

CITY OF SPOKANE



REGARDING CITY COUNCIL MEETINGS

Notice is hereby given that City Council has resumed in-person meetings. City Council's standing committee meetings, Briefing Sessions, Legislative Sessions and study sessions are held in City Council Chambers – Lower Level of City Hall, 808 W. Spokane Falls Blvd.

City Council Members, City staff, presenters and members of the public will still have the option to participate virtually via WebEx during all meetings, with the exception of Executive Sessions which are closed to the public. Call in information for the July 24, 2023, meetings is below. All meetings will continue to be streamed live on Channel 5 and online at <https://my.spokanecity.org/citycable5/live> and <https://www.facebook.com/spokanecitycouncil>.

WebEx call in information for the week of July 24, 2023:

3:30 p.m. Briefing Session: 1-408-418-9388; access code: 2485 859 8861; password: 0320

6:00 p.m. Legislative Session: 1-408-418-9388; access code: 2484 285 5674; password: 0320

Thursday Study Session: 1-408-418-9388; access code: 2490 239 4174; password: 0320

To participate in public comment (including Open Forum):

Testimony sign up is open from 5:00-6:00 p.m. on Monday, July 24, 2023. You must sign up by 6:00 p.m. to be called on to testify. Those wishing to give testimony virtually can sign up between 5:00-6:00 p.m. at <https://forms.gle/Vd7n381x3seaL1NW6>. (If you are unable to access the form by clicking the hyperlink, please copy and paste the link address into your browser window.) Instructions for participation are provided on the form when you sign up.

The Open Forum is a limited public forum; all matters discussed in the open forum shall relate to the affairs of the City and items of interest not relating to 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.

**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 public testimony on legislative items (two minutes for open forum)!**

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

- A. At the 6:00 p.m. legislative session, prior to the consideration of consent or legislative items, the Council shall hold an open forum unless a majority of Council Members vote otherwise. The open forum shall have 15 (fifteen) spaces of two minutes each available and members of the public who have not spoken during open forum during that calendar month will be prioritized for spaces ahead of those who have spoken during that calendar month.
- B. Members of the public can sign up for open forum in the hour preceding the legislative session, or at the conclusion of the briefing session, whichever is later, via the virtual testimony form linked in the meeting packet or in person outside Council Chambers. Each speaker must sign themselves using their true first and last name. Members of the public who are unable to sign up during the sign up period or who attempt to sign up late will not be added to the list of speakers. The order of the speakers will be determined at the discretion of the chair. Each speaker shall be limited to no more than two minutes unless a majority of the Council Members in attendance vote on an alternate time limit.
- C. No action, other than a statement of Council Members' intent to address the matter in the future, points of order, or points of information will be taken by Council Members during an open forum.
- D. The open forum is a limited public forum and all matters discussed in the open forum shall relate to the affairs of the City. No person shall be permitted to speak in open forum regarding items on that week's current agenda or the next week's advanced agenda, pending hearing items, or initiatives or referenda in a pending election. Individuals speaking during open forum shall address their comments to the Council President and shall maintain decorum as laid out in Rule 2.15(E). Legal or personal matters between private parties that do not impact the governance of the City of Spokane are not a permissible topic of open forum testimony.

Rule 2.7 SERVICE ANIMALS AT CITY COUNCIL MEETINGS

- A. For purposes of these Rules, only dogs that are individually trained to do work or perform tasks for a person with a disability are recognized as service animals. Dogs or other animals whose sole function is to provide comfort or emotional support do not qualify as service animals under these Rules. Service animals are permitted to accompany people with disabilities in City Council meetings, as well as all areas where members of the public are allowed to go.
- B. Service animals must, at all times while present in a City Council meeting, be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices, in which case, the individual must maintain control of the animal through voice, signal, or other effective controls.

Rule 2.15 PARTICIPATION OF MEMBERS OF THE PUBLIC IN COUNCIL MEETINGS

- A. Members of the public may address the Council regarding the following items during the Council's legislative session: the consent agenda as a whole, all first reading ordinances together (with the exception of first reading ordinances associated with Hearings, which shall be taken separately), final readings of regular and special budget ordinances, emergency ordinances, special consideration items, hearing items, and other items before the City Council requiring Council action, except those that are adjudicatory or solely administrative in nature. This rule shall not limit the public's right to speak on issues that are not part of the current or advanced agendas during open forum.
- B. No member of the public 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 and provide their city of residence as a condition of recognition. Council Members must be recognized by the chair for the purpose of obtaining the floor.

- C. Each person speaking in a public Council meeting shall verbally identify themselves by true first and last name, city of residence, and, if appropriate, representative capacity.
- D. Each speaker shall follow all written and verbal instructions so that verbal remarks are electronically recorded, and documents submitted for the record are identified and marked by the Clerk.
- E. In order that evidence and expressions of opinion be included in the record and that decorum befitting a deliberative process be maintained, no modes of expression not provided by these rules, including but not limited to demonstrations, banners, signs, applause, profanity, vulgar language or obscene speech, physically pounding the dais or other furniture, yelling, or personal comments or verbal insults about any individual will be permitted.
- F. A speaker asserting a statement of fact may be asked by a Council Member to document and identify the sources of the factual datum being asserted.
- G. When addressing the Council, members of the public shall direct all remarks to the Council President, shall refrain from remarks directed personally to any Council Member or any other individual, and shall confine remarks to the matters that are specifically before the Council at that time.
- H. City employees may participate in public comment, including open forum, providing they are in compliance with the City of Spokane Code of Ethics and they do the following:
 1. Announce at the beginning of their testimony that they are there in their personal capacity or their capacity as a member of a relevant board, commission, committee or community group;
 2. Protect confidential information, including, but not limited to, confidential financial information and attorney-client communications;
 3. Do not use, or be perceived to use, City funds, including giving testimony during paid work time or while in uniform; or City property, including using a City-issued computer or cell phone, in giving testimony.
- I. When any person, including members of the public, City staff, and others, are addressing the Council, Council Members shall observe the same decorum and process, as the rules require among the members *inter se*. That is, a Council Member shall not engage the person addressing the Council in colloquy but shall speak only when granted the floor by the Council President. All persons and/or Council Members shall not interrupt one another. The duty of mutual respect and avoiding unlawful harassment set forth in Rule 1.2 and the rules governing debate set forth in *Robert's Rules of Order, newly revised*, shall extend to all speakers before the City Council. The City Council's Director of Policy and Government Relations and/or City Attorney shall, with the assistance of Council staff, assist the Council President to ensure that all individuals desiring to speak shall be identified, appropriately recognized, and provided the opportunity to speak. All persons attending City Council Meetings or City Council sponsored meetings shall refrain from unlawfully harassing other attendees or risk being removed and/or prohibited from attending future meetings.

Rule 2.16 PUBLIC TESTIMONY REGARDING LEGISLATIVE AGENDA ITEMS – TIME LIMITS

- A. Members of the public can sign up to give testimony in the hour preceding the legislative session, or at the conclusion of the briefing session, whichever is later, via the virtual testimony form linked in the meeting packet or in person outside Council Chambers. Each speaker must sign themselves using their true first and last name. Members of the public who are unable to sign up during the sign up period or who attempt to sign up late will not be added to the list of speakers. The order of the speakers shall be determined at the discretion of the chair.
- B. The City Council shall take public testimony on all matters included on its legislative agenda as described at Rule 2.15(A), with those exceptions stated in Rule 2.16(B). Public testimony shall be limited to the final Council action, except that public testimony shall be allowed at the first reading of ordinances. Public testimony shall be limited to three (3) minutes per speaker unless the time limit is adjusted by a majority vote of the Council. The chair may allow additional time if the speaker is asked to respond to questions from the Council. Public testimony and consideration of an item may be extended to a subsequent meeting by a majority vote of the Council.
- C. No public testimony shall be taken on amendments to consent or legislative agenda items, votes to override a Mayoral veto, or solely procedural, parliamentary, or administrative matters of the Council.
- D. Public testimony will be taken on consent and legislative items that are moved to Council's regular briefing session or study session unless a majority of Council votes otherwise during the meeting in which the items are moved.
- E. For legislative or hearing items that may affect an identifiable individual, association, or group, the following procedure may be implemented at the discretion of the Council President:

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 their presentation the testimony of expert witnesses, visual displays, and any other reasonable methods of presenting the case. Up to thirty (30) minutes may be granted for the proponent's presentation. If there be more than one designated representative, they shall allocate the allotted time between or among themselves.
 - c. Following the presentation of the proponents of the issue, three (3) minutes shall be granted for any other person not associated with the designated representative of the proponents 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 amount of time which was allotted to the proponents.
 - e. Following the presentation by the opponents of the issue, three (3) minutes shall be granted for any other person not associated with the designated representative of the opponents who wishes to speak on behalf of the opponents' position.
 - f. Up to ten (10) minutes of rebuttal time may 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 (3) minutes to present their 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.
 4. In the event that the side for which individuals wish to speak is not identified, those wishing to give testimony shall be granted three (3) minutes to present their position after all sides have made their initial presentations and before each side's rebuttal period.
- F. 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.
- G. Testimony may also be submitted by mail to City Council Office, Spokane City Hall, 808 W. Spokane Falls Blvd., Spokane, WA, 99201, by email to all Council Members, or via the Contact form on the Council's website.

THE CITY OF SPOKANE



ADVANCE COUNCIL AGENDA

MEETING OF MONDAY, JULY 24, 2023

MISSION STATEMENT

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

**MAYOR NADINE WOODWARD
COUNCIL PRESIDENT - VACANT**

COUNCIL PRESIDENT PRO TEM LORI KINNEAR

**COUNCIL MEMBER JONATHAN BINGLE
COUNCIL MEMBER BETSY WILKERSON**

**COUNCIL MEMBER MICHAEL CATHCART
COUNCIL MEMBER KAREN STRATTON
COUNCIL MEMBER ZACK ZAPPONE**

**CITY COUNCIL CHAMBERS
CITY HALL**

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

LAND ACKNOWLEDGEMENT

We acknowledge that we are on the unceded land of the Spokane people. And that these lands were once the major trading center for the Spokanes as they shared this place and welcomed other area tribes through their relations, history, trade, and ceremony. We also want to acknowledge that the land holds the spirit of the place, through its knowledge, culture, and all the original peoples Since Time Immemorial.

As we take a moment to consider the impacts of colonization may we also acknowledge the strengths and resiliency of the Spokanes and their relatives. As we work together making decisions that benefit all, may we do so as one heart, one mind, and one spirit.

We are grateful to be on the shared lands of the Spokane people and ask for the support of their ancestors and all relations. We ask that you recognize these injustices that forever changed the lives of the Spokane people and all their relatives.

We agree to work together to stop all acts of continued injustices towards Native Americans and all our relatives. It is time for reconciliation. We must act upon the truths and take actions that will create restorative justice for all people.

Adopted by Spokane City Council on the 22nd day of March, 2021
via Resolution 2021-0019

BRIEFING AND LEGISLATIVE SESSIONS

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. Pursuant to Council Rule 2.16.C, public testimony will be taken on consent and legislative items that are moved to Council's regular Briefing Session unless a majority of Council votes otherwise during the meeting in which the items are moved. The Legislative Session is also open to the public and public comment will be taken on Legislative Session items, except those that are adjudicatory or solely administrative in nature. Following the conclusion of the Legislative Agenda, an Open Forum will be held unless a majority of Council Members vote otherwise. Please see additional Open Forum information that appears at the end of the City Council agenda.

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.

ADDRESSING THE COUNCIL

- No member of the public 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 and provide their city of residence as a condition of recognition. Council Members must be recognized by the chair for the purpose of obtaining the floor.
- Each person speaking at the public microphone shall verbally identify themselves by their true first and last name, city of residency and, if appropriate, representative capacity.
- Each speaker shall follow all written and verbal instructions so that verbal remarks are electronically recorded, and documents submitted for the record are identified and marked by the Clerk. (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, no modes of expression including but not limited to demonstrations, banners, signs, applause, profanity, vulgar language, or personal insults will be permitted.
- A speaker asserting a statement of fact may be asked to document and identify the source of the factual datum being asserted.
- When addressing the Council, members of the public shall direct all remarks to the Council President, shall refrain from remarks directed personally to any Council Member or any other individual, and shall continue to the matters that are specifically before the Council at that time.
- City staff may participate in public comment, including open forum, providing they are in compliance with the City of Spokane Code of Ethics and they follow the steps outlined in the City Council Rules of Procedure.

SPEAKING TIME LIMITS: Unless the time limit is adjusted by a majority vote of the Council, each person addressing the Council shall be limited to a two-minute speaking time during Open Forum and a three-minute speaking time for other matters. The chair may allow additional time if the speaker is asked to respond to questions from the Council. Public testimony and consideration of an item may be extended to a subsequent meeting by a majority vote of the Council. Note: No public testimony shall be taken on amendments to consent or legislative agenda items, or solely procedural, parliamentary, or administrative matters of the Council, including veto overrides.

CITY COUNCIL AGENDA: The City Council Advance and Current Agendas may be obtained prior to Council Meetings by accessing the City website at <https://my.spokanecity.org>.

BRIEFING SESSION

(3:30 p.m.)

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

ROLL CALL OF COUNCIL

INTERVIEWS OF NOMINEES TO BOARDS AND COMMISSIONS

COUNCIL OR STAFF REPORTS OF MATTERS OF INTEREST

ADVANCE AGENDA REVIEW (Staff or Council Member briefings and discussion)

APPROVAL BY MOTION OF THE ADVANCE AGENDA

CURRENT AGENDA REVIEW (Presentation of any new background information and discussion of any adjustments)

EXECUTIVE SESSION

(Closed Session of Council)

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

LEGISLATIVE SESSION

(6:00 P.M.)

(Council Reconvenes in Council Chamber)

PLEDGE OF ALLEGIANCE

WORDS OF INSPIRATION AND SPECIAL INTRODUCTIONS

ROLL CALL OF COUNCIL

COUNCIL AND COMMITTEE REPORTS

(Committee Reports for City Council Standing Committees and other Boards and Commissions)

PROCLAMATIONS AND SALUTATIONS

**REPORTS FROM NEIGHBORHOOD COUNCILS AND/OR OTHER CITY-SPONSORED
COMMUNITY ORGANIZATIONS**

ANNOUNCEMENTS

(Announcements regarding Changes to the City Council Agenda)

NO BOARDS AND COMMISSIONS APPOINTMENTS

ADMINISTRATIVE REPORTS

OPEN FORUM

At each meeting before the consideration of the Consent Agenda, the Council shall hold an open public comment period for up to 15 (fifteen) speakers. Each speaker is limited to no more than two minutes. In order to participate in Open Forum, you must sign up by 6:00 p.m. If more than 15 (fifteen) speakers wish to participate in Open Forum, members of the public who have not spoken during that calendar month will be prioritized. A sign-up form will be available on the day of the meeting from 5:00-6:00 p.m. outside of Council Chambers for in-person attendees. Virtual sign up is open between 5:00-6:00 p.m. at <https://forms.gle/Vd7n381x3seaL1NW6>. (If you are unable to access the form by clicking the hyperlink, please copy and paste the link address into your browser window.) Instructions for virtual participation are provided on the form when you sign up. The Open Forum is a limited public forum; all matters discussed in the open forum shall relate to the affairs of the City and items of interest not relating to 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.

CONSENT AGENDA

REPORTS, CONTRACTS AND CLAIMS

RECOMMENDATION

- | | | | |
|----|--|---------|---------------|
| 1. | Purchase from Tiny Idahomes, LLC, (Emmett, ID) of a new children’s fire safety house for the Fire Department—\$87,360 (plus tax). (Council Sponsors: Council Members Cathcart and Wilkerson)
Lance Dahl | Approve | OPR 2023-0697 |
| 2. | Multiple Family Housing Property Tax Exemption Conditional Agreement with LTR Real Estate Investments, LLC, for the future construction of approximately 4 units, at Parcel Number 35084.2411, commonly known as 907 East Indiana Avenue. The Conditional Agreement will ultimately result in the issuance of a final certificate of tax exemption to be filed with the Spokane County Assessor’s Office post construction. (Council Sponsors: Council Members Bingle and Cathcart)
Teri Stripes | Approve | OPR 2023-0698 |
| 3. | Contract Amendment with outside counsel, Summit Law Group, who represents the City in the action Michael Bacon, et. al. v. City of Spokane, et. al. to | Approve | OPR 2021-0722 |

prevent the enforcement of the vaccine mandate
 —increase of \$50,000. Total contract amount: \$205,000.
 (Council Sponsor: Council Member Stratton)

Lynden Smithson

- | | | | |
|----|---|------------------------------------|------------------------------------|
| 4. | Memorandums of Understanding between the City of Spokane, Spokane County, and the City of Spokane Valley regarding the Bioretention Soil Media TAPE Project and Effectiveness Study from January 1, 2023, to January 1, 2027 for: | Approve
All | |
| | a. Cost sharing of the grant award match component—\$33,678. | | OPR 2023-0699

OPR 2023-0700 |
| | b. Direct costs to perform the study—\$33,333.
(Council Sponsor: Council Member Kinnear) | | |
| | Trey George | | |
| 5. | Interagency Agreement to accept funding from the Washington State Department of Commerce through the Housing Division Homelessness Assistance Unit for a System Demonstration Grant—\$15,820,937.
(Council Sponsor: Council Member Stratton) | Approve | OPR 2023-0701 |
| | Jenn Cerecedes | | |
| 6. | Report of the Mayor of pending claims and payments of previously approved obligations, including those of Parks and Library, through _____, 2023, total \$_____, with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$_____. | Approve | CPR 2023-0002 |
| 7. | City Council Meeting Minutes: _____, 2023. | Approve &
Authorize
Payments | CPR 2023-0013 |

LEGISLATIVE AGENDA

SPECIAL BUDGET ORDINANCES

(Require Five Affirmative, Recorded Roll Call Votes)

Ordinance C36412 amending Ordinance No. C36345 passed by the City Council December 12, 2022, and entitled, "An Ordinance adopting the Annual Budget of the City of Spokane for 2023, making appropriations to the various funds of the City of Spokane government for the fiscal year ending December 31, 2023, and providing it shall take effect immediately upon passage," and declaring an emergency and appropriating funds in:

Criminal Justice Assistance Fund

- 1) Decrease appropriation by \$30,000.

A) Of the decreased appropriation, \$20,000 is removed solely from base wages in the Municipal Court program.

B) Of the decreased appropriation, \$10,000 is removed solely from various employee benefit types in the Municipal Court program.

and

2) Increase appropriation by \$30,000.

A) Of the increased appropriation, \$30,000 is provided solely for interpreter costs in the Municipal Court program.

B) There is no increase in the appropriation of the Criminal Justice Assistance Fund.

(This action arises from the need to increase the interpreter costs budget.)
(Council Sponsors: Council President Beggs and Council Members Cathcart and Wilkerson)

Tonya Wallace

NO EMERGENCY ORDINANCES

NO RESOLUTIONS

NO FINAL READING ORDINANCES

FIRST READING ORDINANCES

- ORD C36414 Relating to Proposal File Z23-112comp, amending Chapter 3, Land Use, and the glossary of the Comprehensive Plan with the goal of incorporating and accommodating middle housing types in all residential areas of the City and improving the overall implementation and effectiveness of vision, values, and policies of the chapter. (Council Sponsors: Council Members Wilkerson and Cathcart)
Kevin Freibott
- ORD C36415 Relating to revenue from cannabis sales, creating a special revenue fund in Article II of Chapter 07.08 of the Spokane Municipal Code, and enacting new section 07.08.159 of the Spokane Municipal Code. (Council Sponsors: Council Members Stratton and Wilkerson)
Matt Boston
- ORD C36416 Renaming a portion of West Dean Avenue from Howard Street to Washington Street to “Joe Albi Way.” (Council Sponsors: Council Members Bingle and Zappone)
Taylor Berberich

ORD C36417 **Relating to Regulations of Residential Rental Housing; adopting a new section 10.57.115 to chapter 10.57 SMC; and repealing SMC 18.08.010, 18.08.020, 18.08.030, 18.08.040, 18.08.050, 18.08.060, 18.08.070, 18.08.080, 18.08.090, 18.08.100, 18.08.110, 18.08.120, 18.08.130, 18.08.140, 18.08.150, and 18.08.160 to chapter 18 of the Spokane Municipal Code; and setting an effective date. (Council Sponsors: Council Members Bingle and Cathcart)**
Elizabeth Schoedel

FURTHER ACTION DEFERRED

SPECIAL CONSIDERATIONS

RECOMMENDATION

- | | | |
|--|---|-----------------------------|
| <p>S1.a. Final Reading Ordinance C36389 submitting a ballot proposition to the voters of the City of Spokane amending the city council redistricting process by adding a new section 62 to Article VII and repealing sections 59 and 60 of the Spokane City Charter. (Deferred from July 10, 2023, Agenda) (Council Sponsors: Council Members Cathcart and Bingle)
 Council Member Cathcart</p> | <p>Pass Upon
Roll Call
Vote</p> | <p>ORD C36389</p> |
| <p>b. Resolution 2023-0043 requesting the Spokane County Auditor to hold a special election in conjunction with the scheduled general election on November 7, 2023, to submit to the electors of the City of Spokane a proposition regarding amendments to the Spokane City Charter adding a new section 62 and repealing sections 59 and 60, all relating to the City Council redistricting process. (Deferred from July 10, 2023, Agenda) (Council Sponsors: Council Members Cathcart and Bingle)
 Council Member Cathcart</p> | <p>Adopt
Upon Roll
Call Vote</p> | <p>RES 2023-0043</p> |

NO HEARINGS

**Motion to Approve Advance Agenda for July 24, 2023
(per Council Rule 2.1.2)**

ADJOURNMENT

The July 24, 2023, Regular Legislative Session of the City Council is adjourned to July 31, 2023.

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 Risk Management at 509.625.6221, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or mlowmaster@spokanecity.org. Persons who are deaf or hard of hearing may contact risk Management through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

NOTES



Agenda Sheet for City Council Meeting of:

07/24/2023

Date Rec'd	7/10/2023
Clerk's File #	OPR 2023-0697
Renews #	
Cross Ref #	
Project #	
Bid #	RFQ 5890-23
Requisition #	RE20325

Submitting Dept	FIRE
Contact Name/Phone	LANCE DAHL X7040
Contact E-Mail	IDAHL@SPOKANECITY.ORG
Agenda Item Type	Purchase w/o Contract
Agenda Item Name	1970 - CHILDREN'S FIRE SAFETY HOUSE PURCHASE

Agenda Wording

THE SPOKANE FIRE DEPARTMENT IS SEEKING TO PURCHASE A NEW CHILDREN'S FIRE SAFETY HOUSE. A RFQ WAS ISSUED AND AWARDED TO TINY IDAHOMES, LLC IN THE AMOUNT OF \$87,360.00, PLUS APPLICABLE SALES TAX. ARPA FUNDS HAVE BEEN DESIGNATED FOR THIS VIA ORD C36327.

Summary (Background)

The CFSH is the primary tool for delivering essential fire and life safety education to elementary students across the City of Spokane, and since November 1992, over 54,204 kids from 46 public & private elementary schools in Spokane have completed the curriculum. This is the culmination of many years of work to fund and build a new Children's Fire Safety house.

Lease? NO Grant related? YES Public Works? NO

Fiscal Impact

Expense \$ \$87,360.00 (plus tax)

Select \$

Select \$

Select \$

Budget Account

1425-88155-94220-56301-97322

#

#

#

Approvals

Dept Head SCHAEFFER, BRIAN

Division Director SCHAEFFER, BRIAN

Finance SCHMITT, KEVIN

Legal HARRINGTON, MARGARET

For the Mayor JONES, GARRETT

Additional Approvals

Purchasing PRINCE, THEA

Council Notifications

Study Session\Other Urban Experience 7/10/23

Council Sponsor CM Cathcart & CM Wilkerson

Distribution List

info@tinyidahomes.com

idahl@spokanecity.org

jmcintyre@spokanecity.org

fireaccounting@spokanecity.org

kschmitt@spokanecity.org

tprince@spokanecity.org

Committee Agenda Sheet

Urban Experience Committee

Submitting Department	Fire
Contact Name	Lance Dahl, Fire Marshal
Contact Email & Phone	ldahl@spokanecity.org / (509) 625-7040
Council Sponsor(s)	CM Cathcart & CM Wilkerson
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: 10 min.
Agenda Item Name	Children's Fire Safety House Purchase
Summary (Background) *use the Fiscal Impact box below for relevant financial information	<p>The CFSH is the primary tool for delivering essential fire and life safety education to elementary students across the City of Spokane, and since November 1992, over 54,204 kids from 46 public & private elementary schools in Spokane have completed the curriculum. This is the culmination of many years of work to fund and build a new Children's Fire Safety house. The council supported this effort last fall with the approval of ARPA funds under ORD C36327 to procure a new Children's Fire Safety House.</p> <p>A request for quotes (RFQ# 5890-23) was submitted with a due date of June 15, 2023 and Tiny Idahomes LLC was the low bid winner.</p>
Proposed Council Action	Approve purchase order
Fiscal Impact Total Cost: <u>Not to exceed \$125,000</u> Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring Specify funding source: ARPA funds set aside via ORD C36327 Expense Occurrence <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impacts (If N/A, please give a brief description as to why)	
What impacts would the proposal have on historically excluded communities? N/A as the Safety house visits all schools in the City during a two-year cycle.	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities? Data will be analyzed within the department that maintains the capital cost or expense.	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? Data will be collected the department that maintains the capital cost or expense and analyze the results to make sure the benefit of the expense is the best solution.	

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

N/A

Bid Response Summary

Bid Number RFQ 5890-23
Bid Title Children's Fire Safety House (ARPA Funds)
Due Date Thursday, June 15, 2023 3:00:00 PM [(UTC-08:00) Pacific Time (US & Canada)]
Bid Status Closed to Bidding
Company Tiny Idahomes LLC
Submitted By Karina Moore - Thursday, June 15, 2023 10:41:12 AM [(UTC-08:00) Pacific Time (US & Canada)]
 info@tinyidahomes.com 208-468-0576

Comments

Question Responses

Group	Reference Number	Question	Response
Contact			
	1	Indicate the appropriate point of contact (phone number and email) regarding this quote and placement of order if awarded. If these actions will not be managed by the same person, explicitly specify all relevant contacts.	208-468-0576 / info@tinyidahomes.com
General			
	1	Acceptable product makes/models, where specified, must be adhered to. In the absence of specified acceptable products, the listed technical specifications in each product category represent the minimum qualifications for acceptable product. The make/model of products bid may be required at bid submission; if so, the field will be indicated required on the 'Pricing' tab.	I understand and I agree
	2	Quoted lead times will be considered in award determinations for each category and may supersede lowest unit cost. Where lead times are the same or similar, the lowest responsive, responsible bidder shall prevail.	I understand and I agree
	2a	What is your estimated lead time for completion of this trailer?	November / December 2023, depending on when award was received
	2b	The City of Spokane Fire Department will pick up the trailer when complete.	I understand and I agree
	3	This purchase is funded by funds received through the United States Department of Treasury under the American Rescue Plan (ARP/Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) – Catalog of Federal Domestic Assistance (CFDA) number 21.027. Submitting a proposal indicates acceptance of all requirements listed within ARP/CSLFRF CFDA 21.027 Funds document in the Documents Tab for this project.	I understand and I agree

4	Initial purchase funding is provided by the Coronavirus State and Local Fiscal Recovery Funds or H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF) funding is utilized for this grant. See Terms & Conditions document in the Documents Tab	I understand and I agree
Specifications		
1	38' gooseneck cargo trailer	I acknowledge and I agree
2	Max total width - 9'4"	I acknowledge and I agree
3	Max length (tongue to bumper) - 38'0"	I acknowledge and I agree
4	Max total height - 13'6"	I acknowledge and I agree
5	Two completely enclosed instructional rooms. One with a kitchen, the other with a small bedroom attached. Full-height insulated wall between classrooms.	I acknowledge and I agree
6	Heating and cooling in both spaces: 18k BTU dual head mini-split	I acknowledge and I agree
7	Vinyl flooring throughout, including stadium seating in both spaces. No carpet	I acknowledge and I agree
8	50-amp RV connection and 50-amp RV 12 volt panel, supply 25' RV 50-amp power cord.	I acknowledge and I agree
9	Lighting will be 12-volt LED throughout.	I acknowledge and I agree
10	The area under the overhang (main trailer and gooseneck portion) will be exterior storage.	I acknowledge and I agree
11	Insulation is blown in fiberglass batt R-15 in walls and ceiling. Floor is a R-13 residential fiberglass roll.	I acknowledge and I agree
12	Two (2) RV steps, three (3) steps, one for each exterior door.	I acknowledge and I agree
13	Two (2) exterior lights	I acknowledge and I agree
14	Two (2) exterior GFCI outlets	I acknowledge and I agree
15	Two (2) Fire Extinguishers (2A10BC)	I acknowledge and I agree
16	Three (3) smoke alarms	I acknowledge and I agree
17	Interior walls, pine tongue and groove or shiplap	I acknowledge and I agree
18	Two (2) passenger side exterior doors: 2-36" inswing, 1/2 lite with built-in blinds - painted to match exterior trim or exterior body color	I acknowledge and I agree
19	ADA Compliant	I acknowledge and I agree
20	Approximate 48" x 24" rear metal cargo door with access to storage under stair seating in rear classroom (storage area to be approximately 48" deep x 24" wide)	I acknowledge and I agree
21	All windows to be white vinyl sliding type & single hung (double pane) with screens: two (2) 24" x 39" to right of each exterior door; two (2) 54" x 27" (2 in gooseneck); two (2) 46" x 39" one in each classroom - drivers side; four (4) 72" x 12" transom windows - 2 in each classroom/1 on each side at ceiling height.	I acknowledge and I understand
22	9' Front gooseneck bedroom area: Twin-size custom-built pine bed platform with pull-up storage and two (2) door side storage. Will have power near; Install customer supplied window on gooseneck wall to classroom; 36" x 32" platform with railing with ladder steps to the main floor from the gooseneck bedroom window; Full-height insulated wall on two sides of the platform; 36" wide - 5 step - Pine stairs to gooseneck level (without storage)	I acknowledge and I understand

23	14' mid Classroom area: Mid classroom to have three (3) rise custom built student seating (18" seat platforms) with vinyl flooring to match main flooring; Full height wall between classrooms insulated with R-13 insulation.	I acknowledge and I understand
24	14' mid Classroom area: Mid classroom to have three (3) rise custom built student seating (18" seat platforms) with vinyl flooring to match main flooring; Full height wall between classrooms insulated with R-13 insulation.	I acknowledge and I understand
25	14' rear classroom area: Rear classroom to have 3 rise custom built student seating (18" seat platforms) with vinyl flooring to match main flooring; Rear classroom to have the following cabinets - two (2) 12" uppers, one (1) 30" upper, two (2) 30" lowers (1 to have range installed/1 to have sink installed), power inside cabinet for 42"-50" TV inside; Counter top & backsplash will be laminate - customer choice; 21" drop in range (no wiring or propane - nonfunctioning - for the educational classroom setting only); 24" drop in sink with pull out faucet in satin - nickel (no plumbing - nonfunctioning - for the educational setting only); 1.7 cu ft under counter refrigerator installed under sink area plumbed and in functioning; 30" convection microwave/no fan - wired and functioning above drop in range; 24" classic flame electric fireplace installed on the drivers side in the rear classroom.	I acknowledge and I understand
26	Exterior of Fire Safety Trailer - visually looks like home (siding that is resilient to travel on area roadways); Retractable step for both exterior exits; 18' Electric exterior awning on passenger side, over both exterior doors; Retractable handrail for both exterior doors; Exterior access doors for storage spaces under stadium seating.	I acknowledge and I understand
27	Room with Kitchen - Small storage boxes with sliding door on each step (store educational props, remotes for pre and posts tests); Power to outlets throughout space; Additional windows near ceiling (with blinds).	I acknowledge and I understand
28	Room with bedroom - Small storage boxes with sliding door on each step (store educational props, remotes for pre and posttests); Power to outlets throughout space; Wall mounting for TV (wall opposite of stadium seating); Additional windows near ceiling (with blinds); Stairs leading up to lofted space/bedroom (wide as possible with handrail)	I acknowledge and I understand
29	Bedroom Space: Operable outlet on wall near built-in bed frame; Door (with window that opens); Operable power outlet near door to bedroom; Standard size window (provided by SFD) that opens, leading out to larger instruction space; Platform for children to safely land on after evacuating out window (27"x27". drop from window approximately 39"); Additional safety elements around platform (i.e., partial wall to enclose space, guardrails, padding or soft material to land on, ladder if necessary).	I acknowledge and I understand
Additional Items		
1	The City of Spokane reserves the right to purchase additional items at the quoted price. Supplier agrees to sell at the same price, terms, and conditions.	No
Payment Terms		

1	Supplier agrees payment shall be made via direct deposit/ACH (except as provided by state law or if paid by credit card) according to net30 terms after receipt of goods ordered. A completed ACH application is required (if not already on file) before a City order will be issued. If the City objects to all or any portion of an invoice, it shall notify the supplier and reserve the right to pay only that portion of the invoice not in dispute. In that event, all parties shall immediate make every effort to settle the disputed amount.	I understand and I agree
2	Supplier agrees to accept Visa credit card payment at no additional fee.	No
Sales Tax		
1	The City of Spokane is not a tax exempt entity and is therefore obligated to pay sales tax under Washington State law. Sales tax should not be included in respondent's pricing. All submissions shall be tabulated with the applicable sales tax rate whether that tax shall be charged through the supplier or paid by the City as use tax.	I understand and I agree
Business Registration Requirement		
1	Section 8.01.070 of the Spokane Municipal Code states that no person may engage in business with the City without first having obtained and being the holder of a valid annual business registration or temporary business registration as provided in this chapter. The supplier shall be responsible for contacting the State of Washington Business License Services at www.dor.wa.gov or 360-705-6741 to obtain a business registration. If the supplier 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.	I understand and I agree
2	Supplier's Business Registration No.	will supply upon award of contract
Polychlorinated Biphenyls (PCBs)		
1	In accordance with SMC 7.06.172(A), respondent certifies the products quoted and to be supplied (to include product packaging) do not contain polychlorinated biphenyls (PCBs). Moreover and consistent with SMC 7.06.172(B), the City of Spokane, at its sole discretion, may require (at no cost to the City) the apparent successful respondent to provide testing data (prior to contract execution or issue of purchase order) from an accredited laboratory or testing facility documenting the proposed products and or product packaging polychlorinated biphenyl levels.	I understand and I agree
2	As far as you know, has this product type been tested for PCBs by a WA State accredited lab using EPA Method 1668c (or equivalent as updated)?	No
3	If so, were PCBs found at a measurable level?	No
4	As far as you know, has this actual product been tested for PCBs by a WA State accredited lab using EPA Method 1668 (or equivalent as updated)?	No
5	If so, note from whom the results can be obtained.	Not tested / Not applicable

6	Do you have reason to believe the product contains measurable levels of PCBs?	No
7	Do you have reason to believe the product packaging contains measurable levels of PCBs?	No
Terms & Conditions		
1	Submission of a bid constitutes acceptance of the Terms & Conditions of this request in accordance with the document so named in the 'Documents' tab.	I understand and I agree
Documents		
1	Print, Sign and Upload the ARPA Debarment Certificate that is located in the Documents area.	Attachment A - signed.pdf
2	Print, Sign and Upload the ARPA General Terms & Conditions that is located in the Documents area.	Terms and Conditions - signed.pdf
3	Print, Sign and Upload the Attachment A - ARP-CLFRF CFDA 21.027 Funding Document that is located in the Documents area.	Attachment A CFDA 21.027 funding - signed.pdf

Pricing Responses

Group	Reference Number	Description	Type	Unit Of Measure	Quantity	Unit Price	Ext Base Price	Comment	Make/Model
Default Item Group									
	1	Children's Fire Safety Trailer per specs in Request for Quote	Base	ea	1.00	\$87,360.00	\$87,360.00		
Total Base Bid	\$87,360.00								

ATTACHMENT A - CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION AND FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT (FFATA) CERTIFICATION

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 2 CFR Part 180.

