DNS process in section 197-11-355 WAC. There is no further comment period on the DNS.
- [x] This DNS is issued under 197-11-340(2); the lead agency will not act on this proposal for at least 14 days from the date of issuance (below). Comments must be submitted no later than November 14, 2018 at 12:00 p.m. if they are intended to alter the DNS.

\*\*\*\*\*

**Responsible Official:** Heather Trautman, AICP & CCEO

**Position/Title:** Director, Office of Neighborhood and Planning Services **Phone:** (509) 625-6300

**Address:** 808 West Spokane Falls Boulevard, Spokane, WA 99201-3329

**Date Issued:** October 31, 2018

**Signature:** \_\_\_\_\_

\*\*\*\*\*

**APPEAL OF THIS DETERMINATION**, after it becomes final, may be made to the City of Spokane Hearing Examiner, 808 West Spokane Falls Blvd., Spokane, WA 99201. The appeal deadline is fourteen (14) calendar days after the signing of the DNS. This appeal must be on forms provided by the Responsible Official, make specific factual objections and be accompanied by the appeal fee. Contact the Responsible Official for assistance with the specifics of a SEPA appeal.

\*\*\*\*\*

**State Environmental Policy Act (SEPA)  
ENVIRONMENTAL CHECKLIST**

File No. Non-project

**PLEASE READ CAREFULLY BEFORE COMPLETING THE CHECKLIST!**

**Purpose of Checklist:**

The State Environmental Policy Act (SEPA) chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An Environmental Impact Statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

**Instructions for Applicants:**

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

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 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.

**Use of checklist for nonproject proposals:**

Complete this checklist for nonproject proposals, even though questions may be answered "*does not apply*."

IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (Part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

## A. BACKGROUND

1. Name of proposed project: Attached housing, lot widths, wall height, and parking area setback text amendments to the Development Code.
2. Applicant: City of Spokane
3. Address: 808 West Spokane Falls Boulevard City/State/Zip: Spokane, WA 99201  
Phone: 509-625-6893  
Agent or Primary Contact: Nathan Gwinn, Assistant Planner  
Address: Same as applicant City/State/Zip: \_\_\_\_\_ Phone: \_\_\_\_\_
4. Date checklist prepared: May 10, 2018
5. Agency requesting checklist: City of Spokane Planning & Development
6. Proposed timing or schedule (including phasing, if applicable): Adoption expected summer 2018
7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. None that are directly related to this proposal. Additional text amendments to the development code were identified as part of a committee recommendation adopted by City Council (Resolution 2016-0094), which included residential design standards, additional housing types in specific areas, and transit-supportive parking regulations. Those actions will require separate, additional public participation processes and environmental checklists.  
b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain.  
  
This is a non-project action. While the land is primarily in private ownership, the City does own properties located within the identified zoning districts.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. A draft and final EIS were prepared for the City of Spokane Comprehensive Plan adopted in 2001. Environmental checklists have been prepared for each amendment to the Spokane Municipal Code as they have occurred following adoption of the Comprehensive Plan.
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.



Evaluation for  
Agency Use Only

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

The proposed development regulations require approval of the Spokane City Council and Mayor.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. The following amendments to the Spokane Municipal Code (SMC) are proposed related to improving options for infill development (development of vacant lots and parcels in already built up areas):

- In the RTF zoning district, reduce lot width and front lot line standards for detached houses (SMC 17C.110.200);
- In the RTF, RMF, and RHD zones, reduce lot width and front lot line standards specific to attached housing (SMC 17C.110.200);
- In the RMF and RHD zones, provide a height exception for attic areas without stairway access above the roof height (SMC 17C.110.215) and remove the requirement for a lower wall height for primary buildings in the RMF zone so that only the roof height would remain (SMC 17C.110.200);
- In all residential zones, reduce side lot line setbacks for attached housing development, and adopt a new design standard to consolidate some curb cuts on narrow lots for detached housing, duplexes and attached housing (SMC 17C.110.310); and
- On sites that abut residential zones in the Commercial, Center/Corridor, Downtown, and Industrial zoning categories, reduce some parking area setbacks (SMC 17C.230.140).

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

Staff Note:  
The proposal was modified to remove reference to occupancy restriction within the exception area above the height limit. The occupancy is no longer limited to an attic or uninhabited area.

NG 6/21/2018

Staff Note: the Proposal was modified to remove the lot width and front lot line proposals. Additionally, the proposal was further changed to modify:

- Attached housing standards - minimum lot area, lot depth, and building coverage in residential zones. (SMC 17C.110.200)
- Maximum size and procedural requirements for Pocket Residential Development (SMC 17C.110.360)
- Design standards for attached housing in RMF & RHD zones (SMC 17C.110.310 and .360)
- Parking calculations (SMC 17C.230.100)
- Parking exception for attached housing in RMF & RHD zones (SMC 17C.230.130)
- Corresponding changes to subdivision (SMC 17C.080.065)

NG 10/30/2018

required to duplicate maps or detailed plans submitted with any permit application related to this checklist. The proposal is a non-project action that would make changes to regulations that will apply differently depending on location within and abutting the residential zoning districts in Spokane, WA, as described above.

Address: Multiple locations in the city of Spokane, WA. A map of all zoning districts in Spokane is attached. For greater detail, an interactive map zoning map of individual properties is available at: [maps.spokanecity.org](http://maps.spokanecity.org)

Section/Township/Range: These areas are located in portions of:

- Sections 1 and 12, T. 24 N., R. 42 E.;
- Sec. 1-4, 10-14, 22-27, 35, 36, T. 25 N., R. 42 E.;
- Sec. 14-17, 21-28, 33-36, T. 26 N. R. 42 E.;
- Sec. 2-8, T. 24 N., R. 43 E.;
- Sec. 1-11, 16- 22, 27-35, T. 25 N., R. 43 E.;
- Sec. 20, 28-35, T. 26 N. R. 43 E.

Tax Parcel Number(s) Multiple parcels located in the city of Spokane, WA.

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.)  
Yes, all of the above.

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 affecting multiple parcels. Systems designed for stormwater disposal would be included in new development projects. These are reviewed on a project basis and mitigated as required under chapter 17D.060 SMC.

- (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. Chemical storage will be addressed at the time of project permit application.

- (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.

- (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.

b. Stormwater

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

The depth to groundwater and to bedrock varies depending on location in the city of Spokane.

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

Not applicable. This is a non-project action. Any change to existing stormwater discharge would be reviewed at the time of a new development project's design and construction.

**B. ENVIRONMENTAL ELEMENTS**

**1. Earth**

- a. General description of the site (check 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 as a result 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 type of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. Not applicable. This is a non-project action.
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. 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 the 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? If yes, give 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 discharge 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. GROUNDWATER:

- (1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. 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 (for example: 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 stormwater) and method of collection and disposal if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. 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.

d. 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 type of vegetation found on the site:

Deciduous tree: ☐ alder ☐ maple ☐ aspen

Other: Not applicable. This is a non-project action.

Evergreen tree: ☐ fir ☐ cedar ☐ pine

Other: Not applicable. This is a non-project action.

☐ Shrubs ☐ Grass ☐ Pasture ☐ Crop or grain

☐ Orchards, vineyards or other permanent crops

Wet soil plants: ☐ cattail ☐ buttercup ☐ bullrush ☐ skunk cabbage

Other: Not applicable. This is a non-project action.

Water plants: ☐ water lily ☐ eelgrass ☐ milfoil

Other: Not applicable. This is a non-project action.

Other types of vegetation: Not applicable. This is a non-project action.

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

Birds: ☐ hawk ☐ heron ☐ eagle ☐ songbirds

Other: Not applicable. This is a non-project action.

Mammals: ☐ deer ☐ bear ☐ elk ☐ beaver

Other: Not applicable. This is a non-project action.

Fish: ☐ bass ☐ salmon ☐ trout ☐ herring ☐ shellfish

Other: Not applicable. This is a non-project action.

Other (not listed in above categories): Not applicable. This is a non-project action.

b. List any threatened or endangered animal 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 as a result of this proposal? If so, describe. Not applicable. This is a non-project action.
- (1) Describe any known or possible contamination at the site from present or past uses. Not applicable. This is a non-project action.
- (2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. Not applicable. This is a non-project action.
- (3) Describe any toxic or hazardous chemicals/conditions that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. Not applicable. This is a non-project action.
- (4) Describe special emergency services that might be required. Not applicable. This is a non-project action.
- (5) 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 measure 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 that affects multiple parcels in Spokane.

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

e. What is the current zoning classification of the site? This is a non-project action affecting multiple parcels. Zoning classifications on the area affected include the residential zones (RA, RSF, RTF, RMF, RHD) as well as sites zoned in the Commercial or Industrial classifications that abut these residential zones.

f. What is the current comprehensive plan designation of the site? Not applicable. This is a non-project action that will affect multiple parcels in various designations

in Spokane and does not change the land use plan map designated residential density.

- 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 the 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 ensure the proposal is compatible with nearby 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. The changes proposed would allow an increase to wall height for primary buildings in the RMF zone. In the RMF and RHD zones, the changes

may allow an increase in height to accommodate varied roof form. Actual height would be reviewed at the time of a project or building permit.

- 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 sited that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. Not applicable. This is a non-project action. There are registered historic buildings and



districts within the city of Spokane. This action would not change or affect historic designations.

- 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 archaeology 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 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. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? Not applicable. This is a non-project action.
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). Not applicable. This is a non-project action.
- e. Will the project or proposal use (or occur in the immediate vicinity of)

Staff Note:  
The proposal was modified to allow a reduction of 30 percent of minimum parking spaces required in RMF and RHD zones for attached housing only, and reduce minimum parking spaces required by 50 percent if within  $\frac{1}{4}$  mile of CC, CA, DT zones or OC3 overlay in RMF and RHD zones for attached housing only.  
NG 10/30/2018

water, rail or air transportation? If so, generally describe.  
Not applicable. This is a non-project action.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?  
Not applicable. This is a non-project action.

*(Note: to assist in review and if known, indicate vehicle trips during PM peak, AM Peak, and Weekday (24 hours).)*

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, general describe. Not applicable. This is a non-project action.
- h. 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. Check utilities currently available at the site:

- ☐ electricity
- ☐ natural gas
- ☐ water
- ☐ refuse service
- ☐ telephone
- ☐ sanitary sewer

☐ septic system

Other: Not applicable. This is a non-project action.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed: Not applicable. This is a non-project action.

### C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency must withdraw any determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: May 18, 2018

Signature: 

Heather Trautman, AICP

#### ***Please Print or Type:***

Proponent: City of Spokane Address: 808 West Spokane Falls Boulevard

Phone: (509) 625-6300 Spokane, WA 99201

Person completing form (if different from proponent): Nathan Gwinn

Phone: (509) 625-6300 Address: 808 West Spokane Falls Boulevard  
Spokane, WA 99201

#### **FOR STAFF USE ONLY**

Staff member(s) reviewing checklist: Tirrell Black, AICP

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

- ☒ A. there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- ☐ B. probable significant adverse environmental impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- ☐ C. there are probable significant adverse environmental impacts and recommends a Determination of Significance.

#### D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

*(Do not use this sheet for project actions)*

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

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

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise? The proposal would not directly increase discharge to water, emissions to air, the production and storage of toxic or hazardous substances or noise. No increases are proposed to planned density. Land within the RMF zone is primarily located near areas designated as mixed-use centers and served by public transit. This development arrangement supports potentially shorter commuting distances and alternative modes of transportation, which may reduce overall automobile traffic and emissions to air as compared to development in a more outlying, distant location. No increase to building coverage allowed on the site is proposed.

Proposed measures to avoid or reduce such increases are: No such measures are proposed.

2. How would the proposal be likely to affect plants, animals, fish or marine life?  
This proposal is unlikely to directly affect plants and animals. The reduction in setbacks in multiple zones, and the ability to provide more dwelling units or non-residential floor area on a third floor of buildings in the RMF zone, could result in more options for layout on a project development site to preserve vegetation and/or habitat in open space.

Proposed measures to protect or conserve plants, animals, fish or marine life are: The SMC includes standards related to protection of critical areas and habitat. No additional measures are proposed to specifically address the conservation of plants and animals in this proposal.

3. How would the proposal be likely to deplete energy or natural resources? The proposed code amendments will not directly affect energy or natural resources.

Improved options for infill development could potentially help avoid conversion of resource lands and provide the option of additional travel modes and shorter travel distances on existing facilities that require comparatively less energy.

Proposed measures to protect or conserve energy and natural resources are: The proposed code amendments do not directly address energy and natural resource conservation.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, flood plains or prime farmlands? The proposed code amendments will not directly affect environmentally sensitive areas. New development would be subject to the critical area standards of the SMC.

Proposed measures to protect such resources or to avoid or reduce impacts are: No additional measures are proposed. Project impacts will be addressed at the time of permit application in accordance with the standards of the SMC.

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? The amendments are intended to implement the policies of the City's Comprehensive Plan, and to achieve density designations on the land use plan map. New projects that are allowed under the proposed amendments are required to meet the shoreline development standards.

Proposed measures to avoid or reduce shoreline and land use impacts are: No additional measures are proposed. This action will not supersede the regulations of the Shoreline Master Program SMC 17E.060.

6. How would the proposal be likely to increase demands on transportation or public services and utilities? This is a non-project action. Demands on transportation or public services and utilities will be addressed at the time of development permit approval as required by existing regulations. The planned density as allowed by the Comprehensive Plan is not proposed to be increased as part of the code amendments. The locations affected, particularly those where height changes are proposed, are located near planned urban growth centers with existing facilities and services.

Proposed measures to reduce or respond to such demand(s) are: No additional measures are proposed.

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment. The proposal does not conflict with local, state, or federal laws or requirements for protection of the environment.

C. SIGNATURE

I, the undersigned, swear under penalty of perjury that the above responses are made truthfully and to the best of my knowledge. I also understand that, should there be any willful misrepresentation or willful lack of full disclosure on my part, the agency may withdraw any Determination of Nonsignificance that it might issue in reliance upon this checklist.

Date: May 18, 2018

Signature: 

Heather Trautman, AICP

***Please Print or Type:***

Proponent: City of Spokane Address: 808 West Spokane Falls Boulevard

Phone: (509) 625-6300 Spokane, WA 99201

Person completing form (if different from proponent): Nathan Gwinn

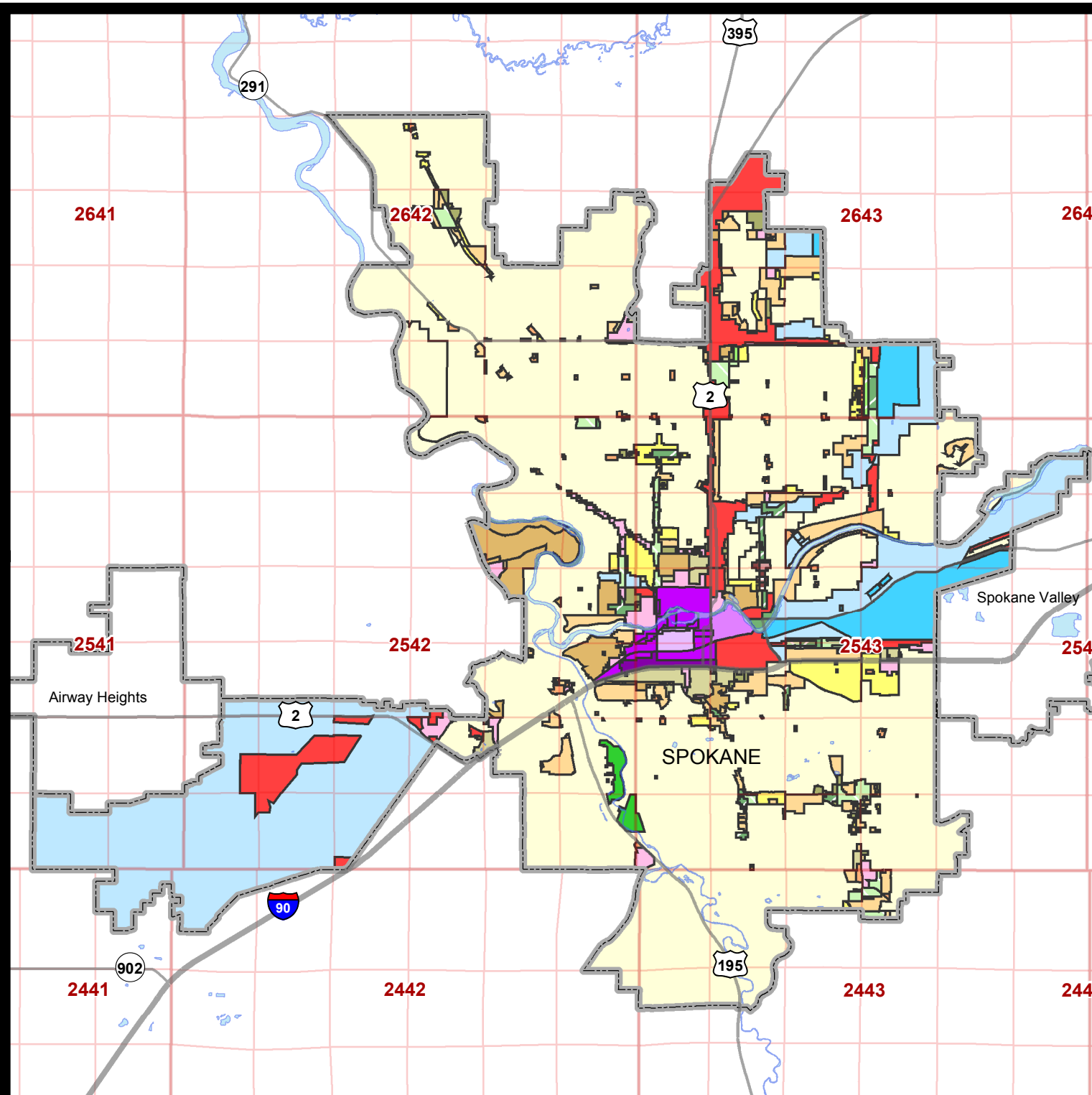
Phone: (509) 625-6893 Address: 808 West Spokane Falls Boulevard  
Spokane, WA 99201

**FOR STAFF USE ONLY**

Staff member(s) reviewing checklist: Tirrell Black, AICP

Based on this staff review of the environmental checklist and other pertinent information, the staff concludes that:

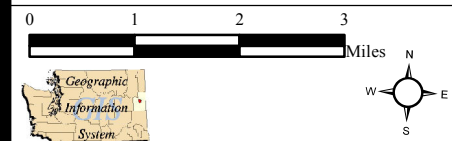
- A. ☒ there are no probable significant adverse impacts and recommends a Determination of Nonsignificance.
- B. ☐ probable significant adverse impacts do exist for the current proposal and recommends a Mitigated Determination of Nonsignificance with conditions.
- C. ☐ there are probable significant adverse environmental impacts and recommends a Determination of Significance.



# City of Spokane Zoning Districts

Print date: 5/11/2018

- City Boundaries
- Waterbody
- Section
- Township
- Center and Corridor Type 1
- Center and Corridor Type 2
- Mixed Use Transition-CC4
- Community Business
- Downtown Core
- Downtown University
- Downtown General
- Downtown South
- Context Area 1
- Context Area 2
- Context Area 3
- Context Area 4
- General Commercial
- Heavy Industrial
- Light Industrial
- Neighborhood Retail
- Office
- Office Retail
- Residential Agricultural-RA
- Res. High Density-RHD
- Res. Multifamily-RMF
- Res. Single-Family-RSF
- Res. Two-Family-RTF



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



## Attachment A Comment Log

### Substantive Public Comments Received – updated 11/14/2018

Number	Date of Comment	Name/Event	Other Info/ Draft Version/ Section/ Page	Comment Summary	Comment Start Page
1	5/3/2018	Open House Preferences	5 participants	<ul style="list-style-type: none"> <li>• <b>Setbacks:</b> 2 likes, 2 changes</li> <li>• <b>Wall Height:</b> 1 opt. 1, 2 opt. 2</li> <li>• <b>Lot Width:</b> 3 yes</li> <li>• <b>Curb Cut:</b> 1 like, 1 change</li> </ul>	4
2	5/9/2018	Grigaliunas, Karen		Opposed to proposal	8
3	5/9/2018	Gann, Heidi		Opposed to proposal	10
4	5/9/2018	Gaffney, Robert		Schedule concerns	11
5	5/9/2018	Open House Preferences	10 participants	<ul style="list-style-type: none"> <li>• <b>Setbacks:</b> 3 likes</li> <li>• <b>Wall Height:</b> 4 opt. 2, 3 other</li> <li>• <b>Lot Width:</b> 2 yes, 1 no</li> <li>• <b>Curb Cut:</b> 2 likes</li> </ul>	12
6	5/13/2018	Depasquale-Sharkey, Toni		Add requirements for landscaping in transitions and buffers	16
7	5/20/2018	Depasquale-Sharkey, Toni		Need more emphasis of language preserving trees	20
8	5/21/2018	Connect Downtown Comments	3 participants	<ul style="list-style-type: none"> <li>• <b>Setbacks:</b> 2 likes, 1 change</li> <li>• <b>Wall Height:</b> 3 opt. 1</li> <li>• <b>Lot Width:</b> 3 no</li> <li>• <b>Curb Cut:</b> 1 change</li> </ul>	26
9	6/27/2018	Frank, Jim		Changes proposed by City are insufficient to encourage design flexibility and affordable home ownership	29
10	6/28/2018	Frank, Jim		Height of 50 feet is needed for 3-story building with a pitched roof	34
11	6/29/2018	Frank, Jim		Additional changes needed for higher density residential zones	36
12	7/5/2018	Venne, Chris Frank, Jim Kienholz, Patricia		Agree with circulated comments	42
13	7/9/2018	Depasquale-Sharkey, Toni		Opposed to proposal; add landscaping requirements for preservation of trees and transition zones	44
14	7/9/2018	Bernardo, Gary		Support circulated comments	54



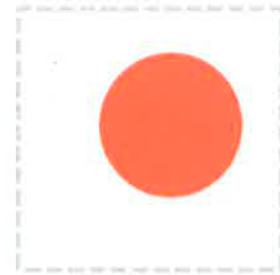
<b>Number</b>	<b>Date of Comment</b>	<b>Name/Event</b>	<b>Other Info/ Draft Version/ Section/ Page</b>	<b>Comment Summary</b>	<b>Comment Start Page</b>
15	7/9/2018	Spokane Home Builders Association		Building height should be increased to 50 feet in RMF, RHD	53
16	7/10/2018	Council President Stuckart		Support changes in proposal for height, minimum size, minimum lot width, lot dimensions, and site coverage; eliminate parking minimums for small (6 or less) attached houses in RMF and RHD zones.	55
17	7/11/2018	Sleep, Robynn		Comment relates to DNS	57
18	7/26/2018	Frank, Jim		Support additional changes to landscape area and lot dimensional requirements	58
19	9/8/2018	Frank, Jim Spokane Home Builders Association		Support height increase to 50 feet without pitched roof requirement above 35 feet	60
20	9/18/2018	Rae, Bonnie		Opposed to proposal	62
21	10/2/2018	Biggerstaff, Julie		Supports proposal, some changes	64
22	10/3/2018	Garcia, Luis City of Spokane Enforcement Supervisor		Comments relate to parking requirements	66
23	10/3/2018	Hughes, Rick City of Spokane Solid Waste Commercial Supervisor		Comments relate to parking requirements	68
24	10/3/2018	Kruger, Teresa City of Spokane Parking		Comments relate to parking requirements	69
25	10/11/2018	Schram, John		Opposed to proposal	71
26	10/11/2018	Ritter, Deborah		Concerns about impacts and proposed changes should include provisions for affordable housing for new development	72
27	10/15/2018	Carlberg, Karen		Concerns with impacts to transportation, open space	74
28	10/16/2018	Loux, Jan		Supports some proposed changes, but not building height or parking	75
29	10/16/2018	Marshall, Tod and Sinisterra, Amy		Supports some proposed changes, but not building height or parking	77

Number	Date of Comment	Name/Event	Other Info/ Draft Version/ Section/ Page	Comment Summary	Comment Start Page
30	10/16/2018	Newsom, George		Agrees with comments submitted by Jan Loux	78
31	10/17/2018	Morrissey, Barbara		Opposed to changes to lot area, concerned about parking, open space impacts	79
32	10/31/2018	Bennett, Marcella		Concerned about protecting the character of each neighborhood	81
33	11/01/2018	Gardner, Spencer		Supports increasing building height to 50 feet and removing parking requirements for buildings of 6 units or less	83
34	11/04/2018	Depasquale-Sharkey, Toni		Consider need for preserving or improving vegetation	86
35	11/08/2018	Halvorson, Jacqui		Request no-net-loss language regarding removal of mature trees	90
26	11/12/2018	Spokane Home Builders Association		Building height and parking comments	92
27	11/13/2018	Frank, Jim		Recommendations and comments on draft code	94
28	11/13/2018	Clark, Daniel		Supports proposed revisions	137
29	11/14/2018	Palmquist, Tami		Comments relate to development standards and subdivision plats	138

# Setbacks

Like

Change



More  
Ensure trees in  
transition  
buffer zones  
(incl. evergreens)



# Wall height

**Option 1**  
(no wall height – 35 ft. roof height)



**Option 2**  
(up to 5 ft. non-inhabited space above 35 ft.)



**Other**



5/3/2018

# Wall height

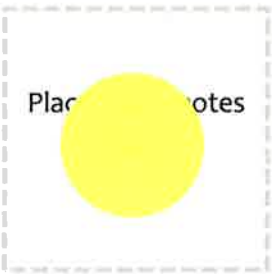
## Option 1

(no wall height – 35 ft. roof height)



## Option 2

(up to 5 ft. non-inhabited space above 35 ft.)



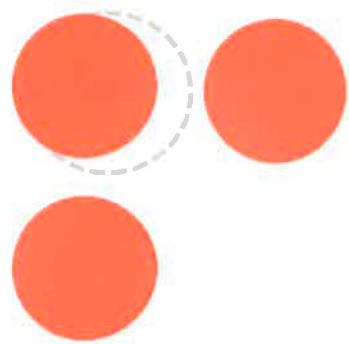
## Other



# Lot Width | Curb Cut Consolidation

- Should width be the same for townhouse lots as for duplexes?

Yes



No

Limit driveway curb cuts on lots less than 40 ft. wide

Like



Change



**From:** [Gwinn, Nathan](#)  
**To:** ["Karen Grigaliunas"](#)  
**Cc:** [Freibott, Kevin](#)  
**Subject:** RE: Land Use  
**Date:** Friday, May 11, 2018 4:27:02 PM

---

Good afternoon Ms. Grigaliunas,

Thank you for your comment. I will add it to the public record for the proposed text amendments for attached housing, lot width, wall height, and parking area setbacks.

For more information about the proposal and the background documents, please see the project webpage:

<https://my.spokanecity.org/projects/infill-housing-strategies-infill-development/>

I will also forward your comment to Kevin Freibott, who is taking input on the building heights in the DTC-100 zone near the park, which you referenced in the last paragraph of your message.

Sincerely,

**Nathan Gwinn** | Assistant Planner | City of Spokane

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

**From:** Karen Grigaliunas [mailto:[teegeegrig@gmail.com](mailto:teegeegrig@gmail.com)]  
**Sent:** Wednesday, May 09, 2018 9:33 AM  
**To:** Gwinn, Nathan  
**Subject:** Land Use

Nathan,

I totally understand there is a huge need in Spokane for more lower income housing. However, I do not see how creating tightly packed pockets within already crowded neighborhoods will solve this problem. I live in West Central. Most of the streets are relatively crowded already. We can not use our alleys to park in our back yards because the pot holes are so large and deep most cars are unable to navigate safely through them. Thus we must park on the already narrow street. Now the city wants to cram even more people into these already crowded neighborhoods!

True, most of the plans I have seen show off street parking for the new developments. But, the fact still remains, the resident must travel down crowded streets to get to their garage. Also, where are their guests to park and where do they put their second car? On the already crowded street! It is just plan ridiculous to be cramming additional people into an already overly full area.

The city should be looking at spending some of its money on improvements to what we already have, building affordable single family housing on the smaller vacant lots in existing older, crowded neighborhoods, and addressing the trashed out drug houses and rentals in

town. One of the reasons for loving Spokane is the openness of the city. Why are you trying to turn us into Seattle by piling us all on top of each other? This idea and the proposed use of land along the park downtown will do nothing but destroy what has been a beautiful city. Stop it!

Karen





## COMMENT SHEET

### Existing Neighborhood Commercial Structures in Residential Zones May 2018

For more project info visit:

[my.spokanecity.org/projects/infill-housing-strategies-infill-development/](http://my.spokanecity.org/projects/infill-housing-strategies-infill-development/)

Name: Heidi Gann  
ADDRESS: 1708 S. Maple Blvd. PHONE NUMBER: 509-879-1906  
E-MAIL CONTACT: jardinesparrot@hotmail.com

- This scares me to death! What's the rush?!  
There are so many <sup>lots</sup> places in Spokane that  
are vacant. ~~to~~ \* Stage 1: fill those spaces with  
current regulations + input from neighbors and local shops.  
\* Stage 2: Figure out what other spots can accomodate  
infill without disturbing the character of the city we  
all love. This means respecting height limits, old structures,  
native trees, and views.  
\* stage 3: with a healthy balance of views: (ie: not just  
developers and Greater Spok. Inc.) including citizens of  
neighborhoods (not necessarily Neighborhood Assembly folks)  
\* Use the Comp Plan to make a future vision of  
our city.  
- Once we deregulate, there's no going back!

Please feel free to share your questions, comments or concerns with us!

**Postal Mail** – fold this comment card in thirds, add postage and drop in the mail

**Phone** – call us at #509-625-6893

**E-mail** – write to us at [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org)

Thank you... We look forward to hearing from you!

Planning & Development Services, City of Spokane



## COMMENT SHEET

### Existing Neighborhood Commercial Structures in Residential Zones May 2018

For more project info visit:

[my.spokanecity.org/projects/infill-housing-strategies-infill-development/](http://my.spokanecity.org/projects/infill-housing-strategies-infill-development/)

Name: ROBERT GAFFNEY  
ADDRESS: 1787 W BRIDGE AVE PHONE NUMBER: 760-755-3044  
E-MAIL CONTACT: rgaffney@gmail.com

As a new resident of Spokane (renting) I have some concerns with the possible acceleration of new requirements without sufficient input from the community being impacted. I am in the process of becoming more informed about the future development of my new home city. Having lived in various neighborhoods in San Francisco from 1960-1990 (with visits there 2X-3X per year (1993-2016) I have seen some of the negative legacy of gentrification and lack of community input in developmental decisions, looking forward to being part of a continued dialogue.

— Thank you —  
✓

Please feel free to share your questions, comments or concerns with us!

**Postal Mail** – fold this comment card in thirds, add postage and drop in the mail

**Phone** – call us at #509-625-6893

**E-mail** – write to us at [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org)

Thank you... We look forward to hearing from you!

Planning & Development Services, City of Spokane

# Setbacks

Like

Change

Strongly  
encourage



Place sticky notes  
here



Yes

Strongly  
Support

# Wall height

## Option 1

(no wall height – 35 ft. roof height)

Place sticky notes here



## Option 2

(up to 5 ft. non-inhabited space above 35 ft.)