(1) The prospective primary participant certifies to the best of its knowledge and belief that it and its principals:

- (a) Are not presently debarred, suspended, proposed for disbarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this application been convicted of or had a civil judgement 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 for or otherwise criminally or civilly charged by a governmental 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 Agreement had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) The undersigned agrees by signing this Agreement 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 Agreement that it will include the following required certification, 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.

(4) The undersigned shall notify the City immediately that if it or a lower tier contractor become debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency during the period of performance of this Agreement.

(5) 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.

(6) I understand that a false statement of this certification may be grounds for termination of the Agreement.

By signing this Attachment, the Grantee indicates acceptance of and compliance with all requirements described above.

Federal Funding Accountability and Transparency Act (FFATA) Certification

The Federal Funding Accountability and Transparency Act (FFATA) seeks to provide the public with greater access to Federal spending information. Due to FFATA requirements, you are required to provide the following information which will be used by the City to comply with federal reporting requirements.

If certain conditions are met, Grantee must provide names and total compensation of the top five highly compensated Executives. Please answer question 1, and follow the instructions. If directed to question 2, please answer and follow instructions.

1. In Grantee's previous fiscal year, did Grantee receive (a) 80% or more of Grantee's annual gross revenues in U.S. Federal contracts and subcontracts and other Federal financial assistance subject to the Transparency Act, as defined in 2 CFR 170.320; AND (b) \$25,000,000 or more in annual gross revenues from contracts and subcontracts and other Federal financial assistance subject to the Transparency Act, as defined in 2 CFR 170.320?

Yes If yes, answer question 2 below.

No If no, stop, you are not required to report names and compensation. Please sign and submit form with the Agreement.

2. Does the public have access to information about the compensation of Grantee's Executives through periodic reports filed under section 13(a) or 15(d) of the Security Exchange Act of 1934 (15 U.S.C. 78(m)(a), 78o(d)), or section 6104 of the Internal Revenue Code of 1986?

Yes If yes, stop, you are not required to report names and compensation. Please sign and submit form with the Agreement.

No If no, you are required to report names and compensation. Please fill out the remainder of this form.

Please provide the names and Total Compensation of the top five most highly compensated Executives in the space below.

Name:	Total Compensation:
Name:	Total Compensation:
Name:	Total Compensation:
Name:	Total Compensation:
Name:	Total Compensation:

The Grantee certifies that the information contained on this form is true and accurate.

By: *Anca Colliasworth*

Title: *CFO*

Date: *6.15.23*

ATTACHMENT A– ARP/CSLFRF CFDA 21.027 FUNDING
American Rescue Plan (ARP)
Coronavirus State and Local Fiscal Recovery Funds (CSLFRF)
Funding Authority: U.S. Department of Treasury
CFDA# 21.027 – Coronavirus State and Local Fiscal Recovery Funds

The Contractor specifically agrees to comply with all applicable state and federal laws, rules, regulations, requirements, program guidance, including but not limited to the following:

All applicable federal, state, and local laws, regulations, executive orders, OMB Circulars, and/or policies including, but not limited to:

Nondiscrimination laws and/or policies, and safety and health regulations.
Americans with Disabilities Act (ADA), Age Discrimination Act of 1975,
Title VI of the Civil Rights Act of 1964, Civil Rights Act of 1968,
Provisions in Buildings for Aged and Handicapped Persons (RCW 70.92).
Robert T. Stafford Disaster Relief and Emergency Assistance Act (PL 93-288, as amended),
Ethics in Public Services (RCW 42.52),
Covenant Against Contingent Fees (48 CFR Section 52.203-5),
Public Records Act (RCW 42.56),
Prevailing Wages on Public Works (RCW 39.12),
State Environmental Policy Act (RCW 43.21C),
Shoreline Management Act of 1971 (RCW 90.58),
State Building Code (RCW 19.27),
Energy Policy and Conservation Act (PL 94-163, as amended),
Energy Related Building Standards (RCW 19.27A),

Comply with all procurement requirements of 2 CFR Part 200.317 - 200.327. All sole source contracts expected to exceed \$50,000 must be submitted to Spokane City Purchasing for review and approval prior to the award and execution of a contract.

Any contract awarded to the successful Contractor must contain and/or comply with the following procurement provisions in accordance with 2 CFR Part 200.317 - 200.327:

Contractor must maintain a Conflict of Interest Policy consistent with 2 CFR 200.318(c) that is applicable to all activities funded with the award. All potential conflicts of interest related to this award must be reported to Spokane City and/or U.S. Treasury

- Administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as may be appropriate;
- Compliance with Executive Order 11246, "Equal Employment Opportunity," (30 FR 12319, 12935, 3 CFR Part 1964-1965 Comp., p. 339), as amended by Executive Order 11375, as supplemented in Department of Labor regulations (41 CFR Chapter 60);
- For Capital Expenditures that involve the employment of mechanics of laborers: Compliance with the Contract Work Hours and Safety Standards Act (40 USC 3702 and 3704) as supplemented by Department of Labor Regulations (29 CFR Part 5);
- For all contracts in excess of \$100,000 with respect to water, sewer, or broadband that involve the employment of mechanics of laborers: Compliance with the Contract Work Hours and Safety Standards Act (40 USC 3702 and 3704) as supplemented by Department of Labor Regulations (29 CFR Part 5);
- For construction or repair contracts: Compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. 3145) as supplemented by Department of Labor regulations (29 CFR part 3);
- For construction contracts in excess of \$2,000 when required by Federal grant program legislation:

Compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144 and 3146-3148) as supplemented by Department of Labor regulations (29 CFR part 5); Davis Bacon Act—Does **not** apply to projects funded **solely** with ARPA/CSLFRF CFDA 21.027 funds. However, if other federal funds are also used for the construction project in addition to FRF, and those federal funds require Davis-Bacon compliance, all prime construction contracts in excess of \$2,000 must follow Davis-Bacon Act;

- For construction contracts in excess of \$100,000 that involve the employment of mechanics and laborers: Compliance with the Contract Work Hours and Safety Standard Act (40 U.S.C. 3701-3708) as supplemented by Department of Labor regulations (29 CFR Part 5);
- Compliance with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency
- For contracts in excess of \$150,000: Compliance with all applicable standards, orders or requirements issued under the Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387) as amended;
- Compliance with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act;
- Notice of awarding agency requirements and regulations pertaining to reporting;
- Federal awarding agency requirements and regulations pertaining to copyrights and rights in data;
- Access by Spokane City, the Federal awarding agency, the Comptroller General of the United States, or any of their duly authorized representatives to any books, documents, papers and records, sub-agreements, leases, subcontracts, arrangements, or other third-party agreements of any type, and supporting materials related to those records of the Contractor, which are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts and transcriptions;
- Retention of all required records for **six years** after Spokane City makes final payment and all other pending matters are closed;
- Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163, 89 Stat. 871);
- Notice of awarding agency requirements and regulations governing the development, reporting, and disposition of rights to inventions and patents resulting from financial assistance awards (37 C.F.R. Part 401) and the standard patent rights clause (37 C.F.R. section 401.14);
- Compliance with Executive Order 13858 “Strengthening Buy-American Preferences for Infrastructure Projects” as appropriate and to the extent consistent with law; and
- Compliance with 2 C.F.R. § 200.216, prohibitions regarding certain telecommunications and video surveillance services or equipment are mandated by section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (FY 2019 NDAA), Pub. L. No. 115-232 (2018).

Any contract awarded to the successful Contractor must contain and/or comply with the following provisions in accordance with 2 CFR Part 200.332(a) - 200.332(a)(1)-200.332(a)(6) Requirements for pass-through entities:

- Identify as a Subaward (2 CFR 200.332(a));
- Federal Award Identification (2 CFR 200.332(a)(1));
- Terms and conditions from ARP/CLFRF (2 CFR 200.332(a)(2));
- Additional City of Spokane imposed requirements based on risk assessment (2 CFR 200.332(a)(3));
- Indirect cost rate (2 CFR 200.332(a)(4));
- Records access & retention (2 CFR 200.332(a)(5));
- Closeout provisions (2 CFR 200.332(a)(6)).

Any contract awarded to the successful Contractor must contain and/or comply with the following provisions in accordance with 2 CFR Part 200.501(a)-200.501(h) Audit Requirements:

- Audit required. A non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year in accordance with the provision of this part (2 CFR 200.501(a));
- Single Audit (2 CFR 200.501(b));
- Program-specific audit election (2 CFR 200.501(c));
- Exemption when Federal awards expended are less than \$750,000(2 CFR 200.501(d));
- Federally Funded Research and Development Centers (2 CFR 200.501(e));
- Subrecipients and contractors (2 CFR 200.501(f));
- Compliance responsibility for contractors (2 CFR 200.501(g));
- For-profit subrecipient (2 CFR 200.501(h)).

Contractor must comply with Executive Orders 12549 and 12689 and 2 C.F.R. Part 180, which restrict awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities. Contractor must certify that it is not presently debarred, suspended or proposed for debarment, declared ineligible, or voluntarily excluded from participating in this Agreement by any federal department or agency.

Contractor must comply with the requirements of 31 U.S.C. § 3729-3733 which prohibits the submission of false or fraudulent claims for payment to the Federal Government. See also 31 U.S.C. § 3801-3812 which details the administrative remedies for false claims and statements made.

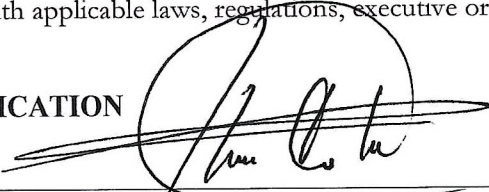
Contractor is required to be non-delinquent in their repayment of any Federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129.

Contractor's costs must be compliant with 2 CFR Part 200 Subpart E Cost Principles.

Contractor must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under an award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, Member of Congress, an officer, or employee of Congress, or an employee of a Member of Congress in connection with any Federal action concerning an award, making of any federal grant, federal loan, continuation, renewal, amendment or modification of any federal contract, grant loan, or cooperative agreement, and that if any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this award, the Contractor will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

In the event of the Contractor's noncompliance or refusal to comply with any applicable law, regulation, executive order, OMB Circular or policy, Spokane City may rescind, cancel, or terminate the contract in whole or in part in its sole discretion. The Contractor is responsible for all costs or liability arising from its failure to comply with applicable laws, regulations, executive orders, OMB Circulars, or policies.

CERTIFICATION



Signature, Administrator, or Applicant Agency

6.15.23

Date

Anca Colli newirth CFO

print name and title

General Terms & Conditions

1. CONTRACTING WITH CURRENT OR FORMER CITY EMPLOYEES

Specific restrictions apply to contracting with current or former City officers and employees pursuant to the Code of Ethics in chapter 1.04A of the Spokane Municipal Code. Proposers shall familiarize themselves with the requirements prior to submitting a Proposal that includes current or former City officers or employees.

2. PROPRIETARY INFORMATION / PUBLIC DISCLOSURE

All materials submitted to the City in responses to this competitive procurement shall become the property of the City.

All materials received by the City are public records and are subject to being released pursuant to a valid public records request. Washington state law mandates that all documents used, received or produced by a governmental entity are presumptively public records, and there are few exemptions. Chapter 41.56 RCW.

When responding to this competitive procurement, please consider that what you submit will be a public record. If you believe that some part of your response constitutes legally protected proprietary information, you MUST submit those portions of your response as a separate part of your response, and you MUST label it as "PROPRIETARY INFORMATION." If a valid public records request is then received by the City for this information, you will be given notice and a 10-day opportunity to go to court to obtain an injunction to prevent the City from releasing this part of your response. If no injunction is obtained, the City is legally required to release the records.

The City will neither look for nor honor any claims of "proprietary information" that are not within the separate part of your response.

3. OWNERSHIP OF DOCUMENTS

Any and all data, reports, analyses, documents, photographs, pamphlets, plans, specifications, surveys, films or any other material created, prepared, produced, constructed, assembled, made, performed or otherwise produced by the Firm or the Firm's subcontractors or consultants for delivery to the City under this Agreement shall be the sole and absolute property of the City. Such property shall constitute "work made for hire" as defined by U.S. Copyright Act of 1976, 17 U.S.C. § 101, and the ownership of the copyright and any other intellectual property rights in such property shall vest in the City at the time of its creation. Ownership of the intellectual property includes the right to copyright, patent, and register, and the ability to transfer these rights. Material which the Firm uses to perform this Agreement, but is not created, prepared, constructed, assembled, made, performed or otherwise produced for, or paid for, by the City is owned by the Firm and is not "work made for hire" within the terms of this Agreement.

4. ACCEPTANCE PERIOD

Proposals shall remain in effect for ninety (90) days for acceptance by the City from the due date for receipt of Proposals.

5. COSTS TO PROPOSE

The City will not be liable for any costs incurred by the Proposer in preparation of a Proposal submitted in response to this RFP, in conduct of a presentation, or any other activities related to responding to this RFP.

6. INTERLOCAL PURCHASE AGREEMENTS

The City of Spokane has entered into Interlocal Purchase Agreements with other public agencies pursuant to Chapter 39.34 RCW. In submitting a response, the Proposer agrees to provide its services to other public agencies at the same contracted price, terms and conditions it is providing to the City of Spokane, contingent upon the Firm's review and approval at the time of a requested contract. The Firm's right to refuse to enter into a contract with another public agency at the time of request shall be absolute.

7. DEBRIEFING OF UNSUCCESSFUL PROPOSERS

Upon request, a debriefing conference will be scheduled with an unsuccessful Proposer. Discussion will be limited to a critique of the requesting Firm's Proposal. Debriefing conferences may be conducted in person or on the telephone.

8. MINORITY & WOMEN-OWNED BUSINESS PARTICIPATION

The City encourages participation in all of its contracts by Firms certified by the Washington State Office of Minority and Women's Business Enterprises (OMWBE). Proposers may contact OMWBE at (360)753-9693 to obtain information on certified Firms.

9. 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 Firm 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 Firm.

10. 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 and currently being the holder of a valid annual business registration or temporary business registration as provided in this chapter. The Firm shall be responsible for contacting the State of Washington Business License Services at <http://dor.wa.gov> or 1-360-705-6741 to obtain a business registration. If the Firm 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.

11. PAYMENT

Payment will be made via direct deposit/ACH except as provided by state law. A completed ACH application is required before a City Order will be issued. If the City objects to all or any portion of the invoice, it shall notify the Company and reserves the right to only pay that portion of the invoice not in dispute. In that event, the parties shall immediately make every effort to settle the disputed amount.

12. 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 the contract.

13. DISPUTES

This contract shall be performed under the laws of Washington State. Any litigation to enforce this contract or any of its provisions shall be brought in Spokane County, Washington.

14. TERMINATION

- A. For Cause: The City or Consultant may terminate the Agreement if the other party is in material breach of this Agreement, and such breach has not been corrected to the other party's reasonable satisfaction in a timely manner. Notice of termination under this Section shall be given by the party terminating this Agreement to the other, not fewer than thirty (30) business days prior to the effective date of termination.
- B. For Reasons Beyond Control of Parties: Either party may terminate this Agreement without recourse by the other where performance is rendered impossible or impracticable for reasons beyond such party's reasonable control, such as, but not limited to, an act of nature, war or warlike operation, civil commotion, riot, labor dispute including strike, walkout or lockout, except labor disputes involving the Consultant's own employees, sabotage, or superior governmental regulation or control. Notice of termination under this Section shall be given by the party terminating this Agreement to the other, not fewer than thirty (30) business days prior to the effective date of termination.
- C. For Convenience: Either party may terminate this Agreement without cause, upon thirty (30) days written notice to the other party.
- D. Actions upon Termination: if termination occurs not the fault of the Consultant, the Consultant shall be paid for the services properly performed prior to the actual termination date, with any reimbursable expenses then due, but such compensation shall not exceed the maximum compensation to be paid under the Agreement. The Consultant agrees this payment shall fully and adequately compensate the Consultant and all subconsultants for all profits, costs, expenses, losses, liabilities, damages, taxes, and charges of any kind (whether foreseen or unforeseen) attributable to the termination of this Agreement.
- E. Upon termination, the Consultant shall provide the City with the most current design documents, contract documents, writings, and other products the Consultant has produced to termination, along with copies of all project-related correspondence and similar items. The City shall have the same rights to use these materials as if termination had not occurred; provided however, that the City shall indemnify and hold the Consultant harmless from any claims, losses, or damages to the extent caused by modifications made by the City to the Consultant's work product.

15. LIABILITY

The Firm 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 Firm's negligence or breach or its obligations under the contract. The Firm's duty to indemnify shall not apply to liability caused by the sole negligence of the City, its officers, and employees. The Firm's duty to indemnify for liability arising from the concurrent negligence of the City, its officers and employees and the Firm, its officers and employees shall apply only to the extent of the negligence of the Firm, its officers and employees. The Firm's duty to indemnify shall survive

termination or expiration of the contract. The Firm waives, with respect to the City only, its immunity under RCW Title 51, Industrial Insurance.

16. INSURANCE COVERAGE

During the term of the contract, the Firm shall maintain in force at its own expense, each insurance coverage 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 Insurance in the amount of \$1,000,000.
- 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 Firm's services to be provided 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.
- D. Professional Liability Insurance with a combined single limit of not less than \$1,000,000 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 contract. The coverage must remain in effect for at least three (3) years after the contract is completed.

There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without forty-five (45) days written notice from the Firm or its insurer(s) to the City.

As evidence of the insurance coverages required by this contract, the Firm shall furnish acceptable insurance certificates to the City at the time it returns the signed contract. The certificate shall specify all of the parties who are additional insured, and include applicable policy endorsements, and the deductible or retention level, as well as policy limits. Insuring companies or entities are subject to City acceptance and must have a rating of A- or higher by Best. Copies of all applicable endorsements shall be provided. The Firm shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance.

SPECIFIC GRANT RELATED LANGUAGE

17. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELEGIBILITY AND VOLUNTARY EXCLUSION

A certification form will accompany the contract to be signed confirming that, to the best of its knowledge and belief, Firm, 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.
- 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.

18. CERTIFICATION REGARDING LOBBYING

Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) – Firms who apply or bid for an award of \$100,000 or more shall file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier shall also disclose any lobbying in non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the recipient.

A Certification Form is attached and included in this Request for Proposal by reference as Attachment A "Certification Regarding Lobbying". The Proposer is required to sign and submit this Form with Proposal. The Proposer certifies by signing and submitting this Proposal, to the best of his or her knowledge and belief, that:

- A. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or any employee of a Member of Congress in connection with the awarding of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
- C. The Proposer also agrees by submitting his or her Proposal, that he or she shall require that the language of this certification be included in all lower tier subcontracts. Which exceed \$100,000 and that all such sub-recipients shall certify and disclose accordingly.
- D. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, United States Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

19. DOMESTIC PREFERENCE

200.322 (a) As appropriate and to the extent consistent with law, the non-Federal entity should to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products).

20. CLEAN AIR ACT

Clean Air Act (42 U.S.C. 7401 et seq.) and the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), as amended – Firms and subgrants of amounts in excess of \$100,000 shall contain a provision that requires the recipient to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401 et seq.) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251 et seq.) Violations shall be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

21. CONFORMANCE WITH FEDERAL, STATE, AND LOCAL LAWS

Federal, State and Local Laws: Services of a project as a result of the use of a Firm's services including the letting of subcontracts in connection with any project work related to this RFQ may be required to conform to the applicable requirements of Federal, State and local laws and ordinances. The City stipulates that Federal funds may be involved.

22. MAINTENANCE OF RECORDS

Federal, State and Local Laws: Services of a project as a result of the use of a Firm's services including the letting of subcontracts in connection with any project work related to this RFQ may be required to conform to the applicable requirements of Federal, State and local laws and ordinances. The City stipulates that Federal funds may be involved.

23. CONFERENCE ROOMS

Conference Rooms: All space used for conferences, meetings, conventions, or training seminars funded in whole or in part with federal funds under this contract must comply with the protection and controlling guidelines of the Hotel and Motel Fire Safety Act (PL 101-391, as amended).

24. AMERICANS WITH DISABILITIES ACT INFORMATION (ADA)

Americans with Disabilities Act (42 U.S.C. 12101, et seq.). The Applicant shall comply with the provisions of the Americans with Disabilities Act, 42 U.S.C. 12101, et. seq. That Act provides a comprehensive national mandate to eliminate discrimination against individuals with disabilities. The Act may impose requirements on the Applicant in four principle ways: 1) with respect to employment; 2) with respect to the provision of public services; 3) with respect to transportation; 4) with respect to existing facilities and new construction.

The City in accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) commits to nondiscrimination in all of its programs and activities. The Firm 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 Firm.

Law Against Discrimination, Chapter 49.60 RCW. The Applicant shall comply with the provisions of Chapter 49.60 RCW in all activities relating to this Grant Agreement.

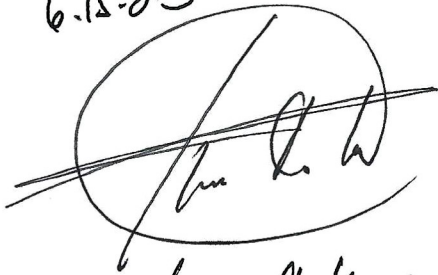
This material can be made available in an alternate format by request through ProcureWare question tab or by calling (509) 625-6400.

25. TITLE VI STATEMENT

The City of Spokane in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 USC 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all Proposers that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises as defined at 49 CFR Part 26 will be afforded full opportunity to submit Proposals in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award.

Public Law 88 - 352, Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) (24 CFR Part 1). The Applicant must comply with the provisions of "Public Law 88 - 352," which refers to Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.). The law provides that no person in the United States shall, on the grounds of race, color or national origin, be denied the benefits of, be excluded from participation in, or be subjected to discrimination under any program or activity receiving federal financial assistance.

6.15.23



Anca Colliworth
Viny idahomes llc



Agenda Sheet for City Council Meeting of:
07/24/2023

Date Rec'd	7/11/2023
Clerk's File #	OPR 2023-0698
Renews #	

Submitting Dept	PLANNING & ECONOMIC	Cross Ref #	
Contact Name/Phone	TERI STRIPES X6597	Project #	
Contact E-Mail	TSTRIPES@SPOKANECITY.ORG	Bid #	
Agenda Item Type	Contract Item	Requisition #	
Agenda Item Name	0650 - MFTE CONDITIONAL AGREEMENT - 907 E INDIANA		

Agenda Wording

Multiple Family Housing Property Tax Exemption Conditional Agreement with LTR Real Estate Investments, LLC, for the future construction of approximately 4 units, at Parcel Number(s) 35084.2411, commonly known as 907 E Indiana Ave.

Summary (Background)

Chapter 84.14 RCW authorizes the City to create a multiple family housing property tax exemption program and to certify qualified property owners for that property tax exemption. SMC 08.15 Multiple-family Housing Property Tax Exemption outlines the City of Spokane MFTE Program and project eligibility.

Lease? NO	Grant related? NO	Public Works? NO
Fiscal Impact		Budget Account

Neutral	\$	#
Select	\$	#
Select	\$	#
Select	\$	#

Approvals		Council Notifications	
Dept Head	GARDNER, SPENCER	Study Session\Other	UE 7/10/23
Division Director	MACDONALD, STEVEN	Council Sponsor	CMs Bingle & Cathcart
Finance	ORLOB, KIMBERLY	Distribution List	
Legal	HARRINGTON,	tstripes@spokanecity.org	
For the Mayor	JONES, GARRETT	smacdonald@spokanecity.org	
Additional Approvals		sgardner@spokanecity.org	
Purchasing		rbenzie@spokanecity.org	
		jchurchill@spokanecity.org	
		abeck@spokanecity.org	



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

This Conditional Agreement will ultimately result in the issuance of a final certificate of tax exemption to be filed with the Spokane County Assessor's Office post construction.

Summary (Background)

Staff has determined that the Conditional application meets the Project Eligibility defined in SMC 08.15.040 and is located in a previously adopted Residential Target Areas identified in SMC 08.15.030.

Fiscal Impact		Budget Account
Select	\$	#
Select	\$	#

Distribution List

Distribution List	



PLANNING & ECONOMIC DEVELOPMENT

MFTE Committee Briefing Paper

Urban Experience

Submitting Department	Planning and Economic Development
Contact Name & Phone	Teri Stripes, 509-625-6597
Contact Email	tstripes@spokanecity.org
Council Sponsor(s)	CMs Jonathan Bingle, Michael Cathcart
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested: _____
Agenda Item Name	Multi-Family Tax Exemption (MFTE) Conditional Agreement
Summary (Background)	<p>Chapter 84.14 RCW authorizes the City to create a multiple family housing property tax exemption program and to certify qualified property owners for that property tax exemption. SMC 08.15 Multiple-family Housing Property Tax Exemption outlines the City of Spokane MFTE Program and project eligibility.</p> <p>Staff has determined that the MFTE - 907 E Indiana Conditional application meets the Project Eligibility defined in SMC 08.15.040 and is located in a previously adopted Residential Target Areas identified in SMC 08.15.030.</p> <p>Once the project is constructed, the applicant intends to finalize as a 8-year Market Rate Exemption.</p> <p>This Conditional Agreement authorizes the appropriate city official to enter into the Multiple Family Housing Property Tax Exemption Conditional Agreement, which will ultimately result in the issuance of a final certificate of tax exemption to be filed with the Spokane County Assessor's Office post construction.</p>
Proposed Council Action & Date:	<p>Approve the MFTE Conditional Agreement for the <u>MFTE - 907 E Indiana</u> at the July 24th, 2023 City Council Meeting.</p> <p>Project Details: The applicant applied for a Conditional MFTE Agreement for 4 units, at 907 E INDIANA AVE SPOKANE, WA</p> <ul style="list-style-type: none"> Property is zoned CC1-DC and the proposed use is allowed. Estimated Construction Costs: 599627.70 Located in the Logan neighborhood.
Fiscal Impact:	
Total Cost: \$0	
Approved in current year budget?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Funding Source	<input type="checkbox"/> One-time <input type="checkbox"/> Recurring
Specify funding source:	
Expense Occurrence	<input type="checkbox"/> One-time <input type="checkbox"/> Recurring
Other budget impacts: (revenue generating, match requirements, etc.)	

Operation Impacts

What impacts would the proposal have on historically excluded communities?

SMC 08.15 Multi- Family Housing Property Tax Exemption

A. The purposes of this chapter are to:

1. encourage more multi-family housing opportunities, including affordable housing opportunities, within the City;
2. stimulate the construction of new multifamily housing and the rehabilitation of existing vacant and underutilized buildings for multi-family housing;
3. increase the supply of mixed-income multifamily housing opportunities within the City;
4. accomplish the planning goals required under the Growth Management Act, chapter 36.70A RCW, as implemented from time to time by the City's current and future comprehensive plans;
5. promote community development, neighborhood revitalization, and availability of affordable housing;
6. preserve and protect buildings, objects, sites and neighborhoods with historic, cultural, architectural, engineering or geographic significance located within the City; and
7. encourage additional housing in areas that are consistent with planning for public transit systems.

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

RCW 84.14.100

Report—Filing—Department of commerce audit or review—Guidance to cities and counties. (Expires January 1, 2058.)

(1) Thirty days after the anniversary of the date of the certificate of tax exemption and each year for the tax exemption period, the owner of the rehabilitated or newly constructed property, or the qualified nonprofit or local government that will assure permanent affordable homeownership for at least 25 percent of the units for properties receiving an exemption under RCW 84.14.021, must file with a designated authorized representative of the city or county an annual report indicating the following:

- (a) A statement of occupancy and vacancy of the rehabilitated or newly constructed property during the twelve months ending with the anniversary date;
- (b) A certification by the owner that the property has not changed use and, if applicable, that the property has been in compliance with the affordable housing requirements as described in RCW 84.14.020 since the date of the certificate approved by the city or county;
- (c) A description of changes or improvements constructed after issuance of the certificate of tax exemption; and
- (d) Any additional information requested by the city or county in regards to the units receiving a tax exemption.

(2) **All cities or counties, which issue certificates of tax exemption for multiunit housing that conform to the requirements of this chapter, must report annually by April 1st of each year, beginning in 2007, to the department of commerce. A city or county must be in compliance with the reporting requirements of this section to offer certificates of tax exemption for multiunit housing authorized in this chapter. The report must include the following information:**

- (a) **The number of tax exemption certificates granted;**
- (b) **The total number and type of units produced or to be produced;**

- (c) The number, size, and type of units produced or to be produced meeting affordable housing requirements;
- (d) The actual development cost of each unit produced;
- (e) The total monthly rent or total sale amount of each unit produced;
- (f) The annual household income and household size for each of the affordable units receiving a tax exemption and a summary of these figures for the city or county; and
- (g) The value of the tax exemption for each project receiving a tax exemption and the total value of tax exemptions granted.

(3)(a) The department of commerce must adopt and implement a program to effectively audit or review that the owner or operator of each property for which a certificate of tax exemption has been issued, except for those properties receiving an exemption that are owned or operated by a nonprofit or for those properties receiving an exemption from a city or county that operates an independent audit or review program, is offering the number of units at rents as committed to in the approved application for an exemption and that the tenants are being properly screened to be qualified for an income-restricted unit. The audit or review program must be adopted in consultation with local governments and other stakeholders and may be based on auditing a percentage of income-restricted units or properties annually. A private owner or operator of a property for which a certificate of tax exemption has been issued under this chapter, must be audited at least once every five years.

(b) If the review or audit required under (a) of this subsection for a given property finds that the owner or operator is not offering the number of units at rents as committed to in the approved application or is not properly screening tenants for income-restricted units, the department of commerce must notify the city or county and the city or county must impose and collect a sliding scale penalty not to exceed an amount calculated by subtracting the amount of rents that would have been collected had the owner or operator complied with their commitment from the amount of rents collected by the owner or operator for the income-restricted units, with consideration of the severity of the noncompliance. If a subsequent review or audit required under (a) of this subsection for a given property finds continued substantial noncompliance with the program requirements, the exemption certificate must be canceled pursuant to **RCW 84.14.110**.

(c) The department of commerce may impose and collect a fee, not to exceed the costs of the audit or review, from the owner or operator of any property subject to an audit or review required under (a) of this subsection.

(4) The department of commerce must provide guidance to cities and counties, which issue certificates of tax exemption for multiunit housing that conform to the requirements of this chapter, on best practices in managing and reporting for the exemption programs authorized under this chapter, including guidance for cities and counties to collect and report demographic information for tenants of units receiving a tax exemption under this chapter.

(5) This section expires January 1, 2058.

[2021 c 187 § 5; 2012 c 194 § 9; 2007 c 430 § 10; 1995 c 375 § 13.]

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Title 08 Taxation and Revenue

Chapter 08.15 Multiple-family Housing Property Tax Exemption

Section 08.15.100 Annual Certification and Affordability Certification

Within thirty days of the anniversary of the date the final certificate of tax exemption was recorded at the County and each year thereafter, for the tax exemption period, the property owner shall file a certification with the director, verified upon oath or affirmation, which shall contain such information as the director may deem necessary or useful, and shall include the following information:

1. A statement of occupancy and vacancy of the multi-family units during the previous year.
2. A certification that the property has not changed use and, if applicable, that the property has been in compliance with the affordable housing requirements as described in **SMC 8.15.090** since the date of filing of the final certificate of tax exemption, and continues to be in compliance with the contract with the City and the requirements of this chapter; and
3. If the property owner rents the affordable multi-family housing units, the property owner shall file with the City a report indicating the household income of each initial tenant qualifying as low and moderate-income in order to comply with the twenty percent requirement of **SMC 8.15.090(A)(2)(b)** and RCW 84.14.020(1)(ii)(B).

a. The reports shall be on a form provided by the City and shall be signed by the tenants.

b. Information on the incomes of occupants of affordable units shall be included with the application for the final certificate of tax exemption, and shall continue to be included with the annual report for each property during the exemption period.

4. A description of any improvements or changes to the property made after the filing of the final certificate or last declaration, as applicable.