Place sticky notes here

Yes - Allow for building higher and utilizing the space within the Structure.

Yes 3<sup>rd</sup> story

Support full 3<sup>rd</sup> floor allowance

## Other

Place sticky notes here

NO!

Allow higher walls if needed to accommodate more housing. As long as it looks appealing.

Project Feasibility  
Is often dependent on density  
Support 3<sup>rd</sup> floor

# Lot Width | Curb Cut Consolidation

- Should width be the same for townhouse lots as for duplexes?

Yes

No

Limit driveway curb cuts on lots less than 40 ft. wide

Like

Change

Absolutely.  
They really  
are the same.  
Absolutely

NOT NECESSARILY  
INTERFERE TOWNHOUSES  
DON'T HAVE SIDE  
WINDOWS  
COULD BE NARROWER  
(BIDD)  
DUPLEX BY  
THEIR NATURE  
NEED MORE SPACE

WITH FLEXIBILITY

Place sticky notes  
here

Yes. The ability to  
build more types of  
housing on narrow  
lots will allow for more  
homes to be built on  
difficult sites.



**From:** [Antonia DePasquale](#)  
**To:** [Gwinn, Nathan](#)  
**Cc:** [Akkari, Omar](#); [Wittstruck, Melissa](#)  
**Subject:** Re: Green space/infill  
**Date:** Monday, May 14, 2018 4:56:05 PM

---

Great information Nathan, thank you & more importantly thank you for your time explaining these codes... some of it I don't quite understand ;-/ but, I am meeting with a friend who is knowledgeable when it comes to lands use & and she can help me.

We both would like to see a lot our Ponderosa Pines and other mature trees be conserved through the infill process.

Thanks again,

Toni

Sent from my iPhone

On May 14, 2018, at 4:03 PM, Gwinn, Nathan <[ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org)> wrote:

Hi Toni,

Thank you for your message. I will add it to the public record for the file.

For information regarding provisions for buffers and plantings that the City already adopted, the Spokane Municipal Code requires properties (other than single-family residences and duplexes) to be planted according to [SMC 17C.200.040](#) Site Planting Standards, including in setback areas along street frontages as the Conoco photo shows, and a five-foot-wide planting strip in most zones along all other property lines with exceptions such as where a parking lot adjoins another parking lot. In CC zoned properties, the planting strip width is 8 feet. SMC [17C.200.030](#) Landscape Types requires a mix of evergreen and deciduous species.

Setbacks can provide additional separation between an existing development and a new neighboring development. On commercially zoned property, a ten-foot building setback is required adjacent to residential zones. On residentially zoned property, the minimum side lot line setback is 5 feet for lots that are wider than 40 feet. The proposal would eliminate the existing requirement to double the standard setback for attached housing (a type of single-family residence), but the proposal would not change the site planting standards for other uses such as multifamily residences.

The City currently lists several species of trees in the approved street tree list. Planting in the right-of-way is coordinated between the applicant's contractor and the Urban Forestry office.

<https://static.spokanecity.org/documents/urbanforestry/permits/street-tree->

[list-2014.pdf](#)

Low Impact Development is encouraged under [SMC 17D.060.300](#). Below are the Eastern Washington Low Impact Development manual and some plant lists provided by the WSU-Extension service. The City encourages people to use these planting lists for native plants in our region.

[http://www.wastormwatercenter.org/file\\_viewer.php?id=1095](http://www.wastormwatercenter.org/file_viewer.php?id=1095)  
<http://extension.wsu.edu/spokane/master-gardener-program/home-lawn-and-garden/inw-gardening/native-plants/>

Sincerely,

Nathan Gwinn | Assistant Planner | City of Spokane  
509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

-----Original Message-----

From: Antonia DePasquale [<mailto:depasquale5@yahoo.com>]

Sent: Sunday, May 13, 2018 5:13 PM

To: Gwinn, Nathan; Akkari, Omar; Wittstruck, Melissa

Subject: Green space/infill

Good afternoon,

I hope all is well, I just went to Seattle for the weekend & there were lots of examples how green space was conserved and added in to new developments (even evergreens ♡). Here are two of my favorites. I am asking that you add in stipulations for setbacks, transitions, buffers and impervious city code (green vs pavement) to the infill ordinance, please.

Oh, I threw in Conoco on Grand, because those Evergreens were planted 25 years ago, no damage to sidewalk or pavement. I think multiple kinds of evergreen dwarfs need to be added to the city planning "plantings" list.

Thank You,  
Toni Sharkey











**From:** [Antonia DePasquale](#)  
**To:** [Black, Tirrell](#); [Gwinn, Nathan](#); [Wittstruck, Melissa](#)  
**Subject:** Blending in & infill input  
**Date:** Sunday, May 20, 2018 9:33:47 PM  
**Attachments:** [image1.png](#)  
[ATT00001.txt](#)  
[ATT00002.txt](#)  
[ATT00003.txt](#)

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Nate & Tirrell, thank you for getting back to me so soon. I really appreciate your time & communication. As I have conveyed at land use & at the infill open house, my two main concerns are 1) building design and 2) conserving our native & mature trees. I think I represent a lot of Spokaneites, in that there is a desire for blending into our special historical neighborhoods, with character. And what was supposed to be cottage pocket development ordinance, that started at 18 to 20 feet in height is now approaching 35 feet in height and is starting to feel like a “3-story skinny box with minimal landscaping”.

And as of now, I cannot go to Rockwood Neighborhood Council meeting on June 3 and in good conscious tell them I think this is a good idea for our neighborhood.

This language in yellow looks great. Is it possible to put it near the top of the codes or as the main point in a code? Is this giving developers incentives to conserve our trees or suggesting to them? Is this enforceable? If they have to take down one of our Ponderosa's can we make sure they replace with 3 evergreens? Bend, Oregon seems to do this well, evergreens at all new developments. Seems like most developers as of late have landscaped with mostly ornamental grass, corporate deciduous and shrubs.





3. Xeriscape landscaping is utilized in designated stormwater control areas.

4. When existing trees and other vegetation serves the same or similar function as the required landscaping, they may be substituted for the required landscaping if they are healthy and appropriate for the site at mature size. When existing trees are eight inches or more in diameter, they shall be equivalent to three required landscape trees. If necessary, supplemental landscaping shall be provided in areas where existing vegetation is utilized to accomplish the intent of this chapter

If that is insufficient and you need more information, please let me know.

Sincerely,

As far as design

- 1) Can we consider having the roofs be gabled & pitched?
- 2) overhanging eaves?
- 3) Handcrafted look perhaps stone, brick or woodwork even if it's fake or "mixed materials."

Overall, create more of a compromise between these two designs (my house & the condo on grand)





# Four project topics

*This project addresses the following*

## Lot Width



Allow  
dista  
and  
side

## Wall Heights

10% might like this the contemporary cube look but 90% do not. I just think the city of Spokane & city planners are going to get a lot of pushback from the neighborhoods on South Hill. Spokane is turning around and booming, thanks to you guys and your continued efforts. I don't think we need to settle for irresponsible development & architects that do not provide balance in our neighborhoods. Thank You,  
Toni

This language seems

Sent from my iPhone



## Lot Width

- Should width be the same for townhouse lots as for duplexes?  
(please circle preference)

Yes

No

Comments concern about population density.

## Curb Cut Consolidation

Limit driveway curb cuts on lots less than 40 ft. wide (please circle preference)

Like

Change

Comments \_\_\_\_\_

## Wall Height (please circle preference)

Option 1  
(no wall height — 35 ft. roof height)

Option 2  
(up to 5 ft. non-inhabited space above 35 ft.)

Other

Comments \_\_\_\_\_

## Setbacks

Limit driveway curb cuts on lots less than 40 ft. wide (please circle preference)

Like

Change

Comments \_\_\_\_\_

## Lot Width

- Should width be the same for townhouse lots as for duplexes?  
(please circle preference)

Yes

No

Comments

Less for townhouses

## Curb Cut Consolidation

Limit driveway curb cuts on lots less than 40 ft. wide (please circle preference)

Like

Change

Comments

## Wall Height (please circle preference)

Option 1  
(no wall height – 35 ft. roof  
height)

Option 2  
(up to 5 ft. non-inhabited  
space above 35 ft.)

Other

Comments

## Setbacks

Limit driveway curb cuts on lots less than 40 ft. wide (please circle preference)

Like

Change

Comments

## Lot Width

- Should width be the same for townhouse lots as for duplexes?  
(please circle preference)

Yes

☒ No

Comments

Less for townhouse

## Curb Cut Consolidation

Limit driveway curb cuts on lots less than 40 ft. wide (please circle preference)

Like

Change

Comments

## Wall Height (please circle preference)

☒ Option 1  
(no wall height – 35 ft. roof height)

☐ Option 2  
(up to 5 ft. non-inhabited space above 35 ft.)

☐ Other

Comments

## Setbacks

Limit driveway curb cuts on lots less than 40 ft. wide (please circle preference)

☒ Like

Change

Comments

**From:** [Gwinn, Nathan](#)  
**To:** ["Jim Frank"](#)  
**Cc:** [Trautman, Heather](#)  
**Subject:** RE: Public Hearing July 11, 4 PM - Infill Development Code Revision  
**Date:** Thursday, June 28, 2018 3:54:01 PM

---

Hi Jim,

Thank you for your reply. I am working on a response to your comments. I would like to get back to you after I have had a chance to review them more thoroughly.

Sincerely,

**Nathan Gwinn** | Assistant Planner | City of Spokane

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

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**From:** Jim Frank [mailto:jfrank@greenstonehomes.com]  
**Sent:** Wednesday, June 27, 2018 3:16 PM  
**To:** Gwinn, Nathan  
**Subject:** Re: Public Hearing July 11, 4 PM - Infill Development Code Revision

Nathan....these are my comments to the Infill Development regulations for MF zones. These are the same comments I have been making all along, so you know where I stand. I have reviewed these with Heather and she said she would like to arrange a meeting to discuss further.

Jim

On Jun 27, 2018, at 11:36 AM, Gwinn, Nathan <[ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org)> wrote:

Hello Infill Development Project Contacts,

This message contains a notice of public hearing July 11 for a proposed text amendment to development standards, and an update about changes in the proposal that have occurred during the public participation period, to allow habitable space within a limited height exception area.

The package of text amendments is a second set of Development Code revisions which applies primarily in higher-density residentially zoned areas of Spokane, and includes the following three topic areas:

**1. Attached homes (includes townhouses on individual lots)**

- Setbacks between a building and a side lot line—all residential zones (RA, RSF, RTF, RMF, RHD)

- Front lot width and curb cuts in some residential zones (RTF, RMF, RHD)

## 2. Wall height in RMF zone and height exception in RMF & RHD zones

Under the draft proposal, Residential Multifamily (RMF) maximum wall height will be removed to match the existing roof height of 35 feet ([SMC 17C.110.200](#), Table 17C.110-3). **\*\*NOTE: The current draft includes a limited exception for pitched roofs in the RMF and Residential High Density (RHD) zones as a proposed paragraph under SMC 17C.110.215(C), on pp. 10-11. The exception was first proposed during the public participation period only for uninhabited parts of the building, and has been revised in the current draft to allow habitable space above the maximum height (such as a vaulted ceiling or loft open to the top floor).\*\***

## 3. Parking area setback – abutting residential zoning districts

This parking area setback provides a transition near residential lots under [SMC 17C.230.140\(F\)](#). The draft proposes a change to use the residential side setback along the first 60 feet where there is no neighboring front yard, allowing more flexibility in site design and additional area available for off-street parking.

Please find the attached Notice of Public Hearing and Notice of SEPA Determination for the July 11 Plan Commission hearing.

**How to Comment:** Written and in-person comments on this proposal are welcome. You may email comments to me and/or sign up at the hearing to testify to the Plan Commission.

I will send an additional notice when the City Council hearing has been scheduled.

You may find the locations of zoning districts in the city at [MapSpokane](#). More information can be viewed online at the project webpage: <https://my.spokanecity.org/projects/infill-housing-strategies-infill-development/>

Sincerely,

<image001.jpg>

**Nathan Gwinn** | Assistant Planner | Planning & Development

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

<image002.png> <image003.png> <image004.png>

<2018-06-27-public-notice.pdf>

## Comments on Proposed Infill Code Revisions

The proposed code amendments intended to encourage design flexibility and encourage affordable home ownership in higher density multifamily residential zones fall significantly short of the intended purpose.

As it currently stands, the development of rental housing (which does not require lot subdivision) is essentially unrestricted, with the exception of height limits. The current parcel dimensional standards (SMC 17C.110-3) place almost no restriction on the development of rental apartments in multifamily zones. However, when we look to subdivide lots for higher density home ownership housing (row houses, townhomes, and various forms of attached housing) these same dimensional standards (minimum lot size, frontage requirements, yard setbacks and site coverage) pose significant limitations. The barriers created by these dimensional standards have essentially eliminated new home ownership construction in multifamily zones. *(Note: Kendall Yards as you see it today would not be possible under the current MF zone development standards. Kendall Yards has variances from all height and dimensional standards as part of a pre-2006 PUD approval.)*

The code amendments that have been proposed fall far short of the change required to encourage home ownership infill in MF zones and they maintain the current code preference for rental housing in MF zones. Note the following:

1. **Lot Width:** The only proposed change in dimensional standards is to reduce the minimum lot width requirement from 36 feet to 25 feet. The proposed standards make the assumption that the units are facing the street. This is often not true, especially when designing projects larger than 3-4 units. Units in larger parcels often have private drives and face common area or side yards, just as you see with rental projects, and there is no reason to regulate lot width.
  - There is a provision for minimum lot frontage of 16 feet with “alley access and no curb cut”. However, as noted above, MF projects often use private drives and shared parking (or in some cases parking may be waived). **The requirement for an alley assumes a very narrow range of design alternatives**, which in many instances are not true.
  - Both the 16 and 25 foot lot frontage minimums are inadequate to accommodate many attached housing designs and simply form an unnecessary barrier to home ownership housing in multifamily zones. **These requirement for street frontage, lot size and lot width should all be “zero”. Density should be a regulating factor not lot size, as this is exactly what happens with rental projects.** We should be reminded that development regulations must permit development within the minimum and maximum density standards of the zone. Many of the lot size and dimensional standards to not allow minimum densities to be easily achieved with attached single family products.
2. **Site Coverage:** No change is recommended for site coverage. Site coverage is a very important and limiting dimensional standards when subdividing

for small lots. **This should be amended to 100%, as often the building footprint is the parcel.**

3. **Lot Frontage:** This is a requirement whenever lots are being subdivided (SMC 17C.110.200.F). **Attached homes in many project configurations will not have public road frontage. It is this feature that allows attached housing to be effective and achieve better site utilization and density.** Attached housing is forced to use Alternative Residential Subdivisions under SMC 17G.080.065 to subdivide parcels without public street frontage. **This provision forces an attached housing project, even in HDR zones to use an alternative subdivision process** instead of permitting such subdivision outright under SMC 17G.080 as is permitted for apartment projects.
- Staff assumes that any change in dimensional standards can be accommodated through the use of the Pocket Residential standards (SMC 17C.110.360). The problem is that Pocket Residential regulations have significant limitations when applied to home ownership development:
    - ❖ Maximum building coverage cannot be modified;
    - ❖ Front yard set backs are set at a minimum of 15 feet (many townhomes are often set between 5-10 feet from back of sidewalk);
    - ❖ Maximum project parcel site is 1.5 acres, a severely limiting factor;
    - ❖ Requires the formation of a HOA; and
    - ❖ Imposes additional design standards not imposed on MF rental development.

**The HOA requirement in SMC 17C.110.360 (Pocket Residential) is an impossible requirement for any small townhome or attached housing products.** Often there are just 2 to 6 units in size and there is no common area. Common maintenance is handled by a building covenant and does not require the formation of a separate HOA legal entity.

A far preferable approach is to alter the dimensional standards in Table SMC 17C. 110-3 for attached housing and single family developments. **In most cases the minimum dimensional standards should be set at “zero” and at a minimum low enough to encourage a wide variety of innovative housing forms.** This is especially important for street frontage, lot size and lot width standards. In the limited circumstances where the unit faces a public street and has a front entry garage accessing that street then a 25 foot lot width may be appropriate.

- If additional “design standards” are desired (as are imposed by Pocket Residential) they should be applied uniformly to both rental and homeownership products. Design standards should not be imposed on attached housing that are not imposed on rental housing simply because subdivision of lots is required.
- Finally, as noted below, buildings heights should be increased to 50 feet and minimum parking requirements should be eliminated for small projects of less than 12 contiguous units.

3. **Building Height:** The proposed changes remove the requirement for a maximum wall height but do not alter the building height of 35 feet. The current building height of 35 feet does not permit true three story buildings. A minimum of about 42 feet is required to build a three story building with a shallow pitched roof. **It is very restrictive to limit the building height in MF zones to the same height limit in low-density SF zones. The maximum building height in of the RMF and RHD should be raised to 50 feet.** Both the RMF and RHD have a minimum density of 15 dwelling units per acre (SMC 17C. 110-3). In actual practice it is nearly impossible to reach these minimum density requirements using two story buildings for either attached single family or MF structures.

4. **Parking:** Minimum parking requirements are very burdensome for urban infill development, especially in situations where there is no alley (which forces the use of front entry garages). Many jurisdictions are eliminating minimum parking requirements, especially for smaller scale projects (less than 12 units). **The proposed code changes make no change in minimum parking requirements.** The Council is considering a parking ordinance that would reduce parking requirements in certain MF zones that qualify for MF Tax Credit, but this will not benefit small scale MF homeownership development City wide. **The proposed infill regulation review should recommend the waiver of off street parking requirements for small projects in the RMF and RHD zones city wide.**



**From:** [Gwinn, Nathan](#)  
**To:** ["Jim Frank"](#)  
**Cc:** [Trautman, Heather](#)  
**Subject:** RE: Building Height  
**Date:** Thursday, June 28, 2018 5:23:01 PM

---

Thank you, Jim, I will visit the building on my way out today. I Spoke with Heather and am looking forward to meeting with you hopefully sometime soon, as you discussed yesterday.

**Nathan Gwinn** | Assistant Planner | City of Spokane

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

---

**From:** Jim Frank [mailto:jfrank@greenstonehomes.com]  
**Sent:** Thursday, June 28, 2018 4:41 PM  
**To:** Gwinn, Nathan  
**Subject:** Building Height

This is the Elm Loft building that is 3 story over a parking garage with the garage underground. This building has a very shallow roof. As you can see this has an actual code elevation ( based on surrounding ground level) of 48'2". To be effective and allow three story building the building height must be not less than 50 feet. If you go to a lower height limit you will have either 2 story building or three story with flat roofs. Neither are appropriate for MF zones. This building has a very nice massing and scale, which you can see in person, and is complimentary to the small scale buildings across the street to the north and the townhomes across the alley to the south.



**1 EAST ELEVATION**  
1/8" = 1'-0"

**From:** [Jim Frank](#)  
**To:** [Halvorson, Jacqui](#); [Kinder, Dawn](#); [Wolff, Charlie](#)  
**Cc:** [Batten, Christopher](#); [Beyreuther, Todd](#); [Brooks, Jacob](#); [Dellwo, Dennis](#); [Francis, Greg](#); [John Dietzman](#); [Kinnear, Lori](#); [Mike Baker](#); [Kienholz, Patricia](#); [Shook, Carole](#); [St. Clair, Sylvia](#); [Adams & Clark INC](#); [ALSC Architects P. S.](#); [Barb Biles](#); [Bekkedahl, Robin](#); [Bellessa, Buzz](#); [Belsby Engineering](#); [BENTHIN AND ASSOCIATES SCOTT DALE](#); [Byrd, Karen](#); [Chanse, Andrew](#); [City Council Members and Staff](#); [Craig](#); [Craig Anderson](#); [Delay, John](#); [Elias, Maria](#); [Veronica](#); [Fagan, Mike](#); [Feist, Marlene](#); [Goldstein, Flora J.](#); [Gregory Forsyth](#); [Hahn Engineering](#); [Hughes, Ryan](#); [Hume, Dwight](#); [Inc. Lydig Construction](#); [Inc. Studio Cascade](#); [Jay Bonnett](#); [Pederson, John](#); [John Pilcher](#); [John Stejer](#); [Kafentzis, Teresa](#); [Kay C](#); [Kelly Cruz](#); [Kelly, Mike](#); [Ken Van Voorhis](#); [Jim Kolva](#); [Kropp, Paul](#); [Lehman, Staci](#); [Madsen Mitchell Evenson & Conrad](#); [Mariane](#); [Markham, Suzanne](#); [Martin, Ann](#); [McDaniel, Adam](#); [Miller, Katherine E](#); [Minarik, Rod](#); [MMAH](#); [Ogden, C. Robert](#); [Olsen, Catherine](#); [Olson, Kerry D.](#); [Paras, George](#); [Patano, Ginger](#); [Patrick, Barbara](#); [Al Payne](#); [Plan Commission Members](#); [Planning - City of Spokane](#); [Pollard, Gary](#); [Tom Quigley](#); [Richman, James](#); [Brock, Robert W.](#); [Romero, Rick](#); [Sanders, Theresa](#); [Schreibels, Neal](#); [Spokane Area Economic Development](#); [Spokane Schools Kevin](#); [Stan Schwartz](#); [Stecher, Todd](#); [Davenport, Steve](#); [Stoddard, Alexandra](#); [Stratton, Karen](#); [Stuckart, Ben](#); [Greg Sweeney](#); [Taud Hume](#); [Taylor, Mike](#); [Toth, Robin](#); [Trabun, Steve](#); [Trautman, Heather](#); [Travis Nichols](#); [Varela & Associates](#); [Wittstruck, Melissa](#); [Jeffers, Christy](#); [Dellwo, Dennis](#); [Devin, Rebecca](#); [Dietzman, John](#); [Jacob Brooks](#); [Jernberg, Darcie](#); [Meuler, Louis](#); [Rick Dullanty](#); [Todd Beyreuther](#)  
**Subject:** Plan Commission Urban Infill MF Zone  
**Date:** Friday, June 29, 2018 10:31:17 AM  
**Attachments:** [MF Urban Infill Comments.docx](#)  
[Elm Street Apartments 3 story.pdf](#)

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All: I have been very passionate about the need for urban infill and the need for housing affordability. For two decades we have been on a slow walk to a housing crisis where middle income and young family find it increasingly difficult to afford a home. Some important steps have been taken by opening development options in SF neighborhoods and eliminating minimum parking requirements in parts of the City. The MF zones offer the best opportunity for urban infill development with higher permitted density and proximity to services. The current MF development standards enable large rental projects and make smaller attached housing projects (important to home ownership) nearly impossible. The preference given rental housing over home ownership in MF zones needs to end. I am hopeful that the work done by the Plan Commission will eliminate this preference. My comments on the changes needed are attached.

Thanks, Jim

## Urban Infill MDR and RDH Zone Classifications

To: Spokane Plan Commission; Plan Commission Distribution List

From: Jim Frank  
Greenstone Corporation

Date: June 26, 2018

Over the past ten years Greenstone has developed considerable experience in the development of urban infill projects in Spokane. We have a good understanding of the interface issues with existing neighborhoods, the regulatory barriers, and the acceptability of infill projects in the market place. I have been passionate about the importance of infill to our neighborhoods and the need for affordable housing.

The City Council, on recommendation from the Plan Commission, recently approved changes in the development code that will enable a broader range of housing products to be developed in low density residential zones. These changes are very helpful and a step in the right direction.

The Plan Commission is now considering changes to development regulations in the higher density multifamily zones. This is critical work if we are to meet our objectives for better quality urban development and goals for affordable housing. **The primary challenge in the multifamily zones is that they provide a preference for rental housing.** We can all see what is happening with development of large scale multifamily rental projects. What is not happening is homeownership in multifamily zones. We are not seeing higher density attached single family, townhomes and condominiums being developed as infill projects providing affordable home ownership. The lack of condominiums is the result burdensome regulatory and liability costs imposed by the State Condominium Act. The lack of attached single family and townhomes is the result of barriers in the City of Spokane development code that the Plan Commission is attempting to correct by the current infill program.

The Plan Commission is currently addressing three areas of concern in the MF zone development regulations:

- Dimensional standards: Lot width, lot size, site coverage and frontage on public streets
- Building Heights
- Parking requirements

Each of these areas play a very important role in regulating the type of development that we want to occur in our neighborhoods. I would like to address each of these areas and provide comment on the direction we need to move to meet our shared goals.

## **Dimensional Standards:**

The standards that govern development in residential zones are found in SMC 17C.110.200. This section includes Table 17C.110-3, setting out all of the development standards for residential zones. The standards for the RMF and the RHD zones are found in this table and are broken out by use type (Multi-Dwelling, Attached Houses, Detached Houses and Duplexes).

In general the developments standards in table 17C.100-3 pose little or no restriction to the development large multi-dwelling buildings. This is apparent from what you see happening in the community. “Attached Homes”, the primary tool for home ownership in multifamily zones, are severely limited by the standards outlined in Table 17C.100-3. This is due primarily to the fact that attached housing products (and thus homeownership) require subdivisions to create a lot for each dwelling unit. The fundamental difference between multi-family dwelling and single family (attached or detached) is land ownership. Multifamily units do not require land ownership for each unit, as is required for attached single family (such as townhomes). Because the lots for attached homes are very small (sometimes no larger than the footprint of the building) and are clustered in a way that they do not have street frontage the current standards essentially prevent attached home development in MF zones. Below is a summary of issues related to dimensional standards in table 17C.110.3

**Minimum Lot Area:** Currently the lot area requirement for both RMF and RHD is 1,600 SF. This minimum lot size is too large for many townhomes where in many cases the “lot” is the footprint of the building. No changes are being recommended. My recommendation that Minimum Lot Area is “zero”. “Lot Size” is essentially a suburban density control mechanism. It is not important in MF zones and density is already regulated. In MF zone it is preferable to regulate by density not lot size.

**Minimum Lot Frontage and Width:** The current standard is “36 feet or 16 feet with alley parking and no street curb cut”. The current recommendation is to reduce lot width and frontage to 25 feet.

**Where a lot has frontage on a public street and garage access is provided from the public street to a garage then I believe reducing the frontage requirement from 36 feet to 25 feet is a mistake.** This will result in the entire street frontage being a garage door. Under these circumstances I would recommend that the frontage (lot width) be the lower of 36 feet or the width where the garage width does not exceed 60 percent of the lot width. This would allow flexibility for either 1 or 2 garage doors and will ensure that at least 40% of the lot frontage is not a garage door. If the frontage is reduced to 25 feet for front entry units on a public street then 80% or more of the frontage will be garage door (assuming a 20 foot 2 are garage door). In my opinion this is not type of infill development we want to encourage.

Where the lot does not have frontage on a public street and the unit is accessed from an alley or shared parking (or where no garage is attached to the unit) then the lot width is no longer relevant and should be “zero”. By not regulating lot width where there is no garage attached to the unit or where the garage is on an alley you open up creative solutions to the placement of the buildings without adversely impacting the public street frontage.

**Lot Depth:** The current standard is 25 feet. While this is not a significant issue, and no change is being recommended, the better approach is to set this at “zero” to allow design flexibility.

**Maximum Building Coverage:** The current standard of 50% (60% for large parcels in RHD) is not a problem for large apartment complexes where large portions of the site are parking fields or private driveways. **Site coverage standards effectively prevent attached home development in many cases.** For attached homes on small lots where the garage is internal to the unit their site coverage is very high and will always be near 100%. No change is being proposed. I would recommend 100% site coverage for attached homes.

**Pocket Residential Development:** There is apparently a belief that using the Pocket Residential (SMC 17C.110.360) allows subdivision deviations from the above standards. **The Pocket Residential exception to the subdivision standards was designed for small “attached homes” in SF neighborhoods. While it is applicable to RHD and MDR zones it contains problems that make it use very limited:**

- First, it is only available for small development parcels of less than 1.5 acres. Many infill parcels will be larger. This requires the use of the PUD process to obtain standards deviation for larger parcels. The PUD process is so burdensome that in the 10 years since adoption it has never been used.
- Second, Pocket Residential requires the formation of a homeowners association, which is not required by standard subdivision. Most town home projects without common areas do not form an HOA as they are costly and burdensome.
- Finally, the pocket residential imposes significant design standards (not imposed upon rental apartments) that were intended for projects located in low density SF zones and are not appropriate for higher density projects in MF zones. Attached housing should be governed by the same design standards applied to multi-family projects.

**The subdivision of lots for attached housing should not be required to revert to alternative subdivisions processes like Pocket Residential. They should be allowed under normal subdivision standards.**

### **Building Heights:**

Currently the building height in the RMF and the RHD zones is 35 feet. This is the same height limit that is imposed in the low density RSF zone. This height limit is very restrictive and burdensome and prevents meeting the density targets that have been set for the multifamily zones. **In order to achieve 3 story buildings with a reasonable roof pitch a 50 feet height limit is required.** I recommend the height limit be increased to 50 feet in both the RMF and the RHD.

### **Parking:**

**Minimum parking standards impose a heavy burden on the development of infill housing and often result in the degradation of the residential streetscape dominated by front entry garages.** The City has taken a significant step forward in eliminating the parking requirements in limited areas of the city. The Plan Commission should take further steps to reduce the parking standards for small projects. The City already eliminates the parking requirement for small commercial buildings in neighborhood retail locations. The same policy should apply to small residential buildings. The threshold could be 6 units. This would greatly benefit urban infill with small projects where an alley is not present, eliminating the need for front entry garages from the street.



# 1 EAST ELEVATION

1/8" = 1'-0"



**From:** [Gwinn, Nathan](#)  
**To:** [Kienholz, Patricia](#); "[Jim Frank](#)"  
**Cc:** [Trautman, Heather](#); [Stuckart, Ben](#); [Burke, Kate M.](#); [Dellwo, Dennis](#); [Beggs, Breean](#); "[chrisv@communityframeworks.org](#)"  
**Subject:** RE: Urban Infill and Multifamily Zone Development Standards  
**Date:** Thursday, July 05, 2018 2:41:01 PM

---

Hello Patricia and Jim:

Thank you for your comments and for forwarding Chris Venne's response. I will include these in the public record for the file.

Sincerely,

**Nathan Gwinn** | Assistant Planner | City of Spokane

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

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**From:** Kienholz, Patricia  
**Sent:** Thursday, July 05, 2018 1:29 PM  
**To:** Jim Frank; Trautman, Heather; Gwinn, Nathan; Stuckart, Ben; Burke, Kate M.; Dellwo, Dennis; Beggs, Breean  
**Subject:** Re: Urban Infill and Multifamily Zone Development Standards

I agree.

Get [Outlook for iOS](#)

On Thu, Jul 5, 2018 at 12:34 PM -0700, "Jim Frank" <[jfrank@greenstonehomes.com](mailto:jfrank@greenstonehomes.com)> wrote:

The changes necessary to the urban infill development standards are not just a private sector issue. They also impact all of the non-profits that are struggling to provide affordable housing. See the comments from Chris Venne below.

Jim Frank  
Greenstone Corporation

Enriched Living. Lasting Value.  
[www.greenstonehomes.com](http://www.greenstonehomes.com)

Begin forwarded message:

**From:** Chris Venne <[chrisv@communityframeworks.org](mailto:chrisv@communityframeworks.org)>  
**Date:** 5 July 2018 at 11:51:08 AM GMT-7  
**To:** Jim Frank <[jfrank@greenstonehomes.com](mailto:jfrank@greenstonehomes.com)>, Rob Brewster <[rob.brewster@gmail.com](mailto:rob.brewster@gmail.com)>, Better Spokane Michael Cathcart <[mcathcart@betterspokane.org](mailto:mcathcart@betterspokane.org)>, Arthur Whitten <[AWhitten@shba.com](mailto:AWhitten@shba.com)>, Ron Wells <[ronwells@wellsandcompany.biz](mailto:ronwells@wellsandcompany.biz)>, Barry Baker <[bbaker@bakerconstruct.com](mailto:bbaker@bakerconstruct.com)>, Gary Bernardo <[gbernardo@bwarch.com](mailto:gbernardo@bwarch.com)>,

Michelle Girardot <[MGirardot@habitat-spokane.org](mailto:MGirardot@habitat-spokane.org)>, Dave Roberts  
<[daver@spokanehousingventures.org](mailto:daver@spokanehousingventures.org)>, Tom Power <[tomcpower@gmail.com](mailto:tomcpower@gmail.com)>,  
Elizabeth Tobias <[elizabethtobias18@gmail.com](mailto:elizabethtobias18@gmail.com)>

**Subject: RE: Urban Infill and Multifamily Zone Development Standards**

Jim--we strongly agree with your comments. It should not be more difficult and costly to develop for home ownership than it is for rental. If anything, the city should incentivize the development of home ownership opportunities for low and moderate income families, especially in urban infill areas. Increased home ownership will help families, stabilize neighborhoods and improve the City as a whole. The steps you outline would help make it possible to increase homeownership where it is desirable and needed.

-----Original Message-----

From: Jim Frank <[jfrank@greenstonehomes.com](mailto:jfrank@greenstonehomes.com)>

Sent: Sunday, June 24, 2018 5:17 PM

To: Rob Brewster <[rob.brewster@gmail.com](mailto:rob.brewster@gmail.com)>; Better Spokane Michael Cathcart <[mcathcart@betterspokane.org](mailto:mcathcart@betterspokane.org)>; Arthur Whitten <[AWhitten@shba.com](mailto:AWhitten@shba.com)>; Ron Wells <[ronwells@wellsandcompany.biz](mailto:ronwells@wellsandcompany.biz)>; Barry Baker <[bbaker@bakerconstruct.com](mailto:bbaker@bakerconstruct.com)>; Gary Bernardo <[gbernardo@bwarch.com](mailto:gbernardo@bwarch.com)>; Chris Venne <[chrisv@communityframeworks.org](mailto:chrisv@communityframeworks.org)>; Michelle Girardot <[MGirardot@habitat-spokane.org](mailto:MGirardot@habitat-spokane.org)>; Dave Roberts <[daver@spokanehousingventures.org](mailto:daver@spokanehousingventures.org)>; Tom Power <[tomcpower@gmail.com](mailto:tomcpower@gmail.com)>; Elizabeth Tobias <[elizabethtobias18@gmail.com](mailto:elizabethtobias18@gmail.com)>

Subject: Urban Infill and Multifamily Zone Development Standards

The Spokane City Planning staff is recommending changes to the MF development standards to encourage more urban infill in multifamily zones and to encourage home ownership in MF zones. What they have proposed falls far short of what is required. The current MF zone development standards essentially prevent the development of attached housing, such as townhomes.

They are allowed in Kendall Yards only because we have a grandfathered PUD approval. Kendall yards could not be developed under the existing and proposed development regulations.

I have attached my comments that will be forwarded to staff, Planning Commission and City Council. It would be helpful if my comments would have broad support. I will copy you on the transmittal of my comments. If you agree with my comments you can express your support in a "reply all" response.

Please let me know if you have any questions.

Thanks, Jim

**From:** [Gwinn, Nathan](#)  
**To:** ["Antonia DePasquale"](#)  
**Cc:** [Trautman, Heather](#); [Kinnear, Lori](#); [Robynn Sleep](#); [Stuckart, Ben](#); [Beggs, Breean](#); [Spell, Angel](#)  
**Subject:** RE: Infill Lacks Amendments to Protect our Amazing Urban Forest  
**Date:** Monday, July 09, 2018 11:58:01 AM

---

Thank you, Toni, I will be sure to include this message in the record.

Sincerely,

**Nathan Gwinn** | Assistant Planner | City of Spokane

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

---

**From:** Antonia DePasquale [mailto:depasquale5@yahoo.com]  
**Sent:** Monday, July 09, 2018 8:48 AM  
**To:** Gwinn, Nathan; Trautman, Heather; Kinnear, Lori; Robynn Sleep; Stuckart, Ben; Beggs, Breean; Spell, Angel  
**Subject:** Infill Lacks Amendments to Protect our Amazing Urban Forest

Hi Nate,

I am hoping you can add these comments to the Public Record in regards to infill hearing set for Wednesday, July 11 at 4:00. I am not able to attend as family is in town and we are heading up to Deer Lake. I have also included a friend, that will be present at the hearing. Overall, I have serious concerns about the state of our Urban Forest and Spokane's Natural Assets. I do not feel that are any Infill protections or incentives for Developers to develop responsibly (keeping our Basalt Rock Formations in tact and our Native Ponderosa Forest as is) in Spokane. I was in Bend, Oregon in September, so I know it can be done.

Before I can support any Amendments such as Building Heights and Parking Set back requirements, there needs to be Amendments added to the infill Ordinance, so our Green Space on South Hill is not decimated and is conserved for future generations to enjoy and what makes Spokane a Destination City. I am asking that City Planners add Urban Forest Protection Amendments, ASAP:

- 1) Landscape Requirements, that require developers to keep Mature Ponderosa Pines,
- 2) Amendment that adds Ponderosa Pines as a contributor factor that assists on our city's Storm Water Mitigation issues
- 3) That Restoration and "Plantings" of these lots be the planting of Ponderosa or other Evergreens, not just corporate Deciduous or Ornamental Grass.
- 4) Significant Transition zones established to Keep Mature Ponderosa Pines

**Here are some Examples of Irresponsible Development, Completely Clearcut on Ray Street and near Manito Golf Course in Recent Months:**











Here are some Examples of how we Can develop Responsibly:















**Thank You,**

**Toni Depasquale- Sharkey**

**From:** [Gwinn, Nathan](#)  
**To:** ["Jim Frank"](#)  
**Cc:** ["gbernardo@bwarch.com"](mailto:gbernardo@bwarch.com)  
**Subject:** RE: Infill Regs  
**Date:** Monday, July 09, 2018 9:45:00 AM

---

Thank you, Jim, I will be sure to include it in the record. I will also add Mr. Bernardo to the email contact list for the infill development project.

Sincerely,

**Nathan Gwinn** | Assistant Planner | City of Spokane

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

---

**From:** Jim Frank [mailto:jfrank@greenstonehomes.com]  
**Sent:** Monday, July 09, 2018 9:32 AM  
**To:** Gwinn, Nathan  
**Subject:** Infill Regs

Nathan..below is a response from Gary Bernardo that we would like to be part of the record.

Thanks, Jim

Jim:

Thanks for the opportunity to review and comment on your thoughts regarding the development standards. I don't typically blindly endorse these kinds of things that come from colleagues and clients without doing my own research and relying on what our experience has been trying to create projects and work within development standards that don't seem in harmony with the what the larger intent is.

That said, at least from my perspective, I think your comments on really on-point and mirror our experience, especially on infill or smaller lots where "conventional" projects may have bypassed and orphaned challenging parcels that really are prime opportunities given a little creativity on the part of the developer and design team, and appropriate development standards.

I hope the City carefully considers your perspective and if we can support that in any way, please contact me.

Best regards,

Gary

GARY BERNARDO AIA, NCARB | Principal

Bernardo|Wills Architects PC | [153 South Jefferson Street, Spokane, WA 99201](#)  
MAIN [509.838.4511](tel:509.838.4511), ext. 8020 | [www.bernardowills.com](http://www.bernardowills.com)

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July 9, 2018

Spokane City Plan Commission  
Spokane City Hall  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201

**Re: Infill Code Revisions to Multi-Family Standards**

**To: President Dellwo, Vice President Beyreuther, Commissioner Dietzman, Commissioner Shook, Commissioner St. Clair, Commissioner Francis, Commissioner Kienholz, Commissioner Baker, Commissioner Batten and Commissioner Painter**

Thank you for the opportunity to comment on behalf of the Spokane Home Builders Association (SHBA) regarding the second phase of infill code revisions related to multi-family development. As we look at this and proposals to come, it is imperative that we keep the goal of code amendments that produce more attainable housing inventory, both rental and owner-occupied, at the forefront of each policy decision.

In its current form, the proposed code amendments make some minor progress; however ultimately need to go farther to provide opportunity for the development of new medium to high density infill housing. SHBA asks that the Plan Commission consider and adopt the following amendment in their deliberations and recommendation to the City Council.

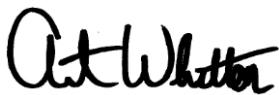
**Increase Building Heights to 50 Feet in the RMF and RHD Zones**

The intent of the proposed code amendment is to allow for true three story residential structures in the RMF and RHD zonings. However, while wall heights are proposed to be increased to 35 feet, overall building height is not amended appropriately to fully allow for the greatest variety of housing and roofing options. Our membership impacted by this code has expressed that a 50 ft building height is necessary to fully accommodate a three story structure with a pitched roof. This update would be consistent with the current building heights allowed by Spokane Valley and Spokane County in their high density zonings.

Existing density for RMF requires a minimum density of 15 units per acre with a 30 unit per acre maximum, a requirement that is currently challenging to achieve under today's development regulations. **Building height should be amended to 50 feet in the RMF and RHD zonings** to allow for three story multifamily buildings that allow builders to achieve the density goals of the comprehensive plan. City leaders have expressed density as being the policy driver for new code amendments. Today's building heights code is restrictive and a barrier to new attainable housing.

SHBA appreciates the ongoing focus of the City of Spokane to take a comprehensive look at its development regulations for opportunities to expand local free market housing options. Please contact me with any questions.

Best Regards,



Arthur Whitten

Director of Government Affairs

**CC:** Mayor David Condon, City Council President Ben Stuckart, Planning Director Heather Trautman, City Planner Nathan Gwinn



July 10, 2018

Spokane Plan Commission  
808 W Spokane Falls Blvd  
Spokane WA 99201

Dear Members of the Plan Commission,

City staff has been doing an amazing job moving forward with the recommendations of the Infill Committee. This has been a thorough process and well worth the time spent by staff, the Commission, and the Council.

We currently see a housing crunch at all levels. The lack of buildable land, low rental vacancies, and the lack of supply has led to housing affordability issues in the city.

If we wish to address this housing crunch and continue to provide city services at the level our citizens' demand, we must increase the number of people living in Spokane. This requires a community-wide effort to provide a mix of rental properties and home ownership opportunities.

To help us meet our Strategic Plan objective of increasing available housing, I strongly support the following improvements to the infill development proposals being considered by the Plan Commission:

- 1) I support changing the height from 35 ft. to 50 ft. in RMF and RHD zones. I am aware of the concerns that 35 ft. will only allow 3 stories with flat roofs. A potential compromise is to maintain the 3 story restriction but allow the height of the building to be 50 ft. This change allows for a builder to provide a housing product that matches the neighborhood character while helping the city reach our density goals.
- 2) I support changing RMF and RHD to none on minimum size, minimum lot width, lot dimensions and site coverage in table 17C.110-3. The current minimums make it practically impossible to build townhomes. We should actively encourage townhomes in RMF and RHD zones to help us meet our

goals of increasing a mix of rental properties and home ownership opportunities.

- 3) I support eliminating parking minimums for small (6 or less) attached houses in RMF and RHD zones. Again, this small change will allow townhomes to be built to provide a mix of rental and home ownership opportunities.

I hope you will consider making these changes now before it comes before the City Council for final consideration. Thank you for investing your time, knowledge, and experience in helping us address housing access in our city.

Sincerely,

A handwritten signature in black ink that reads "Ben Stuckart". The signature is written in a cursive, slightly slanted style.

Ben Stuckart  
President, Spokane City Council

Robynn Sleep  
1414 W 10<sup>th</sup> Ave  
Spokane, WA 99204  
509-842-8406

July 11, 2018

Nathan Gwinn, Assistant Planner  
Heather Trautman, Acting Director  
Spokane Planning and Development Department  
ngwinn@spokanecity.org

Subject: Comment intended to alter the SEPA finding of DNS pertaining to text amendments to Development Code revisions pertaining to infill development, issued June 27, 2018

Dear Lead Agency,

I believe the Lead Agency's Determination of Nonsignificance is in error because the proposal is likely to have significant, adverse environmental impacts and should be given a Determination of Significance. The proposal is characterized as a non-project action and maintains that all environmental impacts will be adequately addressed on a site by site basis. I dispute this and request a Determination of Significance and an Environmental Impact Statement, for the following reasons:

The proposal allows construction and development alteration of the landscape at a greater intensity and faster rate than if it were not implemented; indeed, this is the very purpose of the proposal.

The probable environmental effect of the intense densification enabled, supported and promoted by this proposal is on the watershed scale, which can not be adequately addressed on a site by site basis.

This proposal poses a grave and immediate danger to Spokane's tree canopy, a vital element of our natural infrastructure. An intact, functioning urban forest, composed of public and private trees, is a public benefit and must be managed as such to ensure its ability to provide the ecosystem services vital to residents and the river. The proposal directly compromises the integrity and functioning of our urban forest by failing to include any provisions to protect it. Any single development site, or all of them, could be clear cut of mature trees.

The answers to the questions in Section D of the Environmental checklist are misleading and incorrect because they are answered too narrowly by characterizing it as a non-project action and claiming no effect on discharges, plants, animals and fish, depletion of natural resources, potential affect on environmentally sensitive areas, land and shoreline use, and impacts on public transportation and services. By not acknowledging responsibility for the intensity and rate of adverse environmental impacts unleashed by this proposal, the city is failing in its legal and moral duty to protect the environment and its residents

The answers to questions in Section D, if not denying environmental impact, or outright stating that no environmental mitigation measures are included, speculate as to environmental benefits. Speculation is not enough, an Environmental Impact Statement needs to be done. This needs to include a tree canopy inventory, which is essential to the responsible management of the urban forest.

Thank you for your consideration of these comments.

Robynn Sleep, city resident



**From:** [Gwinn, Nathan](#)  
**To:** ["Jim Frank"](#)  
**Cc:** [Black, Tirrell](#); [Palmquist, Tami](#)  
**Subject:** RE: Front yard requirements for driveways and landscaping  
**Date:** Friday, July 27, 2018 3:53:01 PM

---

Good afternoon Jim,

Thank you for your response. We will take these suggestions under consideration as the revised draft is prepared. I will also include this message in the public record for the file.

Sincerely,

**Nathan Gwinn** | Assistant Planner | City of Spokane

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

---

**From:** Jim Frank [mailto:jfrank@greenstonehomes.com]  
**Sent:** Thursday, July 26, 2018 10:45 AM  
**To:** Gwinn, Nathan  
**Cc:** Black, Tirrell; Palmquist, Tami  
**Subject:** Re: Front yard requirements for driveways and landscaping

See notes below.

Jim Frank  
Greenstone Corporation

Enriched Living. Lasting Value.  
[www.greenstonehomes.com](http://www.greenstonehomes.com)

On 24/07/2018, at 3:04 PM, Gwinn, Nathan <[ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org)> wrote:

Hi Jim,

Below are existing code provisions I said I would follow up on from our discussion this morning.

- [SMC 17C.110.310](#)(E)(2)(b) requires 60 percent of area between the front lot line and the building to be landscaped, with up to one-third of this area for recreational use such as patios. This design standard applies in all residential zones to detached houses on lots 40 feet or less wide, duplexes, and attached housing. This design standard is repeated in [SMC 17C.110.350](#)(F)(2)(c) for cottage housing and [SMC 17C.110.360](#)(E)(5)(b) for pocket residential development.

*This probably acceptable if the landscape area is dropped to 50% in the multifamily Zones.*

- [SMC 17C.110.208](#)(E)(3)(a) requires lots to be configured so that new garage walls facing the street are limited to 50 percent of the length of the street-facing building façade. This standard applies in the RA, RSF, RSF-C, and RTF zones to garages on lots that are 36 feet or less wide and accessory to houses, attached houses, manufactured homes, and duplexes. Intent statements in the same section cite compatibility with existing lots, and avoiding having the garage door as the dominant feature of the front of a house. **\*Note this requirement does not apply in the RMF or RHD zones.\***

<image007.jpg>

*Since this does not apply in RMF and RHD it is apparently not an issue.*

- [SMC 17C.230.145](#)(C)(4)(b) limits driveways to 20 percent of the land area between the front lot line and the front building line, with an exception for at least a 9-foot-wide vehicle area. This requirement applies to residential uses in areas including the RTF, RMF, and RHD zones. A related intent statement in this section states that the size and placement of vehicle parking areas are regulated in order to enhance the appearance of neighborhoods.

*This needs to be modified as part of the modification of lot dimensional requirements. If you limit the garage width to not more than 60% of the lot width (not building facade) on any lot smaller than 36 feet.*

Sincerely,

<image001.jpg>

**Nathan Gwinn** | Assistant Planner | Planning & Development

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

[<image002.png>](#) [<image003.png>](#) [<image004.png>](#)

## Gwinn, Nathan

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**From:** Arthur Whitten <AWhitten@shba.com>  
**Sent:** Monday, September 10, 2018 10:59 AM  
**To:** Jim Frank; Black, Tirrell  
**Cc:** Stuckart, Ben; Trautman, Heather; Gwinn, Nathan; Rob Brewster; Josh Hissong; Gary Bernardo; Wolff, Charlie  
**Subject:** RE: Infill Schedule at Plan Commission COS

SHBA agrees with these comments. It is inherently restrictive to regulate RMF and RHD like single family zonings or to only permit certain construction types through narrow exceptions in the residential zonings designated for the highest densities.

---

**From:** Jim Frank [mailto:jfrank@greenstonehomes.com]  
**Sent:** Saturday, September 08, 2018 2:31 AM  
**To:** Black, Tirrell  
**Cc:** Stuckart, Ben; Trautman, Heather; Gwinn, Nathan; Arthur Whitten; Rob Brewster; Josh Hissong; Gary Bernardo; Charlie Wolff  
**Subject:** Re: Infill Schedule at Plan Commission COS

Tirrell. I am out of town and will not be able to attend the September 12th meeting. Regarding the building height language (increase to 50 feet): It would be far better to change the number in table 17C rather than a new section requiring a pitched roof. I have had both an architect and a developer say this language is preventing flat roof 3 story building over a parking podium. Most parking podiums are not fully under ground. There is no apparent reason for this limitation of requiring pitched roofs over 35 feet in MF zones. We need to be encouraging both density and structured parking.

Sustainable mobility and transit require higher density. We need to “encourage” higher densities not just permit it under limited circumstances. Design is important and should be addressed in “design guidelines” uniformly applied.

Jim

Jim

Sent from my iPhone

On Sep 7, 2018, at 11:20 PM, Black, Tirrell <[tblack@spokanecity.org](mailto:tblack@spokanecity.org)> wrote:

Hi Jim,

We have a document prepared for the Plan Commission meeting next week that we wanted to share with you. I have also included the infill packet for the PC Agenda. That should be going out soon – I believe you are on the distribution list.

You can see the topics that we will be covering at the various plan commission workshops prior to November. At the upcoming Sept 12 meeting there is only 15 minutes to present so Nate is going to talk about the schedule and present that actual language re the height (also in the PC Packet).

Additionally Nate is working on community outreach at the Logan block party on Sept 13 and the Cliff-Cannon block party on September 15.

If you have time and/or interest in checking in with us on how the draft is progressing, please let us know a day/time that works to meet.

Sincerely,

<image005.jpg>

**Tirrell Black, AICP** | City of Spokane | Associate Planner

509.625-6185 | main 509.625-6300 | [tblack@spokanecity.org](mailto:tblack@spokanecity.org) | [spokanecity.org](http://spokanecity.org)

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*This email is subject to Washington State Public Records Act, Chapter 42.56 RCW, and may therefore be subject to public disclosure.*

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**From:** Jim Frank <[jfrank@greenstonehomes.com](mailto:jfrank@greenstonehomes.com)>

**Sent:** Saturday, August 25, 2018 10:10 AM

**To:** Gwinn, Nathan <[ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org)>; Black, Tirrell <[tblack@spokanecity.org](mailto:tblack@spokanecity.org)>; Trautman, Heather <[htrautman@spokanecity.org](mailto:htrautman@spokanecity.org)>; Kinder, Dawn <[dkinder@spokanecity.org](mailto:dkinder@spokanecity.org)>; Rob Brewster <[rob.brewster@gmail.com](mailto:rob.brewster@gmail.com)>; Arthur Whitten <[AWWhitten@shba.com](mailto:AWWhitten@shba.com)>

**Subject:** Townhomes

Dealing with the entire urban infill code review process has been very frustrating. The photos below show the type of MF development permitted with virtually no regulatory barriers. However, regulatory barriers prevent development of townhomes for homeownership simply because subdivision is required.

You will get the type of development your code permits. This is what your code has permitted. I'm really glad we have the street frontage, lot size and site coverage standards to protect the neighborhood.

Jim

<image001.png>

<image002.png>

<image003.png>

<image004.png>

Jim Frank  
Greenstone Corporation

Enriched Living. Lasting Value.  
[www.greenstonehomes.com](http://www.greenstonehomes.com)

<PC\_Infill\_Schedule\_Sept12\_2018.docx>

<2018-09-12-pc-agenda-packet-infill-code-workshop.pdf>



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SEP 18 2018

PLANNING & DEVELOPMENT

**COMMENT SHEET**

**Code Amendments for Attached Houses and Multifamily Zones**

**September 2018**

**For more project info visit:**

**[my.spokanecity.org/projects/infill-housing-strategies-infill-development/](http://my.spokanecity.org/projects/infill-housing-strategies-infill-development/)**

**Name:** Bonnie Rae

**ADDRESS:** 72518 Morton St.

**PHONE NUMBER:** 489-5116

**E-MAIL CONTACT:** The last thing this neighborhood needs is more rentals. -

When I bought this house 45 years ago you could walk three or four blocks in any direction and not see a rented property. - Lawns were greener, people knew each other, litter was practically non-existent... all the things you would expect when residents have a vested interest in the place they live. - And that, simply put, is a mortgage. - I've had it up to here with all this talk about "Affordable Housing." - You folks -- or people like you -- are responsible for draconian monstrosities like the North/South Freeway boondoggle that has already bulldozed 600 affordable homes (and counting!). - Homes that low-income people could actually buy. - You seem to think cramming more rentals in is going to solve that problem? - So developers get richer? - And these low-income people you pretend to be so concerned about get to pay rent... which even you will have to agree is akin to lighting a wad of money afire with a Bic lighter every month. - No. - A thousand times No. -

I've read over this propaganda you folks were handing out at

Please feel free to share your questions, comments or concerns with us!

(over)

**Postal Mail** – fold this comment card in thirds, add postage and drop in the mail

**Phone** – call us at #625-6983

**E-mail** – write to us at [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org)

Thank you... We look forward to hearing from you!



the Logan Block Party. - I honestly had to read parts of it two and three times to believe what I was seeing. - Zoning laws that have stood ~~a~~ a century or more -- and served Spokane well -- are to be trashed? - Three story apartment houses? - Shorter distances between buildings? - Larger "foot prints" on conventional city lots? - Fewer drive-ways? Are you people kidding? - Go ahead and do it in your own neighborhoods. - I'm pretty certain none of you planning commission people live where I live. -

And before I run out of writing space, let me say one more thing. - Calling tacky apartments "Townhouses" doesn't make them any less tacky. - They're still apartments. - And they'd still be an abomination in this old neighborhood where a lot of us still take some pride in our property. - Our property. - Not some landlord's. -



Planning & Development Services  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201-3343

Thanks for letting me vent. - I'm sure it won't make one iota of difference. -

*Donnie Rae*

City of Spokane  
Planning & Development Services  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201-3343

## Gwinn, Nathan

---

**From:** Gwinn, Nathan  
**Sent:** Tuesday, October 2, 2018 3:42 PM  
**To:** 'JULIE BIGGERSTAFF'  
**Subject:** RE: proposed infill revisions comments

Hi Julie,

Thank you for your comment. I will add it to the public record for this file.

Sincerely,  
Nathan Gwinn



**Nathan Gwinn** | Assistant Planner | Planning & Development  
509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)



---

**From:** JULIE BIGGERSTAFF <[rbiggerstaff@comcast.net](mailto:rbiggerstaff@comcast.net)>  
**Sent:** Tuesday, October 2, 2018 11:30 AM  
**To:** Gwinn, Nathan <[ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org)>  
**Subject:** proposed infill revisions comments

Hi Nathan,

I'm a member of the Browne's Addition Neighborhood Council (BANC) and am writing in general support of the in-fill revisions, WITH the caveat that they won't work well for all neighborhoods, specifically those of us with many historic homes and narrow streets where parking, car vandalism and snow removal are huge issues. I would wish that the city would be more amenable to working with neighborhoods for historic protection of structures, so as to protect the investment of folks who are already residents/owners. Browne' Addition is, as you may know, working for a local historic designation, to help incentivize owners to fix up, rather than tear down, historic structures, to keep the visual fabric and structural history of the neighborhood intact. Unfortunately, the city is requiring a 50%+1 vote, with non-votes (un-returned ballots) counted as a 'no'. The members of city council and the mayor did not achieve their offices with this type of voting system, yet that's what is required of us, a neighborhood with a high number/percentage of landlords who don't live in the city, let alone the neighborhood. We are frustrated as a neighborhood at the daunting task of getting landlords who won't even take care of their properties, to vote.

The revisions as I understand them, would not be helpful to the quality of life in our neighborhood, but may really help other neighborhoods revitalize, so again, my feelings are mixed. Putting more cars on our streets, particularly the N/S streets is hazardous due to limited emergency vehicle access being blocked (come drive around the neighborhood to see what I mean) and building large scale buildings that 'dwarf' the other buildings within a neighborhood like ours blocks people's view and constricts sense of space.....in a densely built neighborhood. Having good set-backs, porches, etc., even with dense building, helps maintain a sense of space...you'll feel the difference when you drive by the new development on Chestnut by Coeur d'Alene Park and the one of Coeur d'Alene Ave overlooking Latah creek; both have small set-backs and received exemptions to building height restrictions.

I do believe that vacant lots could and should be used to build affordable housing and that use of current city infrastructure (garbage collection, sewer and water) rather than further urban sprawl makes good economic sense; however, I would point out that in BA, of the two recent developments that resulted in historic structures being torn down, neither resulted in 'affordable housing'. If these revisions are going to pass, I believe there MUST be a requirement with them that a certain % of the units built be truly affordable and available to, for example, section 8 holders. I also believe that further exemptions to the revisions as passed should not be further possible; people trying to make money are always trying eke out just that little bit more.....

Can these be based on true in-fill only (vacant lot), versus the situation we will continue to have if the historic district project is not approved (tear down and re-build)?

Greed and money are powerful motivators and we know from current landlords in the neighborhood, that there are property owners in BA that would tear down anything to put in a 10 story apartment complex if they could get away with it.

Thanks much,

Julie Biggerstaff



## Gwinn, Nathan

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**From:** Garcia, Luis  
**Sent:** Wednesday, October 3, 2018 10:50 AM  
**To:** Gwinn, Nathan; Kruger, Teresa  
**Subject:** RE: Attached Housing (see notes) in Multifamily Zones - Parking Requirements

Nathan,

Following up on our meeting for the Attached Housing provisions pertaining to parking changes. Parking would like to note that the relaxation of off-street parking requirements will certainly bring additional enforcement for the Parking Enforcement Officers as the struggle for access to the parking that is adjacent and in the immediate vicinity will increase from existing conditions. While it is understood that the intent is to maximize the land use and with the increase in mass transit may alleviate this conflict, the parking program will have an increase in budget needs to show attention to complaints as they are submitted. Parking therefore requests that this impact be noted in your staff report on potential budget impacts.

Let me know if you have any questions.

Luis Garcia CBO, CSBA | City of Spokane | Enforcement Supervisor  
509.625.6850 | lgarcia@spokanecity.org | spokanecity.org

-----Original Message-----

**From:** Gwinn, Nathan  
**Sent:** Tuesday, October 2, 2018 10:24 PM  
**To:** Garcia, Luis <lgarcia@spokanecity.org>; Kruger, Teresa <tkruger@spokanecity.org>  
**Subject:** FW: Attached Housing (see notes) in Multifamily Zones - Parking Requirements

Hey Luis and Teresa, attached is the PPT presentation and draft options 1 and 2 (underlined text in Word document on the bottom of page 1 and top of page 2-paragraph F). I would be pleased to share any comments you have with the Plan Commission. I'll be submitting their packet at the end of business Wednesday.

Thanks,  
Nate

---

**From:** Gwinn, Nathan  
**Sent:** Tuesday, October 02, 2018 10:30 AM  
**To:** Hughes, Rick  
**Subject:** RE: Attached Housing (see notes) in Multifamily Zones - Parking Requirements

Hi Rick,

Thanks for the call.

For reference, attached is April's powerpoint presentation from the meeting, as well as the draft text (bottom of page 1 and top of page 2) that the Plan Commission will review in the meeting next week.

Thanks again,

Nate Gwinn

From: Gunderson, April

Sent: Wednesday, September 26, 2018 5:06 PM

To: Gwinn, Nathan <ngwinn@spokanecity.org>; Garcia, Luis <lgarcia@spokanecity.org>; Trautman, Heather <htrautman@spokanecity.org>; Palmquist, Tami <tpalmquist@spokanecity.org>; Black, Tirrell <tblack@spokanecity.org>; Becker, Kris <kbecker@spokanecity.org>; Schenk, Andrew <aschenk@spokanecity.org>; Turner, Bob <bturner@spokanecity.org>; Kaatz, Robert <rkaatz@spokanecity.org>

Cc: Kruger, Teresa <tkruger@spokanecity.org>

Subject: RE: Attached Housing (see notes) in Multifamily Zones - Parking Requirements

Hi all,

Thank you for attending this meeting and providing feedback. Attached is the PowerPoint from today. If you have any comments, please provide them to Nathan Gwinn by Wednesday, October 3 at 5pm.

Thank you!

[City-Logo\_2-color\_jpg]

April Gunderson | Project Planner | Neighborhood and Planning Services

509.625.6965 | fax 509.625.6013 | agunderson@spokanecity.org<mailto:agunderson@spokanecity.org> | my.spokanecity.org<https://my.spokanecity.org/>

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-----Original Appointment-----

From: Gwinn, Nathan

Sent: Monday, September 17, 2018 9:34 AM

To: Gwinn, Nathan; Garcia, Luis; Gunderson, April; Trautman, Heather; Palmquist, Tami; Black, Tirrell; Becker, Kris; Schenk, Andrew; Turner, Bob; Kaatz, Robert

Subject: Attached Housing (see notes) in Multifamily Zones - Parking Requirements

When: Wednesday, September 26, 2018 1:00 PM-2:00 PM (UTC-08:00) Pacific Time (US & Canada).