B. Failure to submit the annual declaration may result in cancellation of the tax exemption.

Date Passed: Monday, August 21, 2017

Effective Date: Saturday, October 7, 2017

ORD C35524 Section 8

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

Comprehensive Plan Land Use Policies:

LU 1.4 Higher Density Residential Uses

LU 3.5 Mix of Uses in Centers

LU 4.2 Land Uses That Support Travel Options and Active Transportation

LU 4.6 Transit-Supported Development

Comprehensive Plan Housing Policies:

H 1.9 Mixed-Income Housing

H 1.4 Use of Existing Infrastructure

H 1.10 Lower-Income Housing Development Incentives

H 1.11 Access to Transportation

H 1.18 Distribution of Housing Options

Comprehensive Plan Economic Development Policies:

ED 2.4 Mixed-Use

ED 7.4 Tax Incentives for Land Improvement



PLANNING & ECONOMIC DEVELOPMENT MULTIPLE FAMILY HOUSING PROPERTY TAX EXEMPTION AGREEMENT

THIS CONDITIONAL AGREEMENT is between the City of Spokane, a Washington State municipal corporation, as “City”, and LTR REAL ESTATE INVESTMENTS, LLC, as “Owner/Taxpayer” whose business address is 902 W GARLAND AVE SPOKANE, WA 99205.

WITNESSETH:

WHEREAS, the City has, pursuant to the authority granted to it by Chapter 84.14 RCW, designated various residential targeted areas for the provision of a limited property tax exemption for new and rehabilitated multiple family residential housing; and

WHEREAS, the City has, through Chapter 8.15 SMC, enacted a program whereby property owner/taxpayers may qualify for a Final Certificate of Tax Exemption which certifies to the Spokane County Assessor that the Owner/Taxpayer is eligible to receive the multiple family housing property tax exemption; and

WHEREAS, the Owner/Taxpayer is interested in receiving the multiple family property tax exemption for new multiple family residential housing units in a residential targeted area; and

WHEREAS, the Owner/Taxpayer has submitted to the City a complete conditional application form for no fewer than a total of four new multiple family permanent residential housing units to be constructed on property legally described as:

HEATHS 5TH LT 12, BLK 24, EXC THE S 7.5FT THEREOF FOR RD

Assessor’s Parcel Number(s) 35084.2411,

commonly known as

907 E INDIANA AVE SPOKANE, WA.

WHEREAS, this property is located in the Spokane Targeted Investment Area. and is eligible to seek a Final Certificate of Tax Exemption post construction under the 8-year Market Rate Exemption. as defined in SMC 08.15.090.

WHEREAS, the City has determined that the improvements will, if completed as proposed, satisfy the requirements for a Final Certificate of Tax Exemption; -- NOW, THEREFORE,

The City and the Owner/Taxpayer do mutually agree as follows:

1. The City agrees to issue the Owner/Taxpayer a Conditional Agreement subsequent to the City Council’s approval of this agreement.

2. The project must comply with all applicable zoning requirements, land use requirements, design review recommendations and all building, fire, and housing code requirements contained in the Spokane Municipal Code at the time a complete application for a building permit is received. However, if the proposal includes rehabilitation or demolition in preparation for new construction, the residential portion of the building shall fail to comply with one or more standards of applicable building or housing codes, and the rehabilitation improvements shall achieve compliance with the applicable building and construction codes.

3. If the property proposed to be rehabilitated is not vacant, the Owner/Taxpayer shall provide each existing tenant with housing of comparable size, quality and price and a reasonable opportunity to relocate. At the time of an application for a Conditional Agreement, the applicant provided a letter attesting and documenting how the existing tenant(s) were/will be provided comparable housing and opportunities to relocate.

(a). The existing residential tenant(s) are to be provided housing of a comparable size and quality at a rent level meeting the Washington State definition of affordable to their income level. Specifically, RCW 84.14.010 defines “affordable housing” as residential housing that is rented by a person or household whose monthly housing costs, including utilities other than telephone, do not exceed thirty (30) percent of the household’s monthly income. The duration of this requirement will be the length of the tenant’s current lease plus one year.

4. The Owner/Taxpayer intends to construct on the site, approximately **4** new multiple family residential housing units substantially as described in their application filed with and approved by the City. In no event shall such construction provide fewer than a total of four multiple family permanent residential housing units.

5. The Owner/Taxpayer agrees to complete construction of the agreed-upon improvements within three years from the date the City issues this Conditional Agreement or within any extension granted by the City.

6. The Owner/Taxpayer agrees, upon completion of the improvements and upon issuance by the City of a temporary or permanent certificate of occupancy, to file an application for a Final Certificate of Tax Exemption with the City’s Planning and Economic Development Department, which will require the following:

(a) a statement of the actual development cost of each multiple family housing unit, and the total expenditures made in the rehabilitation or construction of the entire property;

(b) a description of the completed work and a statement that the rehabilitation improvements or new construction of the Owner/Taxpayer’s property qualifies the property for the exemption;

(c) a statement that the project meets the affordable housing requirements, if applicable; and

(d) a statement that the work was completed within the required three-year period or any authorized extension of the issuance of the conditional certificate of tax exemption.

7. The City agrees, conditioned on the Owner/Taxpayer’s successful completion of

the improvements in accordance with the terms of this Conditional Agreement and on the Owner/Taxpayer's filing of application for the Final Certificate of Exemption with the materials described in Paragraph 6 above, to file a Final Certificate of Tax Exemption with the Spokane County Assessor indicating that the Owner/Taxpayer is qualified for the limited tax exemption under Chapter 84.14 RCW.

8. The Owner/Taxpayer agrees, that once a Final Certificate of Tax Exemption is issued, to comply with all Annual Reporting requirements set forth in SMC 8.15.100 and contained in the annual report form provided by the City. Thirteen (13) months following the first year of the exemption beginning and every year thereafter, the Owner/Taxpayer will complete and file the appropriate Annual Report required by the terms of their Final Certificate of Tax Exemption with the City's Planning and Economic Development Department. The Annual Report is a declaration verifying upon oath and indicating the following:

- (a) a statement of occupancy, use of the property/unit, income and rents for qualifying 12-year and 20-year and vacancy of the multi-family units during the previous year;
- (b) a certification that the property has not changed to a commercial use or been used as a transient (short-term rental) basis and, if applicable, that the property has been in compliance with the affordable housing income and rent requirements as described in SMC 8.15.090 since the date of the filing of the Final Certificate of Tax Exemption, and continues to be in compliance with this Agreement and the requirements of SMC Chapter 8.15;
- (c) for affordable multi-family housing units, information providing the household income, rent and utility cost, of each qualifying as low and moderate-income, which shall be reported on a form provided by the City and signed by the tenants; and
- (d) a description of any improvements or changes to the property made after the filing of the final certificate or last declaration.

9. The parties acknowledge that the units, including any owner-occupied units are to be used and occupied for multifamily permanent residential occupancy and use. The parties further acknowledge that the certificate of occupancy issued by the City is for multifamily residential units. The Owner/Taxpayer acknowledges and agrees that the units shall be used primarily for multi-family housing for permanent residential occupancy as defined in SMC 8.15.020 and RCW 84.14.010 and any business activities shall only be incidental and ancillary to the residential occupancy. Any units that are converted from multi-family housing for permanent residential occupancy shall be reported to the City of Spokane's Planning and Economic Development Department and the Spokane County Assessor's Office and removed from eligibility for the tax exemption within 60 days. If the removal of the ineligible unit or units causes the number of units to drop below the number of units required for tax exemption eligibility, the remaining units shall be removed from eligibility pursuant to state law.

10. To qualify for the twelve-year tax exemption, the Owner/Taxpayer will be required to rent or sell at least **25%** of the multiple family housing units as affordable housing units to low and moderate-income households and will ensure that the units within the 12-yr program are dispersed throughout the building and distributed proportionally among the buildings; not be clustered in certain sections of the building or stacked; comparable to market-rate units in terms of unit size and leasing terms; and are comparable to market-rate units in terms of

functionality and building amenities and access in addition to the other requirements set forth in the Agreement. The Owner/Taxpayer is further required to comply with the rental relocation assistance requirements set forth in RCW 84.14.020 (7) and (8) and in SMC 8.15.090 (D).

11. The Owner/Taxpayer will have the right to assign its rights under this Agreement. The Owner/Taxpayer agrees to notify the City promptly of any transfer of Owner/Taxpayer's ownership interest in the Site or in the improvements made to the Site under this Agreement.

12. The City reserves the right to cancel the Final Certificate of Tax Exemption should the Owner/Taxpayer, its successors and assigns, fail to comply with any of the terms and conditions of this Agreement or of SMC Chapter 8.15.

13. No modifications of this Conditional Agreement shall be made unless mutually agreed upon by the parties in writing.

14. The Owner/Taxpayer acknowledges its awareness of the potential tax liability involved if and when the property ceases to be eligible for the incentive provided pursuant to this agreement. Such liability may include additional real property tax, penalties and interest imposed pursuant to RCW 84.14.110. The Owner/Taxpayer further acknowledges its awareness and understanding of the process implemented by the Spokane County Assessor's Office for the appraisal and assessment of property taxes. The Owner/Taxpayer agrees that the City is not responsible for the property value assessment imposed by Spokane County at any time during the exemption period.

15. In the event that any term or clause of this Conditional Agreement conflicts with applicable law, such conflict shall not affect other terms of this Agreement, which can be given effect without the conflicting term or clause, and to this end, the terms of this Conditional Agreement are declared to be severable.

16. The parties agree that this Conditional Agreement, requires the applicant to file an application for the Final Certificate of Tax Exemption post the construction of the multiple family residential housing units referenced above and that the Final Certificate of Tax Exemption shall be subject to the applicable provisions of Chapter 84.14 RCW and Chapter 8.15 SMC that exist at the time this agreement is signed by the parties. The parties may agree to amend this Conditional Agreement requirements as set forth when the applicant applies for the Final Certificate of Tax Exemption based upon applicable amendments and additions to Chapter 84.14 RCW or Chapter 8.15 SMC if the requirements change between the issuance of the Conditional Agreement and the Application for Final Tax Exemption has been submitted.

17. Nothing in this Agreement shall permit or be interpreted to permit either party to violate any provision of Chapter 84.14 RCW or Chapter 8.15 SMC

18 This Agreement is subject to approval by the City Council.

DATED this _____ day of _____ 20 _____

CITY OF SPOKANE
LLC

LTR REAL ESTATE INVESTMENTS,

By:

By:

Mayor, Nadine Woodward

Its:

Attest:

Approved as to form:

City Clerk

Assistant City Attorney



Agenda Sheet for City Council Meeting of:

07/24/2023

Date Rec'd	7/11/2023
Clerk's File #	OPR 2021-0722
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	PAID THRU CLAIMS

Submitting Dept	CITY ATTORNEY
Contact Name/Phone	LYNDEN SMITHSON 6283
Contact E-Mail	LSMITHSON@SPOKANECITY.ORG
Agenda Item Type	Contract Item
Agenda Item Name	0500 OUTSIDE COUNSEL CONTRACT AMENDMENT

Agenda Wording

Contract amendment with Summit Law Group in an action brought by Michael Bacon, et. al. v. City of Spokane, et. al., to prevent the enforcement of the vaccine mandate.

Summary (Background)

Additional funds are required. Specifically, we request an additional \$50,000 for a contract total of \$205,000.00.

Lease? NO Grant related? NO Public Works? NO

Fiscal Impact

Expense	\$ 50,000
Select	\$
Select	\$
Select	\$

Budget Account

From Claims
#
#
#

Approvals

Dept Head	PICCOLO, MIKE
Division Director	
Finance	BUSTOS, KIM
Legal	HARRINGTON, MARGARET
For the Mayor	JONES, GARRETT

Council Notifications

Study Session\Other	7/10/23 Committee Meeting
Council Sponsor	Council Member Karen Stratton

Distribution List

bethk@summitlaw.com
nodle@spokanecity.org
sdhansen@spokanecity.org
ahaile@spokanecity.org
James.Scott@davies-group.com
jlargent@spokanecity.org, shenry@spokanecity.org

Additional Approvals

Purchasing	



City of Spokane
CONTRACT AMENDMENT
Title: **OUTSIDE COUNSEL CONTRACT**

THIS CONTRACT AMENDMENT is between the **CITY OF SPOKANE**, a Washington State municipal corporation, as ("City"), and **SUMMIT LAW GROUP**, whose address is 315 5th Avenue South, Suite #1000, Seattle, Washington 98104, as ("Firm"), individually a "party", and together referenced as the "parties".

WHEREAS, the parties entered into a Contract wherein the Firm agreed to act as Outside Special Counsel providing legal services and advice to the City regarding the lawsuit of Michael Bacon, et. al. v. City of Spokane, et. al.; and

WHEREAS, additional funds are necessary, thus the original Contract needs to be formally Amended by this written document; and

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

1. CONTRACT DOCUMENTS.

The Contract dated October 29, 2021 and November 8, 2021, any previous amendments 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 DATE.

This Contract Amendment shall become effective on May 1, 2023.

3. COMPENSATION.

The City shall pay an additional amount not to exceed **FIFTY THOUSAND AND NO/100 DOLLARS (\$50,000.00)**, for everything furnished and done under this Contract Amendment. The total amount under the original contract, all previous amendments and this Amendment is **TWO HUNDRED FIVE THOUSAND AND NO/100 DOLLARS (\$205,000.00)**.

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 Amendment by having legally-binding representatives affix their signatures below.

SUMMIT LAW GROUP

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



Agenda Sheet for City Council Meeting of:

07/24/2023

Date Rec'd	7/12/2023
Clerk's File #	OPR 2023-0699
Renews #	
Cross Ref #	OPR 2023-0700
Cross Ref #	OPR 2022-0580
Bid #	
Requisition #	

Submitting Dept	WASTEWATER MANAGEMENT
Contact Name/Phone	TREY GEORGE 625-7908
Contact E-Mail	JGEORGE@SPOKANECITY.ORG
Agenda Item Type	Contract Item
Agenda Item Name	4310 WASTEWATER MOU'S FOR TAPE PROJECT COST SHARING

Agenda Wording
 MOU's for cost sharing of 1) grant award match component (OPR 2023-0699) and 2) direct costs to perform cooperative Bioretention Soil Media TAPE Project and Effectiveness Study (OPR 2023-0700)

Summary (Background)
 Grant application WQC-2023-Spokane-00120 for a TAPE Project, titled Bioretention Soil Media Study: Development of Non-Vegatated BMPs, was awarded to the City of Spokane July 1, 2022. Additionally, the Eastern Washington Phase II Stormwater Permit requires the performance of an Effectiveness Study, which is planned to be performed in concert with the TAPE Project. The project and study will be administered cooperatively by the City of Spokane Valley, Spokane County and the City of Spokane.

Lease? NO	Grant related? YES	Public Works? YES
Fiscal Impact		Budget Account
Expense \$ 33,678		# 4330-43354-35148-54201-99999
Expense \$ 33,333		# 4330-43354-35148-54201-99999
Select \$		#
Select \$		#

Approvals		Council Notifications	
Dept Head	GENNETT, RAYLENE	Study Session\Other	PIES 6/26/2023
Division Director	FEIST, MARLENE	Council Sponsor	CM Kinnear
Finance	MURRAY, MICHELLE	Distribution List	
Legal	HARRINGTON, MARGARET	sspence@spokanecity.org	
For the Mayor	JONES, GARRETT	jgeorge@spokanecity.org	
Additional Approvals		lmartelle@spokanecity.org	
Purchasing		Tax & Licenses	
ACCOUNTING - GRANTS	MURRAY, MICHELLE	kbrooks@spokanecity.org	

Committee Agenda Sheet

Select Committee Name

Submitting Department	Wastewater Management
Contact Name	Trey George
Contact Email & Phone	jgeorge@spokanecity.org
Council Sponsor(s)	Council Member Kinnear
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	MOU for Cost sharing for match component of Cooperative Bioretention Soil Media TAPE Project
Summary (Background) *use the Fiscal Impact box below for relevant financial information	<p>Grant application WQC-2023-Spokane-00120 for a TAPE Project, titled Bioretention Soil Media Study: Development of Non-Vegetated BMPs, was awarded to the City of Spokane July 1, 2022. The project and will be administered cooperatively by Spokane County, City of Spokane Valley, and City of Spokane (Lead Entity), and will be performed by a consultant to be determined.</p> <p>The focus of the proposed project is to evaluate the effectiveness of the two engineered soils to determine if they can achieve treatment performance criteria without surface vegetation. Results from this project will be used to support the development of a modified bioretention best management practice that is approved for general use for stormwater treatment. Implementation of this technology as an approved stormwater treatment method will allow stormwater facilities to eliminate turf grass as a surface treatment, and support the City's water conservation goals while continuing to provide the treatment that is necessary for stormwater runoff.</p> <p>The TAPE Project grant award for \$300,000 of reimbursable costs requires a 25% match, with total estimated project costs of \$400,000 to be split equally by each cooperative partner. The contract with Ecology for the grant funding is anticipated to be issued by July 2023.</p> <p>An RFQu was published in May 2023 to receive bids to perform the TAPE Project and Effectiveness study. A draft MOU for the TAPE Project were signed by Spokane County and the City of Spokane Valley January 2023. The draft MOU is ready to be approved and finalized by the City of Spokane, and upon selection of a consultant and issuance of the grant contract with Ecology, the TAPE Project will be ready to commence.</p>
Proposed Council Action	Provide consent for the TAPE Project MOU for finalization by City of Spokane leadership
Fiscal Impact Total Cost: Click or tap here to enter text. Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring	

Specify funding source: [Click or tap here to enter text.](#)

Expense Occurrence One-time Recurring

Other budget impacts: There is a 25% Match requirement of total project costs of up to \$100,000, which will be split equally by the three partnering jurisdictions. Total project match costs for the City of Spokane are 1/3 of \$100,000 (\$33,000) over the course of 3 years.

Operations Impacts (If N/A, please give a brief description as to why)

What impacts would the proposal have on historically excluded communities?

N/A – This is a grant funded research project to determine if vegetation is necessary for a swale to function. The outcome of the study will be applicable all swales everywhere.

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A – See above comment.

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Data will collected per the TAPE program requirements to ensure appropriate QA/QC is occurring to validate data that is generated.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This project aligns with the goals of the City of Spokane Water Conservation Plan in that the results may demonstrate that vegetation is unnecessary to provide adequate treatment to stormwater, thereby eliminating the need for irrigation.

City Clerk No. OPR 2023-0699

Spokane County No. _____

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (MOU) is between the CITY OF SPOKANE, a Washington State municipal corporation, as "City", SPOKANE COUNTY, whose address is 1116 West Broadway Avenue, Spokane, Washington 99260, as "County", and CITY OF SPOKANE VALLEY, a Washington State municipal corporation, whose address is 10210 E. Sprague Ave., Spokane Valley, Washington, 99206, as "Valley" , and collectively referred to, along with the City, as the "Parties."

WHEREAS, the City, County, and Valley are each independent permittees of the Eastern Washington Phase II Municipal Stormwater Permit (permit), issued by Washington State Department of Ecology (Ecology); and

WHEREAS, Section S8.A.2 of the permit requires permittees to coordinate with other permittees to plan and begin a Stormwater Management Program Effectiveness Study by serving as the Lead Entity, or as a Participant that contributes staff time, in-kind services, and/or funding; and

WHEREAS, the City, County, and Valley have agreed to cooperatively perform a study to evaluate the seasonal variability of stormwater treatment efficacies in non-vegetated bioretention cells in order to satisfy the conditions of Section S8.A.2 of the permit; and

WHEREAS, as Lead Entity of the Study, the City independently submitted to Ecology the Detailed Study Design Proposal titled Non-Vegetated Bioretention Study: An Evaluation of Stormwater Treatment of in Variable Seasonal Conditions ("Study"), see Attachment "A"; and.

WHEREAS, as Participant of the Study, the County independently submitted to Ecology the Detailed Study Design Proposal titled Non-Vegetated Bioretention Study: An Evaluation of Stormwater Treatment of in Variable Seasonal Conditions, see Attachment "A"; and

WHEREAS, as Participant of the Study, the Valley independently submitted to Ecology the Detailed Study Design Proposal titled Non-Vegetated Bioretention Study: An Evaluation of Stormwater Treatment of in Variable Seasonal Conditions, see Attachment "A"; and

WHEREAS, a qualified consultant with appropriate expertise specific to the components of

the study design will be contracted to implement the Study; and

WHEREAS, as the Lead Entity of the project the City will initiate a contract with a qualified consultant to implement the Study following the City’s procurement process; and

WHEREAS, the City will be responsible for one third of the costs to perform the Study to include equipment, materials, and consulting fees; and

WHEREAS, the County will be responsible for one third of the costs to perform the Study to include equipment, materials, and consulting fees; and

WHEREAS, the Valley will be responsible for one third of the costs to perform the Study to include equipment, materials, and consulting fees; and

WHEREAS, the Parties desire to execute a Memorandum of Understanding (MOU) that clarifies the funding and contracting responsibilities of the Parties.

NOW, THEREFORE:

The Parties agree as follows:

1. PURPOSE.

The purpose of this MOU is to formalize the arrangement between the Parties for the implementation of the Detailed Study Design Proposal titled Non-Vegetated Bioretention Study: An Evaluation of Stormwater Treatment of in Variable Seasonal Conditions (“Study”), Attachment A, with the City as the Lead Entity, the County as a Participant, and the Valley as a Participant.

2. RESPONSIBILITIES.

A. The City shall:

Provide oversight for a contracted consultant to be responsible to maintain Study records; develop Study documentation and coordinate reviews, perform stormwater monitoring at the Study site, and develop annual reports, a final Technical Evaluation Report, and a Fact Sheet for the Study as defined in the Detailed Design Proposal.

Provide feedback, from a practitioner’s perspective, on the Study design and objectives, review the data as it becomes available, and review all documents prior to submission to Ecology.

Submit payment for the invoices submitted to the City by the contracted consultant for the cost

of the Study.

Provide the County and the Valley copies of each invoice received from the contracted consultant.

B. The County Shall:

Provide feedback, from a practitioner’s perspective, on the Study design and objectives, review the data as it becomes available, and review all documents prior to submission to Ecology.

Within 30 days of receiving copies of the invoices received by the contracted consultant for the Study, the County will submit payment to the City for one third (1/3) of each invoice.

The County shall submit payments to: LaVonne Martelle , Accounting Department, 808 W Spokane Falls Blvd. Spokane, WA 99201; with a copy to Kevan Brooks, Accounting Department, 808 W. Spokane Falls Blvd. Spokane, WA 99201.

C. The Valley Shall:

Provide feedback, from a practitioner’s perspective, on the Study design and objectives, review the data as it becomes available, and review all documents prior to submission to Ecology.

Within 30 days of receiving copies of the invoices received by the contracted consultant for the Study, the Valley will submit payment to the City for one third of each invoice.

The Valley shall submit payments to: LaVonne Martelle , Accounting Department, 808 i. Spokane Falls Blvd. Spokane, WA 99201; with a copy to Kevan Brooks, Accounting Department, 808 W. Spokane Falls Blvd. Spokane, WA 99201.

3. COMPENSATION

The City shall make payments for invoices for the Study to the contracted consultant. The County shall reimburse one third (33.3%) of the amount of each invoice. The Valley shall reimburse one third (33.3%) of the amount of each invoice.

The resulting distribution of costs and funding sources is therefore as follows

Funding Source for Services	Portion
City of Spokane, Wastewater Management Department	33.3%

Spokane County, Stormwater Utility	33.3%
City of Spokane Valley, Stormwater Utility	33.3%

Payments to the Consultant over this term shall not exceed One Hundred Thousand and Thirty-Five Dollars (\$101,035), unless the Parties agree, in writing, to an increase in the total amount.

Payments to the City by the County over the term of this MOU shall not exceed Thirty-Three Thousand Six Hundred Seventy-Eight Dollars (\$33,678), unless an increase in the total of payments is mutually agreed by the Parties in writing.

Payments to the City by the Valley over the term of this MOU shall not exceed Thirty-Three Thousand Six Hundred Seventy-Eight Dollars (\$33,678), unless an increase in the total of payments is mutually agreed by the Parties in writing.

4. TERM.

The term of this MOU shall be January 1, 2023 to January 1, 2027. The parties may extend the term of the MOU by mutual written agreement.

5. 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 MOU because of age, sex, race, color, religion, creed, marital status, familial status, sexual orientation, 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.

6. ANTI-KICKBACK.

No officer or employee of the City, County, or Valley having the power or duty to perform an official act or action related to this MOU shall have or acquire any interest in the MOU, 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 MOU.

7. NOTICES.

Any notice(s) under this MOU shall be in writing and either personally served or sent by certified mail, return receipt required, to the following persons:

City: Mayor
City of Spokane
808 West Spokane Falls Boulevard, 7th Floor,
Spokane, Washington 99201

Copy to: Spokane City Attorney's Office
808 West Spokane Falls Boulevard, 5th Floor,
Spokane, Washington 99201

County: Spokane County Commissioners Office
1116 West Broadway Avenue,
Spokane, Washington 99260

Valley: Spokane Valley City Attorney's Office
10210 E. Sprague Ave.,
Spokane Valley, WA 99206

8. WAIVER.

Failure by the City, County, and/or Valley to enforce every term and condition of this MOU shall not be considered a waiver of any portion of this MOU; and the Parties reserve the right to enforce every provision to the fullest extent at any time.

9. AMENDMENTS.

This MOU may be amended or modified at any time by mutual written agreement of the Parties. Any amendment or modification shall be in writing and signed by the Parties with the same formalities as this document.

10. SEVERABILITY.

If any portion of this MOU should become invalid or unenforceable, the remainder of the document shall remain in full force and effect.

11. RCW 39.34 REQUIRED CLAUSES.

A. Purposes: See Section No. 1 above.

- B. Duration: See Section No. 4 above.
- C. Organization of Separate Legal Entity: This MOU does not create, nor seek to create, a separate legal entity pursuant to RCW 39.34.030.
- D. Responsibilities of the Parties: See provisions above.
- E. MOU to be Filed: The CITY shall file this MOU with its City Clerk. The COUNTY shall file this MOU with its County Auditor or place it on its web site or other electronically retrievable public source. The VALLEY shall file this MOU with its City Clerk.
- F. Financing: Each Party shall be responsible for the financing of its contractual obligations under its normal budgetary process.
- G. Termination: This MOU can be terminated in accordance with Section 4 above.
- H. Property Upon Termination: All property acquired during the term of this MOU will remain the property of the entity whom was responsible for payment. In the case of mutual contribution towards property purchase, one entity may buy out the other contributing entity at current fair market value of the property.

Dated on: _____

CITY OF SPOKANE

By: _____

Title: _____

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Dated on: _____

CITY OF SPOKANE VALLEY

John Hohman
City Manager

Attest:

Approved as to form:

Christine Bainbridge
City Clerk

Cary P. Driskell
City Attorney

Dated on: _____

SPOKANE COUNTY

Kyle Twohig
Senior Director for Public Works

Attest:


Approved as to form:

Ginna Vasquez
Clerk of the Board

Matthew Cozza
Deputy Prosecuting Attorney

ATTACHMENT A

ATTACHMENT A

 Agenda Sheet for City Council Meeting of: 08/15/2022		Date Rec'd	8/3/2022
		Clerk's File #	OPR 2022-0580
		Renews #	
Submitting Dept	WASTEWATER MANAGEMENT	Cross Ref #	
Contact Name/Phone	TREY GEORGE 625-7908	Project #	
Contact E-Mail	JGEORGE@SPOKANECITY.ORG	Bid #	
Agenda Item Type	Contract Item	Requisition #	
Agenda Item Name	4330 - SFAP GRANT FUNDING FOR BIORETENTION SOIL MEDIA STUDY		
Agenda Wording			
Request to accept grant funding in the amount of \$300,000 with a 25% match requirement to perform a stormwater study per the Ecology TAPE program in partnership with Spokane County and the City of Spokane Valley.			
Summary (Background)			
This Stormwater Financial Assistance Program (SFAP) grant is offered to the City as Lead Entity for a cooperative effort with Spokane County and City of Spokane Valley to perform a stormwater treatment soil study. Grant match costs will be split equally by the partners under an MOU. The grant application was presented to committee in September 2021 and submitted in October 2021. Ecology offered the grant in July 2022 and committee was presented the grant offer for consent on July 25, 2022.			
Lease? NO	Grant related? YES	Public Works? NO	
Fiscal Impact		Budget Account	
Revenue	\$ 300,000.00	#	4330-98817-99999-33431-99999
Select	\$	#	
Select	\$	#	
Select	\$	#	
Approvals		Council Notifications	
Dept Head	LOWDON, MICHAEL	Study Session\Other	PIES 7/25/2022
Division Director	FEIST, MARLENE	Council Sponsor	CM KINNEAR
Finance	ALBIN-MOORE, ANGELA	Distribution List	
Legal	PICCOLO, MIKE	jgeorge@spokanecity.org	
For the Mayor	ORMSBY, MICHAEL	rgennett@spokanecity.org	
Additional Approvals		mlowdon@spokanecity.org	
Purchasing		seweraccounting@spokanecity.org	
GRANTS, CONTRACTS & PURCHASING	MURRAY, MICHELLE	sjohnson@spokanecity.org	

Committee Agenda Sheet

[COMMITTEE]

Submitting Department	Wastewater Management – Sewer Maintenance
Contact Name & Phone	Trey George – 509-625-7908
Contact Email	jgeorge@spokanecity.org
Council Sponsor(s)	Lori Kinear
Select Agenda Item Type	X Consent <input type="checkbox"/> Discussion Time Requested: <u> 0 </u> min
Agenda Item Name	Consent to accept WQC-2023-Spokane-00120 grant offer
Summary (Background)	<p>An application for a water quality grant to cooperatively perform with the Spokane County and the City of Spokane Valley, a TAPE study titled Bioretention Soil Media Study: Development of Non-Vegetated BMPs. The City of Spokane was identified as the Lead Entity in the application. The PIES Committee provided consent for the application on September 27, 2021, and the grant application was submitted to Ecology in October 2021.</p> <p>The funding offer by Ecology for grant application number WQC-2023-Spokane-00120 has been received for \$300,000 of reimbursable costs, which require a 25% match, where total estimated project costs are \$400,000. One third of up to \$100,000 (\$33,000), will be the estimated costs for Spokane County, City of Spokane Valley, and City of Spokane to cooperatively perform the TAPE study.</p> <p>The project proposed to study the treatment efficacy of swales with engineered soils, but no vegetative cover, for the removal of aqueous metals and nutrients such as phosphorous. The focus of the proposed study is to evaluate the effectiveness of the two engineered soils to determine if they can achieve the TAPE treatment performance criteria without vegetation. Results from this study will be used to support the development of a modified bioretention best management practice that is approved for general use for stormwater treatment. Implementation of this technology as an approved stormwater treatment method will allow stormwater facilities to eliminate turf grass as a surface treatment, and support the City’s water conservation goals while continuing to provide treatment that is necessary for stormwater runoff.</p>
Proposed Council Action & Date:	PIES on July 25, 2022 City Council on August 1, 2022
Fiscal Impact:	<p>Total Cost:</p> <p>Approved in current year budget? X Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Funding Source X One-time <input type="checkbox"/> Recurring</p> <p>Specify funding source: Utility rates for 25%, Ecology for 75%</p> <p>Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring</p> <p>Other budget impacts: (revenue generating, match requirements, etc.) 25% match, 75% grant</p>
Operations Impacts	

What impacts would the proposal have on historically excluded communities?

No impact

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

No applicable

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

The Department of Ecology TAPE program has a rigorous QA/QC program that requires thorough plans to be submitted for Ecology approval, and regular status updates to ensure the projects stay on course.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This project will provide another tool to manage stormwater that will also support water conservation goals.



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600, Olympia, WA 98504-7600 • 360-407-6000

July 1, 2022

James George
City of Spokane
909 E. Sprague Ave.
Spokane, Washington 99202

jgeorge@spokanecity.org

**Re: Bioretention Soil Media Study: Development of Non-Vegetated BMPs,
WQC-2023-Spokane-00120
*State Fiscal Year 2023 Final Water Quality Funding Offer List and Intended Use Plan***

Thank you for your time and effort in applying to Ecology for funding for your water quality project in the State Fiscal Year 2023 (SFY23) Funding Cycle. I am pleased to inform you that your project has been selected for funding. Please review the following information closely for more details.

On June 30, 2022, Ecology published the [SFY23 Final Water Quality Funding Offer List and Intended Use Plan](#)¹⁶⁷ (Final List). The Final List describes the projects and funding for the SFY23 Funding Cycle from the Centennial Clean Water Program (Centennial), the Clean Water Act Section 319 Nonpoint Source Fund (Section 319), the Stormwater Financial Assistance Program (SFAP), the Clean Water State Revolving Fund (CWSRF), and new federal funding provided to the CWSRF through the Bipartisan Infrastructure Law (BIL).

On November 15, 2021, President Joe Biden signed the Infrastructure Investment and Jobs Act (IIJA), also known as the Bipartisan Infrastructure Law (BIL), which Ecology estimates could provide nearly \$200 million in new funding to Washington's CWSRF over the next five years. For this SFY 2023 Final List, Washington's CWSRF has been allocated a total of \$31 million in BIL funds, awarded as part of the CWSRF, and focused on supporting small financially disadvantaged community projects.

Ecology evaluated 124 applications from local governments, tribes, conservation districts, other

¹⁶⁷ <https://apps.ecology.wa.gov/publications/documents/>

public entities, and qualified not-for-profit organizations. Funding requests totaled approximately \$413 million. To ensure funds are committed to the highest priority projects, Ecology water quality specialists evaluated and scored all eligible project proposals. Scores were compiled, and a statewide priority list was developed. Projects proposed for funding are based upon the priority list, the type of project, and the funding source.

After rating and ranking all eligible proposed projects and providing support for three additional small financially disadvantaged community phased projects, Ecology offered approximately \$317 million to 124 projects. Detailed information on all proposals received and offered funding can be found in Appendix 1 in the Final List.

A record of scores and evaluator comments are provided in the Evaluation Scorecard Report available through Ecology's Administration of Grants and Loans (EAGL) system. Applicants are strongly encouraged to review the report, as it will help applicants understand the strengths and weaknesses of their application. In addition, reviewing the report will help applicants become aware of any concerns about unclear costs or tasks and/or possible ineligible components; unclear costs or tasks and/or ineligible components may significantly delay the development of a funding agreement. To obtain the Evaluation Scorecard Report, follow these steps.

- Go into your application in EAGL.
- While in the Application Menu, click "View Forms" in the "View, Edit and Complete Forms" section.
- Scroll down the list of forms to near the bottom.
- Click on "Evaluation Scorecard (External)" in the "Screening/Evaluation/Offer" section.
- Follow the prompts for opening or saving a PDF copy of the report.