Where: City Conference Room 3B

Section 17A.020.010<<https://my.spokanecity.org/smc/?Section=17A.020.010>>(AR) Attached Housing.

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

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

## Gwinn, Nathan

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**From:** Hughes, Rick  
**Sent:** Wednesday, October 3, 2018 1:56 PM  
**To:** Gwinn, Nathan  
**Subject:** Reducing Minimum Parking Standards

Nathan,

The following are important issues and concerns that Solid Waste Collection has with reducing attached housing minimum parking requirements in multi-family zones:

- 1) Reduction in Automation Efficiency: In 1997, the City of Spokane chose to move from two (2) man manual rear-loading routes to one (1) man automated routes. To be successful in keeping rates low and reducing employee injuries, the trucks must be able to drive along the curb. Street parking requires the driver to exit the vehicle and manually move the container within reach of the truck. This increases injuries and decreases the amount of work each truck can do.
- 2) Reduction in Service Delivery: In areas such as Browne's Addition and Gonzaga where parking is inadequate now, there are instances where the vehicles along the curb are so close together that the driver cannot get the containers out in between them for collection. The residents get upset and do not want to pay the return trip charges because the vehicles are not theirs and they have no control over where people park.
- 3) Parking Enforcement Issues: Currently in areas with high amounts of street parking, illegal parking is an issue. When vehicles park closer to an alley entrance than legally allowed, drivers cannot turn out of the alley to exit. In areas where there is currently not enough street parking for the amount needed, there is often illegally parked vehicles in the alleys. In these cases, we either do not collect waste in those alleys or the drivers have to back out into traffic with limited visibility.
- 4) Snow Removal Issues: Berms created by plowing in residential areas often narrow the streets. Vehicles parked alongside the berms must be far enough away to open their doors. At times residential streets with parking on both sides can become unpassable.

If you need additional information or have any questions, please contact me.

Thank you,

**RICK HUGHES**  
**CITY OF SPOKANE SWCD**  
**COMMERCIAL SUPERVISOR**  
**509-625-7871**  
**509-343-9652**  
[RHUGHES@SPOKANECITY.ORG](mailto:RHUGHES@SPOKANECITY.ORG)

## Gwinn, Nathan

---

**From:** Kruger, Teresa  
**Sent:** Wednesday, October 3, 2018 4:15 PM  
**To:** Gwinn, Nathan  
**Subject:** RE: Attached Housing (see notes) in Multifamily Zones - Parking Requirements

Nate,

I see issues with both options.

When parking areas are reduced it only increases parking issues. More people will park illegally and unfortunately instead of changing behavior it becomes finger pointing to city govt. that allowed the reduction of parking spaces.

It is a no win situation.

Thank you.

Teresa

-----Original Message-----

**From:** Gwinn, Nathan  
**Sent:** Tuesday, October 2, 2018 10:24 PM  
**To:** Garcia, Luis <lgarcia@spokanecity.org>; Kruger, Teresa <tkruger@spokanecity.org>  
**Subject:** FW: Attached Housing (see notes) in Multifamily Zones - Parking Requirements

Hey Luis and Teresa, attached is the PPT presentation and draft options 1 and 2 (underlined text in Word document on the bottom of page 1 and top of page 2-paragraph F). I would be pleased to share any comments you have with the Plan Commission. I'll be submitting their packet at the end of business Wednesday.

Thanks,  
Nate

---

**From:** Gwinn, Nathan  
**Sent:** Tuesday, October 02, 2018 10:30 AM  
**To:** Hughes, Rick  
**Subject:** RE: Attached Housing (see notes) in Multifamily Zones - Parking Requirements

Hi Rick,

Thanks for the call.

For reference, attached is April's powerpoint presentation from the meeting, as well as the draft text (bottom of page 1 and top of page 2) that the Plan Commission will review in the meeting next week.

Thanks again,

Nate Gwinn

**From:** Gunderson, April  
**Sent:** Wednesday, September 26, 2018 5:06 PM  
**To:** Gwinn, Nathan <ngwinn@spokanecity.org>; Garcia, Luis <lgarcia@spokanecity.org>; Trautman, Heather <htrautman@spokanecity.org>; Palmquist, Tami <tpalmquist@spokanecity.org>; Black, Tirrell

<tblack@spokanecity.org>; Becker, Kris <kbecker@spokanecity.org>; Schenk, Andrew <aschenk@spokanecity.org>; Turner, Bob <bturner@spokanecity.org>; Kaatz, Robert <rkaatz@spokanecity.org>  
Cc: Kruger, Teresa <tkruger@spokanecity.org>  
Subject: RE: Attached Housing (see notes) in Multifamily Zones - Parking Requirements

Hi all,

Thank you for attending this meeting and providing feedback. Attached is the PowerPoint from today. If you have any comments, please provide them to Nathan Gwinn by Wednesday, October 3 at 5pm.

Thank you!

[City-Logo\_2-color\_jpg]

April Gunderson | Project Planner | Neighborhood and Planning Services

509.625.6965 | fax 509.625.6013 | agunderson@spokanecity.org<mailto:agunderson@spokanecity.org> |  
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-----Original Appointment-----

From: Gwinn, Nathan

Sent: Monday, September 17, 2018 9:34 AM

To: Gwinn, Nathan; Garcia, Luis; Gunderson, April; Trautman, Heather; Palmquist, Tami; Black, Tirrell; Becker, Kris; Schenk, Andrew; Turner, Bob; Kaatz, Robert

Subject: Attached Housing (see notes) in Multifamily Zones - Parking Requirements

When: Wednesday, September 26, 2018 1:00 PM-2:00 PM (UTC-08:00) Pacific Time (US & Canada).

Where: City Conference Room 3B

Section 17A.020.010<<https://my.spokanecity.org/smc/?Section=17A.020.010>>(AR) Attached Housing.

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

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

**From:** Gwinn, Nathan  
**To:** ["Office of John Schram"](#)  
**Cc:** [Patricia Hansen](#)  
**Subject:** RE: infill feedback  
**Date:** Thursday, October 11, 2018 1:49:00 PM

---

Good afternoon Mr. Schram,

Yes, I will forward your comments to the Plan Commission and they will be made part of the public record for this file. Thank you for submitting them.

Sincerely,

Nathan Gwinn | Assistant Planner | Planning & Development  
509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

-----Original Message-----

From: Office of John Schram <[john.schram@lpl.com](mailto:john.schram@lpl.com)>  
Sent: Thursday, October 11, 2018 1:04 PM  
To: Gwinn, Nathan <[ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org)>  
Cc: Patricia Hansen <[patricia@pahansen.com](mailto:patricia@pahansen.com)>  
Subject: infill feedback

Nate, I wanted to follow up from a presentation you did a while back to the Cliff Cannon neighborhood about the city's push to densify neighborhoods. Clearly the assumption that allowing bigger buildings on a neighborhood parcel will by default make any unit "affordable" is laughable at best and purposefully deceptive in the worse case. The infill changes proposed will not only NOT accomplish the desired affordable housing goals but will lead to an increase in street related parking issues in addition to allowing traditional single family home neighborhoods to retain their original and still desired feel. I as a business owner and neighborhood activist in the Cliff Cannon neighborhood respectfully ask the City of Spokane to cease this epic failure in the making. My general understanding is that having a denser neighborhood is not a goal of neighborhoods, only the city planners, politicians, and developers.

It also does not escape my notice that neighborhoods are now having to go down the path, with the city, to designate themselves as historic in nature just to try and stave off these types of efforts. I will encourage the planning commission as well to vote NO on these proposals as well and will trust you are able to forward my comments to them.

In your service,  
John A. Schram, CFP®  
Registered Principal  
LPL Financial  
Member FINRA/SIPC  
917 S. Monroe St.  
Spokane, WA 99204  
509.328.5627  
509.328.4634 (f)

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**From:** Gwinn, Nathan  
**To:** ["Deborah Ritter"](#)  
**Subject:** RE: survey for code changes  
**Date:** Friday, October 12, 2018 6:49:00 AM

---

Hi Deb,

Thanks for your message and feedback about the survey. I will include this comment in the public record for the file.

The options presented mirror the options the City Plan Commission is discussing, and responses should help Commission members evaluate the proposals as they prepare to make a recommendation to the City Council.

The connection to affordability is in the supply as a whole, and increasing the variety of choices and potentially smaller dwellings in all neighborhoods. For information, please see the vision, values, goals and policies starting on page 4 in the City's Comprehensive Plan, Chapter 6:

<https://static.spokanecity.org/documents/shapingspokane/comprehensive-plan/chapter-6-housing.pdf>

The City is developing a webpage to provide information on local supply and demand. I can provide that link to you when it goes online.

Sincerely,

**Nathan Gwinn** | Assistant Planner | Planning & Development

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

**From:** Deborah Ritter <yuccaplants@gmail.com>  
**Sent:** Thursday, October 11, 2018 2:07 PM  
**To:** Gwinn, Nathan <ngwinn@spokanecity.org>  
**Subject:** survey for code changes

Hi Nate,

I took the survey for code changes and found it pretty biased to choosing code changes vs not choosing them. Is the point that the code changes will happen, regardless, and the city is trying to get input on which changes they should make?

For instance, this question:

**The City is looking at parking requirements in multifamily areas for townhouses. Should the City allow less parking for smaller homes, or no parking for up to six homes?**

There was no checkbox option to choose "none" or "neither" -- there was just an option to choose "other" and write in an explanation.

For the first question about townhouses being narrower, there was no option asking if townhouses should be allowed to be narrower -- just once they are allowed, how do people want to see the design.

The logic for these code changes seems unsubstantiated in the materials I've seen. I would like to see data showing that smaller, taller buildings with less parking make housing more affordable. In order for available housing to drive prices down, the market must be flooded with available housing -- how is that expected to occur with occasional, sporadic infill development projects in a rapidly growing city?

The poster below presents data about a lack of affordable housing in Spokane. But it does not show data on how these code changes will create affordable housing. As far as I could see, ***there is no code in the proposal that requires the housing to be affordable if developers are allowed to build taller, smaller buildings with less parking. I am very concerned that the codes will simply create smaller, higher units with more street congestion due to lack of parking -- and the pricing for these units will still not be affordable for most.***

<https://static.spokanecity.org/documents/projects/infill-housing-strategies-infill-development/2018-09-25-handout-and-posters-attached-housing-multifamily-zones.pdf>

Thank you,  
Deb

--

"they don't want tunas with good taste, they want tunas that taste good"-MLR



**From:** Gwinn, Nathan  
**To:** ["Karen Carlberg"](#)  
**Subject:** RE: Comments on infill  
**Date:** Monday, October 15, 2018 11:04:00 AM

---

Hi Karen,

Thank you for your message. I will include these comments in the public record for the file.

Sincerely,

**Nathan Gwinn** | Assistant Planner | Planning & Development

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

---

**From:** Karen Carlberg <karencarlberg@comcast.net>  
**Sent:** Friday, October 12, 2018 7:42 PM  
**To:** Gwinn, Nathan <ngwinn@spokanecity.org>  
**Subject:** Comments on infill

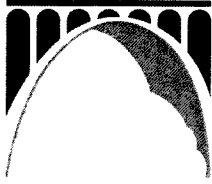
Hi Nate,

Your survey does not have space for comments, so here are a couple:

Sufficient roads and public transit need to be in place BEFORE there is a major population increase in an area.

Nearby green spaces are important for everyone's happiness and mental health. Parks and other green spaces need to be added, not eliminated, as infill occurs. Neighbors of new infill need to be consulted about which undeveloped areas are valuable to them as open space, and those wishes must be respected. Once open space is paved and destroyed, it tends to be gone forever. This is a major quality of life issue and impacts the social health of a community.

Karen



# **COMMENT SHEET**

**Code Amendments for Attached Houses and Multifamily Zones**

**September 2018**

**For more project info visit:**

**[my.spokanecity.org/projects/infill-housing-strategies-infill-development/](http://my.spokanecity.org/projects/infill-housing-strategies-infill-development/)**

**Name:** Jan Loux

**ADDRESS:** 1944 W Clarke Ave, 99201

**PHONE NUMBER:** 509-995-6747

**E-MAIL CONTACT:** twux11@msn.com

See attached comments.

Please feel free to share your questions, comments or concerns with us!

**Postal Mail** – fold this comment card in thirds, add postage and drop in the mail

**Phone** – call us at #625-6983

**E-mail** – write to us at [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org)

Thank you...We look forward to hearing from you!

Planning & Development Services, City of Spokane

I am submitting my comments regarding the proposed changes to the Spokane Municipal Code to accommodate and encourage infill development. I live in Peaceful Valley, a neighborhood that is entirely zoned RMF (Residential Multi-Family). Located within easy walking and biking distance to the Downtown core and to the hospital district, and with many undeveloped properties, Peaceful Valley is a prime area for infill development.

Peaceful Valley is one of Spokane's oldest neighborhoods with houses dating from the 1890s. The neighborhood is plotted in 25 foot wide parcels and many of the old homes are small and built very close together. While there are a few multi-family buildings in the neighborhood, most of the residences are still single family one or two story homes. Peaceful Valley has a distinct history and character that are unique in Spokane. Certainly residents, and hopefully many others in the city, would like to see the uniqueness of Peaceful Valley preserved.

I support the concept of infill development in the Peaceful Valley neighborhood. In regard to the current infill development proposals, I support the proposed change to lot width, allowing for smaller required distances around homes and few driveways across sidewalks. I also support the proposed change for attached housing that would remove the requirement to double the distance between buildings and side lot lines to encourage townhouses.

I do not support two of the other proposed changes. I do not support the change to height limits which would increase the building height limit from 35 to 50 or 55 feet to accommodate pitched roofs and basement parking. As all of the single family homes in Peaceful Valley are one or two story structures that are significantly below the current 35 foot height limit, buildings 50 feet or taller would dwarf existing neighboring buildings. New, taller buildings would be incompatible and would detract from the historical charm and coherent character of the neighborhood. Also, because the additional allowance for pitched roofs would include roofs with dormers, the privacy of neighboring properties could be compromised.

I am also opposed to changing the minimum parking requirements for attached houses. Some older homes in Peaceful Valley have no off-street parking. Particularly on Water Ave and Main Ave, residents with cars park on the street. Also, because the Downtown core is an easy walk from Peaceful Valley, Downtown workers take advantage of free parking on the neighborhood streets. In addition, a multi-use trail through Peaceful Valley is under construction. The trail will reduce the width of certain streets and parking will be restricted to one side of certain streets. In light of these conditions, adding more parked cars to the streets of Peaceful Valley is a bad idea. I do not want to see Peaceful Valley looking like Browne's Addition with most streets reduced to one lane of traffic due to a solid wall of cars parked on both sides of the street. The goal of the proposed reduction in required parking might be to encourage alternate transportation – an admirable goal. However, I think most people will still own a car, whether they use it on a daily basis to commute or not. And those cars will need to park somewhere. I want that parking to occur off street.

These are our comments regarding the proposed changes to the Spokane Municipal Code to accommodate and encourage infill development. We live in Peaceful Valley, a neighborhood that is entirely zoned RMF (Residential Multi-Family). Located within easy walking and biking distance to the Downtown core and to the hospital district and with many undeveloped properties, Peaceful Valley is a prime area for infill development.

Peaceful Valley is one of Spokane's oldest neighborhoods with houses dating from the 1890s. The neighborhood is plotted in twenty-five foot parcels and many of the old homes are small and built very close together. While there are a few multi-family buildings in the neighborhood, most of the residences are still single family homes. Peaceful Valley has a distinct history and character that are unique in Spokane. Many of the residents would like to see that character preserved.

We support the concept of infill development in the Peaceful Valley neighborhood. In regard to the current infill development proposals, we support the proposed change to lot width, allowing for smaller required distances around homes and few driveways across sidewalks. We also support the proposed change for attached housing that would remove the requirement to double the distance between buildings and side lot lines to encourage townhouses.

We do not support two of the other proposed changes. We do not support the change to height limits which would increase the building height limit from 35 to 50 or 55 feet to accommodate pitched roofs and basement parking. As all of the single-family homes in Peaceful Valley are one or two story structures that are significantly below the current 35 foot height limit, buildings 50 feet or taller would dwarf existing neighboring buildings. New, taller buildings would be incompatible and would detract from the historical charm and coherent character of the neighborhood. Also, because the additional allowance for pitched roofs would include roofs with dormers, the privacy of neighboring properties could be compromised.

We are also opposed to changing the minimum parking requirements for attached houses. Some older homes in Peaceful Valley have no off-street parking. Particularly on Water Ave and Main Ave, residents with cars park on the street. Also, because the Downtown core is an easy walk from Peaceful Valley, downtown workers take advantage of free parking on the neighborhood streets. In addition, a multiuse trail through Peaceful Valley is under construction. The trail will reduce the width of certain streets and parking will be restricted to one side of certain streets. In light of these conditions, adding more parked cars to the streets of Peaceful Valley is a bad idea. We do not want Peaceful Valley reduced to one lane of traffic due to a solid wall of cars parked on both sides of the street. The goal of the proposed reduction in required parking might be to encourage alternative transportation – an admirable goal. However, We think most people will still own a car, whether they use it on a daily basis to commute or not. And those cars will need to park somewhere. We want that parking to occur off street.

Thank you for your time,

Tod Marshall and Amy Sinisterra  
1629 W. Clarke Avenue  
509 496 1251

**From:** Gwinn, Nathan  
**To:** ["George Newsom"](#)  
**Subject:** RE: Peaceful Valley Proposed Changes  
**Date:** Wednesday, October 17, 2018 8:15:00 AM

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Good morning Mr. Newsom,

Thank you for your comment. I will add it to the public record for the file.

Sincerely,

**Nathan Gwinn** | Assistant Planner | Planning & Development  
509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

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**From:** George Newsom <g\_newsom@hotmail.com>  
**Sent:** Tuesday, October 16, 2018 7:50 PM  
**To:** Gwinn, Nathan <ngwinn@spokanecity.org>  
**Subject:** Peaceful Valley Proposed Changes

Hello I just read what Jan Loux wrote you and I agree with her 100%

*George Newsom*

**From:** Gwinn, Nathan  
**To:** ["Barbara Morrissey"](#)  
**Subject:** RE: Infill housing  
**Date:** Wednesday, October 17, 2018 4:36:00 PM

---

Good afternoon, Barbara:

Thank you for the message. I will add your comments to the public record for this file.

Sincerely,

Nathan Gwinn | Assistant Planner | Planning & Development  
509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

-----Original Message-----

From: Barbara Morrissey <[taslin10@comcast.net](mailto:taslin10@comcast.net)>  
Sent: Wednesday, October 17, 2018 4:20 PM  
To: Gwinn, Nathan <[ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org)>  
Subject: Infill housing

Hi Nathan

My comments are based on living since 1983 in Peaceful Valley

There is no need to change lot size requirements if Little Houses are allowed. Some people like room for gardening. Some people like to listen in to the neighbor fights.

Not everyone cares for multifamily housing. Not everyone likes to live in tall buildings. If that is all one can find in a City you will be sure people move outside when they have a chance. Why do you planners think suburbs exist?? The human species is adapted to prefer space. Most live in places like Hong Kong and Shanghai because they have no choice. Architects and developers love tall towers for financial reason, as well as a sense of personal pride. But most people who live in the area don't. Don't increase height allowances in R2 zones.

As far as off street parking on 25ft lots there are several two story townhouses on Clarke Ave and Wilson in Peaceful Valley which are examples of what can be done within the 25 ft limit. Bob Cooke built them. Developers need to continue to provide off street parking.

A 1/4 mile walking distance to a grocery, an office, etc is not feasible for handicapped people. I have noticed a lot more people in the neighborhood grocery in BA are getting greyer in the hair, using walkers and canes, like me. The inner city demo is not swinging to the young but toward the elders. As electric autos become more available the solution to greenhouse gasses becomes closer. Bikes are no transportation solution for those who are handicapped.

I agree with the lady who suggested that certain things which make a neighborhood, like trees, not be torn down to make more "dirt" for infill housing.

Getting to the Rosauers in BA will be harder once STA stops running down Clarke. Planners should bear in mind that Mass Transit can fall through

The early plans for the Great Gorge Park recommended keeping undeveloped open space. I especially like an area of spring we call the Swamp. A family of deer hang out there. I think city utilities would have something to say about keeping these springs intact since they flow directly into the river.

Spokane should not become like Portland or Seattle.

sincerely.

Barbara Morrissey  
1647 west Clarke ave  
Spokane, WA

**From:** Gwinn, Nathan  
**To:** ["Marcella Bennett"](#)  
**Cc:** [Kathy Miotke](#); [Merle Gilliland](#); [Mumm, Candace](#)  
**Subject:** RE: Public Hearing - Infill Development Code Revisions for Multifamily Areas  
**Date:** Thursday, November 1, 2018 8:38:00 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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Good morning Marcella,

You're welcome, and thank you for the message. I will add your comments to the public record for this file.

Sincerely,

**Nathan Gwinn** | Assistant Planner | Planning & Development  
509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

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**From:** Marcella Bennett <[marcellabennett@hotmail.com](mailto:marcellabennett@hotmail.com)>  
**Sent:** Wednesday, October 31, 2018 9:31 PM  
**To:** Gwinn, Nathan <[ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org)>  
**Cc:** Kathy Miotke <[prairiepyrs@fastmail.com](mailto:prairiepyrs@fastmail.com)>; Merle Gilliland <[m.gilliland5@yahoo.com](mailto:m.gilliland5@yahoo.com)>; Mumm, Candace <[cmumm@spokanecity.org](mailto:cmumm@spokanecity.org)>  
**Subject:** Re: Public Hearing - Infill Development Code Revisions for Multifamily Areas

Nathan,  
Thank you for your continued efforts to involve interested parties. Please consider the following statement as a response to the proposed amendments.

Each and every time we put forth proposed amendments to the Comprehensive Plan, we need to consider the big picture. Not only how these changes affect the current properties in question -- increasing density, etc.-- but how these changes affect all existing neighborhoods. What safeguards accompany these proposals to insure we maintain the integrity of neighborhoods should a future request be made to change an area from single family to multi-family? Protecting the character of each neighborhood is paramount not only for current residents but perspective buyers.

Nathan, could you please respond to this email and also post it as a concern. Thank you.

Marcella Bennett  
3003 W. Horizon Ave.  
Spokane, WA 99208



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**From:** Gwinn, Nathan <[ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org)>  
**Sent:** Wednesday, October 31, 2018 3:12 PM  
**To:** Gwinn, Nathan  
**Subject:** Public Hearing - Infill Development Code Revisions for Multifamily Areas

Infill Development Project Contacts,

Please find the attached Notice of Public Hearing and Notice of SEPA Determination for the Spokane City Plan Commission hearing scheduled for 4 p.m. November 14, 2018. The proposed amendments are a second set of Development Code revisions relating to attached housing, building height, and parking standards for multifamily zones, which apply primarily in higher-density residentially zoned areas of Spokane.

The Plan Commission continued a July 11, 2018 hearing until November 14 to consider additional items proposed in public testimony, including changes to minimum lot size, lot depth, building coverage, design standards, and parking for these areas.

**How to Comment:** Written and in-person comments on this proposal are welcome. You may email comments to me and/or sign up at the hearing to testify to the Plan Commission.

I will send an additional notice when the City Council hearing is scheduled.

More information can be viewed online at the project webpage:

<https://my.spokanecity.org/projects/infill-housing-strategies-infill-development/>

Sincerely,



**Nathan Gwinn** | Assistant Planner | Planning & Development  
509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)



**From:** Gwinn, Nathan  
**To:** ["Spencer Gardner"](#)  
**Subject:** RE: Public Hearing - Infill Development Code Revisions for Multifamily Areas  
**Date:** Thursday, November 1, 2018 3:50:00 PM

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Hi Spencer,

Thanks for your comments. Those proposals were considered, but what appears in the current hearing draft has changed over the course of several recent meetings.

A height exception would allow buildings with pitched roofs to extend up to 15 feet above a 35-foot roof height in RMF and RHD zones, such as where your property is located. Another exception would allow an additional 3 feet for partially-below grade parking—effectively a roof ridge height of up to 53 feet for some roof types. These proposals appear on pages 11 through 13 of the [17C.110 draft](#)—SMC 17C.110.215(C)(2) and (3).

The Plan Commission considered several different options regarding the parking proposal as well; and, as well, exceptions were developed for the hearing draft for a reduction of spaces (for single-family attached housing only) based on RMF and RHD zoning and proximity to center zoning. These exceptions are in the 17C.230 draft further down in the same document linked above, on pages 3 and 4 of changes to that chapter—draft SMC 17C.230.130(F).

If you would like to comment further, I am happy to include it in the public record. Otherwise, I will include your comments below in the public record for this file.

Sincerely,

**Nathan Gwinn** | Assistant Planner | Planning & Development

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

**From:** Spencer Gardner <spencergardner@gmail.com>  
**Sent:** Thursday, November 1, 2018 12:29 PM  
**To:** Gwinn, Nathan <ngwinn@spokanecity.org>  
**Subject:** Re: Public Hearing - Infill Development Code Revisions for Multifamily Areas

Ah. I didn't realize the change was that recent. (You can tell how often I ride the bus--I'd rather bike!) That makes sense. As for the 15-min vs HPT, there's something to be said about the HPT "brand" that is probably worth highlighting. Just my 2 cents.

Now I have a question related to the Infill revisions. There are notes about increasing height limits to 50ft and also removing parking requirements for buildings of 6 units or less. Are these on the table with this upcoming hearing, or were those being considered previously? For what it's worth I like both proposals.

Thanks!

On Thu, Nov 1, 2018 at 8:16 AM Gwinn, Nathan <[ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org)> wrote:

You're right—Route 21 changed from a 30-minute frequency to 15 minutes in September 2018, while the shapefile for the frequent transit proximity is older. I've been working with our GIS department on this and I will let them know—and let you know when it's been updated. It may take some time.

Incidentally, there were conversations in the initial setup of the map about whether to use 15-minute transit service, which will fluctuate over time, or to use proximity to STA's planned [high performance transit \(HPT\)](#), which would be more static and therefore valuable long-term. The overlap between today's 15-minute service and the frequent (red- and green-line) HPT is 80 percent the same, but it would avoid problems like this with the map.

Nate

**From:** Spencer Gardner <[spencergardner@gmail.com](mailto:spencergardner@gmail.com)>

**Sent:** Wednesday, October 31, 2018 10:11 PM

**To:** Gwinn, Nathan <[ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org)>

**Subject:** Re: Public Hearing - Infill Development Code Revisions for Multifamily Areas

Hi Nate. Somewhat unrelated to your email, but I'm looking at the Development Factors online map and I think the 15-min Transit Service attribute is incorrect. I'm looking at my property (1848 W College Ave) and it says it's not near a 15-min transit line, but I'm only a block off of Broadway with the 21 bus, which is a designated Frequent Route. Is there someone else I should check with about that?

Thanks,  
Spencer

On Wed, Oct 31, 2018 at 3:16 PM Gwinn, Nathan <[ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org)> wrote:

Infill Development Project Contacts,

Please find the attached Notice of Public Hearing and Notice of SEPA Determination for the Spokane City Plan Commission hearing scheduled for 4 p.m. November 14, 2018. The proposed amendments are a second set of Development Code revisions relating to attached housing, building height, and parking standards for multifamily zones, which apply primarily in higher-density residentially zoned areas of Spokane.

The Plan Commission continued a July 11, 2018 hearing until November 14 to consider additional items proposed in public testimony, including changes to minimum lot size, lot depth, building coverage, design standards, and parking for these areas.

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I will send an additional notice when the City Council hearing is scheduled.

More information can be viewed online at the project webpage:

<https://my.spokanecity.org/projects/infill-housing-strategies-infill-development/>

Sincerely,

**Nathan Gwinn** | Assistant Planner | Planning & Development

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

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Good Afternoon Nate,

I do want to get behind infill, because I feel that the City Planners and the Council's intentions are good with Townhouses close to Public Transportation and more Affordable Options for residents in Spokane to own. However, I and many people in various Neighborhoods, I speak with about Infill just do not trust Developers here. My Case & Point, the infill near Gonzaga is not aesthetically pleasing. I ask, as you decide on Parking, Lot Size, Building Height, please consider the need for Spokane to have Green Space either, via existing Trees or the choices for new ones planted. In addition, lately my hope is improving as I have seen "Design Standards" as part of the conversation. I have attached two photos of recent Developments, one seems to work in Spokane: Stone, Craftsman accents, Mature Native Trees, the other does not match, could be in Florida or Moses Lake and it lacks Spokane's Signature qualities.

Developers, who seem to be **Responsible** (they use brick, attempt to match our architecture and keep & restore our basalt Rock Formations and our Pine Trees🌲, those developers are:

- Garco Construction
- Greenstone Developer
- Gunder Construction
- Yost Gallagher Construction
- Bernardo Wills Architect
- Clearwater Summit Group Landscape Design
- Land Expressions Landscape Design
- Spirit Pruners Tree Service

**Irresponsible** (they clear-cut the lot of trees and do not keep periphery Mature Trees and most of their Architecture Design is cubed, trendy and will date itself within 5 years, Landscape Design corporate looking Deciduous and only Ornamental Grass):

- Morse Western has Clear cut two lots next to Manito Golf & Country Club
- Wolfe Architects, cut down all Trees at 9's on 9<sup>th</sup>
- A1 Tree Service
- Sam's Tree Service cut down 43 Trees on Property of 1 Homeowner

- All New Developments moving forward should have some Historical or NW Character (Craftsman, Porches, Stone or Wood). These turquoise

and primary colored cubed modern developments are not a great fit in Spokane. We are the NW, not Palm Beach and they really will date themselves quickly.

- City of Spokane has an elephant in the room and it is this...there are 75 paved Surface Parking lots downtown, that is only downtown. Spokane's downtown should thrive with Mixed Socio Economic Condos, a few parking structures, a growing public & bike transit sector with an safe Vibrant day & night activity Downtown.
- It would be in our cities best interest, rather than demolishing our History and Our Green Space, that if these lots are developed that they need be developed responsibly. Bend, Oregon does not have that many developers, but the ones they have proven to be responsible and the City looks very aesthetically pleasing.

**PS-** The City of Spokane's priority should be to Develop Downtown, having more professionals and Urban friendly families living downtown is necessary. The ratio of homeless and bankers that only work and not live downtown is too high. We can have 2 to 3 story condos in a high-rise or mid-rise or even town homes. And developers can be mandated do mixed economic housing. People walking to work is ideal. The trajectory is 20,000 in 10 years I don't see a lot of value to decimating our beautiful Urban Forest on small lots & squeezing in six units when we have a whole downtown with potential. It seems necessary to do infill. I just think it needs to happen in our downtown. Isn't that the ultimate Centers & Corridors plan? Let me repeat we have 75 surface parking lots. The lots should be condos, retail and 3-4 story parking structures. The lots are a waste of space and remind me of 1992. Diamond Enterprise is not even a Spokane family. As much as I support people taking transportation, and having housing options & I understand your vision of not having Spokane sprawl out (for example, Spokane County line lately: overabundance of apartments and storage units. I still would like to keep South Hill Green with less traffic. Please develop downtown ASAP and please only use RESPONSIBLE DEVELOPERS for Infill.

Join me in writing a letter to our Future State Legislatures after November to:

- 1) Change the Tax Incentives for Surface Parking lots
- 2) Change the Condo's law so there are incentives for Developers to Build Condos Downtown

Thank You,  
Toni Sharkey









**PROVIDENCE**  
Medical Group

- Pediatric Associates
- Vein Center

MANITO PARK MEDICAL OFFICES  
JAMESEE LLC 509-951-7076



**From:** Gwinn, Nathan  
**To:** ["Jacqui Halvorson"](#)  
**Subject:** RE: Infill Ordinance Update Comment  
**Date:** Thursday, November 8, 2018 3:14:00 PM

---

Hi Jacqui,

Yes, I will add it. Thank you.

**Nathan Gwinn** | Assistant Planner | Planning & Development

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

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**From:** Jacqui Halvorson <Jacqui@SpokanePonderosa.com>  
**Sent:** Thursday, November 8, 2018 3:08 PM  
**To:** Gwinn, Nathan <ngwinn@spokanecity.org>  
**Subject:** Infill Ordinance Update Comment

Nate,

Please add this comment to your public comment log for the Infill Ordinance update:

“Spokane Ponderosa is concerned about tree removal during construction of infill dwelling units in conventional or established neighborhoods in the City of Spokane. This includes infill development of vacant lots and parcels in already built-up areas.

We are requesting that no-net-loss language be included in the ordinance that states that if a mature tree is removed to accommodate infill construction, that the homeowner pay a fee to the City of Spokane Urban Forestry department to have at least one similar species of tree, preferably Ponderosa pine, be planted somewhere within the City of Spokane, hopefully in the vicinity of the removed tree.”

Thank you!  
Jacqui



Jacqui Halvorson – Executive Director

P.O. Box 3949  
Spokane, WA 99220

25 W Main Street, Suite 222  
Spokane, WA 99201

509-343-9087  
(509-951-4477)  
[jacquihalvorson@spokaneponderosa.com](mailto:jacquihalvorson@spokaneponderosa.com)

**November 12, 2018**

Spokane City Plan Commission  
Spokane City Hall  
808 W. Spokane Falls Blvd.  
Spokane, WA 99201

**Re: Infill Code Revisions to Multi-Family Standards**

**To: President Dellwo, Vice President Beyreuther, Commissioner Dietzman, Commissioner Shook, Commissioner St. Clair, Commissioner Francis, Commissioner Kienholz, Commissioner Baker, Commissioner Batten and Commissioner Painter**

Thank you for the opportunity to provide comment on behalf of the members of the Spokane Home Builders Association (SHBA). Our Association works to promote a strong regional housing industry and protect the dream of home ownership in our community. We appreciate the opportunity to continue to provide the perspective of area home builders on a critical issue, the development of new attainable infill housing units to relieve the market pressures of low housing inventory both rental and owner occupied.

**It is imperative to remember the goal of reviewing regulations around infill housing development: To encourage the creation of more housing options within the City.** SHBA appreciates the time taken by the Plan Commission to make thoughtful deliberation into the second phase of revisions geared towards medium and high density zonings within the city. However, city staff's recommendations to date to the Plan Commission have missed the mark and instead create a complicated regulatory framework that will only continue the status quo of restrictive development code in the City. The following represent policy proposals before the Plan Commission and recommendations that will encourage the development of new attainable housing in the multi-family zones.

**Increased Building Heights in the RMF and RHD Zones**

SHBA shares the Plan Commission's position that greater building height is necessary in the city's highest density zonings to allow for the type of attainable housing projects that will pencil out in urban infill situations. Permitting increased building height through a limited exception of roof varieties will only allow for a narrow amount of design types. **SHBA has recommended that instead; amend table 17C.110-3 to allow for 50 foot maximum building heights outright in the RMF and RHD zones.**

As currently drafted, the code would still restrict wall heights to 35 ft and permit greater heights only under narrow roof form exceptions. Three story developments would be restricted to fewer design styles. **Without this amendment, heights in the RMF and RHD zones would continue to be regulated like single family zonings** which is inherently restrictive in the areas designated for the highest densities.

SHBA has also encouraged staff to explore code language that allows for podium style parking under wood frame residential construction. Staff's current proposal for structured parking requires that six feet be underground, a proposal that is not realistic or workable in many infill situations.

Lastly, staff has argued that builders could apply for an RHD re-zone to RHD 55 or greater to achieve increased building heights. This suggestion navigates infill development opportunities into a costly and time consuming process that will serve as a deterrent to new housing construction.



## Parking Minimums Reductions for Infill Housing Development

Based on recommendations made at the previous public hearing, the Plan Commission has also considered code amendments related to reduced minimum parking requirements for infill housing projects.

SHBA recommends what is being referred to as “option 2” as the most workable code, albeit with some revision. The Commission should recall that the public recommendation made was to remove minimum parking requirements for the development of six or fewer units. Option 2 most closely resembles this recommendation.

The current draft however restricts this to only apply to attached housing. **SHBA recommends the restriction to attached housing be removed to allow for reduced parking minimum for both attached and multi-family housing.**

The Plan Commission heard testimony from a non-profit housing provider relating to the impact on affordability that minimum parking requirements have. Specifically in the instance of housing for families at low thresholds of AMI, SHBA encourages the Plan Commission to consider the code that will allow for the greatest flexibility in achieving minimum parking reductions to encourage market driven infill solutions.

The Spokane City Council passed an ordinance earlier this year relieving minimum parking for certain MFTE projects falling within centers and corridors. SHBA at the time called for ongoing review of the ordinance to evaluate its effectiveness.

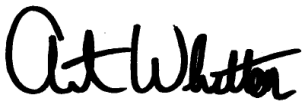
Recent information provided by the city indicates that no projects have yet taken advantage of the new ordinance. Now that the city is again reviewing minimum parking requirements, SHBA encourages the Plan Commission to adopt policy that allows for innovative housing options that may take advantage of reduced parking to encourage affordability and walkable neighborhoods.

At the end of the day, development of new attainable housing is necessary in the city to meet local market demand and anticipated growth. Restrictive policies that limit growth will only further drive up housing prices and leave residents with fewer attainable options both rental and owner occupied.

Again, SHBA appreciates the time taken by the Plan Commission to deliberate thoughtfully on the latest infill code revisions. Housing remains an important ongoing community conversation and one that SHBA will continue to engage with the City of Spokane on.

Please contact me at [awhitten@shba.org](mailto:awhitten@shba.org) or 509-532-4990 ext. 31 with any questions.

Best Regards,



Arthur Whitten

Director of Government Affairs

Spokane Home Builders Association

CC: Mayor David Condon, City Council President Ben Stuckart



**From:** [Jim Frank](#)  
**To:** [Gwinn, Nathan](#)  
**Subject:** 2018-10-31-draft-att-housing-multifamily-zones  
**Date:** Tuesday, November 13, 2018 7:08:05 AM  
**Attachments:** [2018-10-31-draft-att-housing-multifamily-zones.pdf](#)

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Attached are my recommendations and comments on the draft code language for infill in MF zones. I have provided my comments in “red” on the draft.

Thanks, Jim

Jim Frank  
Greenstone Corporation

Enriched Living. Lasting Value.  
[www.greenstonehomes.com](http://www.greenstonehomes.com)

ORDINANCE NO. \_\_\_\_\_

An ordinance relating to dimensional standards for attached housing and multifamily development in residential zones, amending Spokane Municipal Code (SMC) sections 17C.110.200, 17C.110.215, 17C.110.310, and 17C.110.360.

The City of Spokane does ordain:

Section 1. That SMC section 17C.110.200 is amended to read as follows:

**17C.110.200            Lot Size**

**A.     Purpose.**

The standards of this section allow for development on lots, but do not legitimize lots that were divided in violation of [chapter 17G.080 SMC](#), Subdivisions. The required minimum lot size, lot depth, lot width and frontage requirements for new lots ensure that development will, in most cases, be able to comply with all site development standards. The standards also prevent the creation of very small lots that are difficult to develop at their full density potential. Finally, the standards also allow development on lots that were reduced by condemnation or required dedications for right-of-way.

**B.     Existing Lot Size.**

1.     Development is prohibited on lots that are not of sufficient area, dimension and frontage to meet minimum zoning requirements in the base zone. Except:
  - a.     one single-family residence may be developed on a lot that was legally created under the provisions of chapter 58.17 RCW, Plats – Subdivisions – Dedications, or applicable platting statutes;
  - b.     a PUD lot may be less than the minimum size of the base zone, if such lot is delineated on a PUD plan, which has been approved by the hearing examiner. All use and development standards of the zone wherein such lot is located, shall be complied with, unless modified through the PUD process by the hearing examiner. A PUD shall comply with the requirements of subsection (C) of this section.
2.     No lot in any zone may be reduced so that the dimension, minimum lot area, frontage or area per dwelling unit is less than that required by this chapter, except as modified through the PUD process by the hearing examiner.
3.     Lots Reduced by Condemnation or Required Dedication for Right-of-way. Development that meets the standards of this chapter is permitted on lots, or combinations of lots, that were legally created and met the minimum size requirements at the time of subdivision, but were reduced below one or

more of those requirements solely because of condemnation or required dedication by a public agency for right-of-way.

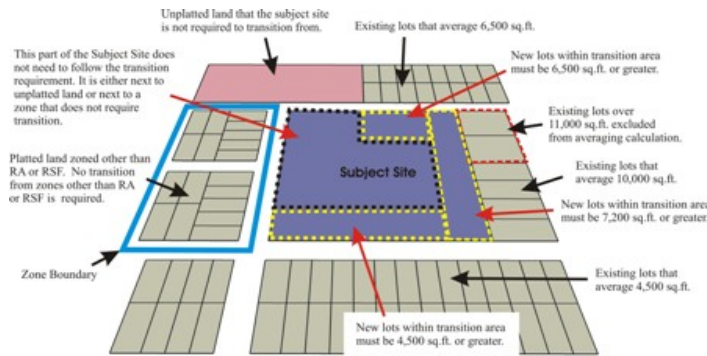
C. Land Division.

All new lots created through subdivision must comply with the standards for the base zone listed in Table 17C.110-3.

1. Transition Requirement.

For sites two acres or greater, transition lot sizes are required to be included as a buffer between existing platted land and new subdivision subject to the requirements of this section. The purpose of this section is to transition lot sizes between the proposed and existing residential developments in order to facilitate compatible development and a consistent development pattern. In the RA and RSF zones, the minimum lot size is subject to transitioning of lots sizes. Lots proposed within the initial eighty feet of the subject property are required to transition lot sizes based on averaging under the following formulas:

- a. Transitioning is only required of properties adjacent to or across the right-of-way from existing residential development. "Existing residential development" in this section shall mean existing lots created through subdivision or short plat.
- b. Lot size in the transition area is based on the average of the existing lot size in subdivisions adjacent to, or across the street from, the subject property. Lots greater than eleven thousand square feet are not counted in the averaging.
- c. If the existing average lot size is greater than seven thousand two hundred square feet, then the lot size in the transition area can be no less than seven thousand two hundred square feet.
- d. If the existing average lot size is less than seven thousand two hundred square feet, then the lot size in the transition area can be equal to or greater than the average.
- e. If the subject site shares boundaries with more than one subdivision, the minimum lot size in the transition area shall be based on the average lot sizes along each boundary. When two boundaries meet, the lot size shall be based on the larger of the two boundaries. See example below; and



- f. If the subject site shares a boundary with property zoned other than RA or RSF, then there are no transition requirements along that boundary.
  - g. After the first set of lots in the transition area, lot sizes may be developed to the minimum lot size of the base zone, i.e., four thousand three hundred fifty square feet in the RSF zone.
2. Planned unit developments, combined with a subdivision, may reduce the minimum lot size, lot width, lot depth and frontage requirements in the RA and RSF zones pursuant to [SMC 17G.070.030\(C\)\(1\)](#), except in the transition area required by subsection (C)(1) of this section.
- D. **Ownership of Multiple Lots.**  
Where more than one adjoining lot is in the same ownership, the ownership may be separated as follows:
1. If all requirements of this chapter will be met after the separation, including lot size, density and parking, the ownership may be separated through either a boundary line adjustment (BLA) or plat, as specified under [chapter 17G.080 SMC](#), Subdivisions.
  2. If one or more of the lots does not meet the lot size standards in this section, the ownership may be separated along the original plat lot lines through a boundary line adjustment (BLA).
- E. **New Development on Standard Lots.** New development on lots that comply with the lot size standards in this section are allowed subject to the development standards and density requirements of the base zone as required under Table 17C.110-3.
- F. **Lot Frontage.** All residential lots shall front onto a public street and meet the minimum lot frontage requirements of Table 17C.110-3. Except, that frontage on a public street is not required for lots created through alternative residential subdivision under [SMC 17G.080.065](#), and lots approved in a planned unit



development or a manufactured home park may have lots or spaces fronting onto private streets, subject to the decision criteria of [SMC 17H.010.090](#).

TABLE 17C.110-3 DEVELOPMENT STANDARDS [1]					
DENSITY STANDARDS					
	RA	RSF & RSF-C	RTF	RMF	RHD
Density - Maximum	4,350 (10 units/acre)	4,350 (10 units/acre)	2,100 (20 units/acre)	1,450 (30 units/acre)	--
Density - Minimum	11,000 (4 units/acre)	11,000 (4 units/acre)	4,350 (10 units/acre)	2,900 (15 units/acre)	2,900 (15 units/acre)
MINIMUM LOT DIMENSIONS LOTS TO BE DEVELOPED WITH:					
Multi-Dwelling Structures or Development					
	RA	RSF & RSF-C	RTF	RMF	RHD
Minimum Lot Area				2,900 sq. ft.	2,900 sq. ft.
Minimum Lot Width				25 ft.	25 ft.
Minimum Lot Depth				70 ft.	70 ft.
Minimum Front Lot Line				25 ft.	25 ft.
Compact Lot Standards [2]					
Minimum Lot Area [3]		3,000 sq. ft.			
Minimum Lot Width		36 ft.			
Minimum Lot Depth		80 ft.			
Minimum Front Lot Line		30 ft.			
Attached Houses as defined in SMC 17A.020.010					
Minimum Lot Area [3]	7,200 sq. ft.	4,350 sq. ft.	1,600 sq. ft.	<del>((1,600 sq. ft.))</del> <u>None</u>	None

ATTACHED HOUSES OPTION 1  
No change to min. lot area in  
RMF zone – instead, change text  
of 17G.080.065

OPTION 2 (shown here) –  
change 1,600 sq. ft. to none with  
other code language to be  
developed.

Recommend that the Plan Commission adopt Option No. 2. This option will allow use of the standard subdivision process. All of the townhomes in Kendall Yards have been developed using the standards subdivision process. This will require that other changes be made, as noted by staff.

Minimum Lot Width	40 ft.	40 ft.	36 ft. or 16 ft. with alley parking and no street curb cut	Same	Same
Minimum Lot Depth	80 ft.	80 ft.	50 ft.	((25-ft.)) <u>None</u>	((25-ft.)) <u>None</u>
Minimum Front Lot Line	40 ft.	40 ft.	Same as lot width	Same as lot width	Same as lot Width

**ATTACHED HOUSES**  
**OPTION 1** – Do not add text related to maximum building coverage or min. lot area to this table (Table 17C.110-3), but change the text of 17G.080.065 as shown in separate companion ordinance

**ATTACHED HOUSES OPTION 2** – Add the following statement about maximum building coverage in the next line in Table 17C.110-3, which is existing text adapted from 17G.080.065(D)(5). This option would bypass the process of 17G.080.065 and the provision to place plat notes on the subdivision map about limitation on building additions and repair.

**Maximum Building Coverage**

**All buildings located within the development shall not exceed the maximum building coverage stated below for primary structures. Lots within the development may be as small as the footprint of an individual attached home**

Detached Houses					
Minimum Lot Area [3]	7,200 sq. ft.	4,350 sq. ft.	1,800 sq. ft.	1,800 sq. ft.	None
Minimum Lot Width	40 ft.	40 ft.	36 ft.	25 ft.	25 ft.
Minimum Lot Depth	80 ft.	80 ft.	40 ft.	25 ft.	25 ft.
Minimum Front Lot Line	40 ft.	40 ft.	30 ft.	25 ft.	25 ft.

Duplexes					
Minimum Lot Area			4,200 sq. ft.	2,900 sq. ft.	None
Minimum Lot Width			25 ft.	25 ft.	25 ft.
Minimum Lot Depth			40 ft.	40 ft.	25 ft.
Minimum Front Lot Line			25 ft.	25 ft.	25 ft.
PRIMARY STRUCTURE					
Maximum Building Coverage (except see above for attached houses) <i>[Option 2 text]</i>					
	RA	RSF & RSF-C	RTF	<del>RMF</del>	<del>RFD</del>
Lots 5,000 sq. ft. or larger	40%	2,250 sq. ft. +35% for portion of lot over 5,000 sq. ft.	2,250 sq. ft. +35% for portion of lot over 5,000 sq. ft.	<del>50%</del> 70%	<del>60%</del> 80%
Lots 3,000 - 4,999 sq. ft.	1,500 sq. ft. + 37.5% for portion of lot over 3,000 sq. ft.				
Lots less than 3,000 sq. ft.	50%				
Building Height					
Maximum Roof Height (([5]))	35 ft. [5]	35 ft. [5]	35 ft. [5]	<del>35 ft. [6]</del> 50 ft	<del>35 ft. [6]</del> 50ft
Maximum Wall Height	25 ft.	25 ft.	25 ft.	<del>20 ft. [6] =</del>	<del>20 ft. [6] =</del>
Floor Area Ratio (FAR)					
FAR	0.5	0.5 [4]	0.5 [4]	--	--
Setbacks					
Front Setback [7, 8]	15 ft.				
Side Lot Line Setback – Lot width more than 40 ft.	5 ft.				
Side Lot Line Setback – Lot width 40 ft. or less	3 ft.				

Street Side Lot Line Setback [7]	5 ft.				
Rear Setback [9, 10]	25 ft.	25 ft. [11]	15 ft.	10 ft.	10 ft.
Required Outdoor Area					
Required Outdoor Area for attached and detached houses. Minimum dimension (See SMC 17C.110.223)	250 sq. ft. 12 ft. x 12 ft.	250 sq. ft. 12 ft. x 12 ft.	250 sq. ft. 12 ft. x 12 ft.	200 sq. ft. 10 ft. x 10 ft.	48 sq. ft. 7 ft. x 7 ft.
ACCESSORY STRUCTURES					
	RA	RSF & RSF-C	RTF	RMF	RHD
Maximum Roof Height	30 ft.	20 ft.	20 ft.	35 ft.	35 ft.
Maximum Wall Height	30 ft.	15 ft.	15 ft.	35 ft.	35 ft.
Maximum Coverage [12]	20%	15%	15%	See Primary Structure	See Primary Structure
Front Setback	20 ft.				
Side Lot Line Setback – Lot width 40 ft. or wider [13]	5 ft.				
Side Lot Line Setback – Lot width less than 40 ft. [13]	3 ft.				
Street Side Lot Line [14]	20 ft.				
Rear [13]	5 ft.				
Rear with Alley	0 ft.				

Notes:

-- No requirement

[1] Plan district, overlay zone, or development standards contained in SMC 17C.110.310 through 360 may supersede these standards.

[2] See SMC 17C.110.209, Compact Lot Standards.

[3] For developments two acres or greater, lots created through subdivision in the RA, RSF and the RSF-C zones are subject to the lot size transition requirements of SMC 17C.110.200(C)(1).

[4] In the RSF-C and RTF zones, and sites in the RSF zone qualifying for compact lot development standards, described in SMC 17C.110.209, FAR may be increased to 0.65 for attached housing development only.

[5] No structure located in the rear yard may exceed twenty feet in height.

[6] Base zone height may be modified according to SMC 17C.110.215, Height.

[7] Attached garage or carport entrance on a street is required to be setback twenty feet from the property line.

[8] See SMC 17C.110.220(D)(1), setbacks regarding the use of front yard averaging.

[9] See SMC 17C.110.220(D)(2), setbacks regarding reduction in the rear yard setback.

[10] Attached garages may be built to five feet from the rear property line except, as specified in SMC 17C.110.225(C)(6)(b), but cannot contain any living space.

[11] In the RSF-C zone and sites in the RSF zone qualifying for compact lot development standards, described in SMC 17C.110.209, the rear setback is 15 feet.

[12] Maximum site coverage for accessory structures is counted as part of the maximum site coverage of the base zone.

[13] Setback for a detached accessory structure and a covered accessory structure may be reduced to zero feet with a signed waiver from the neighboring property owner, except, as specified in SMC 17C.110.225(C)(5)(b).

[14] The setback for a covered accessory structure may be reduced to five feet from the property line.

Section 2. That SMC section 17C.110.215 is amended to read as follows:

**17C.110.215            Height**

**A.     Purpose.**

The height standards promote a reasonable building scale and relationship of one residence to another and they promote privacy for neighboring properties. The standards contained in this section reflect the general building scale and placement of houses in the City's neighborhoods.

**B.     Height Standards.**

The maximum height standards for all structures are stated in [Table 17C.110-3](#). The building height shall be measured using the following method:

1.     The height shall be measured at the exterior walls of the structure. Measurement shall be taken at each exterior wall from the existing grade or finished grade, whichever is lower, up to a plane essentially parallel to the existing or finished grade. For determining structure height, the exterior wall shall include a plane between the supporting members and between the

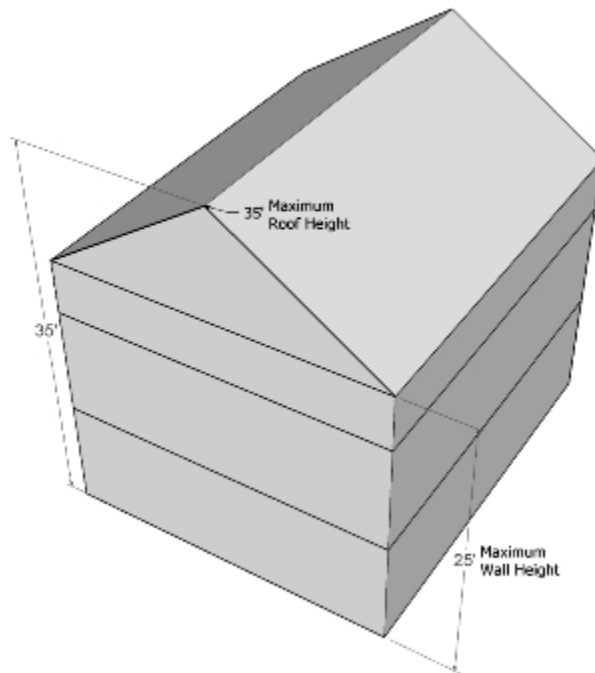
roof and the ground. The vertical distance between the existing grade, or finished grade, if lower, and the parallel plan above it shall not exceed the maximum height of the zone.

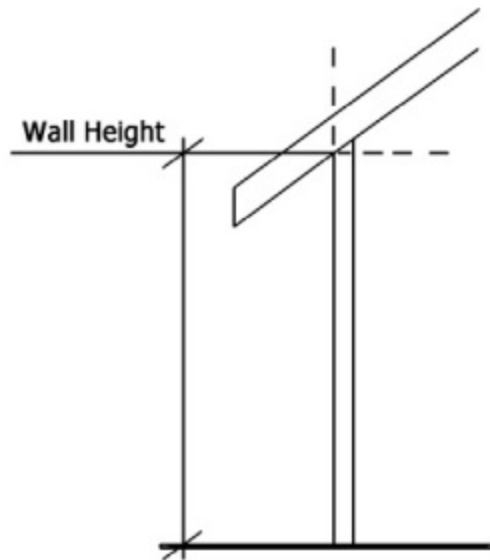
2. When finished grade is lower than existing grade, in order for an upper portion of an exterior wall to avoid being considered on the same vertical ((plan)) plane as a lower portion, it must be set back from the lower portion a distance equal to two times the difference between the existing and finished grade on the lower portion of the wall.
3. Depressions such as window wells, stairwells for exits required by other codes, “barrier free” ramps on grade, and vehicle access driveways into garages shall be disregarded in determining structure height when in combination they comprise less than fifty percent of the facade on which they are located. In such cases, the grade for height measurement purposes shall be a line between the grades on either side of the depression.
4. No part of the structure, other than those specifically exempted or excepted under the provisions of the zone, shall extend beyond the plan of the maximum height limit.
5. Underground portions of the structure are not included in height calculations. The height of the structure shall be calculated from the point at which the sides meet the surface of the ground.
6. For purposes of ((measure)) measuring building height in residential zones, the following terms shall be interpreted as follows:
  - a. “Grade” means the ground surface contour (see also “existing grade” and “finished grade”).
  - b. “Fill” means material deposited, placed, pushed, pulled or transported to a place other than the place from which it originated.
  - c. “Finished grade” means the grade upon completion of the fill or excavation.
  - d. “Excavation” means the mechanical removal of earth material.
  - e. “Existing grade” means the natural surface contour of a site, including minor adjustments to the surface of the site in preparation for construction.

<p style="text-align: center;"><b>TABLE 17C.110.215-1</b> <b>MAXIMUM HEIGHT</b></p>
---

Maximum Wall Height [1]	25 ft.
Maximum Roof Height [2]	35 ft.
[1] The height of the lowest point of the roof structure intersects with the outside plane of the wall. [2] The height of the ridge of the roof. See “Example A” below.	

((C-)) **Example A**





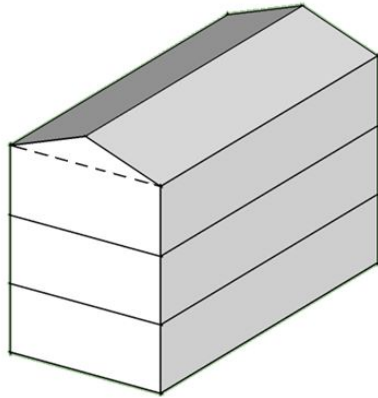
C. Exceptions to the maximum height standard are stated below:

1. Exceptions to the maximum structure height in the RMF and RHD zones are designated on the official zoning map by a dash and a height listed after the zone map symbol (i.e., ((CB)) RHD-150). Changes to the height limits in the RMF and RHD zones require a rezone. Height limits are ~~((thirty feet,))~~ thirty-five feet, forty feet, fifty-five feet, seventy feet, or one hundred fifty feet depending on location.
2. In RMF and RHD zones where the maximum structure height is thirty-five feet, pitched roof structures are allowed an additional fifteen feet above the maximum height standard stated in Table 17C.110-3, provided that the roof:
  - a. incorporates pitched roof forms having slopes between 4:12 and 12:12; and
  - b. is a gabled or hipped roof, which may include dormers (see Figure 17C.110-A).

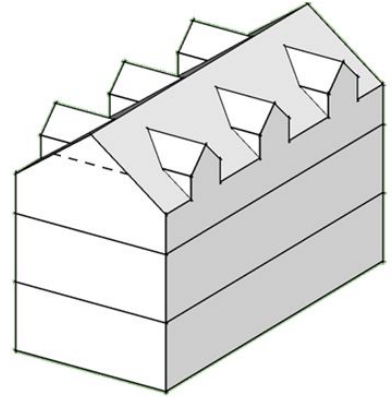
Figure 17C.110-A: Roof Types Eligible for Height Exception.

I recommend that the Plan Commission omit the new sections No. 2 and 3 which limit the type of roof forms which may be used. In the alternative change the height permitted in the MF zones to 50 feet. In addition add a provision to the MF design standards that requires that building height and massing be kept to two stories within 40 feet of a common boundary line with lower density SF zones.

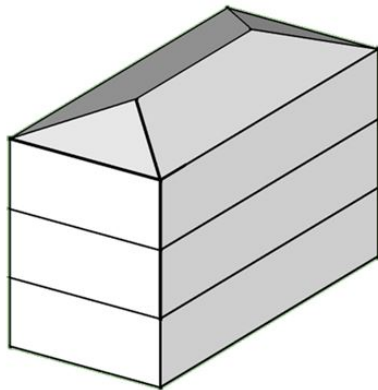




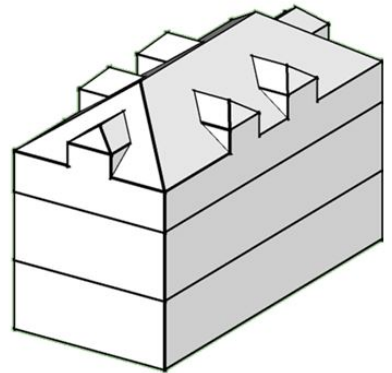
Gabled roof



Gabled roof & dormers



Hipped roof

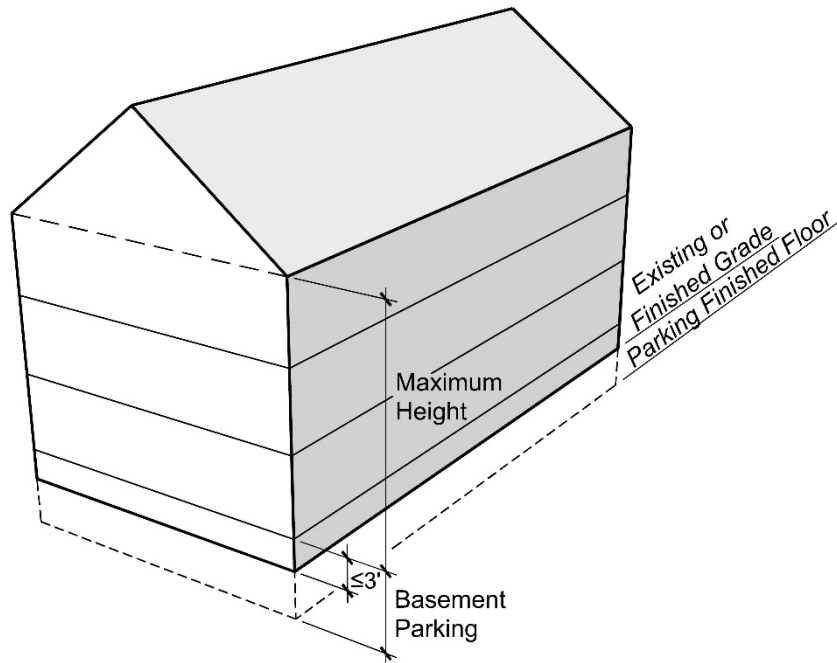


Hipped roof & dormers

[Note: Add the graphic above.]

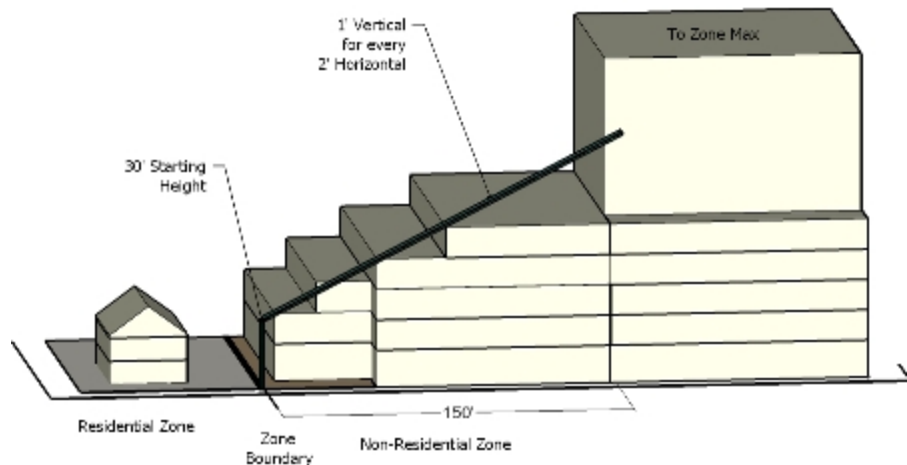
3. In the RMF and RHD zones, height does not include up to three feet of the above-grade portions of basement parking, where the elevation of the first residential finished floor is three feet or less above the lowest elevation of the existing grade or finished grade, whichever is lower. See Figure 17C.110-D.