I am pleased to inform you that your project is being offered funding of up to \$300,000, including:

- A \$0 from CWSRF for a term of N/A years at a N/A percent interest rate.
- A \$0 Forgivable Principal loan from CWSRF that will not be required to be repaid.
- A \$300,000 grant from SFAP.
- A \$0 grant from Centennial.
- A \$0 grant from Section 319.

The final funding amount awarded for your project will be based on negotiations between you and Ecology regarding the project scope of work, budget, technical considerations, reasonableness of cost, and eligibility determinations.

Based on your application, project type, and fund source, various conditions of funding will

apply; these will be addressed during the agreement negotiation process. For information on conditions that may apply, please see Ecology's [SFY23 Funding Guidelines](#)¹⁶⁸ and the footnotes assigned to your project in Appendix 1 in the Final List.

All projects require cultural resources review, and most projects require environmental review. Please be aware of the requirements for your project, and implement the project schedule accordingly. If you have specific questions, please contact Environmental and Cultural Resource Coordinator, Liz Ellis, at liz.ellis@ecy.wa.gov or (360) 628-4410 or Seth Elsen, at seth.elsen@ecy.wa.gov, (564) 999-1177.

Ecology is committed to negotiating and signing a funding agreement no later than January 31, 2023. To meet this timeline and ensure timely use of limited state and federal funds, it is essential that negotiations and funding agreement development begin as soon as possible. Please see the typical negotiation timeline on the last page of this letter.

Ecology assigned the following Grant and Loan Project Management Team for your project:

Annie Simpson	ERO	Ecology Project Manager	(509) 413-7096
Michelle Myers	Headquarters Office, Lacey	Ecology Financial Manager	(360) 628-4067

Ecology's Project Manager or Financial Manager will contact you soon to schedule agreement negotiations.

Ecology appreciates your commitment to improving Washington's water quality and looks forward to working with you to complete this high priority project.

If you have any questions or concerns regarding the water quality funding programs, please contact Jeff Nejedly, Water Quality Financial Management Section Manager, at jeffrey.nejedly@ecy.wa.gov or (360) 407-6572.

Sincerely,

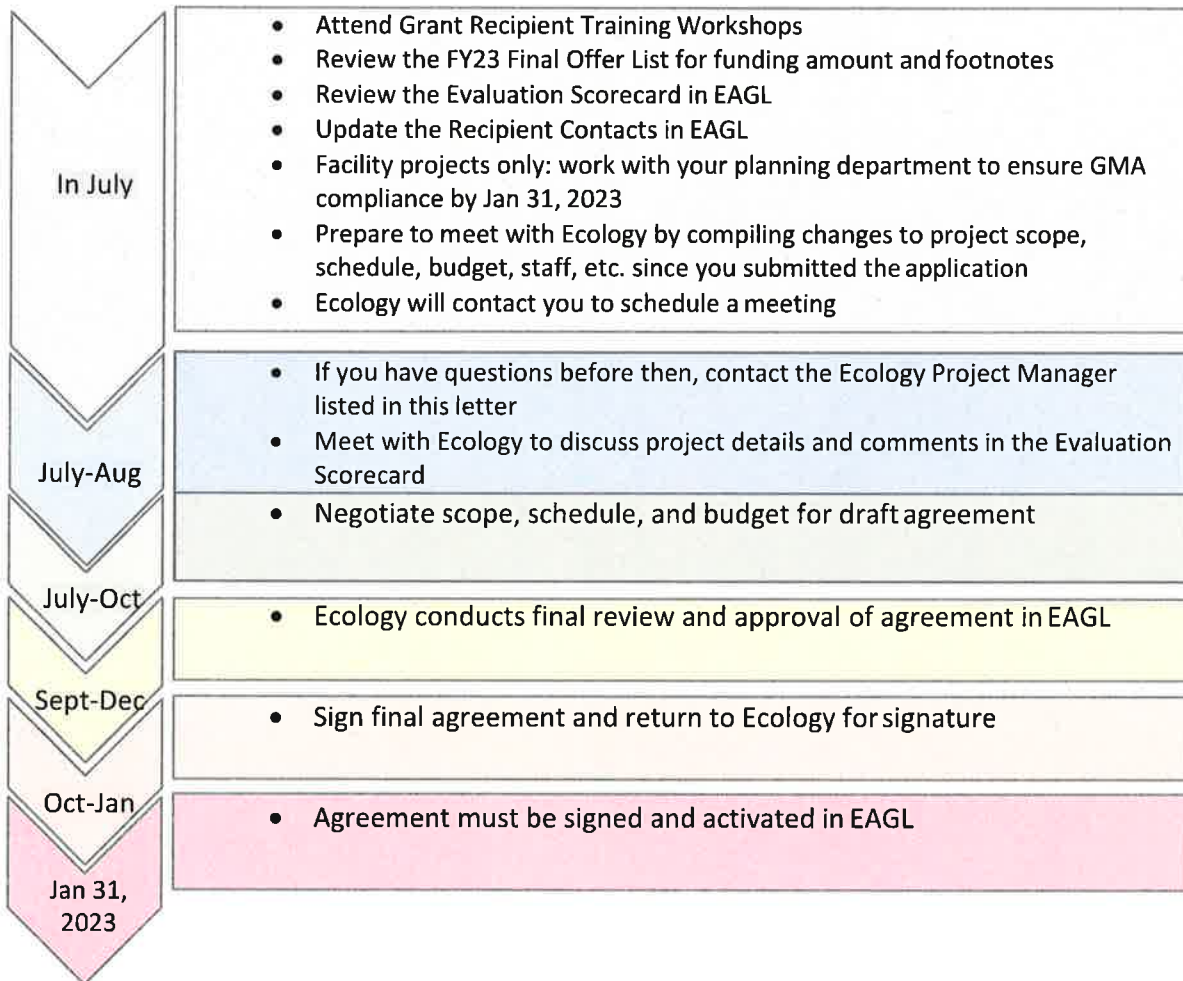


On behalf of

Vincent McGowan, P.E.
Water Quality
Program Manager

¹⁶⁸ <https://apps.ecology.wa.gov/publications/documents/2110028.pdf>

My project has been offered funds. What are my next steps?



Simpler projects may be through the process faster and more complex projects may take until Jan 2023.



Agenda Sheet for City Council Meeting of:

07/24/2023

Date Rec'd	7/12/2023
Clerk's File #	OPR 2023-0700
Renews #	
Cross Ref #	OPR 2023-0699
Cross Ref #	OPR 2022-0580
Bid #	
Requisition #	

Submitting Dept	WASTEWATER MANAGEMENT
Contact Name/Phone	TREY GEORGE 625-7908
Contact E-Mail	JGEORGE@SPOKANECITY.ORG
Agenda Item Type	Contract Item
Agenda Item Name	4310 WASTEWATER MOU'S FOR TAPE PROJECT COST SHARING

Agenda Wording

MOU's for cost sharing of 1) grant award match component (OPR 2023-0699) and 2) direct costs to perform cooperative Bioretention Soil Media TAPE Project and Effectiveness Study (OPR 2023-0700)

Summary (Background)

Grant application WQC-2023-Spokane-00120 for a TAPE Project, titled Bioretention Soil Media Study: Development of Non-Vegatated BMPs, was awarded to the City of Spokane July 1, 2022. Additionally, the Eastern Washington Phase II Stormwater Permit requires the performance of an Effectiveness Study, which is planned to be performed in concert with the TAPE Project. The project and study will be administered cooperatively by the City of Spokane Valley, Spokane County and the City of Spokane.

Lease? NO Grant related? YES Public Works? YES

Fiscal Impact

Expense	\$ 33,678
Expense	\$ 33,333
Select	\$
Select	\$

Budget Account

4330-43354-35148-54201-99999
4330-43354-35148-54201-99999
#
#

Approvals

Dept Head	GENNETT, RAYLENE
Division Director	FEIST, MARLENE
Finance	MURRAY, MICHELLE
Legal	HARRINGTON, MARGARET
For the Mayor	JONES, GARRETT
Additional Approvals	
Purchasing	
ACCOUNTING - GRANTS	MURRAY, MICHELLE

Council Notifications

Study Session\Other	PIES 6/26/2023
Council Sponsor	CM Kinnear
Distribution List	sspence@spokanecity.org
	jgeorge@spokanecity.org
	lmartelle@spokanecity.org
	Tax & Licenses
	kbrooks@spokanecity.org

Committee Agenda Sheet

Select Committee Name

Submitting Department	Wastewater Management
Contact Name	Trey George
Contact Email & Phone	jgeorge@spokanecity.org
Council Sponsor(s)	Council Member Kinnear
Select Agenda Item Type	<input checked="" type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	MOU for Cost sharing for match component of Cooperative Bioretention Soil Media TAPE Project
Summary (Background) *use the Fiscal Impact box below for relevant financial information	<p>Grant application WQC-2023-Spokane-00120 for a TAPE Project, titled Bioretention Soil Media Study: Development of Non-Vegetated BMPs, was awarded to the City of Spokane July 1, 2022. The project and will be administered cooperatively by Spokane County, City of Spokane Valley, and City of Spokane (Lead Entity), and will be performed by a consultant to be determined.</p> <p>The focus of the proposed project is to evaluate the effectiveness of the two engineered soils to determine if they can achieve treatment performance criteria without surface vegetation. Results from this project will be used to support the development of a modified bioretention best management practice that is approved for general use for stormwater treatment. Implementation of this technology as an approved stormwater treatment method will allow stormwater facilities to eliminate turf grass as a surface treatment, and support the City's water conservation goals while continuing to provide the treatment that is necessary for stormwater runoff.</p> <p>The TAPE Project grant award for \$300,000 of reimbursable costs requires a 25% match, with total estimated project costs of \$400,000 to be split equally by each cooperative partner. The contract with Ecology for the grant funding is anticipated to be issued by July 2023.</p> <p>An RFQu was published in May 2023 to receive bids to perform the TAPE Project and Effectiveness study. A draft MOU for the TAPE Project were signed by Spokane County and the City of Spokane Valley January 2023. The draft MOU is ready to be approved and finalized by the City of Spokane, and upon selection of a consultant and issuance of the grant contract with Ecology, the TAPE Project will be ready to commence.</p>
Proposed Council Action	Provide consent for the TAPE Project MOU for finalization by City of Spokane leadership
Fiscal Impact Total Cost: Click or tap here to enter text. Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring	

Specify funding source: [Click or tap here to enter text.](#)

Expense Occurrence One-time Recurring

Other budget impacts: There is a 25% Match requirement of total project costs of up to \$100,000, which will be split equally by the three partnering jurisdictions. Total project match costs for the City of Spokane are 1/3 of \$100,000 (\$33,000) over the course of 3 years.

Operations Impacts (If N/A, please give a brief description as to why)

What impacts would the proposal have on historically excluded communities?

N/A – This is a grant funded research project to determine if vegetation is necessary for a swale to function. The outcome of the study will be applicable all swales everywhere.

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

N/A – See above comment.

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Data will collected per the TAPE program requirements to ensure appropriate QA/QC is occurring to validate data that is generated.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This project aligns with the goals of the City of Spokane Water Conservation Plan in that the results may demonstrate that vegetation is unnecessary to provide adequate treatment to stormwater, thereby eliminating the need for irrigation.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON

IN THE MATTER OF AUTHORIZING THE)
PUBLIC WORKS DIRECTOR TO SIGN A)
MEMORANDUM OF UNDERSTANDING)
("MOU") BETWEEN THE CITY OF SPOKANE)
VALLEY ("VALLEY") AND THE CITY OF)
SPOKANE ("CITY") AND SPOKANE COUNTY)
TO FORMALIZE THE AGREEMENT OF THE)
PARTIES FOR UTILIZATION OF THE)
STORMWATER FINANCIAL ASSISTANCE)
PROGRAM WATER QUALITY GRANT)

RESOLUTION

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

WHEREAS, the City was awarded a Stormwater Financial Assistance Program Water Quality Grant, No. WQC-2023-Spokane-00120, by the Washington State Department of Ecology to provide partial funding equal to seventy five percent of the cost to perform a Technology Assessment Protocol – Ecology (TAPE) Project entitled Bioretention Soil Media Study: Development of Non-Vegetated BMPs; and

WHEREAS, the City, the Valley, and the County have agreed to cooperatively apply for the Grant and perform the Project; and

WHEREAS, a qualified consultant with appropriate expertise specific to the components of the Project will be contracted to implement the Project; and

WHEREAS, as the Lead Entity of the Project, the City will manage the Grant and initiate a contract with a qualified consultant to implement the Project following the City's procurement process; and

WHEREAS, the Grant requires the recipient(s) to fund twenty five percent of the cost to perform the Project to include equipment, materials, and consulting fees; and

WHEREAS, the Parties have agreed to each be responsible for one-third of the match requirement to perform the Project; and

WHEREAS, the Parties desire to execute a Memorandum of Understanding (MOU) that outlines and clarifies the funding and contracting responsibilities of the Parties; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Spokane County that the Spokane County Public Works Director is authorized to execute on behalf of the County, at other than an open public meeting, the Memorandum of Understanding between the City of Spokane Valley, the City of Spokane and Spokane County regarding the utilization of the Stormwater Financial Assistance Program Water Quality Grant (Grant No. WQC-2023-Spokane-00120) and any associated documents or amendments thereto.

PASSED AND ADOPTED this 14th day of March 2023.

BOARD OF COUNTY COMMISSIONERS
OF SPOKANE COUNTY, WASHINGTON



MARY L. KINNEY, Chair



JOSH KERNS, Vice-Chair



AL FRENCH, Commissioner




AMBER WALDREF, Commissioner



CHRIS JORDAN, Commissioner



ATTEST:



Ginna Vasquez
Clerk of the Board

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (MOU) is between the CITY OF SPOKANE, a Washington State municipal corporation, as "City", SPOKANE COUNTY, whose address is 1116 West Broadway Avenue, Spokane, Washington 99260, as "County", and CITY OF SPOKANE VALLEY, a Washington State municipal corporation, whose address is 10210 E. Sprague Ave., Spokane Valley, Washington, 99206, as "Valley", and collectively referred to, along with the City, as the "Parties or Recipients."

WHEREAS, as Lead Entity of the Project to Test Stormwater Treatment Efficacies of two different bioretention soil medias ("Project"), and

WHEREAS, the City was awarded a Stormwater Financial Assistance Program Water Quality Grant, No. WQC-2023-Spokane-00120 ("Grant"), by the Washington State Department of Ecology ("Ecology") to provide partial funding equal to seventy five percent of the cost to perform a Technology Assessment Protocol – Ecology (TAPE) Project entitled Bioretention Soil Media Study: Development of Non-Vegetated BMPs, and

WHEREAS, the City, the Valley, and the County have agreed to cooperatively apply for the Grant and perform the Project, and

WHEREAS, a qualified consultant with appropriate expertise specific to the components of the Project will be contracted to implement the Project; and,

WHEREAS, as the Lead Entity of the Project, the City will manage the Grant and initiate a contract with a qualified consultant to implement the Project following the City's procurement process; and

WHEREAS, the Grant requires the recipient(s) to fund twenty five percent of the cost to perform the Project to include equipment, materials, and consulting fees, and

WHEREAS, the Parties have agreed to each be responsible for one-third of the match requirement to perform the Project, and

WHEREAS, the Parties desire to execute a Memorandum of Understanding (MOU) that outlines and clarifies the funding and contracting responsibilities of the Parties.

NOW, THEREFORE:

The Parties hereby agree as follows:

1. PURPOSE.

The purpose of this MOU is to formalize the agreement of the Parties for utilization of the Stormwater Financial Assistance Program Water Quality Grant (Grant No. WQC-2023-Spokane-00120), which was awarded to the City, as the Lead Entity of the Project, Attachment A.

2. RESPONSIBILITIES.

A. The City shall:

Provide oversight for a contracted consultant to be responsible to maintain Project records; submit requests for reimbursement and provide corresponding backup documentation; submit progress reports; submit the EAGL (Ecology Administration of Grants and Loans) recipient closeout report; and submit a two-page outcome summary report (including photos, if applicable).

Provide feedback, from a practitioner's perspective, on the Project design and objectives, review the data as it become available, and review all documents prior to submission to Ecology.

Submit payment for the invoices submitted to the City by the contracted consultant for the cost of the Project.

Submit reimbursement requests to Ecology on a quarterly basis for seventy five percent Grant- eligible City costs of the Project.

Submit the required financial and programmatic reports in the format specified in the Grant award.

Provide the County and the Valley with the proper progress reports, expense forms, and backup documentation in the format specified in the Grant award in order to facilitate the reimbursement of eligible costs of the twenty five percent match.

B. The County Shall:

Provide feedback, from a practitioner's perspective, on the Project design and objectives, review the data as it become available, and review all documents prior to

submission to Ecology.

Within 30 days of the City submitting payment for the invoices generated by the contracted consultant, the County will submit payment to the City for one third of twenty five percent of the invoice as an equal split of the 25% match requirement of the Grant.

The County shall submit payments to: LaVonne Martelle , Accounting Department, 808 W. Spokane Falls Blvd. Spokane, WA 99201; and, Kevan Brooks, Accounting Department, 808 W. Spokane Falls Blvd. Spokane, WA 99201.

C. The Valley Shall:

Provide feedback, from a practitioner’s perspective, on the Project design and objectives, review the data as it become available, and review all documents prior to submission to Ecology.

Within 30 days of the City submitting payment for the invoices generated by the contracted consultant, the Valley will submit payment to the City for one third of twenty five percent of the invoice as an equal split of the 25% match requirement of the Grant.

The Valley shall submit payments to: LaVonne Martelle , Accounting Department, 808 W. Spokane Falls Blvd. Spokane, WA 99201; and, Kevan Brooks, Accounting Department, 808 W. Spokane Falls Blvd. Spokane, WA 99201.

3. COMPENSATION

The City shall make payments of invoices to contracted consultant. The County shall reimburse one third of the twenty five percent match (8.33%). The Valley shall reimburse one third of the twenty five percent match (8.33%). The City shall submit the receipts of payment to consultant to Ecology for seventy five percent (75%) reimbursement.

The resulting distribution of costs and funding sources is therefore as follows:

Funding Source for Services	Portion
Department of Ecology, State grant funds	75%
City of Spokane, Wastewater Management Department	8.33%
Spokane County, Stormwater Utility	8.33%

City of Spokane Valley, Stormwater Utility	8.33%
---	-------

Payments to the Consultant over this term shall not exceed \$400,000, for which up to \$300,000 shall be requested for grant reimbursement from Ecology.

Payments to the City by the County over the term of this MOU shall not exceed \$33,320, unless an increase in the total of payments is mutually agreed by the Parties in writing.

Payments to the City by the Valley over the term of this MOU shall not exceed \$33,320, unless an increase in the total of payments is mutually agreed by the Parties in writing.

4. TERM.

The term of this MOU shall be January 1, 2023 to January 1, 2027. The parties may extend the term of the MOU by mutual agreement.

5. 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 MOU because of age, sex, race, color, religion, creed, marital status, familial status, sexual orientation, 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.

6. ANTI-KICKBACK.

No officer or employee of the City, County, or Valley having the power or duty to perform an official act or action related to this MOU shall have or acquire any interest in the MOU, 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 MOU.

7. NOTICES.

Any notice(s) under this MOU shall be in writing and either personally served or sent by certified mail, return receipt required, to the following persons:

City: Mayor
City of Spokane
808 West Spokane Falls Boulevard
Spokane, Washington 99201

Copy to: Spokane City Attorney's Office

808 West Spokane Falls Boulevard,
Spokane, Washington 99201

County: Spokane County Commissioners Office
1116 West Broadway Avenue,
Spokane, Washington 99260

Valley: Spokane Valley City Attorney's Office
10210 E. Sprague Ave.,
Spokane Valley, Washington 99206

8. WAIVER.

Failure by the City, County, and/or Valley to enforce every term and condition of this MOU shall not be considered a waiver of any portion of this MOU; and the Parties reserve the right to enforce every provision to the fullest extent at any time.

9. AMENDMENTS.

This MOU may be amended or modified at any time by mutual written agreement of the Parties. Any amendment or modification shall be in writing and signed by the Parties with the same formalities as this document.

10. SEVERABILITY.

If any portion of this MOU should become invalid or unenforceable, the remainder of the document shall remain in full force and effect.

11. RCW 39.34 REQUIRED CLAUSES.

- A. Purposes: See Section No. 1 above.
- B. Duration: See Section No. 4 above.
- C. Organization of Separate Legal Entity: This MOU does not create, nor seek to create, a separate legal entity pursuant to RCW39.34.030.
- D. Responsibilities of the Parties: See provisions above.
- E. MOU to be Filed: The CITY shall file this MOU with its City Clerk. The COUNTY shall file this MOU with its County Auditor or place it on its web site or other electronically retrievable public source. The VALLEY shall file this MOU with its City Clerk.

- F. Financing: Each Party shall be responsible for the financing of its contractual obligations under its normal budgetary process.
- G. Termination: This MOU can be terminated in accordance with Section 4 above.
- H. Property Upon Termination: All property acquired during the term of this MOU will remain the property of the entity whom was responsible for payment. In the case of mutual contribution towards property purchase, one entity may buy out the other contributing entity at current fair market value of the property.

Dated on: _____

CITY OF SPOKANE

By: _____

Title: _____

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Dated on: 1-30-23

CITY OF SPOKANE VALLEY

By: 

Title: CITY MANAGER

Attest:

Approved as to form:


City Clerk


~~Deputy~~ City Attorney

Dated on: 3-14-2023

SPOKANE COUNTY



Kyle Twohig
Senior Director for Public Works



Attest:

Approved as to form:




Clerk of the Board
23 - 0177



Prosecuting Attorney
DPA M. Cozza

ATTACHMENT A

ATTACHMENT A

 Agenda Sheet for City Council Meeting of: 08/15/2022		Date Rec'd	8/3/2022
		Clerk's File #	OPR 2022-0580
		Renews #	
Submitting Dept	WASTEWATER MANAGEMENT	Cross Ref #	
Contact Name/Phone	TREY GEORGE 625-7908	Project #	
Contact E-Mail	JGEORGE@SPOKANECITY.ORG	Bid #	
Agenda Item Type	Contract Item	Requisition #	
Agenda Item Name	4330 - SFAP GRANT FUNDING FOR BIORETENTION SOIL MEDIA STUDY		
Agenda Wording Request to accept grant funding in the amount of \$300,000 with a 25% match requirement to perform a stormwater study per the Ecology TAPE program in partnership with Spokane County and the City of Spokane Valley.			
Summary (Background) This Stormwater Financial Assistance Program (SFAP) grant is offered to the City as Lead Entity for a cooperative effort with Spokane County and City of Spokane Valley to perform a stormwater treatment soil study. Grant match costs will be split equally by the partners under an MOU. The grant application was presented to committee in September 2021 and submitted in October 2021. Ecology offered the grant in July 2022 and committee was presented the grant offer for consent on July 25, 2022.			
Lease? NO	Grant related? YES	Public Works? NO	
Fiscal Impact		Budget Account	
Revenue	\$ 300,000.00	#	4330-98817-99999-33431-99999
Select	\$	#	
Select	\$	#	
Select	\$	#	
Approvals		Council Notifications	
Dept Head	LOWDON, MICHAEL	Study Session\Other	PIES 7/25/2022
Division Director	FEIST, MARLENE	Council Sponsor	CM KINNEAR
Finance	ALBIN-MOORE, ANGELA	Distribution List	
Legal	PICCOLO, MIKE	jgeorge@spokanecity.org	
For the Mayor	ORMSBY, MICHAEL	rgennett@spokanecity.org	
Additional Approvals		mlowdon@spokanecity.org	
Purchasing		seweraccounting@spokanecity.org	
GRANTS, CONTRACTS & PURCHASING	MURRAY, MICHELLE	sjohnson@spokanecity.org	

Committee Agenda Sheet

[COMMITTEE]

Submitting Department	Wastewater Management – Sewer Maintenance
Contact Name & Phone	Trey George – 509-625-7908
Contact Email	jgeorge@spokanecity.org
Council Sponsor(s)	Lori Kinear
Select Agenda Item Type	X Consent <input type="checkbox"/> Discussion Time Requested: <u> 0 </u> min
Agenda Item Name	Consent to accept WQC-2023-Spokane-00120 grant offer
Summary (Background)	<p>An application for a water quality grant to cooperatively perform with the Spokane County and the City of Spokane Valley, a TAPE study titled Bioretention Soil Media Study: Development of Non-Vegetated BMPs. The City of Spokane was identified as the Lead Entity in the application. The PIES Committee provided consent for the application on September 27, 2021, and the grant application was submitted to Ecology in October 2021.</p> <p>The funding offer by Ecology for grant application number WQC-2023-Spokane-00120 has been received for \$300,000 of reimbursable costs, which require a 25% match, where total estimated project costs are \$400,000. One third of up to \$100,000 (\$33,000), will be the estimated costs for Spokane County, City of Spokane Valley, and City of Spokane to cooperatively perform the TAPE study.</p> <p>The project proposed to study the treatment efficacy of swales with engineered soils, but no vegetative cover, for the removal of aqueous metals and nutrients such as phosphorous. The focus of the proposed study is to evaluate the effectiveness of the two engineered soils to determine if they can achieve the TAPE treatment performance criteria without vegetation. Results from this study will be used to support the development of a modified bioretention best management practice that is approved for general use for stormwater treatment. Implementation of this technology as an approved stormwater treatment method will allow stormwater facilities to eliminate turf grass as a surface treatment, and support the City’s water conservation goals while continuing to provide treatment that is necessary for stormwater runoff.</p>
Proposed Council Action & Date:	PIES on July 25, 2022 City Council on August 1, 2022
Fiscal Impact: Total Cost: Approved in current year budget? X Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Funding Source X One-time <input type="checkbox"/> Recurring Specify funding source: Utility rates for 25%, Ecology for 75% Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring Other budget impacts: (revenue generating, match requirements, etc.) 25% match, 75% grant	
Operations Impacts	

What impacts would the proposal have on historically excluded communities?

No impact

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?

No applicable

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

The Department of Ecology TAPE program has a rigorous QA/QC program that requires thorough plans to be submitted for Ecology approval, and regular status updates to ensure the projects stay on course.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This project will provide another tool to manage stormwater that will also support water conservation goals.



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600, Olympia, WA 98504-7600 • 360-407-6000

July 1, 2022

James George
City of Spokane
909 E. Sprague Ave.
Spokane, Washington 99202

jgeorge@spokanecity.org

**Re: Bioretention Soil Media Study: Development of Non-Vegetated BMPs,
WQC-2023-Spokane-00120
*State Fiscal Year 2023 Final Water Quality Funding Offer List and Intended Use Plan***

Thank you for your time and effort in applying to Ecology for funding for your water quality project in the State Fiscal Year 2023 (SFY23) Funding Cycle. I am pleased to inform you that your project has been selected for funding. Please review the following information closely for more details.

On June 30, 2022, Ecology published the [SFY23 Final Water Quality Funding Offer List and Intended Use Plan](#)¹⁶⁷ (Final List). The Final List describes the projects and funding for the SFY23 Funding Cycle from the Centennial Clean Water Program (Centennial), the Clean Water Act Section 319 Nonpoint Source Fund (Section 319), the Stormwater Financial Assistance Program (SFAP), the Clean Water State Revolving Fund (CWSRF), and new federal funding provided to the CWSRF through the Bipartisan Infrastructure Law (BIL).

On November 15, 2021, President Joe Biden signed the Infrastructure Investment and Jobs Act (IIJA), also known as the Bipartisan Infrastructure Law (BIL), which Ecology estimates could provide nearly \$200 million in new funding to Washington's CWSRF over the next five years. For this SFY 2023 Final List, Washington's CWSRF has been allocated a total of \$31 million in BIL funds, awarded as part of the CWSRF, and focused on supporting small financially disadvantaged community projects.

Ecology evaluated 124 applications from local governments, tribes, conservation districts, other

¹⁶⁷ <https://apps.ecology.wa.gov/publications/documents/>

public entities, and qualified not-for-profit organizations. Funding requests totaled approximately \$413 million. To ensure funds are committed to the highest priority projects, Ecology water quality specialists evaluated and scored all eligible project proposals. Scores were compiled, and a statewide priority list was developed. Projects proposed for funding are based upon the priority list, the type of project, and the funding source.

After rating and ranking all eligible proposed projects and providing support for three additional small financially disadvantaged community phased projects, Ecology offered approximately \$317 million to 124 projects. Detailed information on all proposals received and offered funding can be found in Appendix 1 in the Final List.

A record of scores and evaluator comments are provided in the Evaluation Scorecard Report available through Ecology's Administration of Grants and Loans (EAGL) system. Applicants are strongly encouraged to review the report, as it will help applicants understand the strengths and weaknesses of their application. In addition, reviewing the report will help applicants become aware of any concerns about unclear costs or tasks and/or possible ineligible components; unclear costs or tasks and/or ineligible components may significantly delay the development of a funding agreement. To obtain the Evaluation Scorecard Report, follow these steps.

- Go into your application in EAGL.
- While in the Application Menu, click "View Forms" in the "View, Edit and Complete Forms" section.
- Scroll down the list of forms to near the bottom.
- Click on "Evaluation Scorecard (External)" in the "Screening/Evaluation/Offer" section.
- Follow the prompts for opening or saving a PDF copy of the report.

I am pleased to inform you that your project is being offered funding of up to \$300,000, including:

- A \$0 from CWSRF for a term of N/A years at a N/A percent interest rate.
- A \$0 Forgivable Principal loan from CWSRF that will not be required to be repaid.
- A \$300,000 grant from SFAP.
- A \$0 grant from Centennial.
- A \$0 grant from Section 319.

The final funding amount awarded for your project will be based on negotiations between you and Ecology regarding the project scope of work, budget, technical considerations, reasonableness of cost, and eligibility determinations.

Based on your application, project type, and fund source, various conditions of funding will

apply; these will be addressed during the agreement negotiation process. For information on conditions that may apply, please see Ecology's [SFY23 Funding Guidelines](#)¹⁶⁸ and the footnotes assigned to your project in Appendix 1 in the Final List.

All projects require cultural resources review, and most projects require environmental review. Please be aware of the requirements for your project, and implement the project schedule accordingly. If you have specific questions, please contact Environmental and Cultural Resource Coordinator, Liz Ellis, at liz.ellis@ecy.wa.gov or (360) 628-4410 or Seth Elsen, at seth.elsen@ecy.wa.gov, (564) 999-1177.

Ecology is committed to negotiating and signing a funding agreement no later than January 31, 2023. To meet this timeline and ensure timely use of limited state and federal funds, it is essential that negotiations and funding agreement development begin as soon as possible. Please see the typical negotiation timeline on the last page of this letter.

Ecology assigned the following Grant and Loan Project Management Team for your project:

Annie Simpson	ERO	Ecology Project Manager	(509) 413-7096
Michelle Myers	Headquarters Office, Lacey	Ecology Financial Manager	(360) 628-4067

Ecology's Project Manager or Financial Manager will contact you soon to schedule agreement negotiations.

Ecology appreciates your commitment to improving Washington's water quality and looks forward to working with you to complete this high priority project.

If you have any questions or concerns regarding the water quality funding programs, please contact Jeff Nejedly, Water Quality Financial Management Section Manager, at jeffrey.nejedly@ecy.wa.gov or (360) 407-6572.

Sincerely,

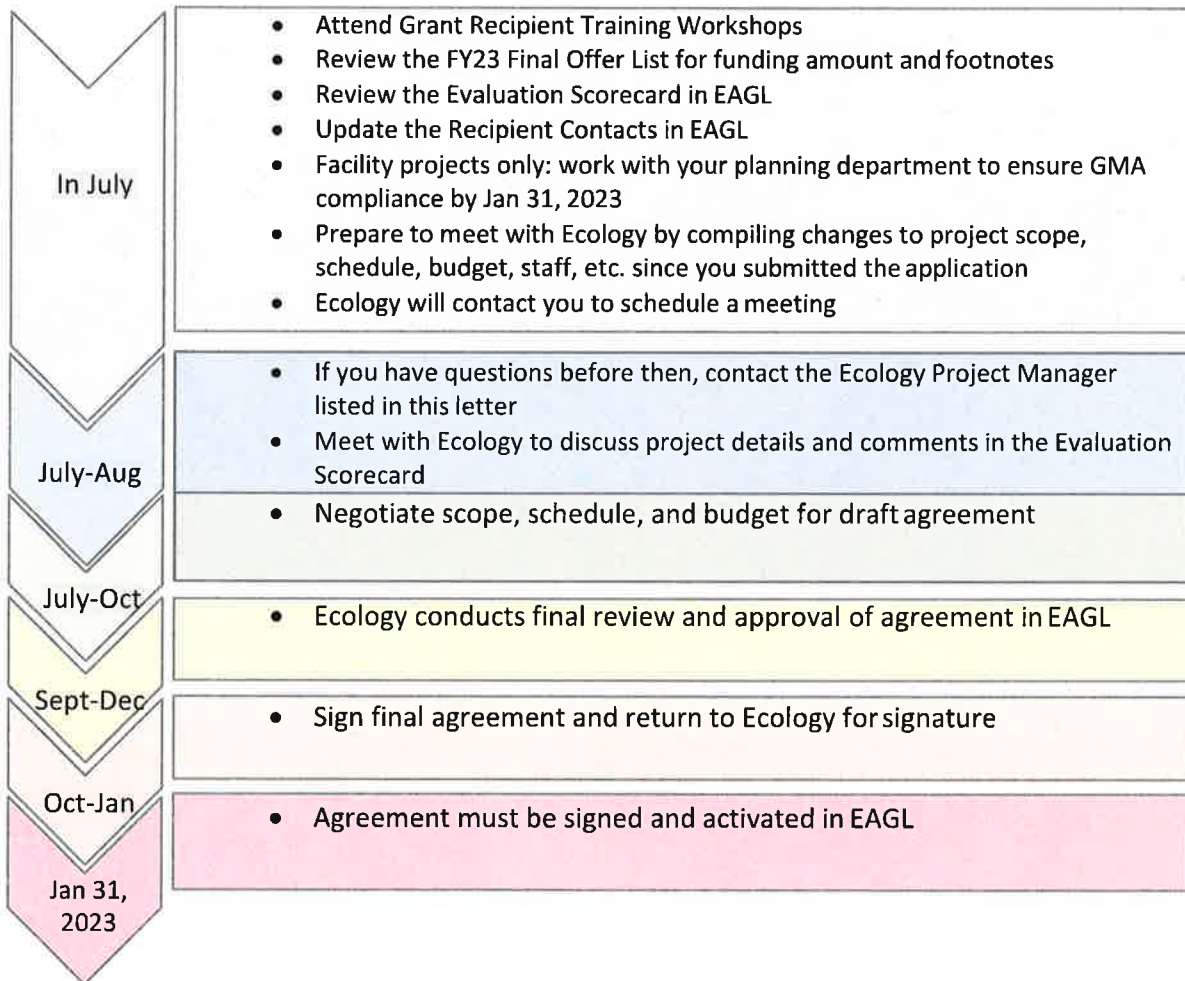


On behalf of

Vincent McGowan, P.E.
Water Quality
Program Manager

¹⁶⁸ <https://apps.ecology.wa.gov/publications/documents/2110028.pdf>

My project has been offered funds. What are my next steps?



Simpler projects may be through the process faster and more complex projects may take until Jan 2023.



Agenda Sheet for City Council Meeting of:
07/24/2023

Date Rec'd	7/11/2023
Clerk's File #	OPR 2023-0701
Renews #	

Submitting Dept	HOUSING & HUMAN SERVICES	Cross Ref #	
Contact Name/Phone	JENN 6055	Project #	
Contact E-Mail	JCERECEDES@SPOKANECITY.ORG	Bid #	
Agenda Item Type	Contract Item	Requisition #	
Agenda Item Name	1680 - COMMERCE SDG GRANT ACCEPTANCE		

Agenda Wording
Accept \$15,820,937 from the Department of Commerce for System Demonstration Grant for the next 2-year cycle.

Summary (Background)
CHHS requests permission to receive these funds from the Department of Commerce. The majority of these funds have already been allocated through the 5 year awards and the current eviction prevention NOFA. The next round of our HHOS grant which will begin in July of 2024 will encapsulate the balance of these funds through an RFP which will go out in Fall of 2023.

Lease? NO	Grant related? YES	Public Works? NO
Fiscal Impact		Budget Account
Revenue	\$ 1,751,280	# 1540-95571-654xx-5xxxx-99999
Expense	\$ 1,751,280	# 1540-95571-99999-33442-99999
Revenue	\$ 362,020	# 1540-95571-65xxx-5xxxx-99999
Expense	\$ 362,020	# 1540-95571-99999-33442-99999

Approvals		Council Notifications	
Dept Head	CERECEDES, JENNIFER	Study Session\Other	7/10 UE
Division Director	MCCOLLIM, KIMBERLEY	Council Sponsor	CM Stratton
Finance	MURRAY, MICHELLE	Distribution List	
Legal	HARRINGTON,	jcerecedes@spokanecity.org	
For the Mayor	JONES, GARRETT	chhsgrants@spokanecity.org	
Additional Approvals		chhsaccounting@spokanecity.org	
Purchasing		kclifton@spokanecity.org	
ACCOUNTING -	MURRAY, MICHELLE		



Continuation of Wording, Summary, Budget, and Distribution

Agenda Wording

Summary (Background)

Fiscal Impact

Revenue **\$** 3,789,840 each year
Expense **\$** 3,789,840

Budget Account

1540-95572-654xx-5xxxx-99999
1540-95572-99999-33442-99999

Distribution List

Continuation of Wording, Summary, and Distribution

Agenda Item Name: 1680 - COMMERCE SDG GRANT ACCEPTANCE

Agenda Wording (630 character max)

Summary (Background) (870 character max)

Fiscal Impact

Budget Account

Reven ▼ \$3,462,099 #1540-95659-654xx-5xxxx-99999

Expen ▼ \$3,462,099 #1540-95659-99999-33442-99999

Distribution List

Save

Cancel

Continuation of Wording, Summary, and Distribution

Agenda Item Name: 1680 - COMMERCE SDG GRANT ACCEPTANCE

Agenda Wording (630 character max)

Summary (Background) (870 character max)

Fiscal Impact

Budget Account

Reven ▾ \$215,322 each year #1540-95658-99999-33442-9999

Expen ▾ \$215,322 #1540-95658-654xx-5xxxx-99999

Distribution List

Save **Cancel**

Committee Agenda Sheet

Urban Experience Committee

Submitting Department	CHHS																																																																						
Contact Name	Jenn Cerecedes																																																																						
Contact Email & Phone	jcerecedes@spokanecity.org 509-625-6055																																																																						
Council Sponsor(s)	Karen Stratton																																																																						
Select Agenda Item Type	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion Time Requested: 5																																																																						
Agenda Item Name	Commerce SDG Grant Acceptance																																																																						
<p>Summary (Background)</p> <p>*use the Fiscal Impact box below for relevant financial information</p>	<p>CHHS requests permission to received these funds from the Department of Commerce. The majority of these funds have already been allocated through the 5 year awards and the current eviction prevention NOFA. The next round of our HHOS grant which will begin in July of 2024 will encapsulate the balance of these funds through an RFP which will go out in Fall of 2023.</p> <p style="text-align: center;"><u>Attachment B: Budget</u></p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 80%;">Budget</th> <th style="width: 20%;">Total</th> </tr> </thead> <tbody> <tr> <td colspan="2" style="text-align: center;">SDG Standard</td> </tr> <tr> <td>Admin</td> <td style="text-align: right;">\$211,818</td> </tr> <tr> <td>Rent</td> <td style="text-align: right;">\$664,781</td> </tr> <tr> <td>Operations</td> <td style="text-align: right;">\$874,681</td> </tr> <tr> <td colspan="2" style="text-align: center;">PSH CHF</td> </tr> <tr> <td>PSH CHF Rent/Fac Support</td> <td style="text-align: right;">\$10,670</td> </tr> <tr> <td>PSH CHF Operations</td> <td style="text-align: right;">\$351,350</td> </tr> <tr> <td colspan="2" style="text-align: center;">HEN (SFY 2024)</td> </tr> <tr> <td>HEN Admin 2024</td> <td style="text-align: right;">\$265,284</td> </tr> <tr> <td>HEN Rent/Fac Support 2024</td> <td style="text-align: right;">\$1,684,278</td> </tr> <tr> <td>HEN Operations 2024</td> <td style="text-align: right;">\$1,840,278</td> </tr> <tr> <td colspan="2" style="text-align: center;">HEN (SFY 2025)</td> </tr> <tr> <td>HEN Admin 2025</td> <td style="text-align: right;">\$265,284</td> </tr> <tr> <td>HEN Rent/Fac Support 2025</td> <td style="text-align: right;">\$1,684,228</td> </tr> <tr> <td>HEN Operations 2025</td> <td style="text-align: right;">\$1,840,278</td> </tr> <tr> <td colspan="2" style="text-align: center;">Eviction Prevention (SFY 23, 24, and 25)</td> </tr> <tr> <td>Eviction Prevention Admin</td> <td style="text-align: right;">\$865,099</td> </tr> <tr> <td>Eviction Prevention Rent</td> <td style="text-align: right;">\$993,000</td> </tr> <tr> <td>Eviction Prevention Operations</td> <td style="text-align: right;">\$1,604,000</td> </tr> <tr> <td colspan="2" style="text-align: center;">HEN FCS Bridge (SFY 2024)</td> </tr> <tr> <td>HEN FCS Bridge Admin 2024</td> <td style="text-align: right;">\$15,072</td> </tr> <tr> <td>HEN FCS Bridge Rent 2024</td> <td style="text-align: right;">\$95,692</td> </tr> <tr> <td>HEN FCS Bridge Operations 2024</td> <td style="text-align: right;">\$104,558</td> </tr> <tr> <td colspan="2" style="text-align: center;">HEN FCS Bridge (SFY 2025)</td> </tr> <tr> <td>HEN FCS Bridge Admin 2025</td> <td style="text-align: right;">\$15,072</td> </tr> <tr> <td>HEN FCS Bridge Rent 2025</td> <td style="text-align: right;">\$95,692</td> </tr> <tr> <td>HEN FCS Bridge Operations 2025</td> <td style="text-align: right;">\$104,558</td> </tr> <tr> <td colspan="2" style="text-align: center;">Inflation Increase (SFY 2024 and SFY 2025)</td> </tr> <tr> <td>Inflation Increase 2024</td> <td style="text-align: right;">\$892,263</td> </tr> <tr> <td>Inflationary Costs 2025</td> <td style="text-align: right;">\$892,263</td> </tr> <tr> <td colspan="2" style="text-align: center;">Local Document Recording Fees Support (SFY 2024 and SFY 2025)</td> </tr> <tr> <td>Local DRF Support 2024</td> <td style="text-align: right;">\$225,394</td> </tr> <tr> <td>Local DRF Support 2025</td> <td style="text-align: right;">\$225,394</td> </tr> <tr> <td style="text-align: right;">TOTAL</td> <td style="text-align: right;">\$15,820,937</td> </tr> </tbody> </table>	Budget	Total	SDG Standard		Admin	\$211,818	Rent	\$664,781	Operations	\$874,681	PSH CHF		PSH CHF Rent/Fac Support	\$10,670	PSH CHF Operations	\$351,350	HEN (SFY 2024)		HEN Admin 2024	\$265,284	HEN Rent/Fac Support 2024	\$1,684,278	HEN Operations 2024	\$1,840,278	HEN (SFY 2025)		HEN Admin 2025	\$265,284	HEN Rent/Fac Support 2025	\$1,684,228	HEN Operations 2025	\$1,840,278	Eviction Prevention (SFY 23, 24, and 25)		Eviction Prevention Admin	\$865,099	Eviction Prevention Rent	\$993,000	Eviction Prevention Operations	\$1,604,000	HEN FCS Bridge (SFY 2024)		HEN FCS Bridge Admin 2024	\$15,072	HEN FCS Bridge Rent 2024	\$95,692	HEN FCS Bridge Operations 2024	\$104,558	HEN FCS Bridge (SFY 2025)		HEN FCS Bridge Admin 2025	\$15,072	HEN FCS Bridge Rent 2025	\$95,692	HEN FCS Bridge Operations 2025	\$104,558	Inflation Increase (SFY 2024 and SFY 2025)		Inflation Increase 2024	\$892,263	Inflationary Costs 2025	\$892,263	Local Document Recording Fees Support (SFY 2024 and SFY 2025)		Local DRF Support 2024	\$225,394	Local DRF Support 2025	\$225,394	TOTAL	\$15,820,937
Budget	Total																																																																						
SDG Standard																																																																							
Admin	\$211,818																																																																						
Rent	\$664,781																																																																						
Operations	\$874,681																																																																						
PSH CHF																																																																							
PSH CHF Rent/Fac Support	\$10,670																																																																						
PSH CHF Operations	\$351,350																																																																						
HEN (SFY 2024)																																																																							
HEN Admin 2024	\$265,284																																																																						
HEN Rent/Fac Support 2024	\$1,684,278																																																																						
HEN Operations 2024	\$1,840,278																																																																						
HEN (SFY 2025)																																																																							
HEN Admin 2025	\$265,284																																																																						
HEN Rent/Fac Support 2025	\$1,684,228																																																																						
HEN Operations 2025	\$1,840,278																																																																						
Eviction Prevention (SFY 23, 24, and 25)																																																																							
Eviction Prevention Admin	\$865,099																																																																						
Eviction Prevention Rent	\$993,000																																																																						
Eviction Prevention Operations	\$1,604,000																																																																						
HEN FCS Bridge (SFY 2024)																																																																							
HEN FCS Bridge Admin 2024	\$15,072																																																																						
HEN FCS Bridge Rent 2024	\$95,692																																																																						
HEN FCS Bridge Operations 2024	\$104,558																																																																						
HEN FCS Bridge (SFY 2025)																																																																							
HEN FCS Bridge Admin 2025	\$15,072																																																																						
HEN FCS Bridge Rent 2025	\$95,692																																																																						
HEN FCS Bridge Operations 2025	\$104,558																																																																						
Inflation Increase (SFY 2024 and SFY 2025)																																																																							
Inflation Increase 2024	\$892,263																																																																						
Inflationary Costs 2025	\$892,263																																																																						
Local Document Recording Fees Support (SFY 2024 and SFY 2025)																																																																							
Local DRF Support 2024	\$225,394																																																																						
Local DRF Support 2025	\$225,394																																																																						
TOTAL	\$15,820,937																																																																						
Proposed Council Action	Accept \$15,820,937 from the department of Commerce for the next 2-year cycle.																																																																						
<p>Fiscal Impact</p> <p>Total Cost: <u>\$15,820,937</u></p> <p>Approved in current year budget? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring</p>																																																																							

Specify funding source: Washington State Department of Commerce System Demonstration Grant

Expense Occurrence One-time Recurring

Other budget impacts: (revenue generating, match requirements, etc.) These funds generate a large portion of our match for our CoC projects

Operations Impacts (If N/A, please give a brief description as to why)

What impacts would the proposal have on historically excluded communities?
These funds will support homeless and at risk households

How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?
CMIS will be used to collect, analyze and report on data.

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?
CMIS

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?
These funds align with the 5 year strategy to end homelessness.



Interagency Agreement with

City of Spokane – Community, Housing, and Human Services Department

through

Housing Division

Homelessness Assistance Unit

For

System Demonstration Grant (SDG)

Dated: July 1, 2023

Table of Contents

TABLE OF CONTENTS.....	2
FACE SHEET	3
SPECIAL TERMS AND CONDITIONS.....	4
1. AUTHORITY.....	4
2. CONTRACT MANAGEMENT.....	4
3. COMPENSATION	4
4. BILLING PROCEDURES AND PAYMENT	4
5. SUBCONTRACTOR DATA COLLECTION.....	5
6. INSURANCE	5
7. ELIGIBLE USE OF FUNDS.....	5
8. FRAUD AND OTHER LOSS REPORTING	5
9. ORDER OF PRECEDENCE	5
GENERAL TERMS AND CONDITIONS.....	6
1. DEFINITIONS.....	6
2. ALL WRITINGS CONTAINED HEREIN.....	6
3. AMENDMENTS.....	6
4. ASSIGNMENT	6
5. CONFIDENTIALITY AND SAFEGUARDING OF INFORMATION	6
6. COPYRIGHT.....	7
7. DISPUTES	7
8. GOVERNING LAW AND VENUE.....	8
9. INDEMNIFICATION.....	8
10. LICENSING, ACCREDITATION AND REGISTRATION.....	8
11. RECAPTURE	8
12. RECORDS MAINTENANCE.....	8
13. SAVINGS	8
14. SEVERABILITY	8
15. SUBCONTRACTING.....	9
16. SURVIVAL.....	9
17. TERMINATION FOR CAUSE.....	9
18. TERMINATION FOR CONVENIENCE.....	9
19. TERMINATION PROCEDURES	9
20. TREATMENT OF ASSETS.....	10
21. WAIVER.....	11
ATTACHMENT A: SCOPE OF WORK	12
ATTACHMENT B: BUDGET	13
ATTACHMENT C: SDG GUIDELINES ADDENDUM FOR THE HEN FCS BRIDGE FUNDING.....	14

Face Sheet

Contract Number: 24-46108-30

**Washington State Department of Commerce
Housing Division
Homelessness Assistance Unit (HAU)
System Demonstration Grant (SDG)**

1. Contractor City of Spokane Community, Housing, and Human Services Department 808 W. Spokane Falls Blvd. Spokane, WA		2. Contractor Doing Business As (as applicable)		
3. Contractor Representative Jennifer Cerecedes Director 509-625-6055 jcerecedes@spokanecity.org		4. COMMERCE Representative Esmeralda Zavala Montalvo 1011 Plum Street SE Grant Manager Olympia, WA 98504-2525 360-725-2816 Esmeralda.zavala-montalvo@commerce.wa.gov		
5. Contract Amount \$15,820,937	6. Funding Source Federal: <input type="checkbox"/> State: <input checked="" type="checkbox"/> Other: <input type="checkbox"/> N/A: <input type="checkbox"/>		7. Start Date July 1, 2023	8. End Date June 30, 2025
9. Federal Funds (as applicable) N/A		Federal Agency: N/A		<u>ALN</u> N/A
10. Tax ID # N/A	11. SWV # SW0003387-03	12. UBI # 328-013-877	13. UEI # PDNCLY8MYJN3	
14. Contract Purpose This grant provides resources to fund homelessness crisis response systems and to assist people who are experiencing or are at risk of homelessness to obtain or maintain housing.				
COMMERCE, defined as the Department of Commerce, and the Contractor, as defined above, acknowledge and accept the terms of this Contract and Attachments and have executed this Contract on the date below and warrant they are authorized to bind their respective agencies. The rights and obligations of both parties to this Contract are governed by this Contract and the following documents incorporated by reference: 2023-2025 SDG application and Budget workbook, SDG Guidelines (as they may be revised from time to time), Contractor Terms and Conditions including Attachment "A" - Scope of Work, Attachment "B" – Budget, Attachment "C" – SDG Guidelines Addendum for the HEN FCS Bridge funding.				
FOR CONTRACTOR <hr/> Name and Title <hr/> Signature <hr/> Date		FOR COMMERCE <hr/> Corina Grigoras, Assistant Director Housing Division <hr/> Date APPROVED AS TO FORM ONLY BY ASSISTANT ATTORNEY GENERAL APPROVAL ON FILE		

Special Terms and Conditions

1. AUTHORITY

COMMERCE and Contractor enter into this Contract pursuant to the authority granted by Chapter 39.34 RCW.

2. CONTRACT MANAGEMENT

The Representative for each of the parties shall be responsible for and shall be the contact person for all communications and billings regarding the performance of this Contract.

The Representative for COMMERCE and their contact information are identified on the Face Sheet of this Contract.

The Representative for the Contractor and their contact information are identified on the Face Sheet of this Contract.

3. COMPENSATION

COMMERCE shall pay an amount not to exceed the Contract Amount listed on the Face Sheet for the performance of all things necessary for or incidental to the performance of work under this Contract as set forth in the Scope of Work. Contractor's compensation for services rendered shall be in accordance with Attachment B – Budget.

4. BILLING PROCEDURES AND PAYMENT

COMMERCE will pay Contractor upon acceptance of services provided and receipt of properly completed invoices, which shall be submitted to the Representative for COMMERCE not more often than monthly. Exceptions to the single billing per month can be made by COMMERCE on a case-by-case basis.

When requesting reimbursement for expenditures made, Contractor shall submit all invoice Vouchers and any required documentation electronically through COMMERCE's Contracts Management System (CMS), which is available through the Secure Access Washington (SAW) portal.

Payment shall be considered timely if made by COMMERCE within thirty (30) calendar days after receipt of properly completed invoices. Payment shall be sent to the address designated by the Contractor.

COMMERCE may, in its sole discretion, terminate the Contract or withhold payments claimed by the Contractor for services rendered if the Contractor fails to satisfactorily comply with any term or condition of this Contract.

No payments in advance or in anticipation of services or supplies to be provided under this Agreement shall be made by COMMERCE.

Invoices and End of Fiscal Year

Invoices are due on the 20th of the month following the provision of services.

Final invoices for a state fiscal year may be due sooner than the 20th and Commerce will provide notification of the end of fiscal year due date.

The Contractor must invoice for all expenses from the beginning of the contract through June 30, regardless of the contract start and end date.

Duplication of Billed Costs

The Contractor shall not bill COMMERCE for services performed under this Agreement, and COMMERCE shall not pay the Contractor, if the Contractor is entitled to payment or has been or will

be paid by any other source, including grants, for that service.

Disallowed Costs

The Contractor is responsible for any audit exceptions or disallowed costs incurred by its own organization or that of its subcontractors.

5. SUBCONTRACTOR DATA COLLECTION

Contractor will submit reports, in a form and format to be provided by Commerce and at intervals as agreed by the parties, regarding work under this Contract performed by subcontractors and the portion of Contract funds expended for work performed by subcontractors, including but not necessarily limited to minority-owned, woman-owned, and veteran-owned business subcontractors. "Subcontractors" shall mean subcontractors of any tier.

6. INSURANCE

Each party certifies that it is self-insured under the State's or local government self-insurance liability program, and shall be responsible for losses for which it is found liable.

Additionally, the Contractor is responsible for ensuring that any Subgrantees provide adequate insurance coverage for the activities arising out of subgrants, as follows:

Commercial General Liability Insurance Policy. Provide a Commercial General Liability Insurance Policy, including contractual liability, written on an occurrence basis, in adequate quantity to protect against legal liability arising out of Subgrant activity but no less than \$1,000,000 per occurrence.

Automobile Liability. In the event that performance pursuant to this Grant involves the use of vehicles, owned or operated by the Subgrantee, automobile liability insurance shall be required. The minimum limit for automobile liability is \$1,000,000 per occurrence, using a Combined Single Limit for bodily injury and property damage.

7. ELIGIBLE USE OF FUNDS

Funding awarded under this Contract may only be used for eligible activities and expenses described in the SDG Guidelines. These Guidelines are incorporated by reference.

8. FRAUD AND OTHER LOSS REPORTING

Contractor shall report in writing all known or suspected fraud or other loss of any funds or other property furnished under this Contract immediately or as soon as practicable to the Commerce Representative identified on the Face Sheet.

9. ORDER OF PRECEDENCE

In the event of an inconsistency in this Contract, the inconsistency shall be resolved by giving precedence in the following order:

- Applicable federal and state of Washington statutes and regulations
- Contract Face Sheet
- Special Terms and Conditions
- General Terms and Conditions
- Attachment A – Scope of Work
- Attachment B – Budget
- Attachment C – SDG Guidelines Addendum for the HEN FCS Bridge funding
- SDG Guidelines, incorporated by reference on the Face Sheet

General Terms and Conditions

1. DEFINITIONS

As used throughout this Contract, the following terms shall have the meaning set forth below:

- A. "Authorized Representative" shall mean the Director and/or the designee authorized in writing to act on the Director's behalf.
- B. "COMMERCE" shall mean the Washington Department of Commerce.
- C. "Contract" or "Agreement" or "Grant" means the entire written agreement between COMMERCE and the Contractor, including any Attachments, documents, or materials incorporated by reference. E-mail or Facsimile transmission of a signed copy of this contract shall be the same as delivery of an original.
- D. "Contractor" or "Grantee" shall mean the entity identified on the face sheet performing service(s) under this Contract, and shall include all employees and agents of the Contractor.
- E. "Personal Information" shall mean information identifiable to any person, including, but not limited to, information that relates to a person's name, health, finances, education, business, use or receipt of governmental services or other activities, addresses, telephone numbers, social security numbers, driver license numbers, other identifying numbers, and any financial identifiers, and "Protected Health Information" under the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA).
- F. "State" shall mean the state of Washington.
- G. "Subcontractor" shall mean one not in the employment of the Contractor, who is performing all or part of those services under this Contract under a separate contract with the Contractor. The terms "subcontractor" and "subcontractors" mean subcontractor(s) in any tier.

2. ALL WRITINGS CONTAINED HEREIN

This Contract contains all the terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this Contract shall be deemed to exist or to bind any of the parties hereto.

3. AMENDMENTS

This Contract may be amended by mutual agreement of the parties. Such amendments shall not be binding unless they are in writing and signed by personnel authorized to bind each of the parties.

4. ASSIGNMENT

Neither this Contract, work thereunder, nor any claim arising under this Contract, shall be transferred or assigned by the Contractor without prior written consent of COMMERCE.

5. CONFIDENTIALITY AND SAFEGUARDING OF INFORMATION

- A. "Confidential Information" as used in this section includes:
 - i. All material provided to the Contractor by COMMERCE that is designated as "confidential" by COMMERCE;
 - ii. All material produced by the Contractor that is designated as "confidential" by COMMERCE; and

iii. All Personal Information in the possession of the Contractor that may not be disclosed under state or federal law.

- B.** The Contractor shall comply with all state and federal laws related to the use, sharing, transfer, sale, or disclosure of Confidential Information. The Contractor shall use Confidential Information solely for the purposes of this Contract and shall not use, share, transfer, sell or disclose any Confidential Information to any third party except with the prior written consent of COMMERCE or as may be required by law. The Contractor shall take all necessary steps to assure that Confidential Information is safeguarded to prevent unauthorized use, sharing, transfer, sale or disclosure of Confidential Information or violation of any state or federal laws related thereto. Upon request, the Contractor shall provide COMMERCE with its policies and procedures on confidentiality. COMMERCE may require changes to such policies and procedures as they apply to this Contract whenever COMMERCE reasonably determines that changes are necessary to prevent unauthorized disclosures. The Contractor shall make the changes within the time period specified by COMMERCE. Upon request, the Contractor shall immediately return to COMMERCE any Confidential Information that COMMERCE reasonably determines has not been adequately protected by the Contractor against unauthorized disclosure.
- C.** Unauthorized Use or Disclosure. The Contractor shall notify COMMERCE within five (5) working days of any unauthorized use or disclosure of any confidential information, and shall take necessary steps to mitigate the harmful effects of such use or disclosure.

6. COPYRIGHT

Unless otherwise provided, all Materials produced under this Contract shall be considered "works for hire" as defined by the U.S. Copyright Act and shall be owned by COMMERCE. COMMERCE shall be considered the author of such Materials. In the event the Materials are not considered "works for hire" under the U.S. Copyright laws, the Contractor hereby irrevocably assigns all right, title, and interest in all Materials, including all intellectual property rights, moral rights, and rights of publicity to COMMERCE effective from the moment of creation of such Materials.

"Materials" means all items in any format and includes, but is not limited to, data, reports, documents, pamphlets, advertisements, books, magazines, surveys, studies, computer programs, films, tapes, and/or sound reproductions. "Ownership" includes the right to copyright, patent, register and the ability to transfer these rights.

For Materials that are delivered under the Contract, but that incorporate pre-existing materials not produced under the Contract, the Contractor hereby grants to COMMERCE a nonexclusive, royalty-free, irrevocable license (with rights to sublicense to others) in such Materials to translate, reproduce, distribute, prepare derivative works, publicly perform, and publicly display. The Contractor warrants and represents that the Contractor has all rights and permissions, including intellectual property rights, moral rights and rights of publicity, necessary to grant such a license to COMMERCE.

The Contractor shall exert all reasonable effort to advise COMMERCE, at the time of delivery of Materials furnished under this Contract, of all known or potential invasions of privacy contained therein and of any portion of such document which was not produced in the performance of this Contract. The Contractor shall provide COMMERCE with prompt written notice of each notice or claim of infringement received by the Contractor with respect to any Materials delivered under this Contract. COMMERCE shall have the right to modify or remove any restrictive markings placed upon the Materials by the Contractor.

7. DISPUTES

In the event that a dispute arises under this Agreement, it shall be determined by a Dispute Board in the following manner: Each party to this Agreement shall appoint one member to the Dispute Board. The members so appointed shall jointly appoint an additional member to the Dispute Board. The Dispute Board shall review the facts, Agreement terms and applicable statutes and rules and make a determination of the dispute. The Dispute Board shall thereafter decide the dispute with the majority

prevailing. The determination of the Dispute Board shall be final and binding on the parties hereto. As an alternative to this process, either of the parties may request intervention by the Governor, as provided by RCW 43.17.330, in which event the Governor's process will control.

8. GOVERNING LAW AND VENUE

This Contract shall be construed and interpreted in accordance with the laws of the state of Washington, and the venue of any action brought hereunder shall be in the Superior Court for Thurston County.

9. INDEMNIFICATION

Each party shall be solely responsible for the acts of its employees, officers, and agents.

10. LICENSING, ACCREDITATION AND REGISTRATION

The Contractor shall comply with all applicable local, state, and federal licensing, accreditation and registration requirements or standards necessary for the performance of this Contract.

11. RECAPTURE

In the event that the Contractor fails to perform this Contract in accordance with state laws, federal laws, and/or the provisions of this Contract, COMMERCE reserves the right to recapture funds in an amount to compensate COMMERCE for the noncompliance in addition to any other remedies available at law or in equity.

Repayment by the Contractor of funds under this recapture provision shall occur within the time period specified by COMMERCE. In the alternative, COMMERCE may recapture such funds from payments due under this Contract.

12. RECORDS MAINTENANCE

The Contractor shall maintain books, records, documents, data and other evidence relating to this contract and performance of the services described herein, including but not limited to accounting procedures and practices that sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this contract.

The Contractor shall retain such records for a period of six years following the date of final payment. At no additional cost, these records, including materials generated under the contract, shall be subject at all reasonable times to inspection, review or audit by COMMERCE, personnel duly authorized by COMMERCE, the Office of the State Auditor, and federal and state officials so authorized by law, regulation or agreement.

If any litigation, claim or audit is started before the expiration of the six (6) year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.

13. SAVINGS

In the event funding from state, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date of this Contract and prior to normal completion, COMMERCE may suspend or terminate the Contract under the "Termination for Convenience" clause, without the ten calendar day notice requirement. In lieu of termination, the Contract may be amended to reflect the new funding limitations and conditions.

14. SEVERABILITY

The provisions of this contract are intended to be severable. If any term or provision is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of the contract.

15. SUBCONTRACTING

The Contractor may only subcontract work contemplated under this Contract if it obtains the prior written approval of COMMERCE.

If COMMERCE approves subcontracting, the Contractor shall maintain written procedures related to subcontracting, as well as copies of all subcontracts and records related to subcontracts. For cause, COMMERCE in writing may: (a) require the Contractor to amend its subcontracting procedures as they relate to this Contract; (b) prohibit the Contractor from subcontracting with a particular person or entity; or (c) require the Contractor to rescind or amend a subcontract.

Every subcontract shall bind the Subcontractor to follow all applicable terms of this Contract. The Contractor is responsible to COMMERCE if the Subcontractor fails to comply with any applicable term or condition of this Contract. The Contractor shall appropriately monitor the activities of the Subcontractor to assure fiscal conditions of this Contract. In no event shall the existence of a subcontract operate to release or reduce the liability of the Contractor to COMMERCE for any breach in the performance of the Contractor's duties.

Every subcontract shall include a term that COMMERCE and the State of Washington are not liable for claims or damages arising from a Subcontractor's performance of the subcontract.

16. SURVIVAL

The terms, conditions, and warranties contained in this Contract that by their sense and context are intended to survive the completion of the performance, cancellation or termination of this Contract shall so survive.

17. TERMINATION FOR CAUSE

In the event COMMERCE determines the Contractor has failed to comply with the conditions of this contract in a timely manner, COMMERCE has the right to suspend or terminate this contract. Before suspending or terminating the contract, COMMERCE shall notify the Contractor in writing of the need to take corrective action. If corrective action is not taken within 30 calendar days, the contract may be terminated or suspended.

In the event of termination or suspension, the Contractor shall be liable for damages as authorized by law including, but not limited to, any cost difference between the original contract and the replacement or cover contract and all administrative costs directly related to the replacement contract, e.g., cost of the competitive bidding, mailing, advertising and staff time.

COMMERCE reserves the right to suspend all or part of the contract, withhold further payments, or prohibit the Contractor from incurring additional obligations of funds during investigation of the alleged compliance breach and pending corrective action by the Contractor or a decision by COMMERCE to terminate the contract. A termination shall be deemed a "Termination for Convenience" if it is determined that the Contractor: (1) was not in default; or (2) failure to perform was outside of his or her control, fault or negligence.

The rights and remedies of COMMERCE provided in this contract are not exclusive and are, in addition to any other rights and remedies, provided by law.

18. TERMINATION FOR CONVENIENCE

Except as otherwise provided in this Contract, COMMERCE may, by ten (10) business days' written notice, beginning on the second day after the mailing, terminate this Contract, in whole or in part. If this Contract is so terminated, COMMERCE shall be liable only for payment required under the terms of this Contract for services rendered or goods delivered prior to the effective date of termination.

19. TERMINATION PROCEDURES

Upon termination of this contract, COMMERCE, in addition to any other rights provided in this contract, may require the Contractor to deliver to COMMERCE any property specifically produced or acquired for the performance of such part of this contract as has been terminated. The provisions of the "Treatment of Assets" clause shall apply in such property transfer.

COMMERCE shall pay to the Contractor the agreed upon price, if separately stated, for completed work and services accepted by COMMERCE, and the amount agreed upon by the Contractor and COMMERCE for (i) completed work and services for which no separate price is stated, (ii) partially completed work and services, (iii) other property or services that are accepted by COMMERCE, and (iv) the protection and preservation of property, unless the termination is for default, in which case the Authorized Representative shall determine the extent of the liability of COMMERCE. Failure to agree with such determination shall be a dispute within the meaning of the "Disputes" clause of this contract. COMMERCE may withhold from any amounts due the Contractor such sum as the Authorized Representative determines to be necessary to protect COMMERCE against potential loss or liability.

The rights and remedies of COMMERCE provided in this section shall not be exclusive and are in addition to any other rights and remedies provided by law or under this contract.

After receipt of a notice of termination, and except as otherwise directed by the Authorized Representative, the Contractor shall:

- A. Stop work under the contract on the date, and to the extent specified, in the notice;
- B. Place no further orders or subcontracts for materials, services, or facilities except as may be necessary for completion of such portion of the work under the contract that is not terminated;
- C. Assign to COMMERCE, in the manner, at the times, and to the extent directed by the Authorized Representative, all of the rights, title, and interest of the Contractor under the orders and subcontracts so terminated, in which case COMMERCE has the right, at its discretion, to settle or pay any or all claims arising out of the termination of such orders and subcontracts;
- D. Settle all outstanding liabilities and all claims arising out of such termination of orders and subcontracts, with the approval or ratification of the Authorized Representative to the extent the Authorized Representative may require, which approval or ratification shall be final for all the purposes of this clause;
- E. Transfer title to COMMERCE and deliver in the manner, at the times, and to the extent directed by the Authorized Representative any property which, if the contract had been completed, would have been required to be furnished to COMMERCE;
- F. Complete performance of such part of the work as shall not have been terminated by the Authorized Representative; and
- G. Take such action as may be necessary, or as the Authorized Representative may direct, for the protection and preservation of the property related to this contract, which is in the possession of the Contractor and in which COMMERCE has or may acquire an interest.