Figure 17C.110-D: Basement Parking Excluded from Height.



[Note: Add the graphic above.]

- ((2)) 4. Buildings and structures over fifty feet in height must follow the design, setback and dimensional standards found in chapter 17C.250 SMC, Tall Building Standards.
- ((3)) 5. Adjacent to Single-family and Two-family Residential Zones.  
To provide a gradual transition and enhance the compatibility between the more intensive commercial zones and adjacent single-family and two-family residential zones:
  - a. for all development within one hundred fifty feet of any single-family or two-family residential zone the maximum building height is as follows:
    - i. Starting at a height of thirty feet ((7)) at the residential zone boundary additional building height may be added at a ratio of one to two (one foot of additional building height for every two feet of additional horizontal distance from the closest single-family or two-family residential zone). The building height transition requirement ends one hundred fifty feet from the single-family or two-family residential zone and then full building height allowed in the zone applies.



Limit building height in MF zones to 2 stories within 40 feet of common boundary line. The current language does not accomplish this.

((4)) 6. Projections Allowed.

Chimneys, flagpoles, satellite receiving dishes and other similar items with a width, depth or diameter of three feet or less may extend above the height limit, as long as they do not exceed three feet above the top of the highest point of the roof. If they are greater than three feet in width, depth or diameter, they are subject to the height limit.

((5)) 7. Farm Buildings.

Farm buildings such as silos, elevators and barns are exempt from the height limit as long as they are set back from all lot lines at least one foot for every foot in height.

((6)) 8. Utility power poles and public safety facilities are exempt from the height limit.

((7)) 9. Radio and television antennas are subject to the height limit of the applicable zoning category.

((8)) 10. Wireless communication support towers are subject to the height requirements of chapter 17C.355A SMC, Wireless Communication Facilities.

((9)) 11. Uses approved as a conditional use may have building features such as a steeple or tower which extends above the height limit of the underlying zone. Such building features must be set back from the side property line adjoining a lot in a residential zone a distance equal to the height of the building feature or one hundred fifty percent of the height limit of the underlying zone, whichever is lower.

D. Special Height Districts.

Special height districts are established to control structure heights under particular circumstances such as preservation of public view or airport approaches. See [chapter 17C.170 SMC](#), Special Height Overlay Districts.

E. Accessory Structures.

The height of any accessory structure located in the rear yard, including those attached to the primary residence, is limited to twenty feet in height, except a detached ADU above a detached accessory structure may be built to twenty-three feet in height.

Section 3. That SMC section 17C.110.310 is amended to read as follows:

**17C.110.310 Attached Housing, Detached Houses on Lots Less than Forty Feet Wide, and Duplexes**

A. Purpose.

Attached housing, detached houses on narrow lots and duplexes allow for energy-conserving housing and a more efficient use of land. See definition of attached housing under chapter 17A.020 SMC.



These design standards are useful for SF homes but do not translate well to townhomes located in MF zones. Attached housing in MF zones should be required to apply the MF design standards.

B. Qualifying Situations.

Sites located in the ~~((RSF))~~ RA through the RHD zones. All lots must be under the same ownership or a signed and recorded agreement to participate in an attached housing development must be submitted to the City by all property owners at the time of building permit application.

C. Lot Development Standards.

Each house must be on a lot that complies with the lot development standards in the base zone as provided in Table 17C.110-3.

D. Building Setbacks for Attached Housing.

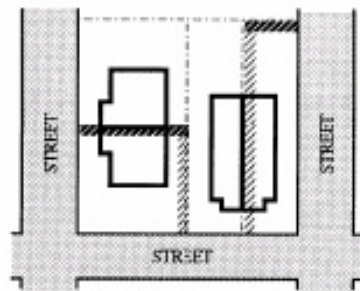
1. Interior Lots.

On interior lots, the side building setback on the side containing the common wall is reduced to zero. ~~((The side building setbacks on the side opposite~~

~~the common wall must be double the side setback standard of the base zone.))~~

2. Corner Lots.

On corner lots, either the rear setback or non-street side setback may be reduced to zero. However, the remaining street side lot line setback must comply with the requirements for a standard side or rear setback.



On corner lots, either the rear setback or the nonstreet side setback can be reduced to zero. However, the remaining nonstreet setback must comply with the requirements for a standard rear setback.

————— Rear lot line

————— Nonstreet side lot line

E. Design Standards.

This section is subject to the provisions of SMC 17C.110.015, Design Standards Administration.

1. A multi-family residential building of three or more units ~~((is))~~ and attached housing in the RMF and RHD zones are subject to the design standards of SMC 17C.110.400 through 17C.110.465.
2. For detached houses on lots forty feet or less wide ~~((and attached housing))~~ and duplexes, where permitted, in the RSF, RSF-C, RTF, RMF and RHD zones, as well as attached housing in the RA, RSF, RSF-C, and RTF zones, the following design standards must be met:
  - a. All street-facing facades must have landscaping along the foundation. There must be at least one three-gallon shrub for every three lineal feet of foundation. (R)
  - b. Sixty percent of the area between the front lot line and the front building line must be landscaped. At a minimum, the required landscaped area must be planted with living ground cover. Up to one-third of the required landscaped area may be for recreational use, or for use by pedestrians. Examples include walkways, play areas, or patios. (R)

- c. ((~~Generous~~)) Use of planting materials and landscape structures such as trellises, raised beds and fencing to unify the overall site design is encouraged, with plantings consistent with L3 open area landscaping standard of SMC 17C.200.030. (P)
- d. Front facade.  
Fire escapes, or exterior stairs that provide access to an upper level are not allowed on the front facade of the building. (R)
- e. Duplexes and attached houses on corner lots ((~~shall~~)) should be designed so each unit is oriented towards a different street. This gives the structure the overall appearance of a house when viewed from either street. (R)
- f. Detached houses on lots forty feet or less wide and both units of a duplex or attached houses must meet the following standards to ensure that the units have compatible elements. Adjustments to this paragraph are prohibited, but modifications may be requested through a design departure. The standards are:
  - i. Entrances. Each of the units must have its address and main entrance oriented toward a street frontage. Where an existing house is being converted to two units, one main entrance with internal access to both units is allowed. (R)
  - ii. Each unit must have a covered, main entry-related porch or stoop area of at least fifty square feet with no dimension less than five feet. (R)
  - iii. Buildings must be modulated along the public street at least every thirty feet. Building modulations must step the building wall back or forward at least four feet. (R)
  - iv. Reduce the potential impact of new duplex and attached housing development on established and historic neighborhoods by incorporating elements and forms from nearby buildings. This may include reference to architectural details, building massing, proportionality, and use of high-quality materials such as wood, brick, and stone. (P)
  - v. Create a human scale streetscape by including vertical and horizontal patterns as expressed by bays, belt lines, doors and windows. (P)
- g. Garages are subject to the garage limitation standards of SMC 17C.110.208(E). (R)

- h. Where off-street parking for two or more dwellings will be developed on abutting lots that are each less than forty feet in width, only one curb cut and sidewalk crossing for each two lots may be permitted, to promote pedestrian-oriented environments along streets, reduce impervious surfaces, and preserve on-street parking and street tree opportunities. (P)

F. Number of Units.

1. RA, RSF and RSF-C Zones.  
A maximum of two houses may be with a common wall. Structures made up of three or more attached houses are prohibited unless approved as a planned unit development.
2. RTF Zone.  
Up to eight attached houses may have a common wall. Structures made up of nine or more attached houses are prohibited unless approved as a planned unit development.
3. RMF and RHD zones.  
There is no limit to the number of attached houses that may have common walls.

Section 4. That SMC section 17C.110.360 is amended to read as follows:

**17C.110.360 Pocket Residential Development**

A. Purpose.

The purpose of the pocket residential development is to:

1. Encourage greater efficiency of land use by allowing compact infill development on aggregate sites.
2. Stimulate new housing that is compatible in scale and character to established surrounding residential areas.
3. Produce a broader range of building forms for residential development.
4. Expand opportunities for affordable home ownership.
5. Promote high quality housing of a character compatible with existing neighborhoods.
6. Encourage adequate, usable open space.

B. Applicability.

Pocket residential development is permitted within the RSF, RSF-C, RTF, RMF, RHD, O, OR, CC, NR, CB, and GC zones.

C. Application Procedure.

Pocket residential development is allowed outright with a building permit. When pocket residential development involves subdivision of land, the application shall be processed in accordance with the procedures of chapter 17G.080 SMC, Subdivisions.

D. Basic Development Standards.

1. Maximum Building Height.  
The maximum height of structures within a pocket residential development is as allowed in the underlying zone.
2. Maximum Building Coverage.  
The maximum building coverage of the aggregate buildings located upon the parent site shall not exceed the maximum building coverage permitted by the underlying zone. Maximum building coverage is not limited in the O, OR, CC, NR, CB, and GC zones.
3. Setbacks.  
Setbacks in a pocket residential development are measured from the exterior boundary of the parent site. The following setbacks are required except in commercial and center and corridor zones where the setbacks are as required in the underlying zoning district.
  - a. Front Setback.  
The front yard requirement for the parent site shall be fifteen feet except as allowed under the front yard averaging provisions of SMC 17C.110.220(D)(1).
  - b. Side Setback, Abutting a Residential Zoning District.  
If the side yard of the site is adjacent to other residentially zoned property the side yard shall be a minimum of five feet.
  - c. Side Setback, Interior to Parent Site.  
If platted, the side yard, interior to the parent site, may be zero, provided, however, that any structure located upon a lot created under SMC 17G.080.065 shall comply with applicable building and fire code and the setbacks applicable to the underlying site development plan.
  - d. Side Setback, Street.  
The street side yard requirement for the parent site shall be a minimum of five feet.
  - e. Rear Setback of the Parent Site.  
Twenty-five feet or as required in the underlying zoning district.



4. Minimum and Maximum Parent Site Size:

- a. The minimum parent site size for a pocket residential development is as follows:
  - i. RSF and RSF-C zone: Eight thousand seven hundred square feet.
  - ii. RTF zone: Four thousand two hundred square feet.
  - iii. RMF, RHD zones: Two thousand nine hundred square feet.
  - iv. O, OR, CC, NR, CB, and GC zones: No minimum parent site size.

- b. The maximum parent site size for a pocket residential development is as follows:

- i. RSF, RSF-C, and RTF zones: One and a half acres. Pocket residential developments in the RSF, RSF-C, and RTF zones over one and a half acres must be approved as a planned unit development.
- ii. RMF, RHD, O, OR, CC, NR, CB, and GC zones: No maximum parent site size.

ATTACHED  
HOUSES OPTION 1

Eliminate size limit in  
higher-density zones

5. Density.

The maximum density allowed in a pocket residential development is limited to that allowed in the underlying zoning district in which the parent site is located, except as permitted by SMC 17C.110.330(C) for transitional sites.

6. Frontage and Access.

Frontage on a public street is not required for lots created in a pocket residential development. Private streets or private access may be used to provide lot frontage when a private street or private access is approved in accordance with chapter 17H.010 SMC. The parent site shall have frontage on a public street sufficient for adequate access and utilities.


7. Parking.

The minimum required off-street parking for a pocket residential development shall comply with the required parking standards of the underlying zone for residential uses in chapter 17C.230 SMC Parking and Loading.

8. Required Outdoor Area.

ATTACHED  
HOUSES  
OPTION 1

Eliminate  
homeowners'  
association  
requirements



Pocket residential developments shall comply with the required outdoor area standards of the underlying zone in accordance with SMC 17C.110.223 and Table 17C.110-3 Development Standards. Common outdoor areas designated to meet this requirement will be permanently maintained by the owner or an appropriate property management entity, if under singular ownership. ~~((In the event that the development is subdivided or condominium platted, a homeowners' association is required to be created for the maintenance of the common open space within the development.))~~ This requirement shall be included in deed restrictions as required in SMC 17G.080.065(D).

9. Permitted Housing Types.

The housing types allowed in a pocket residential development are those allowed in the underlying zone in accordance with Table 17C.110-2.

10. Lot Size.

There is no minimum lot size for lots created within a pocket residential development.

E. Design Standards.

This section is subject to the provisions of SMC 17C.110.015, Design Standards Administration. A multi-family residential building of three or more units and attached housing in the RMF and RHD zones are subject to the design standards of SMC 17C.110.400 through 17C.110.470.

1. Ground Level Access.

In order to create the appearance of individual homes, rather than apartments, each attached dwelling unit shall have its own individual access from grade. Stacked units are permitted to have one main entrance with an internal stair accessed from grade to internal individual unit entrances.

*Individual Access from Grade*



*Example of Individual Access for Each Unit*

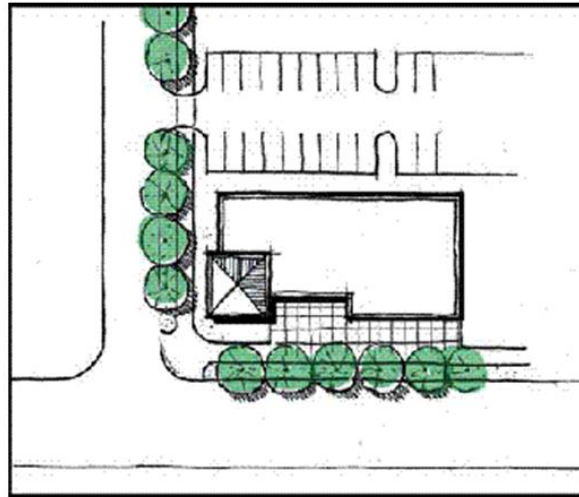


*Example of Individual Access with Shared Open Space*



2. **Parking Lots.**  
To ensure that parking is as unobtrusive as possible the following standards must be met:
  - a. **Alley Access.**  
If the development abuts an alley, parking must be accessed from the alley.

*Example of Surface Parking Accessed from Alley*



- b. Screening: Surface parking lots shall be screened both from the street and adjacent residential development by landscape type L2 see-through buffer in SMC 17C.200.030, Landscape Types. Decorative walls or fences no more than forty-two inches in height may be used in lieu of shrubs. Parking is not allowed in a required front yard setback area.

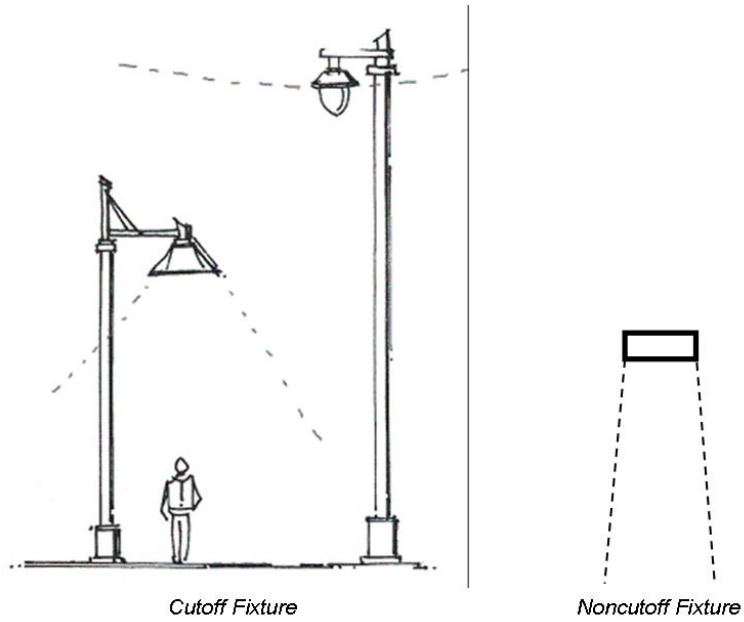
*Planting Material Screen*



*Example of Surface Parking Screened from Street*

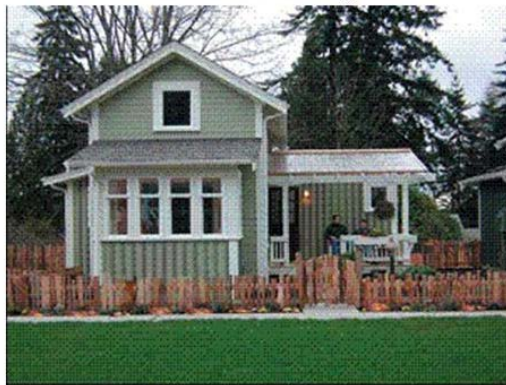


- c. Paving: All surface parking shall be improved in accordance with the standards of SMC 17C.230.140.
- 3. Lighting.  
To diminish the amount of glare and spillover from lighting, the following standards shall apply:
  - a. Intensity: Exterior lighting fixtures shall not exceed one foot-candle in intensity.
  - b. Cutoffs Required: Lighting fixtures shall comply with the standards of SMC 17C.220.080



4. Fencing: To ensure a residential atmosphere, fencing higher than forty two inches shall not be permitted along any street frontage.

*Residential Fencing*



*Residential Fence Along Street Frontage No Higher than 42 inches*



5. Residential Building Design.



This section is subject to the provisions of SMC 17C.110.015, Design Standards Administration. For pocket residential development, the following design standards must be met:

- a. All street-facing facades must have landscaping along the foundation. There must be at least one three-gallon shrub for every three lineal feet of foundation. (R)
- b. Sixty percent of the area between the front lot line and the front building line must be landscaped. At a minimum, the required landscaped area must be planted with living ground cover. Up to one-third of the required landscaped area may be for recreational use, or for use by pedestrians. Examples include walkways, play areas, or patios. (R)
- c. Use of planting materials and landscape structures such as trellises, raised beds and fencing to unify the overall site design is encouraged, with plantings consistent with L3 open area landscaping standard of SMC 17C.200.030.(P)
- d. Front facade. Fire escapes, or exterior stairs that provide access to an upper level are not allowed on the front facade of the building. (R)
- e. Duplexes and attached houses on corner lots shall be designed so each unit is oriented towards a different street. This gives the structure the overall appearance of a house when viewed from either street. (R)
- f. All units must meet the following standards. Adjustments to this paragraph are prohibited, but modifications may be requested through a design departure. The standards are:
  - i. Entrances. Each of the units fronting on the street must have its address, windows, and main entrance oriented toward a street frontage. Units that are on the interior of a parent site may be oriented toward a private access or shared open space. Where an existing house is being converted to two units, one main entrance with internal access to both units is allowed. (R)
  - ii. Each unit must have a covered, main entry-related porch or stoop area of at least fifty square feet with no dimension less than five feet. (R)
  - iii. Attached units must be modulated along the public street at least every thirty feet. Building modulations must step the building wall back or forward at least four feet. (R)

- iv. Reduce the potential impact of new Pocket Residential Development on established and historic neighborhoods by incorporating elements and forms from nearby buildings. This may include reference to architectural details, building massing, proportionality, and use of high-quality materials such as wood, brick, and stone. (P)
- v. Create a human scale streetscape by including vertical and horizontal patterns as expressed by bays, belt lines, doors and windows. (P)



I feel these changes to parking requirements, while complicated, are a useful improvement and allow additional parking flexibility in urban infill situation. I would recommend the Plan Commission accept this code change.

ORDINANCE NO. \_\_\_\_\_

The City of Spokane does ordain:

Section 1. That SMC section 17C.230.100 is amended to read as follows:

**17C.230.100 General Standards**

- A. Where the Standards Apply.  
The standards of this chapter apply to all parking areas in RA, RSF, RTF, RMF, RHD, O, OR, NR, NMU, CB, GC, Downtown, CC, industrial, and FBC zones, whether required by this code or put in for the convenience of property owners or users. Parking areas include those accessory to a use, part of a commercial parking use, or for a park and ride facility in the basic utilities use category. Some zoning categories have unique parking standards as provided in Table 17C.230-1.
- B. Occupancy.  
All required parking areas must be completed and landscaped prior to occupancy of any structure except as provided in chapter 17C.200 SMC, Landscaping and Screening.
- C. Calculations of Amounts of Required and Allowed Parking.
1. When computing parking spaces based on floor area, floor area dedicated for parking is not counted.
  2. The number of parking spaces is computed based on the uses on the site. When there is more than one use on a site, the required or allowed parking for the site is the sum of the required or allowed parking for the individual uses. For joint use parking, see SMC 17C.230.110(B)(2).
  3. If the maximum number of spaces allowed is less than or equal to the minimum number required, then the maximum number is automatically increased to one more than the minimum.
  4. If the maximum number of spaces allowed is less than one, then the maximum number is automatically increased to one.
  5. When the calculation of required or allowed parking results in a decimal fraction, the number of parking spaces required or allowed is rounded up to the next whole number.
- D. Use of Required Parking Spaces.  
Required parking spaces must be available for the use of residents, customers, or employees of the use. Fees may be charged for the use of required parking spaces, except for group living and residential household living uses. Required parking spaces may not be assigned in any way to a use on another site, except

for joint parking situations. Required parking spaces must be made available to employees; it cannot be restricted only to customers. See SMC 17C.230.110(B)(2). Also, required parking spaces may not be used for the parking of equipment or storage of goods or inoperable vehicles.

E. Proximity of Parking to Use.

1. Required parking spaces for all industrial and commercial zones, except center and corridor zones, must be located on the site of the use or in parking areas whose closest point is within four hundred feet of the site. In center and corridor zones, parking is required to be located within six hundred feet of the use.
2. Required parking spaces for uses in the RA, RSF, RTF, and RMF zones must be located on the site of the use. Required parking for the uses in the RHD zone must be located on the site of the use or in parking areas whose closest point is within four hundred feet of the site.

F. Stacked Parking.

Stacked or valet parking is allowed if an attendant is present to move vehicles. If stacked parking is used for required parking spaces, some form of guarantee must be filed with the City ensuring that an attendant will always be present when the lot is in operation. The requirements for minimum or maximum spaces and all parking area development standards continue to apply for stacked parking.

G. On-Street Parking.

The minimum number of required parking spaces may be reduced by the number of on-street parking spaces immediately adjacent to a site's public right-of-way frontages, located on the same side of the street. The street must be paved, with sidewalks that are ADA accessible. Each complete twenty linear foot section of right-of-way where parallel parking is permitted is considered a parking space. Where parallel, diagonal or other on-street parking is marked on the street or officially designated by other means; the number of complete parking spaces that are adjacent on the same side of the street to the site's frontage are counted. An on-street parking space shall not be counted if it is restricted in its use as a designated loading, taxi or other special use zone or if parking is prohibited for more than five hours any twenty four-hour period. When calculating the number of required bicycle parking spaces per SMC 17C.230.200, the number of vehicle off-street parking spaces that would be required before this reduction is applied is the figure that is used.

H. Curb Cuts.

Curb cuts and access restrictions are regulated by the City engineering services department. Other zoning standards or design guidelines may apply.

Section 2. That SMC section 17C.230.130 is amended to read as follows:

## **17C.230.130            Parking Exceptions**

- A. In center and corridor downtown, and FBC CA1, CA2, and CA3 zones any new building or building addition with a floor area less than three thousand square feet shall have no parking requirement.
- B. In the neighborhood retail zone, any existing building, new building, or building addition, having a floor area less than three thousand square feet shall have no parking requirement. In addition, if a building has a floor area of five thousand square feet or less, the parking requirement will be determined after deducting the three thousand square foot exemption from the building's floor area. For example, the parking requirement for a four thousand square foot building would be based on one thousand square feet of floor area – i.e., a four thousand square foot building size minus the three thousand square foot exemption.
- C. The director may approve ratios that are higher than the maximum or lower than the minimum if sufficient factual data is provided to indicate that a different amount is appropriate. The applicant assumes the burden of proof. Approval of parking above the maximum shall be conditioned upon increasing the amount of required landscaping by thirty percent. Approval of parking below the minimum shall be conditioned upon the project contributing towards a pedestrian and transit supportive environment both next to the immediate site and in the surrounding area. When determining if a different amount of parking is appropriate, the director shall consider the proximity of the site to frequent transit service, the intensity of the zoning designation of the site and surrounding sites, and the character of the proposed use.
- D. If property owners and businesses establish a parking management area program with shared parking agreements, the director may reduce or waive parking requirements.
- E. Except in the residential single-family and residential two-family zones, existing legal nonconforming buildings that do not have adequate parking to meet the standards of this section are not required to provide off-street parking when remodeling which increases the amount of required parking occurs within the existing structure.

### **F. Attached Housing.**

The following exceptions apply only to attached housing (defined in SMC 17A.020.010) in the RMF and RHD zones. Distances are measured in a straight line between the zone/overlay boundary to the lot line of the site containing the development.

- 1. On a lot at least partially within one thousand three hundred twenty feet of CC, CA, or DT zone or CC3 zoning overlay, the minimum number of off-street vehicle parking spaces required is fifty percent less than the minimum required for Residential Household Living in Table 17C.230-2.

2. On a lot farther than one thousand three hundred twenty feet of a CC, CA, or DT zone or CC3 zoning overlay, the minimum number of off-street vehicle parking spaces required is thirty percent less than the minimum required for Residential Household Living in Table 17C.230-2.

<b>TABLE 17C.230-2</b> <b>PARKING SPACES BY USE [1]</b> <b>(Refer to <a href="#">Table 17C.230-1</a> for Parking Space Standards by Zone)</b> <b>CU = Conditional Use</b>			
<b>RESIDENTIAL CATEGORIES</b>			
<b>USE CATEGORIES</b>	<b>SPECIFIC USES</b>	<b>MINIMUM PARKING</b>	<b>MAXIMUM PARKING</b>
Group Living		1 per 4 residents	None
Residential Household Living		1 per unit plus 1 per bedroom after 3 bedrooms; 1 per Accessory Dwelling Unit (ADU); Single Resident Occupancy (SRO) are exempt	None
<b>COMMERCIAL CATEGORIES</b>			
<b>USE CATEGORIES</b>	<b>SPECIFIC USES</b>	<b>MINIMUM PARKING</b>	<b>MAXIMUM PARKING</b>
Adult Business		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Commercial Outdoor Recreation		20 per acre of site	30 per acre of site
Commercial Parking		Not applicable	None
Drive-through Facility		Not applicable	None
Major Event Entertainment		1 per 8 seats or per CU review	1 per 5 seats or per CU review
Office	General Office	1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
	Medical/Dental Office	1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area

Quick Vehicle Servicing		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Retail Sales and Service	Retail, Personal Service, Repair-oriented	1 per 330 sq. ft. of floor area	1 per 200 sq. ft. of floor area
	Restaurants and Bars	1 per 250 sq. ft. of floor area	1 per 60 sq. ft. of floor area
	Health Clubs, Gyms, Lodges, Meeting Rooms and similar continuous entertainment, such as Arcades and Bowling Alleys	1 per 330 sq. ft. of floor area	1 per 180 sq. ft. of floor area
	Temporary Lodging	1 per rentable room; for associated uses such as Restaurants, see above	1.5 per rentable room; for associated uses such as Restaurants, see above
	Theaters	1 per 4 seats or 1 per 6 feet of bench area	1 per 2.7 seats or 1 per 4 feet of bench area
	Retail sales and services of large items, such as appliances, furniture and equipment	1 per 1,000 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Mini-storage Facilities		Same as Warehouse and Freight Movement	Same as Warehouse and Freight Movement
Vehicle Repair		1 per 750 sq. ft. of floor area	1 per 200 sq. ft. of floor area
<b>INDUSTRIAL CATEGORIES</b>			
<b>USE CATEGORIES</b>	<b>SPECIFIC USES</b>	<b>MINIMUM PARKING</b>	<b>MAXIMUM PARKING</b>
Industrial Services, Railroad Yards, Wholesale Sales		1 per 1,000 sq. ft. of floor area	1 per 200 sq. ft. of floor area

Manufacturing and Production		1 per 1,000 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Warehouse and Freight Movement		1 per 1,000 sq. ft. of floor area for the first 3,000 sq. ft of floor area and then 1 per 3,500 sq. ft. of floor area thereafter	1 per 200 sq. ft. of floor area
Waste-related		Per CU review	Per CU review
<b>INSTITUTIONAL CATEGORIES</b>			
<b>USE CATEGORIES</b>	<b>SPECIFIC USES</b>	<b>MINIMUM PARKING</b>	<b>MAXIMUM PARKING</b>
Basic Utilities		None	None
Colleges		1 per 600 sq. ft. of floor area exclusive of dormitories, plus 1 per 4 dorm rooms	1 per 200 sq. ft. of floor area exclusive of dormitories, plus 1 per 2.6 dorm room
Community Service		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Daycare		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Medical Centers		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Parks and Open Areas		Per CU review for active areas	Per CU review for active areas
Religious Institutions		1 per 100 sq. ft. of main assembly area or per CU review	1 per 60 sq. ft. of main assembly area
Schools	Grade, Elementary, Junior High	1 per classroom	2.5 per classroom
	High School	7 per classroom	10.5 per classroom
<b>OTHER CATEGORIES</b>			
<b>USE CATEGORIES</b>	<b>SPECIFIC USES</b>	<b>MINIMUM PARKING</b>	<b>MAXIMUM PARKING</b>
Agriculture		None or per CU review	None or per CU review

Aviation and Surface Passenger Terminals		Per CU review	Per CU review
Detention Facilities		Per CU review	Per CU review
Essential Public Facilities		Per CU review	Per CU review
Wireless Communication Facilities		None or per CU review	None or per CU review
Rail Lines and Utility Corridors		None	None
[1] The director may approve different amounts of parking spaces under the exceptions listed in SMC 17C.230.130.			

Section 3. That SMC section 17C.230.140 is amended to read as follows:

#### **17C.230.140 Development Standards**

- A. Purpose  
The parking area layout standards are intended to promote safe circulation within the parking area and provide for convenient entry and exit of vehicles.
- B. Where These Standards Apply  
The standards of this section apply to all vehicle areas whether required or excess parking.
- C. Improvements
  - 1. Paving.  
In order to control dust and mud, all vehicle areas must be surfaced with a minimum all-weather surface. Such surface shall be specified by the city engineer. Alternatives to the specified all-weather surface may be provided, subject to approval by the city engineer. The alternative must provide results equivalent to paving. All surfacing must provide for the following minimum standards of approval:
    - a. Dust is controlled.
    - b. Stormwater is treated to City standards; and
    - c. Rock and other debris is not tracked off-site.

The applicant shall be required to prove that the alternative surfacing provides results equivalent to paving. If, after construction, the City determines that the alternative is not providing the results equivalent to

paving or is not complying with the standards of approval, paving shall be required.

2. Striping.

All parking areas, except for stacked parking, must be striped in conformance with the parking dimension standards of subsection (E) of this section, except parking for single-family residences, duplexes, and accessory dwelling units.

3. Protective Curbs Around Landscaping.

All perimeter and interior landscaped areas must have continuous, cast in place, or extruded protective curbs along the edges. Curbs separating landscaped areas from parking areas may allow stormwater runoff to pass through them. Tire stops, bollards or other protective barriers may be used at the front ends of parking spaces. Curbs may be perforated or have gaps or breaks. Trees must have adequate protection from car doors as well as car bumpers. This provision does not apply to single-family residence, duplexes and accessory dwelling units.