20. TREATMENT OF ASSETS

Title to all property furnished by COMMERCE shall remain in COMMERCE. Title to all property furnished by the Contractor, for the cost of which the Contractor is entitled to be reimbursed as a direct item of cost under this contract, shall pass to and vest in COMMERCE upon delivery of such property by the Contractor. Title to other property, the cost of which is reimbursable to the Contractor under this contract, shall pass to and vest in COMMERCE upon (i) issuance for use of such property in the performance of this contract, or (ii) commencement of use of such property in the performance of this contract, or (iii) reimbursement of the cost thereof by COMMERCE in whole or in part, whichever first occurs.

- A. Any property of COMMERCE furnished to the Contractor shall, unless otherwise provided herein or approved by COMMERCE, be used only for the performance of this contract.
- B. The Contractor shall be responsible for any loss or damage to property of COMMERCE that results from the negligence of the Contractor or which results from the failure on the part of the Contractor to maintain and administer that property in accordance with sound management

practices.

- C.** If any COMMERCE property is lost, destroyed or damaged, the Contractor shall immediately notify COMMERCE and shall take all reasonable steps to protect the property from further damage.
- D.** The Contractor shall surrender to COMMERCE all property of COMMERCE prior to settlement upon completion, termination or cancellation of this contract.
- E.** All reference to the Contractor under this clause shall also include Contractor's employees, agents or Subcontractors.

21. WAIVER

Waiver of any default or breach shall not be deemed to be a waiver of any subsequent default or breach. Any waiver shall not be construed to be a modification of the terms of this Contract unless stated to be such in writing and signed by Authorized Representative of COMMERCE.

Attachment A: Scope of Work

- A. Contractor shall commit to operating a high-performing crisis response system in their county by:
- Assessing each household's housing needs and facilitating housing stability with the goal of obtaining or maintaining permanent housing.
 - Prioritizing households most likely to become homeless when using homelessness prevention rent assistance.
 - Being anti-racist leaders in their crisis response systems and facilitate partnerships among organizations that respond to the disproportionality in services and outcomes for communities that may not seek assistance from mainstream organizations.
- B. Contractor shall submit the following monthly deliverables on time with truthful, accurate information:
- Invoice and Voucher Detail Worksheet for reimbursement due on the 20th of the month following the provision of services.
- C. Contractor shall submit the following deliverables on time with truthful, accurate information:
- Local Homeless Housing Plan and Annual Report.
 - Annual County Expenditure Report/Homeless Housing Inventory including Point-In-Time Count information.
 - HEN Essential Needs Report.
 - Grantees shall commit to reporting quality and timely HMIS data.
- D. Contractor shall comply with all of the requirements, policies and procedures in the System Demonstration Grant Guidelines, including the Department of Housing and Urban Development (HUD) CoC Program Coordinated Entry requirements and guidelines as described in the [Coordinated Entry Core Elements](#).
- E. Performance Requirements:
- Housing Outcomes: Contractors must maintain performance requirements for the following interventions: Emergency Shelter, Transitional Housing, Rapid Re-Housing, Permanent Supportive Housing / Other Permanent Housing, and Homelessness Prevention. Performance requirements should be variations of, or build on HUD's homeless system performance measures. They must be related to the housing outcomes of households exiting programs.
 - Equitable Access: The race and ethnicity of households served are proportional to the numbers of people in need of services in each county. The performance measure for equitable access is in a testing period and there is no available baseline data. This contract period will serve to test the performance measure, gather baseline data and determine the performance target.
- See Appendix A, Homeless System Performance Requirements, in the System Demonstration Grant Guidelines for more information.
- F. Local Document Recording Fees (DRF) Support
Funds are "for maintaining programs and investments" under local homeless housing plans and affordable housing under RCW 36.22.178. Allowable uses for these funds are for any allowable System Demonstration Grant activity and any allowable activity pursuant to uses of local document recording fees.
- G. Inflation Increase
Funding is to maintain current levels of homeless subsidies and services and to stabilize the homeless service provider workforce. Commerce expects grantees to prioritize salary increases or retention stipends for their homeless service provider workforce, and to the extent possible, offset other inflation costs. Allowable uses for these funds are for any allowable System Demonstration Grant activity.

Attachment B: Budget

Budget	Total
SDG Standard	
Admin	\$211,818
Rent	\$664,781
Operations	\$874,681
PSH CHF	
PSH CHF Rent/Fac Support	\$10,670
PSH CHF Operations	\$351,350
HEN (SFY 2024)	
HEN Admin 2024	\$265,284
HEN Rent/Fac Support 2024	\$1,684,278
HEN Operations 2024	\$1,840,278
HEN (SFY 2025)	
HEN Admin 2025	\$265,284
HEN Rent/Fac Support 2025	\$1,684,228
HEN Operations 2025	\$1,840,278
Eviction Prevention (SFY 23, 24, and 25)	
Eviction Prevention Admin	\$865,099
Eviction Prevention Rent	\$993,000
Eviction Prevention Operations	\$1,604,000
HEN FCS Bridge (SFY 2024)	
HEN FCS Bridge Admin 2024	\$15,072
HEN FCS Bridge Rent 2024	\$95,692
HEN FCS Bridge Operations 2024	\$104,558
HEN FCS Bridge (SFY 2025)	
HEN FCS Bridge Admin 2025	\$15,072
HEN FCS Bridge Rent 2025	\$95,692
HEN FCS Bridge Operations 2025	\$104,558
Inflation Increase (SFY 2024 and SFY 2025)	
Inflation Increase 2024	\$892,263
Inflationary Costs 2025	\$892,263
Local Document Recording Fees Support (SFY 2024 and SFY 2025)	
Local DRF Support 2024	\$225,394
Local DRF Support 2025	\$225,394
TOTAL	\$15,820,937

Attachment C:

SDG Guidelines Addendum for the HEN FCS Bridge funding

It's estimated that over one third of Foundational Community Supports (FCS) enrollees are eligible for Housing and Essential Needs (HEN). This new funding creates a bridge period of rent assistance for households enrolled in FCS, prioritizing households enrolled in Supportive Employment, who no longer have a HEN Referral from Department of Social and Health Services (DSHS) due to increased income or other changes in eligibility.

The applicable System Demonstration Grant guidelines apply to this funding, with the following additions:

Eligible Households

- HEN households who no longer have a HEN Referral from DSHS. This includes:
 - Households who:
 - Are currently receiving HEN rent assistance.
 - Homeless and at-risk households who:
 - Received a HEN Referral within the last six months, but were not able to identify permanent housing.
 - OR
 - Received rent assistance in the past, but exited the program within the last six months.

AND

- Households enrolled in FCS. FCS households enrolled in the Supportive Employment should be prioritized.

AND

- Household income is at or below 80% Area Median Income.

Allowable Expenses

- Allowable expenses include Admin (7%), Rent, and Operations.
- Rent assistance, including arrears, is not to exceed nine (9) months in total.

Housing Stability Plan

- The housing provider must work with the household on a housing stability plan to secure affordable permanent housing with the knowledge that this funding expires June 30, 2025.

HMIS

- HMIS projects must be set up specifically for this funding and data entered accurately.



Agenda Sheet for City Council Meeting of:
07/10/2023

Date Rec'd	7/7/2023
Clerk's File #	ORD C36412
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept	CITY COUNCIL
Contact Name/Phone	JESSICA STRATTON 6369
Contact E-Mail	JSTRATTON@SPOKANECITY.ORG
Agenda Item Type	Special Budget Ordinance
Agenda Item Name	0320 - MID-YEAR ADJUSTMENT SBO – SALARY SAVINGS FOR INTERPRETER COSTS

Agenda Wording

An ordinance amending Ordinance No. C36345, passed by the City Council December 12, 2022, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2023, making appropriations in the various funds of the City of Spokane govern

Summary (Background)

When language barriers are identified, the City is legally obligated to provide interpreters to a defendant during the 'pre-trial phase' (e.g. Court events and Public Defender Attorney meetings), as well as, for their 'post-sentencing' commitments (e.g. Probation appointments). The demand for interpreter services has increased at the same time the cost for such services has also increased.

Lease? NO Grant related? NO Public Works? NO

Fiscal Impact

Expense	\$ \$30,000
Select	\$
Select	\$
Select	\$

Budget Account

#	various
#	
#	
#	

Approvals

Dept Head	BYRD, GIACOBBE
------------------	----------------

Council Notifications

Study Session\Other	07-06-2023 Study Session
----------------------------	--------------------------

Division Director

Council Sponsor	Beggs, Cathcart, Wilkerson
------------------------	----------------------------

Finance

Distribution List

Legal	jstratton@spokanecity.org
For the Mayor	twallace@spokanecity.org
Additional Approvals	mboston@spokanecity.org
Purchasing	gbyrd@spokanecity.org

Committee Agenda Sheet

Study Session

Submitting Department	Finance (on behalf of Muni Court)
Contact Name	Jessica Stratton
Contact Email & Phone	jstratton@spokanecity.org 509-625-6369
Council Sponsor(s)	CP Beggs, CM Cathcart, and CM Wilkerson
Select Agenda Item Type	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion Time Requested:
Agenda Item Name	Mid-year Adjustment SBO – Salary savings for increased interpreter costs
Summary (Background) *use the Fiscal Impact box below for relevant financial information	<p>When language barriers are identified, the City is legally obligated to provide interpreters to a defendant during the ‘pre-trial phase’ (e.g. Court events and Public Defender Attorney meetings), as well as, for their ‘post-sentencing’ commitments (e.g. Probation appointments). The demand for interpreter services has increased at the same time the cost for such services has also increased.</p> <p>This SBO is requesting \$20,000 be transferred from the Salary and Wages type summary and \$10,000 be transferred from the Employee Benefits type summary to the Interpreter Costs type to accommodate the increase in demand. There exists salary savings in Criminal Justice from an Admin Specialist position that was not filled until May. The Admin Specialist is overseeing the interpreter program.</p>
Proposed Council Action	SBO approval 7/10/2023
Fiscal Impact Total Cost Remaining This Year: \$30,000 Approved in current year budget? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A Funding Source <input checked="" type="checkbox"/> One-time <input type="checkbox"/> Recurring Specify funding source: 1910-Criminal Justice salary savings Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impacts (If N/A, please give a brief description as to why)	
What impacts would the proposal have on historically excluded communities? n/a – annual budget adjustment process	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities? n/a – annual budget adjustment process	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? n/a – annual budget adjustment process	
Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others? n/a – annual budget adjustment process	

ORDINANCE NO C36412

An ordinance amending Ordinance No. C36345, passed by the City Council December 12, 2022, and entitled, "An ordinance adopting the Annual Budget of the City of Spokane for 2023, making appropriations in the various funds of the City of Spokane government for the year ending December 31, 2023, and providing it shall take effect immediately upon passage," and declaring an emergency.

WHEREAS, subsequent to the adoption of the 2023 budget Ordinance No. C36345, as above entitled, and which passed the City Council December 12, 2022, it is necessary to make changes in the appropriations of the Criminal Justice Assistance Fund, which changes could not have been anticipated or known at the time of making such budget ordinance; and

WHEREAS, this ordinance has been on file in the City Clerk's Office for five days; - Now, Therefore,

The City of Spokane does ordain:

Section 1. That in the budget of the Criminal Justice Assistance Fund, and the budget annexed thereto with reference to the Fund, the following changes be made:

- 1) Decrease appropriation by \$30,000.
 - A) Of the decreased appropriation, \$20,000 is removed solely from base wages in the Municipal Court program.
 - B) Of the decreased appropriation, \$10,000 is removed solely from various employee benefit types in the Municipal Court program.
- 2) Increase appropriation by \$30,000.
 - A) Of the increased appropriation, \$30,000 is provided solely for interpreter costs in the Municipal Court program.
 - B) There is no increase in the appropriation of the Criminal Justice Assistance fund.

Section 2. It is, therefore, by the City Council declared that an urgency and emergency exists for making the changes set forth herein, such urgency and emergency arising from the need to increase the interpreter costs budget, and because of such need, an urgency and emergency exists for the passage of this ordinance, and also, because the same makes an appropriation, it shall take effect and be in force immediately upon its passage.

Passed the City Council _____

Council President

Attest: _____
City Clerk

Approved as to form: _____
Assistant City Attorney

Mayor

Date

Effective Date



Agenda Sheet for City Council Meeting of:

07/24/2023

Date Rec'd	7/10/2023
Clerk's File #	ORD C36414
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept	PLANNING & ECONOMIC DEVELOPMENT
Contact Name/Phone	KEVIN FREIBOTT 6184
Contact E-Mail	KFREIBOTT@SPOKANECITY.ORG
Agenda Item Type	First Reading Ordinance
Agenda Item Name	0650 - FILE Z23-112COMP -- BUILDING OPPORTUNITY FOR HOUSING PHASE I

Agenda Wording

Proposed amendments to Chapter 3 and the Glossary of the Comprehensive Plan. These amendments have been developed to ease the development of housing in the City and to allow middle housing in all residential zones.

Summary (Background)

Following an extensive public engagement process, staff has prepared amendments to Chapter 3 and the Glossary to accommodate and ease development of middle housing types. This ordinance is the first of two phases seeking to replace the Building Opportunity and Choices for All interim ordinance with more permanent policies and regulations. Furthermore, this proposal is an important step towards complying with Senate Bill 1110, known as the Middle Housing bill, which takes effect this year.

Lease? NO	Grant related? NO	Public Works? NO
Fiscal Impact		Budget Account

Neutral	\$	#
Select	\$	#
Select	\$	#
Select	\$	#

Approvals		Council Notifications	
Dept Head	GARDNER, SPENCER	Study Session\Other	Council Study Session 7/6/23
Division Director	MACDONALD, STEVEN	Council Sponsor	CMs Wilkerson and Cathcart
Finance	ORLOB, KIMBERLY	Distribution List	
Legal	RICHMAN, JAMES	kfreibott@spokanecity.org	
For the Mayor	JONES, GARRETT	sgardner@spokanecity.org	
Additional Approvals		smacdonald@spokanecity.org	
Purchasing		bwhitmarsh@spokanecity.org	
		rbenzie@spokanecity.org	



STAFF REPORT FOR FILE Z23-112COMP

Department of Planning & Economic Development

The following staff report concerns a proposed amendment to the City’s Comprehensive Plan. This amendment is known colloquially as Building Opportunity for Housing (BOH) Phase I. BOH Phase I constitutes a proposed change to the text of Chapter 3, Land Use, including policies and descriptive text in the document.

I. PROPERTY SUMMARY

General Location:	Citywide, All Properties Designated for Residential Development
Current Use:	Residential Uses and Other Uses by Conditional Permit and/or Legal Nonconforming Use

II. APPLICANT SUMMARY

Project Proponent:	The City of Spokane
Staff Contact:	Kevin Freibott, Planning & Economic Development, kfreibott@spokanecity.org

III. PROPOSAL SUMMARY

Current Land Use Designation:	Residential 4-10 (dwelling units/acre), Residential 10-20, Residential 15-30, and Residential 15+.
Proposed Land Use Designation:	Residential Low, Residential Increased, Residential Moderate, and Residential High, respectively.
Current Zoning:	N/A – No change in zoning designations proposed
Proposed Zoning:	N/A – No change in zoning designations proposed
SEPA Status:	A SEPA threshold Determination of Non-Significance (DNS) was issued on June 12, 2023.
Plan Commission Hearing Date:	June 14, 2023
Staff Recommendation:	Approve

IV. BACKGROUND INFORMATION

- General Proposal Description:** The City Council previously adopted Ordinance No. C36232, an interim zoning ordinance that was adopted to implement the housing options listed in RCW 36.70A.600. Since then, the State legislature has adopted HB1110, Chapter 332, Laws of 2023. This new law, which goes into effect on July 23, 2023, requires cities to update their development regulations to allow the

housing options implemented by the City in Ordinance No. C36232. Consistent with the foregoing, the City of Spokane is proceeding to amend Chapter 3, Land Use of the City’s Comprehensive Plan to align policy language in the Comprehensive Plan with these developments and to further implement middle housing options that are now required under State law. The proposal comprises a range of text edits to Chapter 3, Land Use, and affects all parts of that chapter, including the community vision and values, certain policies, and the descriptions and category titles for residential Land Use Plan Map designations described in the chapter. Also proposed are additions to the Comprehensive Plan Glossary, found after the principal elements of the document. The proposed amendments are included herein as **Exhibit A**.

- 2. **Current Land Use Designation and History:** The current land use plan map (Map LU-1) designations of the properties affected by the proposal are Residential 4-10, Residential 10-20, Residential 15-30, and Residential 15+.
- 3. **Proposed Land Use Designation:** The proposal would change the names of the four residential land use designations in the chapter, and on Map LU-1, but reviewers should note that no boundary changes are proposed as part of the proposal. The proposal would retain existing boundaries. For example, if a given property is currently designated “Residential 4-10”, it would now be designated “Residential Low” under the proposed amendment. The relationship between current and future land use plan map designations can be seen in the following table:

Current Land Use Designation	Proposed Land Use Designation
Residential 4-10	Residential Low
Residential 10-20	Residential Increased
Residential 15-30	Residential Moderate
Residential 15+	Residential High

- 4. **Current Zoning and History:** No changes to the zoning map or zoning categories are proposed at this time.
- 5. **Proposed Zoning:** No change in zoning designations is proposed at this time.

V. APPLICATION PROCESS AND PUBLIC COMMENT

- 1. **Key Steps:** The application is being processed according to SMC 17G.020, including the following steps:

Work Program Set..... July 18, 2022
 Agency/Department Comment Period Ended..... April 17, 2023
 Department of Commerce Notice of Intent to Adopt Issued..... April 18, 2023
 Notice of Application Posted..... May 8, 2023
 Plan Commission Workshop..... May 10, 2023
 Plan Commission Workshop..... May 24, 2023
 30-Day Public Comment Period Ended..... June 7, 2023
 SEPA Determination Issued..... June 12, 2023
 Notice of Public Hearing (Scheduled)..... June 14, 2023

Plan Commission Hearing Date (Scheduled)..... June 28, 2023

- 2. Community Engagement:** Community engagement was an essential component of the development of this proposal. Following the adoption of the Building Opportunity and Choices for All (BOCA) interim ordinance¹, internal and external dialogue began on what permanent changes to the comprehensive plan could look like. Below is a list of the numerous blog posts, presentations, community newsletters, tabling events, organization roundtables, resident forums, and additional public workshops with Plan Commission between September 2022 and May 2023 that concerned the proposal. Where documents are available highlighting those events or summarizing them, external web links are provided.

[Permit History Shows Missing Middle Housing Gap – Blog](#)..... September 8, 2022

Five Mile Prairie Neighborhood Council Presentation..... September 22, 2022

Lincoln Heights Neighborhood Council Presentation..... October 18, 2022

[Plan Commission Workshop](#)..... October 26, 2022

[Help Shape the Future of Housing Policy in Spokane – Blog](#)..... November 14, 2022

Spokane Low Income Housing Consortium Presentation..... November 16, 2022

[Shaping Spokane Housing Newsletter](#)..... December 6, 2022

Keller Williams Realty Presentation..... December 6, 2022

Stock House Plans Working Meeting..... December 7, 2022

[Shaping Spokane Housing Newsletter](#)..... December 21, 2022

[A Home is a Journey, not a Destination – Blog](#)..... January 4, 2023

Spokane Preservation Advocates Presentation..... January 5, 2023

[Shaping Spokane Housing Newsletter](#)..... January 6, 2023

[Plan Commission Workshop](#)..... January 11, 2023

WA Trust Bank Presentation..... January 12, 2023

Lincoln Heights Neighborhood Council Presentation..... January 17, 2023

Futurewise Housing Coalition Presentation..... January 19, 2023

[Shaping Spokane Housing Newsletter](#)..... January 19, 2023

[Community Organization Roundtable](#)..... January 24, 2023

[Plan Commission Workshop](#)..... January 25, 2023

Housing Journey Survey Opens..... January 27, 2023

[The Future of Housing for All – Blog](#)..... January 27, 2023

[Shaping Spokane Housing Newsletter](#)..... January 30, 2023

[Beyond the Housing Binary – Blog](#)..... February 6, 2023

Black History Month Empowerment and Resource Fair Tabling..... February 11, 2023

North Indian Trail Neighborhood Council Presentation..... February 14, 2023

[Shaping Spokane Housing Newsletter](#)..... February 16, 2023

Appraisal Institute Presentation..... February 16, 2023

¹ Ordinance C36232, Approved 7-18-2022.

- [When Providing Housing Increased National Security – Blog](#)..... February 27, 2023
- Land Use Subcommittee of the Community Assembly..... March 1, 2023
 - [Shaping Spokane Housing Newsletter](#)..... March 2, 2023
- 2023 Real Estate Market Forum Tabling..... March 2, 2023
 - Futurewise Housing Coalition Meeting..... March 15, 2023
 - [Shaping Spokane Housing Newsletter](#)..... March 16, 2023
 - [Faith-Based Organization Roundtable](#)..... March 16, 2023
- Manzanita House Community Event Tabling..... March 22, 2023
 - El Mercadito Cultural Market Tabling..... March 25, 2023
 - [Shaping Spokane Housing Newsletter](#)..... March 28, 2023
 - [Housing Journey Survey Closed](#)..... March 31, 2023
- District 3 Resident Forum – Meeting 1..... April 4, 2023
 - Spring Break Market Tabling..... April 5, 2023
- District 2 Resident Forum – Meeting 1..... April 6, 2023
 - [Shaping Spokane Newsletter](#)..... April 6, 2023
- District 1 Resident Forum – Meeting 1..... April 7, 2023
 - [Plan Commission Workshop](#)..... April 12, 2023
 - One Realty Presentation..... April 18, 2023
- District 3 Resident Forum – Meeting 2..... April 18, 2023
- District 2 Resident Forum – Meeting 2..... April 20, 2023
 - [Shaping Spokane Newsletter](#)..... April 20, 2023
- District 1 Resident Forum – Meeting 2..... April 21, 2023
 - [Plan Commission Workshop](#)..... April 26, 2023
- [All District Resident Forum – Final Meeting](#)..... April 28, 2023
 - [Shaping Spokane Newsletter](#)..... May 4, 2023
- Plan Commission Workshop (Scheduled)..... June 14, 2023

Some of the key community engagement efforts that shaped this proposal are expanded upon below:

Community Organization Roundtable. This event brought together a diverse group of community organizations that work with and for communities that may be disproportionately impacted by housing, including communities of color, aging populations, persons with physical or mental disabilities, immigrant populations, and other marginalized and intersecting identities. Opportunities discussed included accessible housing, mixed-income development, and attainable and retainable housing. A full summary can be found in **Exhibit B**.

Faith-Based Organization Roundtable. This event brought together members and leaders from a variety of faith-based organizations who provide affordable housing, are interested in providing affordable housing, or who spoke for their congregation and the struggles faced in the housing crisis. The conversation included an exploration into the intersection between faith-based

organizations and housing, identifying concerns that will more appropriately be addressed/considered in the development code work that will follow this proposal. A summary can be found in **Exhibit C**.

Housing Journey Survey. The housing Journey Survey received an unprecedented 3,417 valid responses and aided in forming an understanding of the housing crisis, how it affects residents, their living situations, and the types and sizes of desired housing. Key findings found that the housing crisis is foremost in every community member’s mind, desire exists for increased housing choice and diversity, and some traditional assumptions about residents’ preferences for housing might be incomplete. A full analysis of the results is available in **Exhibit D**.

Resident Forums. Following the survey, City staff invited residents from each District to expand upon their responses in roundtable discussions. Attendees shared their housing experiences and what they hope to see for the future of housing in Spokane. The series of forums started as high-level conversations about what Spokane is like and what it could be, ultimately narrowing in focus to discuss and finalize the draft vision and values language for the proposal. A full summary of these discussions can be found in **Exhibit E**.

3. **Comments Received:** Following the above community engagement efforts, a Request for Comments was issued to City departments as well as local agencies and departments on April 17, 2023. By the close of agency comment on May 2, 2023, comments were received from the following:
 - a. Mike Nilsson, City of Spokane Engineering: Stated he has no comments.
 - b. Randy Abrahamson, Spokane Tribe of Indians Tribal Historic Preservation Office: Stated that cultural surveys and monitoring may be required on case-by-case review of projects.
 - c. Ryan Stewart, Spokane Regional Transportation Council: Stated the proposal is generally consistent with the Regional Transportation Plan.

Full copies of agency and department comments can be found in **Exhibit F** of this staff report.

Following the agency/department comment period, a Notice of Application was issued on May 8, 2023, to Neighborhood Councils, Community Assembly representatives, and the residents and stakeholders who engaged in the proposal’s development phase. Interested persons who had interfaced with the project in the past, or those who specifically requested it, were also sent the Notice, for a total of more than 160 direct emails. Furthermore, the Shaping Spokane Housing newsletter announced the public comment period and solicited written comments. This newsletter has a subscription list of approximately 2,642 addresses. Given the city-wide nature of this proposal, notice was also published in the Spokesman Review on May 10, 2023.

The 30-day public comment period ended on June 7, 2023. During that time, the following comments were received:

- a. Carl Bruesch: Neutral comment—suggests that “protecting the character of single-family neighborhoods” not be removed as a value, suggesting replacement language.

- b. Joey Gunning: Provided several specific suggestions for Chapter 7 of the Comprehensive Plan.²
- c. Debra Howard: Supports the proposal, but also lists certain design requirements she recommends be required of new development.
- d. Bob Hyta: Supports updating the comprehensive plan, citing the age of the document and past amendments.
- e. Alena Izhokhina: Supports the proposal but wants requirement that original vegetation trees remain when developing.
- f. David Jones: Opposes the interim zoning regulations (BOCA) and the proposal, feels it is incompatible with the existing comprehensive plan and will cause people to move out of town to find “neighborhoods to live in.”
- g. Betty Krafft: Supports more housing options. Promotes condos as a path to ownership and a shield against rising rents.
- h. Cynthia Manycolors: Recommends targeting new development to areas with bus routes and near schools.
- i. Ben Maplethorpe: Development should be focused on locations with transit. Current parking standards are not sufficient. Opposes “moderate to high density” housing in areas traditionally and historically containing single-family homes.
- j. Adam Marshall: Feels that the proposal should incorporate requirements that the City ensure concurrency and adequate services before allowing more development.
- k. Rick & Roxanne Messenger: Concerned about parking impacts from middle housing.
- l. Scott Moore: Feels the City should concentrate on crime and drugs before considering amendments regarding housing.
- m. Heather Morgan: Development should be focused on locations with transit. Current parking standards are not sufficient. Feels the word “churches” in the amendment should be replaced with “places of worship.”³
- n. Candace Mumm: Provided several specific comments on the proposed language, as summarized in the table below (with staff responses to each).

Comment	Staff Response
Proposed changes to the definition of middle housing to remove the number of	The definition is a nearly word-for-word copy of the definition of Middle Housing required

² As Mr. Gunning’s comments concern a chapter of the Comprehensive Plan not currently considered for changes, this information will be retained for the preparation of the next major update to the Comprehensive Plan, expected in 2025-2026.

³ Staff concurs that this change would be more inclusive of faiths that do not call their places of worship a “church.”

Comment	Staff Response
units and the various home types, as “state law will likely change.”	by House Bill 1110. While state law <i>can</i> change, this definition is the current legal definition. Additionally, there exists mechanisms by which the City can update the definition in the glossary if the law changes in the future. Nothing in this definition would REQUIRE the allowance of these housing types. That is a function of the eventual updates to the Municipal Code (Phase II of this project, currently under development).
Objects to the removal of “controlling urban sprawl” from the value statements.	In numerous conversations with the public, it became clear that “urban sprawl” is not a universally understood concept. The replacement language was crafted with significant input during public workshops to clarify the beneficial intent of growth management.
Requests the term “convenient” be retained in the values.	During the extensive public engagement process repeated comments were made that “convenient” is too subjective to be useful in this context.
Suggests removal of the value that begins “Balancing stability. . . “	This value statement was crafted in direct consultation with the public and is intended to reinforce the idea that the Comprehensive Plan (and the Municipal Code that implements it) is not a static, set-in-stone document and should rather be updated and amended over time.
Suggests keeping the three bullets at the end of the Goals and Policies preface.	These bullets are proposed for removal not because they are unimportant, but because this same language is already included in multiple locations throughout the chapter. Additionally, the concepts they describe are a key component of the various goals and policies in the chapter and the overall strategy is self-evident. As a preface, these statements have less force than the policies themselves, which already include these concepts.
Suggests additional language to Policy LU 1.4 calling for new centers via a neighborhood planning process.	Goal 3 and its various policies already includes sufficient details as to the need and method for determining and designating centers and corridors. Nothing in the

Comment	Staff Response
	proposal would modify or reduce the effectiveness of those policies. As such, including it in this policy would be unnecessarily repetitive. See existing Policy LU 3.3, Designating Centers and Corridors.

- o. James O’Hare: Supports more housing options. Cites lack of options for those seeking to downsize/move.
- p. Drew Peterson: Supports the inclusion of churches in the proposed text. Supports the amendment’s strengthening of direction that residential development “within moderate walking distance” of centers and corridors is beneficial.
- q. Richard Schubach: Neutral comment—feels City should consider impacts on viewpoints and the environment when discussing development.
- r. Toni Sharkey: Feels the City should focus on downtown before easing development in “historical neighborhoods” and scenic/environmental areas.
- s. Carol Tomsic: Objects to the removal of the word “neighborhoods” from the Land Use Vision by the proposal.
- t. Katie Upton: Supports the proposal, citing the value diversity brings to her neighborhood.
- u. Multiple Commenters: A group of comment emails with similar themes and comments was received from the following individuals:
 - David Camp
 - Kari Ann Gaither
 - Lila Girvin
 - Mark Odegard
 - Amy Pistone
 - Edward Renouard
 - Hannah TeGrotenhuis

These seven commenters expressed concern that the proposal would remove or otherwise modify the focused growth strategy of the Comprehensive Plan, namely the Centers and Corridors concepts in the existing plan.

Full copies of all public comments received up until the end of the Public Comment Period (June 7, 2203), including the comments listed above, can be found in **Exhibit G** of this Staff Report.

Staff Response—“Neighborhoods” Terminology

Some commenters have raised concerns with the removal of the word “neighborhoods” from the vision statement. Staff developed the proposed changes to the vision during the public engagement process and in direct consultation with the participants of the Resident Forums. It was pointed out by the public in those meetings that the original vision is unclear as to whether “neighborhoods” referred to only residential portions of the city or if it included downtown and other centers and corridors. To clarify that the vision applies everywhere in the city, not just within residential areas, the word “neighborhoods” was replaced with the concept of livability in

this proposal. However, even with this change, neighborhoods remain a major component of the Comprehensive Plan—including the Neighborhoods Chapter, chapter 11 of the Comprehensive Plan (which remains unchanged by this proposal) and the more than 2,000 times the word “neighborhood” appears in the plan.

Staff Response—Centers and Corridors

While some commenters have raised concerns that the proposal would fundamentally change Centers and Corridors, the focused growth strategy in the Comprehensive Plan, it is important to note that the fundamental Centers and Corridors strategy remains a core aspect of the overall growth strategy outlined in the Comprehensive Plan. No part of the proposal is expected to remove or significantly alter the implementation of Centers and Corridors in the plan.

Staff Response—Increased Density

Some commenters have expressed concerns that this proposal will precipitously raise density in the City, adversely affecting service and utility provisions and exceeding the City’s ability to provide and accommodate urban-scale uses. While the proposed Comprehensive Plan amendments discussed in this staff report make it clear that multiple housing types can be accommodated in lower intensity residential areas, there are several mitigating factors that will ensure that density (units per acre) does not rise above the ranges originally envisioned by the Comprehensive Plan. They include:

- Much of the City is already built out, limiting the amount of new development that might occur overall. In repeated discussions with stakeholders and considering the pre-application meetings of nearly 400 units under the interim ordinance, demolition of existing homes is usually not a part of redevelopment under the interim ordinance. Demolition of existing homes represents additional costs and permitting that makes redevelopment less financially feasible. Accordingly, as a great deal of the city is currently built out and, as demolition is less likely to be a part of any redevelopment, it’s unlikely that any part of the city would experience a precipitous rise in density.
- Many areas of the city have previously developed *below* the expected densities called for in the existing Comprehensive Plan. When some areas that platted and developed in the last 20 years were analyzed by staff, the actual density of development fell below the minimum density described in the original Comprehensive Plan. For instance, when a 52-acre portion of a newer (1990’s) neighborhood in Spokane was analyzed, staff found that the density was 3.9 units per acre, below the minimum of 4.0 called for in the Comprehensive Plan and nowhere near the maximum 10.0 units per acre called for in the plan.
- Critical Areas, stormwater, utility connection, and other factors still reduce site-by-site development potential. Nothing in the proposed amendment would reduce or eliminate the existing limitations on development presented by critical areas, wetlands, stormwater/drainage concerns, utility needs, or topography issues. Many currently undeveloped or underdeveloped sites have physical limitations that will prevent them from building larger middle housing types. This proposal would not remove those obstacles.

- Nothing in the proposal would eliminate the existing requirement for future development to show concurrency with service/utility provisions and to offset impacts from development. As future development is proposed following adoption of the proposal (and the Municipal Code amendments implementing these changes, currently under development), those new developments would still be required to show they are adequately served by City services and utilities. Nothing the proposal would bypass the concurrency requirement for future development already in place in the Spokane Municipal Code (see SMC 17D.010).

Staff Response—Development Standards Comments

Some of the public comments concern the development standards of the Municipal Code and not the vision and policy statements of the Comprehensive Plan. These include topics such as parking requirements and other design requirements that future development would be required to adhere to. The proposal that this staff report concerns is limited to policy, goal, and text changes to the Comprehensive Plan—no Municipal Code amendments are proposed at this time. Proposed changes to the Municipal Code are being developed as Phase II of this project and will be subject to additional public engagement, development, and consideration prior to being proposed for adoption. Accordingly, those comments that concern development standards and other implementing actions will be held and considered as part of Phase II.

4. **Public Workshops:** Public workshops with the Spokane Plan Commission were held on several dates (see section V.2 above). Two workshops were held during the public comment period, on May 10 and May 24, 2023. During those workshops, the particulars of the proposal were presented to the Plan Commission for their consideration and discussion. During the workshop Plan Commission asked questions and suggested changes, all of which were incorporated into later versions of the proposal and marked in the change matrix of **Exhibit A**.