D. Stormwater Management

Stormwater runoff from parking lots is regulated by the engineering services department.

E. Parking Area Layout

1. Access to Parking Spaces.

All parking areas, except stacked parking areas, must be designed so that a vehicle may enter or exit without having to move another vehicle.

2. Parking Space and Aisle Dimensions.

a. Parking spaces and aisles in RA, RSF, RSF-C, RTF, RMF, RHD, FBC CA4, O, OR, NR, NMU, CB, GC, and industrial zones must meet the minimum dimensions contained in Table 17C.230-3.

b. Parking spaces and aisles in Downtown CC, and FBC CA1, CA2, CA3 zones must meet the minimum dimensions contained in Table 17C.230-4.

c. In all zones, on dead end aisles, aisles shall extend five feet beyond the last stall to provide adequate turnaround.

3. Parking for Disabled Persons.

The city building services department regulates the following disabled person parking standards and access standards through the building code and the latest ANSI standards for accessible and usable buildings and facilities:



- a. Dimensions of disabled person parking spaces and access aisles.
  - b. The minimum number of disabled person parking spaces required.
  - c. Location of disabled person parking spaces and circulation routes.
  - d. Curb cuts and ramps including slope, width and location; and
  - e. Signage and pavement markings.
4. A portion of a standard parking space may be landscaped instead of paved, as follows:
- a. The landscaped area may be up to two feet of the front of the space as measured from a line parallel to the direction of the bumper of a vehicle using the space, as shown in Figure 17C.230-3. Any vehicle overhang must be free from interference from sidewalks, landscaping, or other required elements.

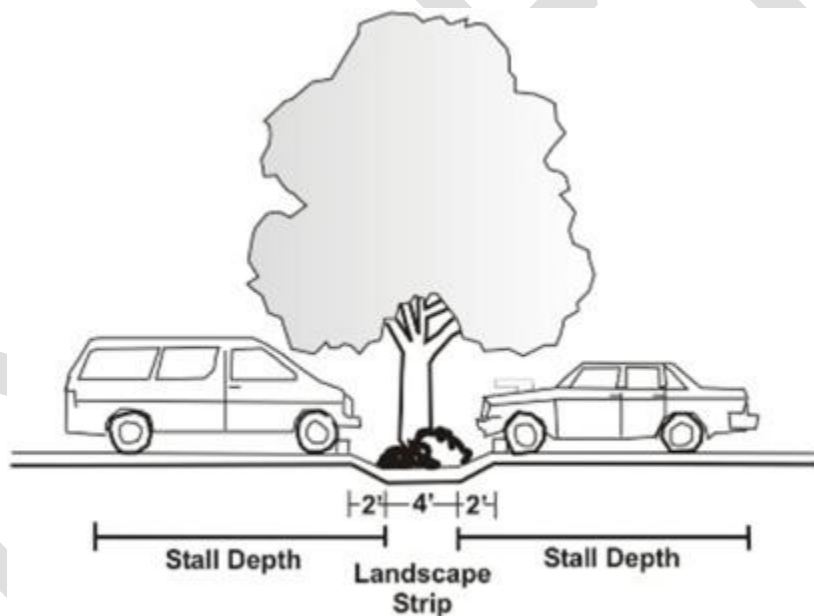


Figure 17C.230-3 Landscaped area at front of parking space

- b. Landscaping must be ground cover plants; and
  - c. The landscaped area counts toward parking lot interior landscaping requirements and toward any overall site landscaping requirements. However, the landscaped area does not count toward perimeter landscaping requirements.
5. Engineering Services Department Review

The engineering services department reviews the layout of parking areas for compliance with the curb cut and access restrictions of [chapter 17H.010 SMC](#).

**Table 17C.230-3**  
**RA, RSF, RSF-C, RTF, RMF, RHD, FBC CA4, O, OR, NMU, CB, GC and Industrial Zones**  
**Minimum Parking Space and Aisle Dimensions [1, 2]**

Angle (A)	Width (B)	Curb Length (C)	1-way Aisle Width (D)	2-way Aisle Width (D)	Stall Depth (E)
0° (Parallel)	8 ft.	20 ft.	12 ft.	22 ft.	8 ft.
30°	8 ft. 6 in.	17 ft.	12 ft.	22 ft.	15 ft.
45°	8 ft. 6 in.	12 ft.	12 ft.	22 ft.	17 ft.
60°	8 ft. 6 in.	9 ft. 9 in.	16 ft.	22 ft.	18 ft.
90°	8 ft. 6 in.	8 ft. 6 in.	22 ft.	22 ft.	18 ft.

Notes:

[1] See Figure 17C.230-4.

[2] Dimensions of parking spaces for the disabled are regulated by the building code.  
See [SMC 17C.230.140\(E\)\(3\)](#).

**Table 17C.230-4**  
**Downtown, CC, NR, FBC CA1, CA2, and CA3 Zones**  
**Minimum Parking Space and Aisle Dimensions [1, 2]**

Angle (A)	Width (B)	Curb Length (C)	1-way Aisle Width (D)	2-way Aisle Width (D)	Stall Depth (E)
0° (Parallel)	8 ft.	20 ft.	12 ft.	20 ft.	8 ft.
30°	8 ft. 6 in.	17 ft.	12 ft.	20 ft.	15 ft.
45°	8 ft. 6 in.	12 ft.	12 ft.	20 ft.	17 ft.
60°	8 ft. 6 in.	9 ft. 9 in.	16 ft.	20 ft.	17 ft. 6 in.
90°	8 ft. 6 in.	8 ft. 6 in.	20 ft.	20 ft.	16 ft.

Notes:

[1] See Figure 17C.230-4.

[2] Dimensions of parking spaces for the disabled are regulated by the building code. See [SMC 17C.230.140\(E\)\(3\)](#).

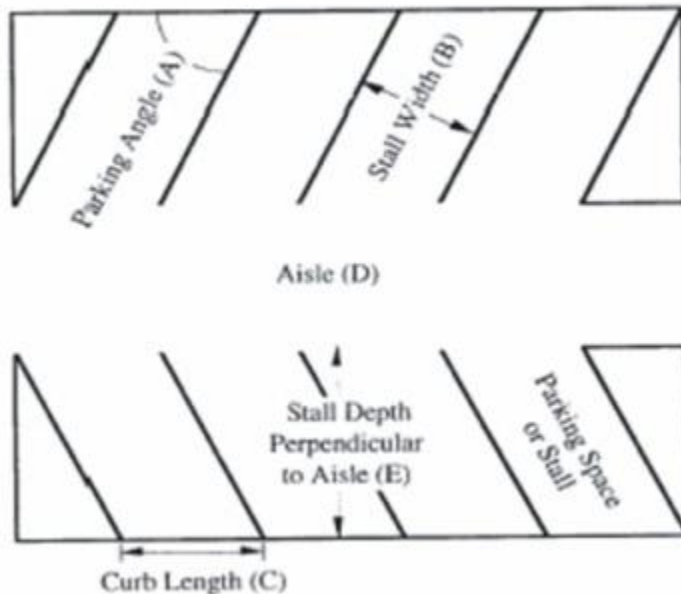
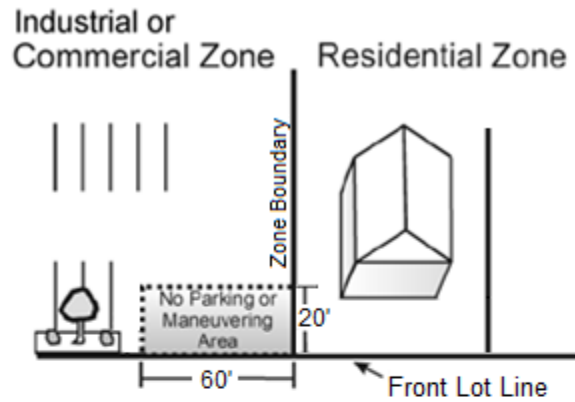


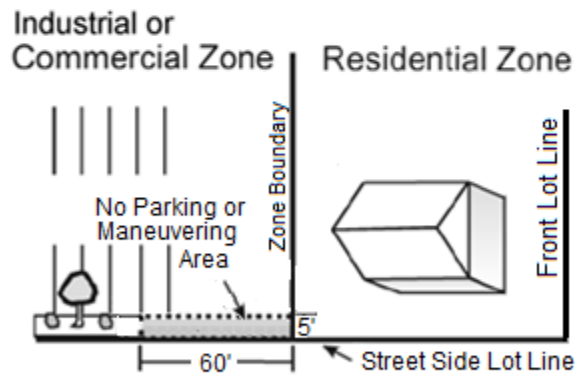
Figure 17C.230-4 Parking Dimension Factors

#### F. Parking Area Setbacks and Landscaping

1. For parking areas on sites abutting residential zoning districts, parking spaces or maneuvering areas for parking spaces, other than driveways that are perpendicular to the street, are ~~((not allowed within the first twenty feet from a street lot line for the first sixty feet from the boundary of))~~ required to be setback a distance equal to the setback specified in SMC 17C.230.145(C)(1) of the adjacent residential zoning district for the first sixty feet from the zoning district boundary (Figure 17C.230-5).



A. Setback adjacent to front lot line.



B. Setback adjacent to street side lot line.

Figure 17C.230-5 Parking Area Setback

[Note: Add the graphic above.]

2. All landscaping must comply with the standards of [chapter 17C.200 SMC](#), Landscaping and Screening.

ORDINANCE NO. \_\_\_\_\_

An ordinance relating to alternative residential subdivisions, amending Spokane Municipal Code (SMC) sections 17G.080.065.

The City of Spokane does ordain:

Section 1. That SMC section 17G.080.065 is amended to read as follows:

**17G.080.065            Alternative Residential Subdivisions**

A.     Purpose.

The purpose of these provisions is to allow for the creation of lots for alternative residential development as described in SMC 17C.110.300, including attached housing, cottage housing, and similar developments with multiple dwelling units on a parent site, while applying only those site development standards applicable to the parent site as a whole, rather than to individual lots resulting from the subdivision.

B.     Applicability.

The types of ~~((existing))~~ development that may use the alternative residential subdivision are:

1.     Cottage housing projects approved under SMC 17C.110.350;
2.     Housing developed under SMC 17C.110.360 Pocket Residential Development; or
3.     A similar existing development that consists of multiple dwelling units on a single parcel or site, provided that such existing structures shall comply with applicable building and fire code.

C.     Application Procedure.

Alternative residential subdivisions of nine or fewer lots shall be processed as short plats and all others shall be processed as subdivisions according to the associated permit types in SMC chapter 17G.060.

D.     General Regulations.

**ATTACHED HOUSES  
OPTION 1 - Change  
requirements for  
attached houses to  
follow multifamily  
design standards  
instead of pocket  
residential.**

1. An alternative residential subdivision shall meet development standards applicable to the underlying site development plan approval, if any, the basic development standards and design standards of SMC 17C.110.350 Cottage Housing, ~~((or))~~ SMC 17C.110.360 Pocket Residential Development, or design standards of SMC 17C.110.400 through 17C.110.465 for attached housing in

RMF and RHD zones, and the provisions of this section. As a result of the alternative residential subdivision, development on individual lots may be nonconforming as to some or all of the development standards based on analysis of the individual lot. So long as the parent site meets the criteria of the underlying site development plan or the dwelling units are already in existence, each lot will be deemed to be in conformance. If existing dwelling units do not comply with development standards (i.e.: minimum building setbacks, maximum density, etc.), a lot may be created for each existing dwelling unit. Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent site;

2. Alternative residential subdivisions shall be subject to all applicable requirements of Title 17 SMC, except as otherwise modified by this section;
3. Each lot's area and width for purposes of subdivision may be as small as the footprint of the individual dwelling unit;

**ATTACHED HOUSES  
OPTION 1 - Change  
requirements for  
subdivisions to  
respond to situations  
where smaller  
developments will not  
require homeowners'  
associations.**

4. Portions of the parent site not subdivided for individual lots shall be owned in common by the owners of the individual lots, or by a homeowners association comprised of the owners of the individual lots located within the parent site. ~~((A homeowners' association is required to be created for the maintenance of any shared required outdoor area or other open space, shared parking areas, and other common use areas, buildings, and utilities within the development.))~~ This requirement shall be included in deed restrictions as required in paragraph 7;

5. Maximum building coverage of the aggregate buildings located upon the parent site shall not exceed the maximum building coverage permitted by the underlying zone;
6. Except for existing nonconforming development, building setbacks shall be as required for the zone as applied to the underlying parent site as a whole. There shall be no setback required from individual lot lines which are interior to the perimeter of the parent site; provided, however, that any structure located upon a lot created hereunder shall comply with the setbacks applicable to the underlying site development plan;
7. Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions identifying the rights and responsibilities of

property owners and/or the homeowners association shall be executed for use and maintenance of common garage, parking and vehicle access areas; on-site recreation; landscaping; utilities; common open space; exterior building facades and roofs; and other similar features, and shall be recorded with the county auditor's office. Separation requirements for utilities must be met. Each alternative residential subdivision shall make adequate provisions for ingress, egress and utilities access to and from each lot created by reserving such common areas or other easements over and across the parent site as deemed necessary to comply with all other design and development standards generally applicable to the underlying site development plan ((:)) .

8. Notes shall be placed on the plat recorded with the county auditor's office to acknowledge the following:
  - a. Approval of the design and layout of the development was granted by the review of the development, as a whole, on the parent site by the site development plan approval (stating the subject project file number if applicable);
  - b. Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent site as a whole, and shall conform to the approved site development plan;
  - c. If a structure or portion of a structure has been damaged or destroyed, any repair, reconstruction or replacement of the structure(s) shall conform to the approved site development plan;
  - d. Additional development of the individual lots may be limited as a result of the application of development standards to the parent site.

E. Conflicts.

Any conflicts between the provisions of this section and the text of other sections in the Unified Development Code shall be resolved in favor of the text of this section.

**From:** Gwinn, Nathan  
**To:** ["Daniel Clark"](#)  
**Subject:** RE: Infill Housing Comments  
**Date:** Wednesday, November 14, 2018 12:09:00 PM

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Thank you, Daniel. I will include these comments in the public record for the file.

**Nathan Gwinn** | Assistant Planner | Planning & Development

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)

**From:** Daniel Clark <clarkdr81@gmail.com>  
**Sent:** Tuesday, November 13, 2018 5:54 PM  
**To:** Gwinn, Nathan <ngwinn@spokanecity.org>  
**Subject:** Infill Housing Comments

Hi Nathan,

I will not be able to attend tomorrow's Plan Commission meeting regarding the proposed Infill Code Revisions, however, I would like to voice my support of the proposed revisions.

While not perfect, I believe these code revisions will not only lead to more housing options, but will create the density necessary for thriving urban neighborhoods. In addition, the Plan Commission should consider allowing for new neighborhood commercial centers (ie. Perry Street, the Scoop) and encourage increased investment in multi-modal transportation options (ie. public transit, bike lanes). Such measures will increase the likelihood of successful infill housing developments.

Some objections to these proposed code revisions express fears that by adopting these code revisions Spokane will become more like Seattle. However, one need only set foot in the two cities to realize these fears are completely unfounded. Seattle and Spokane are worlds apart and a slight increase in density won't change that.

Thank you,  
Daniel Clark, MURP



**From:** [Palmquist, Tami](#)  
**To:** [Gwinn, Nathan](#); [Trautman, Heather](#); [Black, Tirrell](#); [Richman, James](#)  
**Cc:** [Becker, Kris](#)  
**Subject:** RE: Infill presentation  
**Date:** Wednesday, November 14, 2018 11:18:32 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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Heather,

Development Services has significant concerns with the proposal to exempt a platting action when proposing new attached housing. The platting action is the mechanism that allows us to record covenants that bind the development to certain requirements. This is especially important when dealing with access, storm water, water and sewer requirements on a small parcel. Without the ability to record requirements on the affected parcels the tracking of said requirements would be difficult if not impossible to enforce. We frequently run into conflicts when developing these types of lots, managing expectations and the realities of providing services. The platting process provides transparency of expected development standards, ensuring that developers can adequately plan their projects.

**Tami Palmquist, AICP, CFM** | Principal Planner

*direct 509.625.6157 | planning line 509.625.6188 | main 509.625.6300*

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**From:** Gwinn, Nathan

**Sent:** Wednesday, November 14, 2018 9:37 AM

**To:** Trautman, Heather <[htrautman@spokanecity.org](mailto:htrautman@spokanecity.org)>; Black, Tirrell <[tblack@spokanecity.org](mailto:tblack@spokanecity.org)>; Palmquist, Tami <[tpalmquist@spokanecity.org](mailto:tpalmquist@spokanecity.org)>; Richman, James <[jrichman@spokanecity.org](mailto:jrichman@spokanecity.org)>

**Subject:** Infill presentation

The presentation for today's hearing on the infill proposal is attached. I may need to trim content to stay within 15 minutes. Please note some animations are added that will resolve formatting issues (such as Slide 17).

I am still working on remarks for the introduction that will address the SHBA comments.



**Nathan Gwinn** | Assistant Planner | Planning & Development

509.625.6893 | [ngwinn@spokanecity.org](mailto:ngwinn@spokanecity.org) | [www.spokanecity.org](http://www.spokanecity.org)





**Agenda Sheet for City Council Meeting of:**  
01/07/2019

<b>Date Rec'd</b>	12/20/2018
<b>Clerk's File #</b>	ORD C35731
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	PLANNING
<b>Contact Name/Phone</b>	NATHAN GWINN 6893
<b>Contact E-Mail</b>	NGWINN@SPOKANECITY.ORG
<b>Agenda Item Type</b>	First Reading Ordinance
<b>Agenda Item Name</b>	0650 ORDINANCE 17C.230

**Agenda Wording**

An ordinance relating to parking and loading standards, amending Spokane Municipal Code (SMC) sections 17C.230.100, 17C.230.130, and 17C.230.140.

**Summary (Background)**

Code amendments to specify whole number rounding for parking calculations (SMC 17C.230.100), introduce a new parking exception for attached housing in RMF and RHD zones (SMC 17C.230.130), and reduce some parking area setbacks on sites that abut residential zones (SMC 17C.230.140). On November 28, 2018, the City Plan Commission voted to recommend that the City Council approve the proposal.

<b><u>Fiscal Impact</u></b>		Grant related?	NO	<b><u>Budget Account</u></b>	
		Public Works?	NO		
Neutral	\$			#	
Select	\$			#	
Select	\$			#	
Select	\$			#	
<b><u>Approvals</u></b>			<b><u>Council Notifications</u></b>		
<b><u>Dept Head</u></b>		TRAUTMAN, HEATHER		<b><u>Study Session</u></b>	
<b><u>Division Director</u></b>		KINDER, DAWN		<b><u>Other</u></b>	
<b><u>Finance</u></b>		HUGHES, MICHELLE		<b><u>Distribution List</u></b>	
<b><u>Legal</u></b>		RICHMAN, JAMES		dkinder@spokanecity.org	
<b><u>For the Mayor</u></b>		ORMSBY, MICHAEL		htrautman@spokanecity.org	
<b><u>Additional Approvals</u></b>			tpalmquist@spokanecity.org		
<b><u>Purchasing</u></b>		tblack@spokanecity.org			
<b><u>CITY COUNCIL</u></b>		MCDANIEL, ADAM		ngwinn@spokanecity.org	

## ORDINANCE NO. C35731

An ordinance relating to parking and loading standards, amending Spokane Municipal Code (SMC) sections 17C.230.100, 17C.230.130, and 17C.230.140.

WHEREAS, it is a planning goal of the Washington State Growth Management Act under RCW 36.70A.020(1) to “Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner;” and

WHEREAS, in compliance with Chapter 36.70A RCW, the City of Spokane adopted a Comprehensive Plan on May 21, 2001; and

WHEREAS, the City of Spokane is required under RCW 36.70A.040(4)(d) to implement the goals and policies of the City’s Comprehensive Plan by adoption of implementing development standards; and

WHEREAS, the Washington Administrative Code 365-196-300(3)(b)(i) states “Development regulations must allow development at the densities assumed in the comprehensive plan;” and

WHEREAS, the City of Spokane’s Comprehensive Plan encourages the efficient use of land in proximity to Centers and Corridors designated on the Land Use Plan Map (Goal LU 3), provides minimum and maximum residential densities (Land Use Chapter, Section 3.4), and provides opportunities for a variety of housing types that are safe and affordable for all income levels (Goal H1); and

WHEREAS, the City of Spokane Comprehensive Plan, Land Use Chapter, Policy LU 7.1, Regulatory Structure, states: “*Develop a land use regulatory structure that utilizes a variety of mechanisms to promote development that provides a public benefit;*” and

WHEREAS, the City of Spokane Comprehensive Plan, Transportation Chapter, Goal TR 18, Parking, states: “*Develop and administer vehicle parking policies that appropriately manage the demand for parking based upon the urban context desired;*” and

WHEREAS, according to the Washington Commerce Department’s 2015 Housing Needs Assessment (“Assessment”), more than 24,000 of homeowner households at every income level assessed in the Spokane Urbanized Area paid more than 30 percent of their income on housing, a status defined as “cost-burdened;” and

WHEREAS, more than 28,000 renter households were also cost-burdened, according to the Assessment; and

WHEREAS, together these households represented a third of the total number of households; meanwhile, only 43 percent of households earning less than \$31,500 (50% of median family income) had access to affordable and available housing, according to the Assessment; and

WHEREAS, according to American Community Survey (“ACS”) 5-year estimates ending in 2016, more than ten percent of all households in the city of Spokane had no vehicle, while 36 percent of households in the city had one vehicle; and

WHEREAS, according to ACS 1-year estimates, rental vacancies in 2017 in Spokane County and the city of Spokane were at 2.4 percent, the lowest level for at least thirteen years; and

WHEREAS, in 2016, a Plan Commission subcommittee (“committee”) was formed to identify local issues and develop strategies to overcome obstacles to infill development that would enable and promote high-quality development on vacant land; and

WHEREAS, during a public engagement process that solicited community input, the committee learned of interest in construction of attached housing, such as townhouses, and identified potential barriers that are making it difficult or impossible to achieve the densities and housing options envisioned in the Comprehensive Plan; and

WHEREAS, the committee prepared a series of recommendations that included proposed regulatory changes, including amendments to update development standards to support attached housing and more efficient use of land; and

WHEREAS, the Spokane City Council adopted Resolution 2016-94 on November 21, 2016, recognizing the committee’s summary report and recommendation as a guide for future program development and potential regulatory implementation measures; and

WHEREAS, it is necessary to create opportunities to compatibly increase the affordable housing supply and respond to demands of citizens of every income level experiencing a shortage of housing, as indicated by comments received and the historic low vacancy rates; and

WHEREAS, related to public health, safety, welfare, and protection of the environment, this ordinance is intended to make more efficient use of available lands, and encourage development in closer proximity to services, effectively reducing sprawl; and

WHEREAS, the changes are aligned with the committee recommendations to remove identified barriers that make it difficult or impossible to achieve the densities and housing options envisioned in the Comprehensive Plan; and

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

WHEREAS, the City conducted open house meetings on May 3 and May 9, 2018; and

WHEREAS, the City encouraged public participation and provided information on the amendments on its website (<http://my.spokanecity.org/projects>); and

WHEREAS, the City of Spokane Plan Commission held workshops throughout the process; and

WHEREAS, a State Environmental Policy Act ("SEPA") Checklist was prepared and a Determination of Non-Significance ("DNS") was issued on June 27, 2018, for the proposed amendments; and

WHEREAS, public notice was published in the Spokesman Review on June 27, and July 4, 2018, giving notice of the Plan Commission public hearing and SEPA Checklist and DNS; and

WHEREAS, on July 11, 2018, the City Plan Commission held a public hearing on the proposed amendments, where the Plan Commission heard testimony from the public; and

WHEREAS, during the hearing, the Plan Commission entertained a number of proposals to amend the draft regulations; and

WHEREAS, the Plan Commission voted to consider several of the amendments and asked staff to conduct research regarding the proposed amendments and their impacts; and

WHEREAS, the Plan Commission continued the hearing to November 14, 2018, for the purposes of allowing additional public comment and testimony on the proposed amendments; and

WHEREAS, a revised SEPA Checklist was prepared and a revised DNS was issued on October 31, 2018, for the proposed amendments; and

WHEREAS, public notice was published in the Spokesman Review on October 31, and November 7, 2018, giving notice of the Plan Commission public hearing and of the revised SEPA Checklist and DNS; and

WHEREAS, on November 14, 2018, the Plan Commission held a public hearing on the recommended amendments and continued its deliberations until November 28, 2018; and

WHEREAS, on November 28, 2018, the Plan Commission recommended, by a vote of 8-0, approval of the amendments in this Ordinance and in two separate ordinances related to text amendments in chapter 17C.110 SMC, Residential Zones; and in SMC 17G.080.065, Alternative Residential Subdivisions; and

WHEREAS, the City Council adopts the findings and conclusions of the Plan Commission and further incorporates the Planning Department's entire file into the record in support of the Council's adoption of this Ordinance; and

WHEREAS, the public has had opportunities to participate throughout the process and all persons desiring to comment were given an opportunity to be heard; -- Now, Therefore

The City of Spokane does ordain:

Section 1. That SMC section 17C.230.100 is amended to read as follows:

**17C.230.100            General Standards**

- A.     Where the Standards Apply.  
The standards of this chapter apply to all parking areas in RA, RSF, RTF, RMF, RHD, O, OR, NR, NMU, CB, GC, Downtown, CC, industrial, and FBC zones, whether required by this code or put in for the convenience of property owners or users. Parking areas include those accessory to a use, part of a commercial parking use, or for a park and ride facility in the basic utilities use category. Some zoning categories have unique parking standards as provided in Table 17C.230-1.
- B.     Occupancy.  
All required parking areas must be completed and landscaped prior to occupancy of any structure except as provided in chapter 17C.200 SMC, Landscaping and Screening.
- C.     Calculations of Amounts of Required and Allowed Parking.
1.     When computing parking spaces based on floor area, floor area dedicated for parking is not counted.
  2.     The number of parking spaces is computed based on the uses on the site. When there is more than one use on a site, the required or allowed parking for the site is the sum of the required or allowed parking for the individual uses. For joint use parking, see SMC 17C.230.110(B)(2).
  3.     If the maximum number of spaces allowed is less than or equal to the minimum number required, then the maximum number is automatically increased to one more than the minimum.
  4.     If the maximum number of spaces allowed is less than one, then the maximum number is automatically increased to one.
  5.     When the calculation of required or allowed parking results in a decimal fraction, the number of parking spaces required or allowed is rounded up to the next whole number.
- D.     Use of Required Parking Spaces.  
Required parking spaces must be available for the use of residents, customers, or employees of the use. Fees may be charged for the use of required parking

spaces, except for group living and residential household living uses. Required parking spaces may not be assigned in any way to a use on another site, except for joint parking situations. Required parking spaces must be made available to employees; it cannot be restricted only to customers. See SMC 17C.230.110(B)(2). Also, required parking spaces may not be used for the parking of equipment or storage of goods or inoperable vehicles.

E. Proximity of Parking to Use.

1. Required parking spaces for all industrial and commercial zones, except center and corridor zones, must be located on the site of the use or in parking areas whose closest point is within four hundred feet of the site. In center and corridor zones, parking is required to be located within six hundred feet of the use.
2. Required parking spaces for uses in the RA, RSF, RTF, and RMF zones must be located on the site of the use. Required parking for the uses in the RHD zone must be located on the site of the use or in parking areas whose closest point is within four hundred feet of the site.

F. Stacked Parking.

Stacked or valet parking is allowed if an attendant is present to move vehicles. If stacked parking is used for required parking spaces, some form of guarantee must be filed with the City ensuring that an attendant will always be present when the lot is in operation. The requirements for minimum or maximum spaces and all parking area development standards continue to apply for stacked parking.

G. On-Street Parking.

The minimum number of required parking spaces may be reduced by the number of on-street parking spaces immediately adjacent to a site's public right-of-way frontages, located on the same side of the street. The street must be paved, with sidewalks that are ADA accessible. Each complete twenty linear foot section of right-of-way where parallel parking is permitted is considered a parking space. Where parallel, diagonal or other on-street parking is marked on the street or officially designated by other means; the number of complete parking spaces that are adjacent on the same side of the street to the site's frontage are counted. An on-street parking space shall not be counted if it is restricted in its use as a designated loading, taxi or other special use zone or if parking is prohibited for more than five hours any twenty four-hour period. When calculating the number of required bicycle parking spaces per SMC 17C.230.200, the number of vehicle off-street parking spaces that would be required before this reduction is applied is the figure that is used.

H. Curb Cuts.

Curb cuts and access restrictions are regulated by the City engineering services department. Other zoning standards or design guidelines may apply.

Section 2. That SMC section 17C.230.130 is amended to read as follows:

**17C.230.130                      Parking Exceptions**

- A. In center and corridor downtown, and FBC CA1, CA2, and CA3 zones any new building or building addition with a floor area less than three thousand square feet shall have no parking requirement.
- B. In the neighborhood retail zone, any existing building, new building, or building addition, having a floor area less than three thousand square feet shall have no parking requirement. In addition, if a building has a floor area of five thousand square feet or less, the parking requirement will be determined after deducting the three thousand square foot exemption from the building's floor area. For example, the parking requirement for a four thousand square foot building would be based on one thousand square feet of floor area – i.e., a four thousand square foot building size minus the three thousand square foot exemption.
- C. The director may approve ratios that are higher than the maximum or lower than the minimum if sufficient factual data is provided to indicate that a different amount is appropriate. The applicant assumes the burden of proof. Approval of parking above the maximum shall be conditioned upon increasing the amount of required landscaping by thirty percent. Approval of parking below the minimum shall be conditioned upon the project contributing towards a pedestrian and transit supportive environment both next to the immediate site and in the surrounding area. When determining if a different amount of parking is appropriate, the director shall consider the proximity of the site to frequent transit service, the intensity of the zoning designation of the site and surrounding sites, and the character of the proposed use.
- D. If property owners and businesses establish a parking management area program with shared parking agreements, the director may reduce or waive parking requirements.
- E. Except in the residential single-family and residential two-family zones, existing legal nonconforming buildings that do not have adequate parking to meet the standards of this section are not required to provide off-street parking when remodeling which increases the amount of required parking occurs within the existing structure.
- F. Attached Housing.  
The following exceptions apply only to attached housing (defined in SMC 17A.020.010) in the RMF and RHD zones. Distances are measured in a straight line between the zone/overlay boundary to the lot line of the site containing the development.
  - 1. On a lot at least partially within one thousand three hundred twenty feet of CC, CA, or DT zone or CC3 zoning overlay, the minimum number of off-



street vehicle parking spaces required is fifty percent less than the minimum required for Residential Household Living in Table 17C.230-2.

2. On a lot farther than one thousand three hundred twenty feet of a CC, CA, or DT zone or CC3 zoning overlay, the minimum number of off-street vehicle parking spaces required is thirty percent less than the minimum required for Residential Household Living in Table 17C.230-2.