An online public workshop was held on June 1, 2023. The workshop included a presentation on the proposal and questions were answered and comments received. A summary of that event will be provided to Plan Commission prior to the hearing on the proposal.

VI. APPLICATION REVIEW AND ANALYSIS

1. **Guiding Principles:** SMC 17G.020.010 provides the following guiding principles for the annual comprehensive plan amendment process:
 - A. Keep the comprehensive plan alive and responsive to the community.
 - B. Provide for simultaneous review of proposals to allow for cumulative impact analysis of all applications on a City-wide basis and in conjunction with budget decisions.
 - C. Make map adjustments based on a foundation in policy language, consistently applying those concepts citywide.
 - D. Honor the community's long-term investment in the comprehensive plan, through public participation and neighborhood planning processes, by not making changes lightly.

E. Encourage development that will enable our whole community to prosper and reinforce our sense of place and feeling of community, in an ecologically, economically and socially sustainable manner.

F. Amendments to the comprehensive plan must result in a net benefit to the general public.

2. **Review Criteria:** SMC 17G.020.030 provides a list of considerations that are to be used, as appropriate, by the applicant in developing an amendment proposal, by planning staff in analyzing a proposal, by the plan commission making a recommendation on a proposal, and by the city council in making a decision on the proposal. Following each of the considerations is staff’s analysis relative to the proposed amendment.

A. Regulatory Changes: *Amendments to the comprehensive plan must be consistent with any recent state or federal legislative actions, or changes to state or federal regulations, such as changes to the Growth Management Act, or new environmental regulations.*

Staff Analysis: Staff reviewed and processed the proposed amendment under the current regulations contained in the Growth Management Act, the Washington State Environmental Policy Act (SEPA), and the Spokane Municipal Code. Staff is unaware of any recent federal, state, or legislative actions with which the proposal would be in conflict, and no comments were received to this effect from any applicable agencies receiving notice of the proposal. Furthermore, the proposal implements some, but not all, of the modifications called for by House Bill 1110 (2023), recently passed by the State Legislature. The proposal is an important first step towards compliance with HB 1110, though the City has 6 months following the next required comprehensive plan update, which is required by June 30, 2026, to adopt development regulations in conformance with HB 1110.

The proposal satisfies this criterion.

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

Staff Analysis: The Growth Management Act (GMA) details 13 goals to guide the development and adoption of the comprehensive plans and development regulations (RCW 36.70A.020, “Planning Goals”), and these goals guided the City’s development of its comprehensive plan and development regulations. No comments received or other evidence in the record indicates inconsistency between the proposed land use plan map amendment and the goals and purposes of the GMA. As discussed in criterion 2.A above, the proposal is also generally consistent with HB 1110, which includes amendments to RCW 36.70A (GMA), and has been processed consistent with the requirements of RCW 36.70A.370.

The proposal satisfies this criterion.

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

Staff Analysis: The City did not require, nor did any Agency or City Department comment request or require a traffic impact analysis for the proposal. Renaming the Land Use Plan Map designations

is unlikely to affect access to existing infrastructure for any given site and should be covered by the City's planned investments in infrastructure expansion over the next 20 years. While the proposal could result in code amendments to increase the number of homes possible on a given site, the fact that the city is largely built out will likely limit any increase in density in most of the city. Accordingly, the proposal is not expected to negatively impact service or utility provisions or vehicle access. Furthermore, under State and local laws, any subsequent development of the sites impacted by the proposal will be subject to a concurrency determination pursuant to SMC 17D.010.020.

The proposal satisfies this criterion.

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

Staff Analysis: No evidence of a potential funding shortfall as a result of this proposal has been found.

The proposal satisfies this criterion.

E. Internal Consistency:

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

Staff Analysis: The proposal is internally consistent with applicable supporting documents of the comprehensive plan as follows:

Capital Facilities Program. As described in the staff analysis of Criterion C above, no additional infrastructure or capital expenditures by the City are anticipated for this non-project action, and it is not anticipated that the City's integrated Capital Facilities Program would be affected by the proposal.

Development Regulations. Any future development will be required to be consistent with the development regulations in place at the time of application submittal. Development regulations must also be consistent with the comprehensive plan and will be updated in the second phase of this proposal to ensure consistency.

Neighborhood Planning Documents Adopted after 2001. The proposal is consistent with or supports the goals and policies in many neighborhood plans that call for livability and diversity of housing types at different affordability levels. Upon review, the proposal does not directly conflict with the remaining neighborhood planning

documents. Any future changes to the development code as a result of the proposed changes would be subject to review and consideration of the neighborhood plans at the time of proposal.

Housing Action Plan. The proposal is consistent with the Housing Action Plan adopted in July 2021. Strategies A1, A4, and C1, in particular, informed the development of this proposal which would permanently allow more housing types and affordability levels throughout neighborhoods while planning for higher density housing around transit and services. The full Housing Action Plan can be found [online](#).

Miscellaneous Comprehensive Plan Goals and Policies. Comprehensive plan goals and policies—apart from policies LU 1.3 and LU 1.4—are supportive of expanded housing choice, diverse affordability levels, and access to services in every neighborhood. For a list of comprehensive plan goals and policies which support the proposal, see **Exhibit H**. As shown in that Exhibit, several policies in the current comprehensive plan support greater housing choice and diversity while some, namely those amended by this proposal, seem to support a more homogenous housing stock in most of the City. Resolving this tension between the existing policies in Chapter 3 (and elsewhere) represents one of the goals of the overall proposal.

The proposal is generally consistent with current comprehensive plan policies. There is an existing tension between the interpretation of policies LU 1.3 and LU 1.4 in Chapter 3, Land Use of the comprehensive plan and the rest of the policies in the comprehensive plan, as identified in **Exhibit H**, and further described in the staff analysis of Criterion K.1 below. In accordance with the considerable public engagement effort, City and state direction for housing policy, and the intent of the original values in Chapter 3, this proposal aims to ease this tension in the comprehensive plan and improve overall internal consistency.

The proposal satisfies this criterion.

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

Staff Analysis: The proposal is generally consistent with the comprehensive plan as discussed in item 1 above.

The proposal satisfies this criterion.

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

Staff Analysis: This proposal is consistent with countywide planning policies (CPPs), specifically affordable housing policies 1, 4, and 6, which call for jurisdictions to provide a diverse mix of

housing types and affordability through inclusionary zoning practices and the development of higher density housing near employment. No comments have been received from any agency or neighboring jurisdiction which would indicate that this proposal is not regionally consistent.

The proposal satisfies this criterion.

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

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

Staff Analysis: This proposal is the only proposed amendment to the comprehensive plan this year. Private applications for comprehensive plan amendments were suspended⁴ to focus on the permanent replacement of the Building Opportunity and Choices for All (BOCA) interim ordinance before it expired. As the only proposal for 2023, there is no cumulative impact to consider.

This proposal satisfies this criterion.

H. SEPA: *SEPA⁵ Review must be completed on all amendment proposals and is described in Chapter 17E.050.*

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

Staff Analysis: The application is under review in accordance with the State Environmental Policy Act (SEPA), which requires that the potential for adverse environmental impacts resulting from a proposal be evaluated during the decision-making process. Based on the information contained in the environmental checklist, written comments from local and State departments and agencies concerned with land development within the City, and a review of other information available to the Director of Planning Services, a Determination of Non-

⁴ Spokane Ordinance ORD C36270

⁵ State Environmental Policy Act

Significance was issued on June 12, 2023 (see **Exhibit I**). It is worth noting that adoption of ordinances and other non-project actions taken by a city to implement the middle housing options encouraged by the State legislature and Ordinance C36232 are not subject to administrative or judicial appeals under Chapter 43.21C RCW.

The proposal satisfies this criterion.

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

Staff Analysis: As the proposal retains the density ranges of development in residential land use designations that were used for the planning of facilities and services, it is not expected to impact the City's ability to provide those facilities or services at the planned level of service.

The proposal satisfies this criterion.

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

Staff Analysis: The proposal does not include an expansion to the Urban Growth Area, thus this criterion does not apply.

This criterion does not apply.

- K. **Demonstration of Need:**

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

Staff Analysis:

Following on the heels of the Building Opportunity and Choices for All (BOCA) interim ordinance, as well as the Mayor's proclamation of a housing emergency⁶, the city has undertaken an extensive public engagement process exploring the topic of housing and the performance/effect of the comprehensive plan on the development of diverse housing types and opportunities throughout the city (see section V above). Throughout this process it has become clear that amendments to the comprehensive plan are necessary to address the community's needs and to resolve certain tensions within the policies and language of the comprehensive plan. These tensions center on the many policies calling for greater housing/development diversity versus a few that seem to press for more uniform residential

⁶ Mayor's Proclamation – July 26, 2021

types in most areas (see discussion under criterion E.1 above and **Exhibit H** for more information).

Accordingly, this proposal aims to clarify and enhance the current comprehensive plan in three key areas:

1. Update the vision and values to clarify their intent and meet the current and future needs of the community;
2. Bring development policy into alignment with other policies in the Comprehensive Plan, as well as the originally designated density of residential development; and
3. Clarify the relationship between Centers and Corridors and development of smaller scale housing, with gradual transitions between intensities.

Area 1: Community Need

While many of the guiding principles established by the community during the 2001 Comprehensive Plan still apply, review of Chapter 3, Land Use, with community members has indicated that adjustments are necessary to bring the document into alignment with the community's vision and values. Existing value language like "protect", "character", and "sprawl" mean different things to residents than they might have when originally written. Accordingly, the proposed amendment was developed to be clearer about the intent of the values, to make the language more inclusive, and to highlight what current residents want to see for Spokane. However, none of the proposed amendments are intended to supplant or substantially shift the existing community vision provided by the original comprehensive plan. Rather these refinements have been developed to clarify and enhance the existing land use strategy.

Area 2: Density

By indicating that middle housing is appropriate in all residential areas, the proposal may appear to provide for an increase in the possible development intensity within existing residential land uses. However, recent analysis has indicated that the currently adopted language (as well as implementing Municipal Code provisions) and an overemphasis on policies LU 1.3 and LU 1.4 has contributed to a general *reduction* in development densities in recent years, in some cases below the City's density minimums. This has occurred in part because density is considered on a lot-by-lot basis via restrictions placed on housing type and unit counts in the municipal code. The proposal seeks to remedy this overemphasis on density while still calling on new development to be compatible with existing neighborhoods. Any increase in development following adoption of this proposal would serve to bring the densities of each land use designation within the intended range originally adopted in the comprehensive plan. Any overall increase in density or development intensity would be moderated citywide by the fact that the vast majority of the city is already developed—the effect of this proposal is largely on infill development.

The proposal *does* include significant text amendments to the names and descriptions of various residential land uses. However, while the naming conventions for the residential

land use plan map designations would be changed by the proposal, the assumed density for those designations remain. The descriptions added for the various residential land uses are more in line with existing policy in the Comprehensive Plan calling for diversity and choice in all parts of the City, and do not represent a new paradigm in land uses or their preferred development types.

Area 3: Transitions to C&C

In addition to the discussion of housing diversity, some minor amendments have been included that make it clearer that residential intensity should rise as development nears Centers and Corridors. Centers and Corridors have been the cornerstone of the City's adopted focused growth strategy since the 2001 Comprehensive Plan. The intent of focused growth is to develop higher density housing around Centers and Corridors where amenities, facilities, services, and employment are highest. However, existing language leaves some uncertainty where Centers and Corridors begin and end and whether growth should occur *only* in these areas, or just *more* growth than in single family residential areas. This uncertainty has historically made some comprehensive plan amendments difficult to process.

The intent of this proposal is to clarify some of the existing language on this topic by establishing a range of development that can occur within each land use plan map designation and calling for a gradual transition between the lowest intensity uses in residential neighborhoods and the highest intensity uses in Centers and Corridors. The proposed updates to the names and descriptions of the residential land use designations on the land use plan map aim to solidify this concept in accordance with goals of this project.

In summary, the intent and effect of the proposal is to refine the existing vision of the comprehensive plan and to provide enhanced language that results in better implementation of that vision throughout the city.

This proposal satisfies this criterion.

2. **Map Changes:** *Changes to the land use plan map (and by extension, the zoning map) may only be approved if the proponent has demonstrated that all of the following are true:*
 - a. *The designation is in conformance with the appropriate location criteria identified in the comprehensive plan (e.g. compatibility with neighboring land uses, proximity to arterials, etc.);*
 - b. *The map amendment or site is suitable for the proposed designation.*
 - c. *The map amendment implements applicable comprehensive plan policies and subarea plans better than the current map designation.*

Staff Analysis: The proposal is not changing any boundaries on the existing land use plan map. Residential land use plan map designations would be updated to reflect the new naming conventions described above but no other map changes are proposed.

This proposal satisfies this criterion.

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

Staff Analysis: As the proposal would not change the land use plan map designation of any parcel, no rezone is required. Nor is a rezone of any property a part of the proposal.

The proposal satisfies this criterion.

VII. CONCLUSION

The proposal has been processed and considered according to the requirements of the Spokane Municipal Code. According to the information provided above and the whole of the administrative record, the proposal is consistent with the approval criteria set forth by SMC 17G.020.

Following the close of public testimony and deliberations regarding conclusions with respect to the review criteria and decision criteria detailed in SMC Chapter 17G.020, Plan Commission will need to make a recommendation to City Council regarding the proposed amendment to the Land Use Plan map of the City's Comprehensive Plan.

VIII. STAFF RECOMMENDATION

Considering the above information and the whole of the administrative record, staff recommends that Plan Commission and the City Council **approve** this proposal.

IX. LIST OF EXHIBITS

- A. Proposed Text Amendments
- B. Community Organization Roundtable Summary
- C. Faith-Based Organization Roundtable Summary
- D. Housing Journey Survey Summary
- E. Resident Forum Summary
- F. Agency Comments
- G. Public Comments
- H. Comprehensive Plan Policies
- I. SEPA Determination & Environmental Checklist

Staff Report - File Z23-112COMP

Exhibit A

**Proposed Comprehensive Plan Chapter 3, Land Use Text
Changes (Tracked Changes and Matrix of Changes)**



Language Version Date: May 17, 2023

The following excerpt provides the currently adopted language in Chapter 3, Land Use, of the Spokane Comprehensive Plan. Only sections expected to be amended by Building Opportunity for Housing Phase I are included. For more in-depth review of the existing language and information regarding the whole Comprehensive Plan, see www.shapingspokane.org.

---- Changes start on page 3-5 of the currently adopted Comprehensive Plan ----

3.2 VISION AND VALUES

Spokane volunteers working to develop the 2001 Comprehensive Plan identified important themes in relation to Spokane’s current and future growth. A series of visions and values was crafted for each element of the Comprehensive Plan that describes specific performance objectives. From the Visions and Values document, adopted in 1996 by the City Council, the Comprehensive Plan’s goals and policies were generated. In 2023, the City endeavored to explore these visions and values further, seeking to refine them in the face of an ongoing housing crisis (see the Spokane Housing Action Plan). Accordingly, the City held numerous meetings and roundtable discussions with the public and key housing stakeholders in the region and crafted updates to the vision and values herein.

Land use is defined as the general location of various uses of land, concentrations of population density, and building-intensities of development (size, height, lot coverage, etc.).

Vision

Growth will be managed to allow a mix of land uses that fit, support, and enhance Spokane’s neighborhoods livability, protect the environment, ~~and~~ sustain the downtown area, and broaden the economic base of the community.

Values

The things that are important to Spokane’s future include:

- Acquiring ~~and~~, preserving, and enhancing the natural areas inside and outside the city;
- Controlling urban sprawl in order to Managing urban growth to ensure development results in equitable, livable, community-oriented neighborhoods, contributes positively to the City’s financial resources, and to protects outlying rural areas;
- Developing and maintaining convenient access and opportunities for shopping to amenities, services, education, and employment for people of all ages and abilities in all parts of the city;
- Protecting the character of single-family neighborhoods; Celebrating the uniqueness of each neighborhood while allowing for growth and diversity everywhere;

- Ensuring equitable housing supply by encouraging diversity of housing choice, mitigating the effects of displacement on existing residents, and ensuring attainable and accessible housing for all members of the community;
- ~~Guaranteeing a variety of densities that support a mix of land uses; and~~
- ~~Utilizing current residential lots before developing raw land. Encouraging development in built areas while promoting complementary changes in all parts of the city; and~~
- Balancing stability and flexibility by reviewing and amending standards in an orderly and thoughtful fashion as needs change in the city.

3.3 GOALS AND POLICIES

Goals and policies provide direction for planning and decision-making. Overall, they indicate desired directions, accomplishments, or aims in relation to the growth and development of Spokane. The land use goals and policies establish a framework for future growth and development of the city.

Much of the future growth ~~will should~~ occur within concentrated areas in and around Neighborhood Centers, District Centers, Employment Centers, ~~and~~ Corridors, and Downtown (the Regional Center), as designated on the Land Use Plan Map. ~~While this Significant growth occurs in is directed to~~ Centers and Corridors, established single family with changes in other areas (like existing residential neighborhoods will remain largely unchanged) guided towards more compatible uses and scales that fit well into those existing areas.

The Centers and Corridors contain a mix of uses, including higher ~~density-intensity~~ housing centered around or above retail and commercial establishments, office space, and public and semi-public activities (parks, government, and schools). In addition to these uses, areas designated as Employment Centers emphasize a strong employment component such as major offices or light industrial uses. Street patterns within the Centers and surrounding neighborhoods enable residents to walk or bicycle for their daily service needs and to access each center's transit stop. Higher ~~density-intensity~~ housing within and around the Centers supports business in the Center and allows for enhanced transit service between Centers, along Corridors, and to the downtown area. Center designations on the Land Use Plan Map may change to reflect neighborhood planning decisions.

~~Other important directives of the land use goals and policies include:~~

- ~~limiting commercial and higher density development outside Centers and Corridors to support growth and development of Centers and Corridors;~~
- ~~directing new higher density housing to Centers and Corridors and restricting this type of development in single family areas; and~~
- ~~using design guidelines to ensure that commercial buildings and higher density housing are compatible with existing neighborhood character in and around Centers and Corridors.~~

---- No other proposed changes until page 3-8 ----

LU 1.3 ~~Single Family~~ Lower Intensity Residential Areas

~~Protect the character of single family residential neighborhoods by focusing higher intensity land uses in designated Centers and Corridors. Focus a range of lower intensity~~

residential uses in every neighborhood while ensuring that new development complements existing development and the form and function of the area in which it is located.

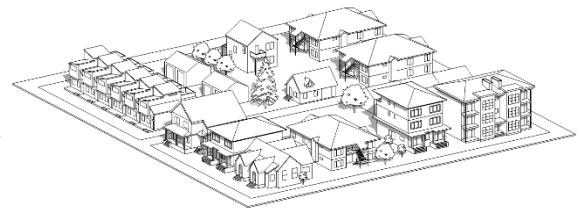
Discussion: The city's residential neighborhoods are one of its most valuable assets. ~~They are worthy of protection from the intrusion of incompatible land uses. Centers and Corridors provide opportunities for complementary types of development and a greater diversity of residential densities.~~ Diversity in both housing type and residents in these areas is essential for the wellbeing and health of the city's neighborhoods. Lower intensity residential uses, from detached homes to middle housing types, are generally compatible with each other and can be incorporated effectively into all neighborhoods. Accordingly, some residential areas would benefit from slightly increased intensities of residential use (e.g., somewhat taller buildings, more lot coverage), dependent on the context and nature of the surrounding neighborhood. These areas of increased residential development should focus on those parts of the neighborhood where proximity to adequate transportation (such as frequent transit), parks, schools, shopping, and other services already exists and where conditions allow for accommodation of increased utility/service needs and other impacts such as parking or the need for public green space.

Complementary types of development ~~may should~~ include places for neighborhood residents to walk to work, shop, eat, and recreate. Complementary uses include those serving daily needs of residents, including schools, churches, grocery stores, recreation facilities, and small-format retail and medical uses. Development of these uses in a manner that avoids negative impacts to surroundings is essential. Creative mechanisms, including design standards, must be implemented to address these impacts so that potential conflicts are avoided.

The following graphics are provided as a conceptual guide to different intensities envisioned by this policy. These are schematic representations of possible development intensities and are not intended to call for specific structure designs or architectural details.



Low Intensity



Increased Intensity

For specific guidance as to the land use plan map designations guided by this policy—"Low Intensity Residential" and "Increased Intensity Residential"—see Section 3.4 below.

LU 1.4 Higher Density-Intensity Residential Uses Areas

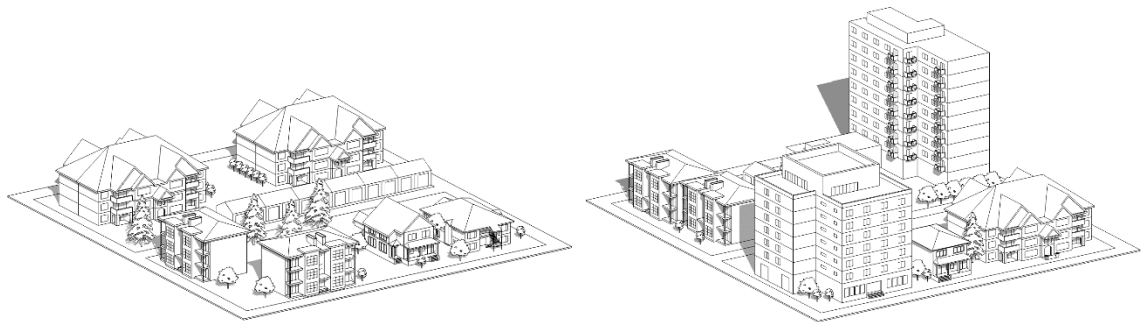
Direct new higher density-intensity residential uses to areas in and around Centers and Corridors designated on the Land Use Plan Map and to areas where existing development intensity is already consistent with development of this type.

Discussion: Higher density-intensity 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—more intense commercial development. Residential uses in and around Centers

generally consist of multi-story condominiums and apartments. In some cases, smaller-scale residential development may be interspersed among those higher intensity uses, but generally uses of higher scale and height should predominate in these areas, especially as proximity to designated Centers or Corridors increases. Likewise, residential development should increase in height, mass, and lot coverage as properties are located closer to commercial areas or where employment is higher.

To ensure that the market for higher density-intensity residential use is directed to Centers, future higher density housing of higher scale and form is 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.~~ Whenever more intense residential uses are proposed outside the general vicinity of Centers and Corridors, topics such as the proximity of those areas to uses like commercial or downtown uses should be considered. Design and site requirements should be considered that minimize conflict between these areas and other uses.

The following graphics are provided as a conceptual guide to different intensities envisioned by this policy. These are schematic representations of possible development intensities and are not intended to call for specific structure designs or architectural details.



Moderate Intensity

High Intensity

For specific guidance as to the two land use plan map designations guided by this policy—“Moderate Intensity Residential” and “High Intensity Residential”—see Section 3.4 below.

---- No other proposed changes until page 3-24 ----

LU 3.6 Compact Residential Patterns

Allow more compact and affordable housing in all neighborhoods, in accordance with design guidelines.

Discussion: Compact and affordable housing includes such choices as townhouses, accessory dwelling units (granny flats), live-work housing, triplexes, zero-lot line, starter, small-lot, and row houses. Middle housing types such as these are compatible with all residential areas, commensurate with policy LU 1.3 above.

---- No other proposed changes until page 3-28 ----

LU 5.5 ~~Compatible-Complementary~~ Development

Ensure that infill and redevelopment projects are well-designed and ~~compatible with~~ complement surrounding uses and building types.

Discussion: New infill development and redevelopment should be designed and planned to seek compatibility with its location. Consideration should be given to multiple scales of compatibility, from the site on which the use will be constructed to the wider area in which it will reside. New development/redevelopment should seek to expand the choices available in the area while complementing existing use and form of surrounding properties. For example, middle housing types provide for diverse choices in scale and form while also maintaining a high level of compatibility with existing residential neighborhoods.

---- No other proposed changes until page 3-37 ----

3.4 DESCRIPTION OF LAND USE DESIGNATIONS

Much of the future growth will occur in District Centers, Employment Centers, Neighborhood Centers, and Corridors. A key component of each of these focused growth areas is higher density housing centered around or above service and retail facilities. This enables residents near the Center or Corridor to walk or bicycle for their daily needs. Higher density housing also provides economic support for the businesses and allows for more efficient transit service along the Corridor and between mixed-use Centers and downtown Spokane.

Focusing growth results in a more compact urban form with less land being used at the fringe of the city. It provides city residents with more housing and transportation choices. New policies, regulations, and incentives allow mixed-use in designated Centers and Corridors and assure that these areas are designed to be compatible with surrounding lower density residential areas.

The following land use plan map designations are necessary for development and growth in the city to achieve the vision and values discussed at the beginning of the chapter. These land use designations are shown on the following map, LU-1 Land Use Plan Map, which apply the requirements of land use and the goals and policies of the Comprehensive Plan to the physical environment, describing the types of development expected in each area. The overall strategy, as described above, is that development mass, height, and lot coverage be concentrated in focused growth areas (Centers and Corridors) while the remaining parts of the city remain occupied by lower intensity uses. Furthermore, future changes to the land use plan map should seek to achieve a transition between areas of lower and higher development mass and form and should avoid locations where the lowest intensity uses immediately transition to the highest intensity uses.

There is expected to be some variation in residential zones within each residential land use plan map designation. Contextual factors such as proximity to services, transportation options, and existing land use patterns should be considered when assigning a zoning category.

The land use designations and their general characteristics are as follows:

---- No other proposed changes until page 3-40 ----

Note: the following items have been reordered to list them from lowest to highest intensity. That change is not shown in the "tracked changes" below.

Residential 4-10: This designation allows single family residences, and attached (zero lot line) single-family residences. The allowed density is a minimum of four units and a maximum of ten units per acre. Allowed structure types are single family residences, attached (zero lot line) single family residences, or two family residences in appropriate areas. Other residential structure types may be permitted through approval of a Planned Unit Development or other process identified in the development regulations.

Residential Low: The Residential Low land use designation should focus on a range of housing choices built at the general scale and height of detached houses. This includes both detached and attached homes and housing categorized as middle housing (duplex, triplex, etc.). Combinations of these types should also be allowed, such as a duplex with an accessory dwelling unit. Other non-residential uses should be allowed conditionally, provided they integrate into the nature and context of the neighborhood. This would include uses such as schools, churches, grocery, small-format retail and medical services, and other resident serving uses.

Residential Low areas are appropriate in parts of the city where amenities and services are scaled for a lower level of development intensity.

~~**Residential 10-20:** This designation allows single family residences or two family residences on individual lots or attached (zero-lot line) single family residences. The allowed density is a minimum of 10 and a maximum of 20 units per acre. Allowed structure types are single family residences or two family residences on individual lots or attached (zero-lot line) single family residences. Other residential structure types may be permitted through approval of a Planned Unit Development or other process identified in the development regulations.~~ **Residential Increased:** Uses in the Increased Intensity Residential designation are largely similar in type to low intensity residential areas. However, the overall development scale of those uses should be slightly higher, including possible design allowances like increased lot coverage, height, and other similar design requirements. The intent of Increased Intensity Residential areas is to provide a gradual increase in intensity, height, and overall context as the lower intensity areas transition into the more intense uses found in Centers and Corridors or significant commercial areas.

Residential Increased areas are appropriate whenever predominately lower scale residential is located near or around more intense uses like commercial locations or designated Centers and Corridors. Factors to be considered in designating such areas should include proximity to arterials and collectors, availability of transit, the nearness of more intense development, available capacity in systems and infrastructure, and any other factors that help ensure the proposed land use designation integrates well into the existing built environment.

Development allowed in these areas is expected to be larger in form (height, lot coverage, etc.) than those in the Low Intensity Residential areas, while still maintaining a high level of continuity and consistency between the two less intense residential areas.

~~**Residential 15-30:** This designation allows higher density residential use at a density of 15 to 30 units per acre.~~ **Residential Moderate:** Residential Moderate areas provide increased intensity of development more appropriate to areas in the vicinity of designated Centers and Corridors and those served by substantial commercial or employment opportunities. The typical type of residential development appropriate to this designation include larger apartment buildings while also including a mix of the lower intensity areas where warranted. Example apartment types include the three-floor walkup and traditional apartment complexes as well as larger townhome and condo complexes. If neighborhood serving uses are included, such as churches or community centers, those non-residential uses can be of a higher scale and intensity than those conditionally permitted in Low and Increased Intensity Residential areas.

Residential Moderate uses should be generally limited to within moderate walking distance of a Center, Corridor, or major employment/commercial area. Placement of Moderate Residential outside walking distance of these more intense areas is acceptable if sufficient rationale exists to place them further out—such as proximity to high-capacity or frequent transit service (aka Transit Oriented Development).

~~Residential 15+~~ This designation allows higher density residential use at a density of 15 or more units per acre or more. **Residential High:** The Residential High designation allows for the highest intensity of residential uses, including construction types found in the Moderate Intensity Residential designation but also including taller and more intense apartment complexes. High Intensity Residential areas are intended to focus residential intensity in the near vicinity of downtown and other Centers and Corridors in the city, where sufficient services and employment opportunities exist nearby. A focus on accessibility, walkability, and equitable housing provisions should be provided in this area, including incentives and other bonuses for more affordable/attainable units as these areas are also located near to services and essential facilities like frequent transit.

---- No other proposed changes until page 3-41 ----

Note: the four residential intensities listed in table LU 2 have been reordered to list them from lowest to highest intensity. That change is not shown in the "tracked changes" below.

The following table, LU 2, "Description of Land Use Designations," provides the names of the Land Use Map designations, a description of the typical land uses found in each designation, and some of the applicable development standards. While the following table provides the approximate range of residential density expected in some areas, this is not intended to be a site-by-site maximum limit for development. The number is provided here for the planning and provision of services and utilities in these areas (see Chapter 5, Capital Facilities and Utilities) and represents the average density one might expect in these areas. Conversely, where minimum densities are listed, implementing codes and practices should seek to achieve or exceed those minimums in general. The table is followed by the Land Use Plan Map which shows the location of the various land use designations that are described in the following table:

TABLE LU 2 – DESCRIPTION OF LAND USE DESIGNATIONS			
Land Use Designations	Typical Land Use	Assumed Density (Units per Acre)	
		Minimum	Maximum
Heavy Industrial	Heavier Industrial uses. No residential uses.	-	-
Light Industrial	Light industrial uses, limited commercial and residential uses.	-	-
General Commercial	Commercial and residential uses, warehouses.	-	-
Regional Center (Downtown)	Variety of goods, services, cultural, governmental, hospitality, and residential uses. Downtown plan provides detail of planning for this area.	-	-
Neighborhood Retail	Neighborhood-Serving Business and residential use. Maximum containment area of two acres.	-	30
Neighborhood Mini-Center	Same uses as Neighborhood Retail.	-	30
Office	Offices and residential use.	-	-

TABLE LU 2 – DESCRIPTION OF LAND USE DESIGNATIONS			
Land Use Designations	Typical Land Use	Assumed Density (Units per Acre)	
		Minimum	Maximum
Institutional	Includes uses such as middle and high schools, colleges, universities, and large governmental facilities.	Same standards as designation in which institution is located or as allowed by discretionary permit approval.	
Residential- 4-10 <u>Low</u>	Attached or detached single-family residences <u>and middle housing types.</u>	4	10
Residential- 10-20 <u>Increased</u>	Attached or detached single-family and two-family residences. <u>Middle housing types of greater scale or intensity than in lower intensity areas, with potential for mixed-use, neighborhood scale retail and services.</u>	10	20
Residential- 15-30 <u>Moderate</u>	Higher density residences. <u>A mix of more intense middle housing types and moderate-sized apartment, condo, townhome developments.</u>	15	30
Residential- 15+ <u>High</u>	Higher density residences. <u>Large apartment, condominium, townhouse developments, potentially on multiple sites with site planning and features.</u>	15	-
Agriculture	Agricultural lands of local importance.	-	-
Conservation Open Space	Areas that are publicly owned, not developed and designated to remain in a natural state.	-	-
Potential Open Space	Areas that are not currently publicly owned, not developed and expected to remain in a natural state.	-	-
Open Space	Major publicly or privately owned open space areas such as golf courses, major parks and open space areas, and cemeteries.	-	-
Neighborhood Center	Neighborhood-oriented commercial uses, offices, mixed-type housing, parks, civic uses in a master-planned, mixed-use setting.	15	32 in the core, 22 at the perimeter
District Center	Community-oriented commercial uses, offices, mixed-type housing, parks, civic uses in a master-planned, mixed-use setting.	15	44 in the core, 22 at the perimeter
Corridor	Community-oriented commercial uses, mixed-type housing in a master-planned, mixed-use setting.	15	44 in the core, 22 at the perimeter
Employment Center	Major employment uses, community-oriented commercial uses, mixed-type housing in a master-planned, mixed-use setting.	15	44 in the core, 22 at the perimeter

TABLE LU 2 – DESCRIPTION OF LAND USE DESIGNATIONS			
Land Use Designations	Typical Land Use	Assumed Density (Units per Acre)	
		Minimum	Maximum
Center & Corridor Core	Commercial, office and residential uses consistent with type of designated Center and Corridor.	-	-
Center & Corridor Transition	Office, small retail, and multi-family residential uses. Office and retail uses are required to have residential uses on the same site.	-	-

The following changes are proposed for the Glossary, located at the end of the Comprehensive Plan. These will be placed in their proper alphabetical order if adopted.

Glossary

Intensity (of Development)

Development intensity refers to factors beyond simple density (e.g., units per acre). Instead, the concept of development intensity focuses on the mass, form, and function of development. A tall building with many floors, covering a large proportion of the site, and requiring a high level of service/utility connections would be considered a “high intensity” use. A small building, covering less of the lot, of less height, and integrated into the physical environment in which it is located would be a lower intensity use. In the case of housing, middle housing types are considered “low intensity” while multi-story apartment buildings are considered “high intensity.”

Livability

Livability in the Comprehensive Plan encompasses the positive attributes that make places feasible and enjoyable to live, work, and visit. The values that support livability include but are not limited to:

- Equity
- Diversity (both physical and social)
- Accessibility (physical, cognitive, and financial)
- Attainability
- Walkability and Transit Access
- Environmental Sustainability
- Integration Between Different Uses
- Greenery and Canopy Coverage
- Connected Community

Middle Housing

In accordance with state law, middle housing includes buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes such as duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.