<b>TABLE 17C.230-2</b> <b>PARKING SPACES BY USE [1]</b> <b>(Refer to Table 17C.230-1 for Parking Space Standards by Zone)</b> <b>CU = Conditional Use</b>			
<b>RESIDENTIAL CATEGORIES</b>			
<b>USE CATEGORIES</b>	<b>SPECIFIC USES</b>	<b>MINIMUM PARKING</b>	<b>MAXIMUM PARKING</b>
Group Living		1 per 4 residents	None
Residential Household Living		1 per unit plus 1 per bedroom after 3 bedrooms; 1 per Accessory Dwelling Unit (ADU); Single Resident Occupancy (SRO) are exempt	None
<b>COMMERCIAL CATEGORIES</b>			
<b>USE CATEGORIES</b>	<b>SPECIFIC USES</b>	<b>MINIMUM PARKING</b>	<b>MAXIMUM PARKING</b>
Adult Business		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Commercial Outdoor Recreation		20 per acre of site	30 per acre of site
Commercial Parking		Not applicable	None
Drive-through Facility		Not applicable	None
Major Event Entertainment		1 per 8 seats or per CU review	1 per 5 seats or per CU review
Office	General Office	1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
	Medical/Dental Office	1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area

Quick Vehicle Servicing		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Retail Sales and Service	Retail, Personal Service, Repair-oriented	1 per 330 sq. ft. of floor area	1 per 200 sq. ft. of floor area
	Restaurants and Bars	1 per 250 sq. ft. of floor area	1 per 60 sq. ft. of floor area
	Health Clubs, Gyms, Lodges, Meeting Rooms and similar continuous entertainment, such as Arcades and Bowling Alleys	1 per 330 sq. ft. of floor area	1 per 180 sq. ft. of floor area
	Temporary Lodging	1 per rentable room; for associated uses such as Restaurants, see above	1.5 per rentable room; for associated uses such as Restaurants, see above
	Theaters	1 per 4 seats or 1 per 6 feet of bench area	1 per 2.7 seats or 1 per 4 feet of bench area
	Retail sales and services of large items, such as appliances, furniture and equipment	1 per 1,000 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Mini-storage Facilities		Same as Warehouse and Freight Movement	Same as Warehouse and Freight Movement
Vehicle Repair		1 per 750 sq. ft. of floor area	1 per 200 sq. ft. of floor area
<b>INDUSTRIAL CATEGORIES</b>			
<b>USE CATEGORIES</b>	<b>SPECIFIC USES</b>	<b>MINIMUM PARKING</b>	<b>MAXIMUM PARKING</b>
Industrial Services, Railroad Yards, Wholesale Sales		1 per 1,000 sq. ft. of floor area	1 per 200 sq. ft. of floor area

Manufacturing and Production		1 per 1,000 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Warehouse and Freight Movement		1 per 1,000 sq. ft. of floor area for the first 3,000 sq. ft of floor area and then 1 per 3,500 sq. ft. of floor area thereafter	1 per 200 sq. ft. of floor area
Waste-related		Per CU review	Per CU review
<b>INSTITUTIONAL CATEGORIES</b>			
<b>USE CATEGORIES</b>	<b>SPECIFIC USES</b>	<b>MINIMUM PARKING</b>	<b>MAXIMUM PARKING</b>
Basic Utilities		None	None
Colleges		1 per 600 sq. ft. of floor area exclusive of dormitories, plus 1 per 4 dorm rooms	1 per 200 sq. ft. of floor area exclusive of dormitories, plus 1 per 2.6 dorm room
Community Service		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Daycare		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Medical Centers		1 per 500 sq. ft. of floor area	1 per 200 sq. ft. of floor area
Parks and Open Areas		Per CU review for active areas	Per CU review for active areas
Religious Institutions		1 per 100 sq. ft. of main assembly area or per CU review	1 per 60 sq. ft. of main assembly area
Schools	Grade, Elementary, Junior High	1 per classroom	2.5 per classroom
	High School	7 per classroom	10.5 per classroom
<b>OTHER CATEGORIES</b>			
<b>USE CATEGORIES</b>	<b>SPECIFIC USES</b>	<b>MINIMUM PARKING</b>	<b>MAXIMUM PARKING</b>
Agriculture		None or per CU review	None or per CU review

Aviation and Surface Passenger Terminals		Per CU review	Per CU review
Detention Facilities		Per CU review	Per CU review
Essential Public Facilities		Per CU review	Per CU review
Wireless Communication Facilities		None or per CU review	None or per CU review
Rail Lines and Utility Corridors		None	None
[1] The director may approve different amounts of parking spaces under the exceptions listed in SMC 17C.230.130.			

Section 3. That SMC section 17C.230.140 is amended to read as follows:

**17C.230.140 Development Standards**

- A. Purpose  
The parking area layout standards are intended to promote safe circulation within the parking area and provide for convenient entry and exit of vehicles.
- B. Where These Standards Apply  
The standards of this section apply to all vehicle areas whether required or excess parking.
- C. Improvements
  - 1. Paving.  
In order to control dust and mud, all vehicle areas must be surfaced with a minimum all-weather surface. Such surface shall be specified by the city engineer. Alternatives to the specified all-weather surface may be provided, subject to approval by the city engineer. The alternative must provide results equivalent to paving. All surfacing must provide for the following minimum standards of approval:
    - a. Dust is controlled.
    - b. Stormwater is treated to City standards; and
    - c. Rock and other debris is not tracked off-site.

The applicant shall be required to prove that the alternative surfacing provides results equivalent to paving. If, after construction, the City determines that the alternative is not providing the results equivalent to

paving or is not complying with the standards of approval, paving shall be required.

2. Striping.

All parking areas, except for stacked parking, must be striped in conformance with the parking dimension standards of subsection (E) of this section, except parking for single-family residences, duplexes, and accessory dwelling units.

3. Protective Curbs Around Landscaping.

All perimeter and interior landscaped areas must have continuous, cast in place, or extruded protective curbs along the edges. Curbs separating landscaped areas from parking areas may allow stormwater runoff to pass through them. Tire stops, bollards or other protective barriers may be used at the front ends of parking spaces. Curbs may be perforated or have gaps or breaks. Trees must have adequate protection from car doors as well as car bumpers. This provision does not apply to single-family residence, duplexes and accessory dwelling units.

D. Stormwater Management

Stormwater runoff from parking lots is regulated by the engineering services department.

E. Parking Area Layout

1. Access to Parking Spaces.

All parking areas, except stacked parking areas, must be designed so that a vehicle may enter or exit without having to move another vehicle.

2. Parking Space and Aisle Dimensions.

a. Parking spaces and aisles in RA, RSF, RSF-C, RTF, RMF, RHD, FBC CA4, O, OR, NR, NMU, CB, GC, and industrial zones must meet the minimum dimensions contained in Table 17C.230-3.

b. Parking spaces and aisles in Downtown CC, and FBC CA1, CA2, CA3 zones must meet the minimum dimensions contained in Table 17C.230-4.

c. In all zones, on dead end aisles, aisles shall extend five feet beyond the last stall to provide adequate turnaround.

3. Parking for Disabled Persons.

The city building services department regulates the following disabled person parking standards and access standards through the building code and the latest ANSI standards for accessible and usable buildings and facilities:

- a. Dimensions of disabled person parking spaces and access aisles.
  - b. The minimum number of disabled person parking spaces required.
  - c. Location of disabled person parking spaces and circulation routes.
  - d. Curb cuts and ramps including slope, width and location; and
  - e. Signage and pavement markings.
4. A portion of a standard parking space may be landscaped instead of paved, as follows:
- a. The landscaped area may be up to two feet of the front of the space as measured from a line parallel to the direction of the bumper of a vehicle using the space, as shown in Figure 17C.230-3. Any vehicle overhang must be free from interference from sidewalks, landscaping, or other required elements.

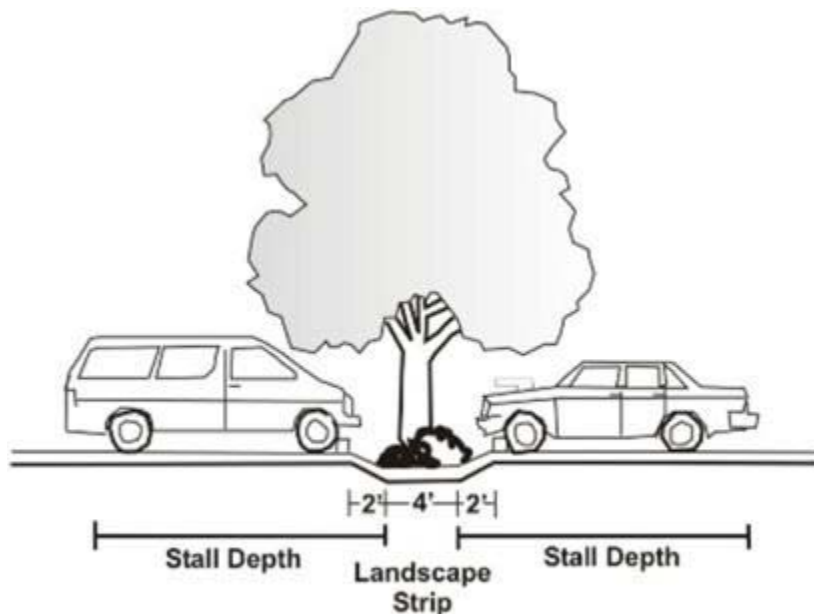


Figure 17C.230-3 Landscaped area at front of parking space

- b. Landscaping must be ground cover plants; and
  - c. The landscaped area counts toward parking lot interior landscaping requirements and toward any overall site landscaping requirements. However, the landscaped area does not count toward perimeter landscaping requirements.
5. Engineering Services Department Review

The engineering services department reviews the layout of parking areas for compliance with the curb cut and access restrictions of chapter 17H.010 SMC.

**Table 17C.230-3**  
**RA, RSF, RSF-C, RTF, RMF, RHD, FBC CA4, O, OR, NMU, CB, GC and Industrial Zones**  
**Minimum Parking Space and Aisle Dimensions [1, 2]**

<b>Angle (A)</b>	<b>Width (B)</b>	<b>Curb Length (C)</b>	<b>1-way Aisle Width (D)</b>	<b>2-way Aisle Width (D)</b>	<b>Stall Depth (E)</b>
0° (Parallel)	8 ft.	20 ft.	12 ft.	22 ft.	8 ft.
30°	8 ft. 6 in.	17 ft.	12 ft.	22 ft.	15 ft.
45°	8 ft. 6 in.	12 ft.	12 ft.	22 ft.	17 ft.
60°	8 ft. 6 in.	9 ft. 9 in.	16 ft.	22 ft.	18 ft.
90°	8 ft. 6 in.	8 ft. 6 in.	22 ft.	22 ft.	18 ft.

Notes:

[1] See Figure 17C.230-4.

[2] Dimensions of parking spaces for the disabled are regulated by the building code.  
 See SMC 17C.230.140(E)(3).

**Table 17C.230-4**  
**Downtown, CC, NR, FBC CA1, CA2, and CA3 Zones**  
**Minimum Parking Space and Aisle Dimensions [1, 2]**

<b>Angle (A)</b>	<b>Width (B)</b>	<b>Curb Length (C)</b>	<b>1-way Aisle Width (D)</b>	<b>2-way Aisle Width (D)</b>	<b>Stall Depth (E)</b>
0° (Parallel)	8 ft.	20 ft.	12 ft.	20 ft.	8 ft.
30°	8 ft. 6 in.	17 ft.	12 ft.	20 ft.	15 ft.
45°	8 ft. 6 in.	12 ft.	12 ft.	20 ft.	17 ft.
60°	8 ft. 6 in.	9 ft. 9 in.	16 ft.	20 ft.	17 ft. 6 in.
90°	8 ft. 6 in.	8 ft. 6 in.	20 ft.	20 ft.	16 ft.

Notes:

[1] See Figure 17C.230-4.

[2] Dimensions of parking spaces for the disabled are regulated by the building code. See SMC 17C.230.140(E)(3).

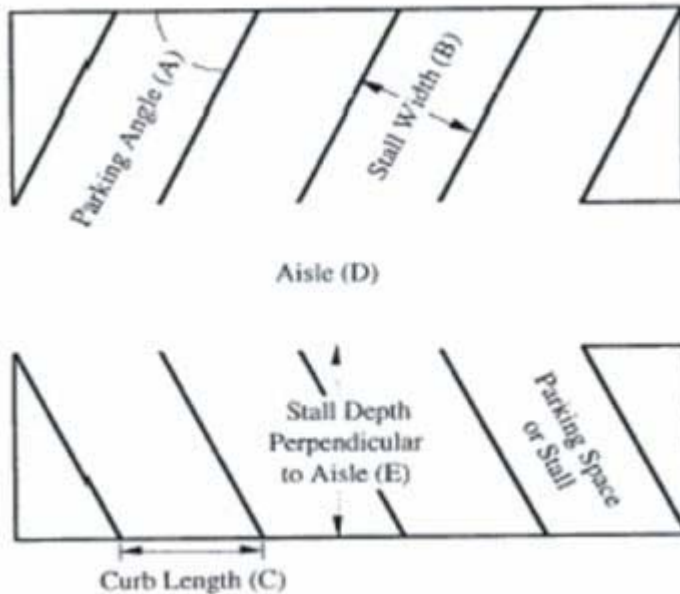
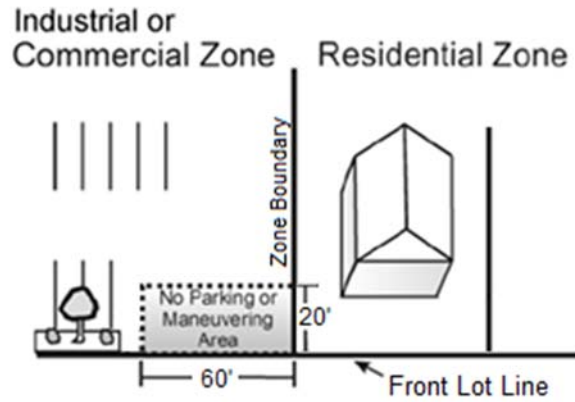


Figure 17C.230-4 Parking Dimension Factors

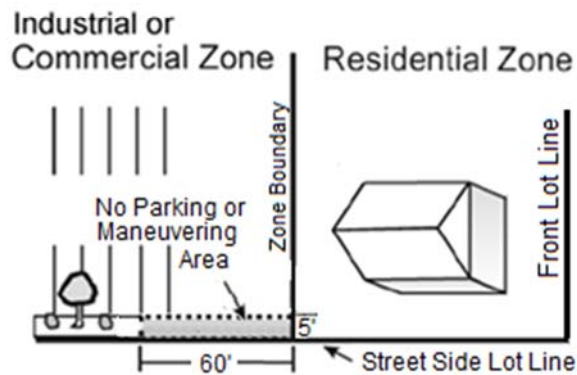
#### F. Parking Area Setbacks and Landscaping

1. For parking areas on sites abutting residential zoning districts, parking spaces or maneuvering areas for parking spaces, other than driveways that are perpendicular to the street, are ~~((not allowed within the first twenty feet from a street lot line for the first sixty feet from the boundary of))~~ required to be setback a distance equal to the setback specified in SMC 17C.230.145(C)(1) of the adjacent residential zoning district for the first sixty feet from the zoning district boundary (Figure 17C.230-5).





A. Setback adjacent to front lot line.



B. Setback adjacent to street side lot line.

Figure 17C.230-5 Parking Area Setback

[Note: Add the graphic above.]

2. All landscaping must comply with the standards of chapter 17C.200 SMC, Landscaping and Screening.



**Agenda Sheet for City Council Meeting of:**  
01/07/2019

<b>Date Rec'd</b>	12/20/2018
<b>Clerk's File #</b>	ORD C35732
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	PLANNING
<b>Contact Name/Phone</b>	NATHAN GWINN 6893
<b>Contact E-Mail</b>	NGWINN@SPOKANECITY.ORG
<b>Agenda Item Type</b>	First Reading Ordinance
<b>Agenda Item Name</b>	0650 ORDINANCE 17G.050.065

**Agenda Wording**

An ordinance relating to alternative residential subdivisions, amending Spokane Municipal Code (SMC) sections 17G.080.065.

**Summary (Background)**

Code amendments to apply multifamily design standards of SMC 17C.110.400 through .465 to attached housing in the RMF and RHD zones, and eliminate homeowners' association requirements to correspond with changes to Pocket Residential Development (SMC 17C.110.360) in all locations. On November 28, 2018, the City Plan Commission voted to recommend that the City Council approve the proposal.

<b><u>Fiscal Impact</u></b>		Grant related?	NO	<b><u>Budget Account</u></b>	
		Public Works?	NO		
Neutral	\$			#	
Select	\$			#	
Select	\$			#	
Select	\$			#	
<b><u>Approvals</u></b>			<b><u>Council Notifications</u></b>		
<b><u>Dept Head</u></b>		TRAUTMAN, HEATHER		<b><u>Study Session</u></b>	
<b><u>Division Director</u></b>		KINDER, DAWN		<b><u>Other</u></b>	
<b><u>Finance</u></b>		HUGHES, MICHELLE		<b><u>Distribution List</u></b>	
<b><u>Legal</u></b>		RICHMAN, JAMES		dkinder@spokanecity.org	
<b><u>For the Mayor</u></b>		ORMSBY, MICHAEL		htrautman@spokanecity.org	
<b><u>Additional Approvals</u></b>			tpalmquist@spokanecity.org		
<b><u>Purchasing</u></b>				tblack@spokanecity.org	
<b><u>CITY COUNCIL</u></b>		MCDANIEL, ADAM		ngwinn@spokanecity.org	

## ORDINANCE NO. C35732

An ordinance relating to alternative residential subdivisions, amending Spokane Municipal Code (SMC) section 17G.080.065.

WHEREAS, it is a planning goal of the Washington State Growth Management Act under RCW 36.70A.020(1) to “Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner;” and

WHEREAS, in compliance with Chapter 36.70A RCW, the City of Spokane adopted a Comprehensive Plan on May 21, 2001; and

WHEREAS, the City of Spokane is required under RCW 36.70A.040(4)(d) to implement the goals and policies of the City’s Comprehensive Plan by adoption of implementing development standards; and

WHEREAS, the Washington Administrative Code 365-196-300(3)(b)(i) states “Development regulations must allow development at the densities assumed in the comprehensive plan;” and

WHEREAS, the City of Spokane’s Comprehensive Plan encourages the efficient use of land in proximity to Centers and Corridors designated on the Land Use Plan Map (Goal LU 3), provides minimum and maximum residential densities (Land Use Chapter, Section 3.4), and provides opportunities for a variety of housing types that are safe and affordable for all income levels (Goal H1); and

WHEREAS, the City of Spokane Comprehensive Plan, Land Use Chapter, Policy LU 7.1, Regulatory Structure, states: “*Develop a land use regulatory structure that utilizes a variety of mechanisms to promote development that provides a public benefit;*” and

WHEREAS, the City of Spokane Comprehensive Plan, Economic Development Chapter, Goal ED 7.6, Development Standards and Permitting Process, states: “*Periodically evaluate and improve the City of Spokane’s development standards and permitting process to ensure that they are equitable, cost-effective, timely, and meet community needs and goals;*” and

WHEREAS, according to the Washington Commerce Department’s 2015 Housing Needs Assessment (“Assessment”), more than 24,000 of homeowner households at every income level assessed in the Spokane Urbanized Area paid more than 30 percent of their income on housing, a status defined as “cost-burdened;” and

WHEREAS, more than 28,000 renter households were also cost-burdened, according to the Assessment; and

WHEREAS, together these households represented a third of the total number of households; meanwhile, only 43 percent of households earning less than \$31,500 (50% of median family income) had access to affordable and available housing, according to the Assessment; and

WHEREAS, according to American Community Survey 1-year estimates, rental vacancies in 2017 in Spokane County and the city of Spokane were at 2.4 percent, the lowest level for at least thirteen years; and

WHEREAS, in 2016, a Plan Commission subcommittee (“committee”) was formed to identify local issues and develop strategies to overcome obstacles to infill development that would enable and promote high-quality development on vacant land; and

WHEREAS, during a public engagement process that solicited community input, the committee learned of interest in construction of attached housing, such as townhouses, and identified potential barriers that are making it difficult or impossible to achieve the densities and housing options envisioned in the Comprehensive Plan; and

WHEREAS, the committee prepared a series of recommendations that included proposed regulatory changes, including amendments to update development standards to support attached housing and more efficient use of land; and

WHEREAS, the Spokane City Council adopted Resolution 2016-94 on November 21, 2016, recognizing the committee’s summary report and recommendation as a guide for future program development and potential regulatory implementation measures; and

WHEREAS, it is necessary to create opportunities to compatibly increase the affordable housing supply and respond to demands of citizens of every income level experiencing a shortage of housing, as indicated by comments received and the historic low vacancy rates; and

WHEREAS, related to public health, safety, welfare, and protection of the environment, this ordinance is intended to make more efficient use of available lands, and encourage development in closer proximity to services, effectively reducing sprawl; and

WHEREAS, the changes are aligned with the committee recommendations to remove identified barriers that make it difficult or impossible to achieve the densities and housing options envisioned in the Comprehensive Plan; and

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

WHEREAS, the City conducted open house meetings on May 3 and May 9, 2018; and

WHEREAS, the City encouraged public participation and provided information on the amendments on its website (<http://my.spokanecity.org/projects>); and

WHEREAS, the City of Spokane Plan Commission held workshops throughout the process; and

WHEREAS, a State Environmental Policy Act ("SEPA") Checklist was prepared and a Determination of Non-Significance ("DNS") was issued on June 27, 2018, for the proposed amendments; and

WHEREAS, public notice was published in the Spokesman Review on June 27, and July 4, 2018, giving notice of the Plan Commission public hearing and SEPA Checklist and DNS; and

WHEREAS, on July 11, 2018, the City Plan Commission held a public hearing on the proposed amendments, where the Plan Commission heard testimony from the public; and

WHEREAS, during the hearing, the Plan Commission entertained a number of proposals to amend the draft regulations; and

WHEREAS, the Plan Commission voted to consider several of the amendments and asked staff to conduct research regarding the proposed amendments and their impacts; and

WHEREAS, the Plan Commission continued the hearing to November 14, 2018, for the purposes of allowing additional public comment and testimony on the proposed amendments; and

WHEREAS, a revised SEPA Checklist was prepared and a revised DNS was issued on October 31, 2018, for the proposed amendments; and

WHEREAS, public notice was published in the Spokesman Review on October 31, and November 7, 2018, giving notice of the Plan Commission public hearing and of the revised SEPA Checklist and DNS; and

WHEREAS, on November 14, 2018, the Plan Commission held a public hearing on the recommended amendments and continued its deliberations until November 28, 2018; and

WHEREAS, on November 28, 2018, the Plan Commission recommended, by a vote of 8-0, approval of the amendments in this Ordinance and in two separate ordinances related to text amendments in chapter 17C.110 SMC, Residential Zones; and in chapter 17C.230 SMC, Parking and Loading; and

WHEREAS, the City Council adopts the findings and conclusions of the Plan Commission and further incorporates the Planning Department's entire file into the record in support of the Council's adoption of this Ordinance; and

WHEREAS, the public has had opportunities to participate throughout the process and all persons desiring to comment were given an opportunity to be heard;

-- Now, Therefore

The City of Spokane does ordain:

Section 1. That SMC section 17G.080.065 is amended to read as follows:

**17G.080.065            Alternative Residential Subdivisions**

A.     Purpose.

The purpose of these provisions is to allow for the creation of lots for alternative residential development as described in SMC 17C.110.300, including attached housing, cottage housing, and similar developments with multiple dwelling units on a parent site, while applying only those site development standards applicable to the parent site as a whole, rather than to individual lots resulting from the subdivision.

B.     Applicability.

The types of ~~((existing))~~ development that may use the alternative residential subdivision are:

1.     Cottage housing projects approved under SMC 17C.110.350;
2.     Housing developed under SMC 17C.110.360 Pocket Residential Development; or
3.     A similar existing development that consists of multiple dwelling units on a single parcel or site, provided that such existing structures shall comply with applicable building and fire code.

C.     Application Procedure.

Alternative residential subdivisions of nine or fewer lots shall be processed as short plats and all others shall be processed as subdivisions according to the associated permit types in SMC chapter 17G.060.

D.     General Regulations.

1.     An alternative residential subdivision shall meet development standards applicable to the underlying site development plan approval, if any, the basic development standards and design standards of SMC 17C.110.350

Cottage Housing, ~~((or))~~ SMC 17C.110.360 Pocket Residential Development, or design standards of SMC 17C.110.400 through 17C.110.465 for attached housing in RMF and RHD zones, and the provisions of this section. As a result of the alternative residential subdivision, development on individual lots may be nonconforming as to some or all of the development standards based on analysis of the individual lot. So long as the parent site meets the criteria of the underlying site development plan or the dwelling units are already in existence, each lot will be deemed to be in conformance. If existing dwelling units do not comply with development standards (i.e.: minimum building setbacks, maximum density, etc.), a lot may be created for each existing dwelling unit. Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent site;

2. Alternative residential subdivisions shall be subject to all applicable requirements of Title 17 SMC, except as otherwise modified by this section;
3. Each lot's area and width for purposes of subdivision may be as small as the footprint of the individual dwelling unit;
4. Portions of the parent site not subdivided for individual lots shall be owned in common by the owners of the individual lots, or by a homeowners association comprised of the owners of the individual lots located within the parent site.~~((A homeowners' association is required to be created for the maintenance of any shared required outdoor area or other open space, shared parking areas, and other common use areas, buildings, and utilities within the development.))~~ This requirement shall be included in deed restrictions as required in paragraph 7;
5. Maximum building coverage of the aggregate buildings located upon the parent site shall not exceed the maximum building coverage permitted by the underlying zone;
6. Except for existing nonconforming development, building setbacks shall be as required for the zone as applied to the underlying parent site as a whole. There shall be no setback required from individual lot lines which are interior to the perimeter of the parent site; provided, however, that any structure located upon a lot created hereunder shall comply with the setbacks applicable to the underlying site development plan;
7. Access easements, joint use and maintenance agreements, and covenants, conditions and restrictions identifying the rights and responsibilities of property owners and/or the homeowners association shall be executed for use and maintenance of common garage, parking and vehicle access areas; on-site recreation; landscaping; utilities; common open space;

exterior building facades and roofs; and other similar features, and shall be recorded with the county auditor's office. Separation requirements for utilities must be met. Each alternative residential subdivision shall make adequate provisions for ingress, egress and utilities access to and from each lot created by reserving such common areas or other easements over and across the parent site as deemed necessary to comply with all other design and development standards generally applicable to the underlying site development plan ((:)) .

8. Notes shall be placed on the plat recorded with the county auditor's office to acknowledge the following:
  - a. Approval of the design and layout of the development was granted by the review of the development, as a whole, on the parent site by the site development plan approval (stating the subject project file number if applicable);
  - b. Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent site as a whole, and shall conform to the approved site development plan;
  - c. If a structure or portion of a structure has been damaged or destroyed, any repair, reconstruction or replacement of the structure(s) shall conform to the approved site development plan;
  - d. Additional development of the individual lots may be limited as a result of the application of development standards to the parent site.

E. Conflicts.

Any conflicts between the provisions of this section and the text of other sections in the Unified Development Code shall be resolved in favor of the text of this section.



**Agenda Sheet for City Council Meeting of:**

01/07/2019

**Date Rec'd**

12/11/2018

**Clerk's File #**

ORD C35733

**Renews #****Submitting Dept**

FINANCE &amp; ADMIN

**Cross Ref #****Contact Name/Phone**

GAVIN COOLEY 625-6586

**Project #****Contact E-Mail**

GCOOLEY@SPOKANECITY.ORG

**Bid #****Agenda Item Type**

First Reading Ordinance

**Requisition #****Agenda Item Name**

0410- REVISE MY SPOKANE IMPREST FUNDS SMC 7.03.190

**Agenda Wording**

Update to SMC 07.03.190 increasing the My Spokane imprest fund to an amount not to exceed four-thousand eight hundred dollars

**Summary (Background)**

Currently the Imprest Funds of My Spokane is \$4,000 used for cashier's change as part of their normal operations.

**Fiscal Impact**

Grant related? NO

Public Works? NO

**Budget Account**

Neutral \$ 800

# 5700-99999-99999-11223-99999

Neutral \$ -800

# 5700-99999-99999-11110-99999

Select \$

#

Select \$

#

**Approvals****Council Notifications****Dept Head**

MARCHAND, CRYSTAL

**Study Session**Finance Committee  
12/17/18**Division Director**

MARCHAND, CRYSTAL

**Other****Finance**

BUSTOS, KIM

**Distribution List****Legal**

DALTON, PAT

mhughes@spokanecity.org

**For the Mayor**

ORMSBY, MICHAEL

ccortright@spokanecity.org

**Additional Approvals**

dwest@spokanecity.org

**Purchasing****CITY COUNCIL**

MCDANIEL, ADAM

## Briefing Paper (Sustainable Resources Committee)

<b>Division &amp; Department:</b>	My Spokane
<b>Subject:</b>	Increase to My Spokane Imprest Fund
<b>Date:</b>	
<b>Contact (email &amp; phone):</b>	Carly Cortright <a href="mailto:ccortright@spokanecity.org">ccortright@spokanecity.org</a>
<b>City Council Sponsor:</b>	
<b>Executive Sponsor:</b>	
<b>Committee(s) Impacted:</b>	Sustainable Resources
<b>Type of Agenda item:</b>	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion <input type="checkbox"/> Strategic Initiative
<b>Alignment:</b> (link agenda item to guiding document – i.e., Master Plan, Budget, Comp Plan, Policy, Charter, Strategic Plan)	
<b>Strategic Initiative:</b>	
<b>Deadline:</b>	
<b>Outcome:</b> (deliverables, delivery duties, milestones to meet)	Update to SMC 07.03.190 increasing the My Spokane imprest fund to an amount not to exceed four-thousand eight hundred dollars
<b>Background/History:</b> Currently the Imprest Funds of My Spokane is \$4,000 used for cashier's change as part of their normal operations	
<ul style="list-style-type: none"> <li><i>My Spokane has added a cashier position and would like to increase the imprest fund by \$800 to add another till that will be used as cashier's change.</i></li> </ul>	
<b>Budget Impact:</b> Approved in current year budget? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A Annual/Reoccurring expenditure? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A If new, specify funding source: Other budget impacts: (revenue generating, match requirements, etc.)	
<b>Operations Impact:</b> Consistent with current operations/policy? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Requires change in current operations/policy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A Specify changes required: Known challenges/barriers:	

**ORDINANCE NO. C35733**

An ordinance regarding My Spokane Imprest Funds; amending section 7.03.190 of the Spokane Municipal Code.

**WHEREAS**, My Spokane currently has an imprest fund in an amount not to exceed \$4,000, and

**WHEREAS**, this amount has not changed since it was established in 2015, and there is a need to increase the amount to \$4,800 to adequately maintain normal operations of the My Spokane Office;

**NOW THEREFORE**, the City of Spokane does ordain:

**Section 1.** That section 7.03.190 of the Spokane Municipal Code is amended to read as follows:

**Chapter 7.03 Imprest Funds**  
**Section 7.03.190 My Spokane.**

There is established in the My Spokane Office an imprest fund in an amount not to exceed four thousand eight hundred dollars to be used as the cashier's change fund as part of their normal operations.

**PASSED** by the City Council on \_\_\_\_\_.

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date