Change Log -- Building Opportunity for Housing Phase I

Version Date: 5/17/2023

"Page" refers to the page number on the current version of the proposed language, not the full chapter text.

Ref#	Page	General Location	Change Made/Proposed	Rationale	Suggested by:	Implemented
1	2	Goals and Policies Preface	Include "downtown" in the list of areas where future growth should occur.	Downtown is a regional center but isn't in the list.	PC President Francis	Yes
2	2	Goals and Policies Preface	"the highest intensity" should read "higher intensity"	Highest may be misconstrued to equate to "only."	PC President Francis	Yes
3	2	Goals and Policies Preface	". . . within concentrated areas in <u>and around</u> Neighborhood Centers . . ."	Similar changes were made elsewhere to this effect.	Staff	Yes
4	3	Policy LU 1.3	Remove "single-family" from "single-family detached homes" in the discussion.	Could be misinterpreted as "single family residential" zone.	Commissioner Beyreuther	Yes
5	3	Policy LU 1.3	The sentence describing areas where increased residential development should be considered should be modified to be in a positive rather than restrictive voice.	As an aspirational document, positive language is more appropriate.	Commissioner Beyreuther & Commissioner Patterson	Yes
6	3	Policy LU 1.3	Proximity to schools should be a factor in increased intensity development.	The presence of schools nearby is also a sound rationale for increased development.	Staff	Yes
7	3	Policy LU 1.3	Include a sentence clarifying what kinds of uses are complimentary to residential.	A description will help reviewers understand the types of uses expected.	Staff	Yes
8	3 - 4	Policies LU 1.3 and LU 1.4	Replace placeholder boxes with approved graphics.	The concept of intensity could be better explored graphically.	Staff	Yes
9	3-4	Policies LU 1.3 and LU 1.4	Add an introduction paragraph for the new graphics.	The need exists to make it clear these are conceptual and not meant to depict ideal/required designs.	Staff	Yes
10	5	Policy LU 5.5	Remove "maximum" from discussion.	"Maximum" could lead to exclusionary practices.	Commissioner Williams	Yes
11	5	Section 3.4 Preface	Remove "single" from "detached single homes."	Could be interpreted as "single family" only.	Commissioner Beyreuther	Yes

Change Log -- Building Opportunity for Housing Phase I

Version Date: 5/17/2023

"Page" refers to the page number on the current version of the proposed language, not the full chapter text.

Ref#	Page	General Location	Change Made/Proposed	Rationale	Suggested by:	Implemented
12	5	Section 3.4 Preface	Add a paragraph making it explicit that more than one residential zoning is appropriate in each land use designation.	Reinforcing this concept is helpful when considering future possible amendments.	Staff	Yes
13	6	Land Use Descriptions	Correct names of residential land uses to match current version (i.e., "residential low" instead of "low intensity residential.")	Typographical error.	Staff	Yes
14	6	Description of "Residential Low"	Clarify that grocery as well as small format retail and medical are appropriate.	This change reinforces the added language in LU 1.3 above.	Staff	Yes
15	6	Description of "Residential Moderate"	A more positive sentence structure is possible in the second paragraph.	Changes made to use a positive voicing.	Commissioner Beyreuther & Staff	Yes
16	5	Land Use Table Preface	Add a sentence making it clear that minimum density is still an important consideration.	This was not clear in the previous language.	Staff	Yes
17	8	Land Use Table	Remove "single-family" from "single-family residences"	Could be interpreted as "single family detached" only.	Commissioner Beyreuther	Yes
18	9	"I" Definitions	Retain definition of intensity	Helpful to readers and reviewers.	CA Representative Winkes & Commissioner Bank	Yes

Staff Report - File Z23-112COMP

Exhibit B

Community Organization Roundtable Summary

Building Opportunity for Housing community roundtable

Event Summary

January 2023



TM

We would like to take the opportunity to thank all of the agencies and individuals who were able to attend our Community Roundtable at the City Central Library on January 24, 2023. We were thrilled to hear from so many of you and we continue to consider the many points raised during the discussion. In an effort to ensure we've captured some of the main points, as well as an attempt to help keep these topics moving forward throughout the process, the following summary was created.

Community Roundtable Overview

Following on the heels of the successful [Building Opportunity and Choices for All interim ordinance](#), the Building Opportunity for Housing project intends to develop lasting [Comprehensive Plan](#) and [Municipal Code](#) amendments that increase housing choice and diversity in the city. A significant component of



Community roundtable on January 24, 2023.

those updates is robust community engagement to inform the vision of housing in Spokane. One spoke of that engagement wheel was a community roundtable held on January 24, 2023.

For this event we purposefully reached out to organizations that work with and for communities that may be disproportionately impacted by the housing crisis. This includes communities of color, aging populations, persons with physical or mental disabilities, immigrant populations, and other marginalized and intersecting identities. Planning Staff is appreciative of the 33 participants who showed up and spent their afternoon talking with us about housing in Spokane.

Identified Opportunities

Participants at the roundtable were asked: "What opportunities are out there for Spokane that we might be missing?" Identified opportunities included:

- Repurposing of existing structures for affordable housing (e.g., hotels);
- Development of incentives for supportive services and food security;
- Inclusion of *accessible* housing into the conversation, not just *affordable*;
- Encouragement of mixed-income developments and neighborhood nodes;



- Considering “retainable” housing in addition to “attainable” housing by improving community connections and providing support;
- Developing vacant or abandoned properties, with the ability for the communities historically pushed out of the neighborhood to direct use and potential development;
- Viewing housing as a way to retain and increase diversity;
- Identifying barriers to housing for mixed-status families and immigrants;
- Focusing on quality of life, beyond just providing a roof over someone’s head;
- Providing housing and resources to both low income and low-middle income residents;
- Educating the community on the process of changing the development code and providing feedback to the City;
- Improving the transparency within the development code process;
- Addressing the impact of Short-Term Rentals (Air BnB, VRBO, etc.) on the housing market;
- Considering the special needs of pregnant individuals and adults leaving foster care;
- Paying community members to participate in community planning, which leads to cultural sustainability; and
- Protecting and assisting renters just as much as homeowners.

Identified Barriers

During the roundtable discussion, the group identified and discussed some barriers to the housing opportunities discussed in the first part.

- Access to transit, specifically when the focus of all growth is within Centers & Corridors, transit is less likely to expand within neighborhoods;
- Building Code requirements making 3+ units infeasible due to costs (Commercial Review);
- Restrictive HOA covenants and historic deed restrictions;
- Gentrification in Spokane pushing all-income residents out, both historically and today;
- Unclear regulatory process and how community members can advocate for themselves;
- Stormwater standards—the lack of allowed new technologies;
- Design standards that don’t necessarily improve quality of life;
- The view of housing as a business, rather than a human right; and
- Socially exclusive Neighborhood Council meetings disenfranchising renters and marginalized communities.



Accountability

At the end of the roundtable discussion, participants were asked what accountability looks like for City staff. As in, how can staff ensure participants feel heard and that their input was going to be considered when making recommendations to the appropriate decision makers? The ensuing conversation included the following recommendations and thoughts:

- Continue the conversation, both internally and externally;
- Maintain connections with the community organizations;
- Work to break down any barriers by working internally and externally;
- Do not say “we can’t do that”, but rather find out who can;
- Ensure a transparent process by explaining the next steps and reasonings;
- Provide clear intent of every action; and
- Create change that is innovative and not recycled placation.

To that end, the Building Opportunity for Housing Community Roundtable Summary document is the first step in showing accountability, by ensuring transparency and continuing the conversation. However, staff knows there is additional work to be done.

Parking Lot

During the conversation, specifics concepts were brought up that are not within the purview of the Building Opportunity for Housing project. However, there is recognition that successful community planning relies on the interconnection and collaboration of services. As such, a “parking lot” was established to capture these ideas so they could be sent to the appropriate project teams, City Department, or decision maker. Where we have already identified which department or City function is either currently addressing those issues or will be in the future, we have included their name in parentheses after the item.

- Re-evaluate the concept and purpose of Centers and Corridors designations (Planning & Economic Development¹);
- Provide adequate staffing to ensure robust consideration of all planning or other city-led projects (City Council and Mayor’s Office);
- Create a robust mechanism for land banking, particularly with the direction of historically disenfranchised communities;

¹ Already underway. Contact Colin Quinn-Hurst with questions at cquinnhurst@spokanecity.org.



- Connect the concept of attainability to homelessness and providing unhoused individuals with housing attainable to their situation (CHHS);
- Invest in more supportive programs, particularly wrap-around support (CHHS);
- Improve rental support and how Section 8 is distributed (CHHS); and
- Support the health of residents, recognizing the financial ramifications of medical needs.

Next Steps

The first part of the Building Opportunity for Housing project involves an update of [Shaping Spokane](#), the city's comprehensive plan. The updates will be targeted to the vision of housing and related policies that are necessary to improve access to housing choice in Spokane. Once the comprehensive plan is updated, development regulations within the [Spokane Municipal Code](#) will be updated to modify housing requirements and allowances.

Both the comprehensive plan and development code amendments will first go to [Plan Commission](#) for recommendation of approval, before going before [City Council](#) for the final decision. City Council decisions are then sent to the [Mayor](#), to sign, veto, or leave unsigned. Of course, we will also keep in touch with you throughout the process and let you all know when there are opportunities to speak/write to City Council as they consider the changes.

As far as engagement, the community roundtable was the first stage in an engagement plan aimed to increase participation in the process. Department staff intends to follow-up with organizations that were unable to attend, as well as further conversations that occurred at the roundtable. Additional engagement efforts for the project will include a [multilingual survey](#), focus group conversations by District, and one-on-one meetings with organizations and agencies that can inform the project. Informational open houses will occur as milestones are met during the process. Department staff is also available to answer questions or receive feedback anytime, at developmentcode@spokanecity.org.



Staff Report - File Z23-112COMP

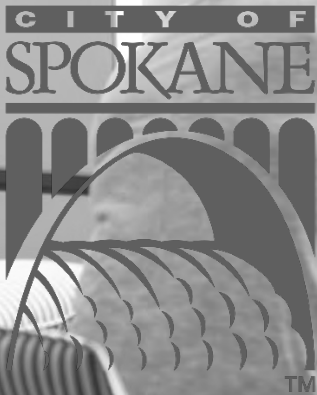
Exhibit C

Faith-Based Organization Roundtable Summary

Building Opportunity for Housing Faith-Based Roundtable

Event Summary

March 2023



Thank you to everyone who was able to attend the Faith-Based Roundtable on March 16, 2023 and thank you to Salem Lutheran Church for hosting the discussion. We are grateful for the useful feedback from religious institutions and affiliated organizations who either provide housing for the community, are interested in providing housing in the future, or simply work with congregations made up of people who are affected by the current housing climate. In an effort to ensure we've captured some of the main points, as well as in hope of keeping these topics moving forward throughout the process, the following summary is provided.

Faith-Based Roundtable Overview

Following on the heels of the successful [Building Opportunity and Choices for All interim ordinance](#), the Building Opportunity for Housing project intends to develop lasting [Comprehensive Plan](#) and [Municipal Code](#) amendments that increase housing choice and diversity in the city. One component of the work



Salem Lutheran Church, host of the March 16, 2023 roundtable discussion.

being undertaken by the Building Opportunity for Housing project is to ensure that the City's Comprehensive Plan aligns with updated regulations recently passed by the State Legislature. Passed in 2019, House Bill 1377 provided an avenue for religious organizations to request additional density for affordable housing developed on property owned or controlled by the organization. The intent of the bill was to provide religious institutions with more opportunities to redevelop their land with long-term, income-restricted affordable housing. Because Spokane is home to so many faith-based organizations, some of which both desire and are well placed to provide essential housing to those in need, the City is seeking to explore this option and to determine how best to fold it into the overall housing actions the City is contemplating. This is one facet of

the many different strategies currently being considered by the City but is an important component in the overall housing picture in Spokane.

As a key exploration into the relationship between faith-based organizations and housing, a faith-based roundtable discussion was arranged with the help of Drew Peterson of Knox Presbyterian and held on March 16, 2023. For this event, faith-based organizations were invited who either actively provide affordable housing, have indicated interest in providing housing in the future, own sufficient land to potentially provide housing on their existing properties, and/or currently provide community services that tie into the topic of housing. Additional organizations with similar focus were also invited to ensure



a diversity of opinion and community to which they serve. In total, 24 participants were able to attend, and those groups spent the afternoon talking with us, and each other, about housing in Spokane.

What is your relationship to housing?

In order to frame the discussion, roundtable participants were first asked to explain their current relationship to housing. Attendees experience with housing ranged from organizations currently providing housing to those who had not yet considered it but whose mission included community support and care for those in need. Of those organizations that currently provide housing, those efforts ranged in type and location, including:

- Housing on the same property as the main church building;
- Housing on property owned by the Church but located separately; or
- By financing/managing programs managed developed by others.

The discussion was wide ranging and illustrative of the range of ongoing efforts and needs. Below are some high-level elements of that discussion:

- Organizations received most the funds available from the Department of Housing and Urban Development (HUD) in the 1970s and 1980s, allowing for asset purchases;
- Organizations that gained such assets are now able to refinance to provide funds to build housing on the existing property or to purchase new property;
- While much of the funding has come from HUD, program requirements and reporting for HUD programs are currently very difficult for some attendees to navigate;
- Many participants required separate property management services, which could include lending support;
- A desire to provide housing, while maintaining the church use was prevalent;
- Providing housing can serve as an identity-forming activity for the religious organization and the created living community;
- Many are currently providing senior housing, with a desire to create low-income housing for multiple generations; and
- Collectively, religious institutions own a significant amount of property with Spokane city limits, allowing for potential collaboration.

Participants wanted to emphasize that they saw faith-based organizations as *part* of the housing conversation. While there were differences of opinion on the overall role, faith-based organizations in general were viewed as a small component of the physical aspect of providing housing, but one whose



role could be much larger if more opportunities were available. To the participants, the story of housing needed to be connected to the story of healing, examining community aspects that can lead to a lack of housing.

Identified Opportunities

During the roundtable discussion, the group identified and discussed some barriers to faith-based organizations providing housing and what opportunities exist to mitigate those barriers.

- Reduce parking requirements for church uses on properties also providing housing, to allow for a better use of available space;
- Faith-based organizations are well placed to provide housing in coordination with social services (“housing plus community”);
- Due to the difficulty of relying on federal funding, allow both affordable *and* market-rate housing to open the opportunity for private financing, making projects easier to develop;
- Provide guidance and training to demystify the planning and building process to institutions without significant existing knowledge and comfort with City processes;
- Improve or streamline the process to rezone a property to allow for increased density and/or allow for more mixed-used opportunities;
- Exemptions to faith-based organizations or other non-profit organizations should consider the different ways ownership can impact whether those exemptions apply or not (e.g. property may be owned by the church or by an LLC, the church may be providing financing but not own the property, etc.);
- Exemptions to faith-based organizations should be applied to the organizations and not just the property, to avoid the buying of church properties by developers for housing-only developments;
- Consider religious institutions that own existing property that they want to redevelop, in addition to institutions that want to purchase separate property for housing;
- Develop a program/method for the release of surplus City property for development of housing by faith-based organizations;
- Create a housing benefit district along the freeway where vacant WSDOT property currently exists;
- The desire to “right size” existing church buildings provides the opportunity for more available space for housing on these properties—for churches with smaller congregations, a smaller church building could be sufficient and allow for reuse of the remainder of the property;
- Consider allowing density bonuses for any actions that provide value to the community (community gathering space, social services, affordable housing, etc.); and



- Acknowledge that the City needs to incentivize affordable housing for larger developers, but also needs to make providing affordable housing feasible for entities who already want to provide that resource.

Continuing the Conversation

A common theme throughout the roundtable discussion was the group's desire to keep the conversation going, recognizing that they all shared many of the same goals. As such, Department staff has asked permission from each attendant to share their contact information with the group. Below are some items that were brought up as potential "next steps" for the faith-based organizations:

- Share lessons learned with the group;
- Share financing opportunities;
- Form an interfaith coalition that comments on relevant state legislation, such as [HB 1628](#), [HB 1111](#), [HB 1695](#), and [SB 5334](#);
- Consider how faith-based organizations can provide services and support to persons of all faiths and ideologies;
- Form an interfaith coalition to combine financial resources to allow for larger developments; and
- Collectively or individually consider the social role of faith-based organizations in the conversations.

Parking Lot

During the conversation, specific concepts were brought up that are not within the purview of the Building Opportunity for Housing project. However, we recognize that successful community planning relies on the interconnection and collaboration of services across many topics. As such, a "parking lot" was established to capture these ideas so they could be sent to the appropriate project teams, City Departments, or decisionmakers.

- Unhoused persons should be provided with trash services, or faith-based organizations should be provided with additional services to accommodate the additional need;
- Ensure that *youth* suffering from homelessness, not just adults, is part of the conversation when providing homeless services;
- Ensure all growth projections and housing needs anticipate continued unprecedented growth, rather than following the current curve; and



- Allow for the ability to use technological advancements (e.g. 3D printing or modular housing) to provide more affordable housing options.

Next Steps

The first part of the Building Opportunity for Housing project involves an update of [Shaping Spokane](#), the city's comprehensive plan. The updates will be targeted to the vision of housing and related policies that are necessary to improve access to housing choice in Spokane. Once the comprehensive plan is updated, development regulations within the [Spokane Municipal Code](#) will be updated to modify housing requirements and allowances. We anticipate this overall effort will be completed by the end of 2023.

Both the comprehensive plan and development code amendments will first go to [Plan Commission](#) for recommendation of approval, before going before [City Council](#) for the final decision. City Council decisions are then sent to the [Mayor](#), to sign, veto, or leave unsigned.

As far as engagement, the faith-based roundtable was just one opportunity for the participants to stay engaged in the ongoing project. Department staff will continue to be out in the community sharing about the project, both related to the religious institution discussion and beyond. Public comments will be accepted for both phases of the project, to be sent on to the Plan Commission and/or City Council for review during decision making. Department staff is also available to answer questions or receive feedback anytime, at developmentcode@spokanecity.org.



Staff Report - File Z23-112COMP

Exhibit D

Housing Journey Survey Results and Analysis

Housing Journey Survey

Results and Analysis

May 2023



Table of Contents

Survey Response Rates and Valid Submittals	3
Result Fidelity and Census/ACS Comparison	3
Current Housing Characteristics	4
Adults and Children in the Home.....	5
Employment Responses.....	6
Residence and Mobility.....	7
Housing Desire and Factors in Securing It.....	8
Barriers and Challenges Faced by Respondents	12
Final Conclusions.....	15

The following report provides an initial summary of responses to the Housing Journey survey recently issued by the Planning & Economic Development Department. This survey is only part of a larger public engagement strategy around a Comprehensive Plan and Municipal Code amendment currently under development by the department, known overall as Building Opportunity for Housing (BOH).

The Housing Journey survey was issued online via the Survey Monkey software between January 23 and March 31 of this year. The survey asked a combination of multiple-choice and text answers exploring topics of past, present, and future housing as well as some general economic and demographic information. Questions were chosen to be understandable and easy to answer by most residents.

Survey Response Rates and Valid Submittals

The survey was available online for a total of 68 days via an online form. Respondents were not required to answer every question if they did not want to. The survey was issued in seven languages common in the Spokane region, including English, Spanish, Arabic, Russian, Vietnamese, Tagalog, and Marshallese. The survey was originally drafted in English and then translated into these additional languages by Spokane International Translation, a local agency that provides both voice and text translation services. Similarly, text responses that were received in languages other than English were translated by the same firm into English for the consideration of decisionmakers.

During the survey period, the City received 5,226 responses, a record number for a City of Spokane survey. Of those, the following non-English responses were received:

- 31 in Spanish;
- 9 in Arabic;
- 3 in Russian; and
- 3 in Marshallese.

Upon completion of the survey period, staff undertook an overall review and analysis of the responses. During this review, several responses were identified that showed a high probability they were not genuine responses and had been generated by a bot or script. Various criteria were used to confirm this determination, including:

- Completion times of less than one minute;
- Grouped simultaneous submittals that provided identical responses to all questions; and
- Responses in individual records that contradicted answers later in the same survey response.

These suspect responses were analyzed by staff and found to be sourced from international servers in countries known to have issues with internet security. Accordingly, these flagged responses were removed from the results pool and are not represented in the following analysis. A total of 1,809 responses were invalidated, leaving 3,417 valid responses. Those 3,417 will be used going forward for all analysis and discussion.

Result Fidelity and Census/ACS Comparison

In the case of this report, fidelity connotes the approximate degree to which the 3,700 responses are representative of the Spokane community. This is not as exact as statistical validity but is a reasonable approach for determining the applicability of results for purposes of the BOH project. To measure the

fidelity of the collected responses, staff compared certain questions in the survey to similar questions asked by the American Communities Survey (“ACS”, a product of the US Census Bureau). If the proportion of answers were similar to those given by ACS the survey is considered to have fidelity and readers can reasonably assume that the survey results were not unduly influenced by one part of the community to the detriment of others. To test this, seven ACS variables are presented in the following table alongside the response rates from survey responses:

Variable Comparison: ACS to Survey Results

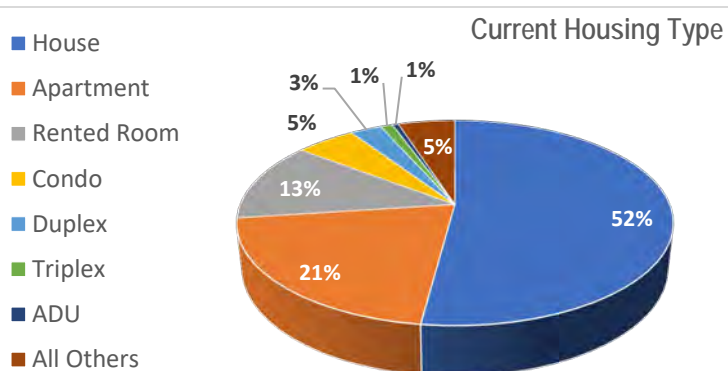
Variable	ACS	Survey	Deviation
Worked Full Time	57.6%	57.1%	0.5%
Worked Part Time	19.8%	19.9%	-0.1%
Work from Home	9.5%	10.7%	-1.2%
Own Their Home	56.9%	54.8%	2.2%
Rent Their Home	43.1%	40.0%	3.1%
2 Bedroom Home	29.9%	31.6%	-1.7%
1 Bedroom Home	14.9%	13.9%	1.0%

Note: ACS = 5-year 2021 American Community Survey Results, retrieved from data.census.gov

All response rates between the ACS and the survey were within +/- five percent, suggesting survey results are reasonably representative of the community. However, no part of this analysis is meant to indicate that these results are scientifically or statistically accurate. This is an optional survey whose respondents chose for themselves whether they were sufficiently interested in the topic to respond. As such, the results should not be considered alone and should instead be evaluated alongside other engagement efforts underway by the City (and others) around the topic of housing.

Current Housing Characteristics

The first round of questions provided input into the respondents and their current living conditions. As shown in the chart below, the survey asked respondents to indicate their current home type. Responses indicate most live in a house, with the second most living in apartments. The low number of respondents living in duplexes, triplexes, and ADUs may correlate to the low number of units of those types present in the city.



Note: “All Others” answers included “unhoused, group housing, dormitory,” or a text answer entered by the user.

Respondents were also asked to write in an answer if they felt that the available categories did not reflect their current home. Of these “other” responses, several indicated townhomes, while others stated they were living with friends or relatives. Several others indicated “trailer” or “RV.” All told, only 52 respondents felt the need to select the “other” option.

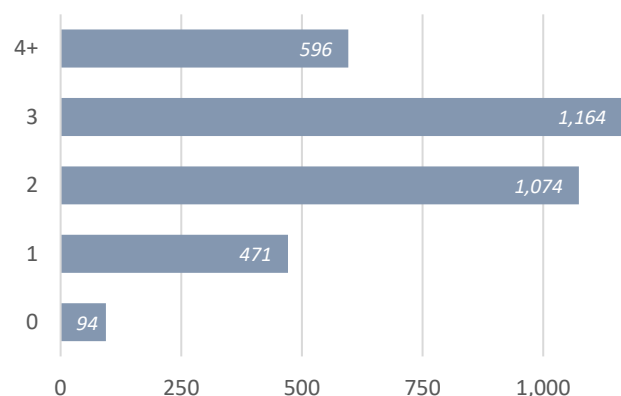
Next, the survey explored the number of bedrooms in the homes of respondents (see next page). The overwhelming majority of

respondents reported either two or three bedrooms. However, both larger and smaller residences are still fairly common. Only 17 percent of respondents were from homes with one or no bedroom, indicating that smaller homes were somewhat less prevalent in the responses.

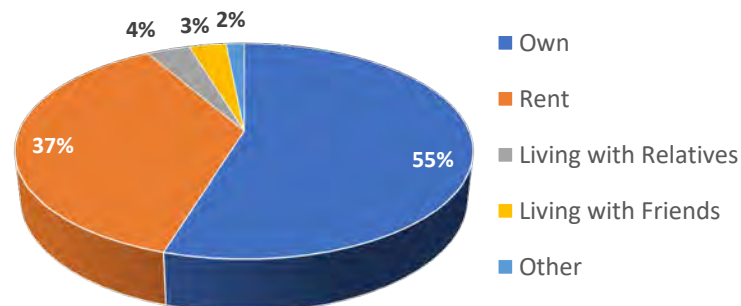
In addition to the physical characteristics of the home, it is helpful to understand the tenure of current housing—whether respondents rent or own their home. The proportion of responses is shown at right. More than half the respondents, 55 percent, own their home. Nearly 40 percent rent and the remaining live with friends or relatives, or answered “other”.

When reviewing the above results, readers should note that these answers do not indicate the *desired* condition—some respondents may be living in 3-bedroom homes but are seeking more or fewer bedroom homes. See the “**Housing Desire**” section later in this report for a comparison between home types in which respondents are currently living and their desired home type.

Number of Bedrooms in the Home



Current Housing Tenure



Note: Respondents were not given an option to explain their response of “other.”

Adults and Children in the Home

The survey asked respondents to report the number of children in their home as well as the number of adults. Children were defined in the survey as those under 18. With these two factors, it is useful to compare the answers together. The following table shows the responses to both questions and how they compare. For sake of clarity, responses of four or more adults or children are combined.

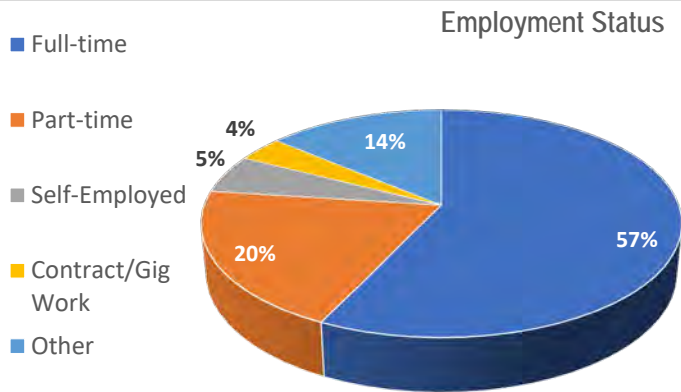
Adults and Children by Respondent

Number of Adults	Number of Children					TOTAL
	0	1	2	3	4+	
1	288	33	20	2	2	345
2	627	255	153	35	20	1,090
3	482	232	124	41	15	894
4+	146	114	83	24	29	396
TOTAL	1,543	634	380	102	66	2,725

Notes: Data shown in table represent the number of children reported by respondents who also reported that number of adults. For example, to determine the number of times a respondent reported both 1 adult and 2 children, find the intersection of the “1 adult” row and the “2 children” column to find 20 total respondents.

As shown in the table on the previous page, the most common combination was two adults with zero children, though respondents who reported children in the home made up 43 percent of all responses.

While responses of more than two children made up only a small percentage of responses (6 percent), a much larger number of responses indicated more than two adults in the home (48 percent). This, combined with the high percentage of responses indicating zero children (57 percent), could indicate that the need for housing options for adults is higher in Spokane than for those with children. However, more study is required to make this determination. Approximately 50 percent of responses to the survey represented households with two or fewer adults and two or fewer children.



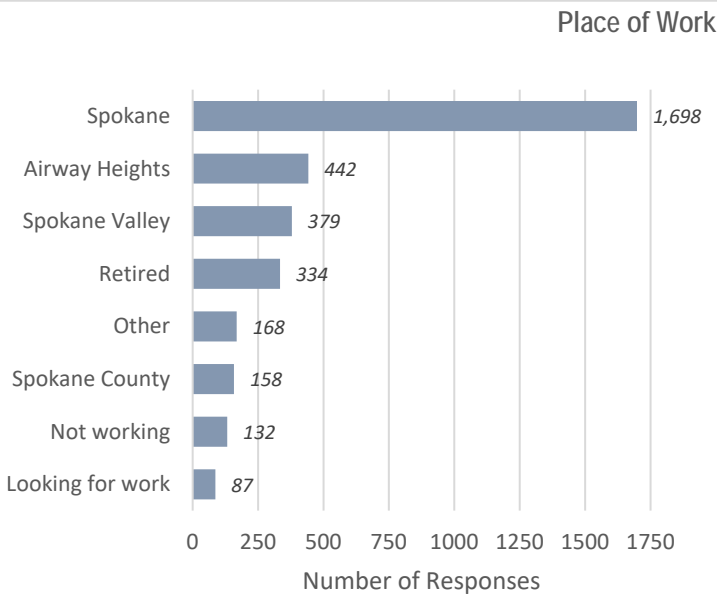
Note: Respondents were not given an option to explain their response of "other."

Employment Responses

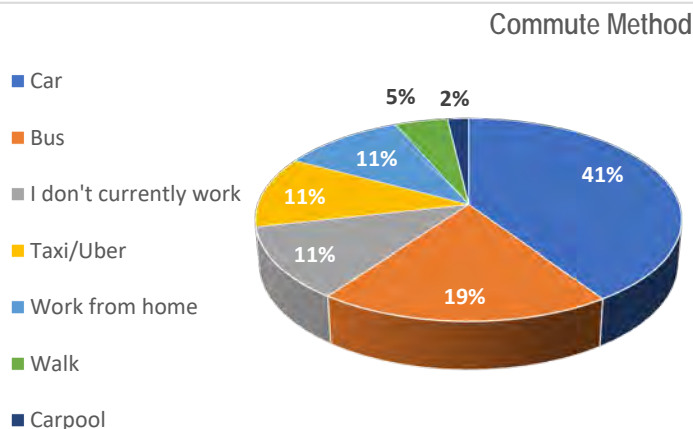
Relatively few questions in the survey concerned economic aspects of housing and need, though some general questions were included. Firstly, respondents' employment status was requested (results at left). Nearly two-thirds of respondents work full time, coupled with an additional five percent that are "self-employed." One fifth of the respondents work part time as well. These proportions match, within five percent, similar data provided by the ACS (see the "Fidelity" section above).

The survey next asked respondents to report the location of their work. Fifty percent of respondents work in the City of Spokane, while the remainder either works elsewhere or does not work at all. Of note, four percent of respondents reported "not working" while a further three percent are actively looking for work.

The survey also asked respondents for their typical form of commute. The largest proportion of respondents drive to work (41 percent), but other commute methods are well represented in the responses. Also of note, 11 percent of respondents work from home, a number that is assumed to be much larger after the COVID pandemic than before. As the world continues to

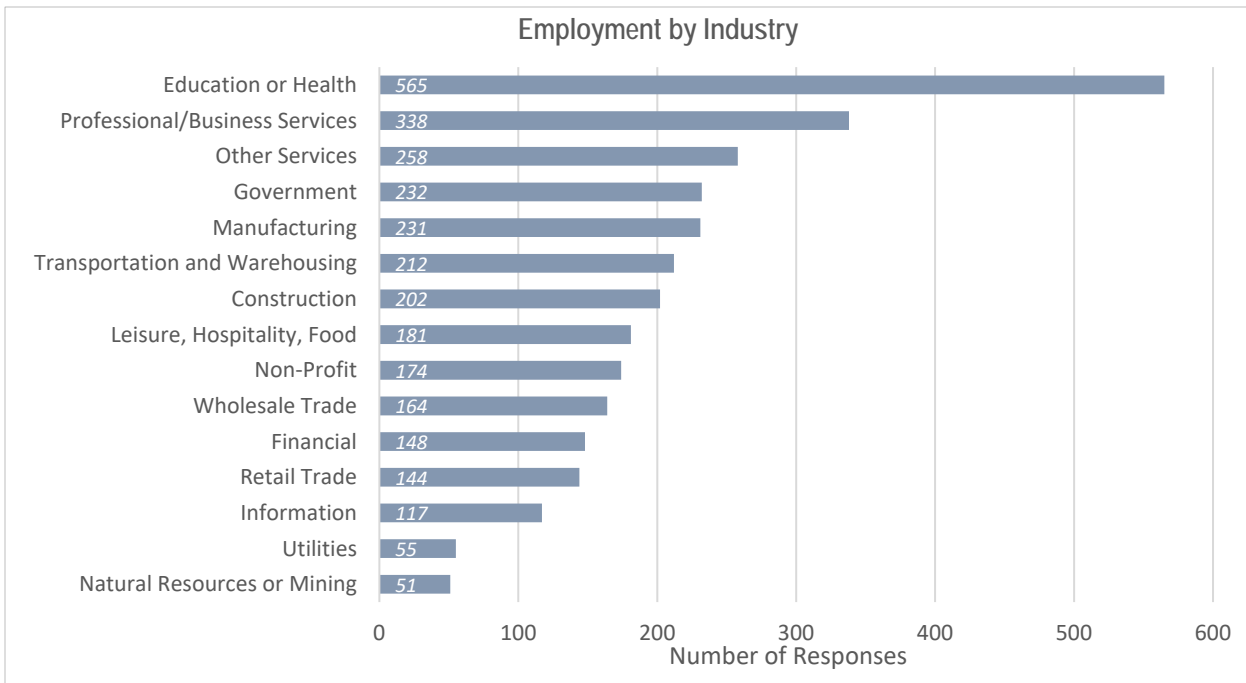


Note: Respondents were not given an option to explain their response of "other."

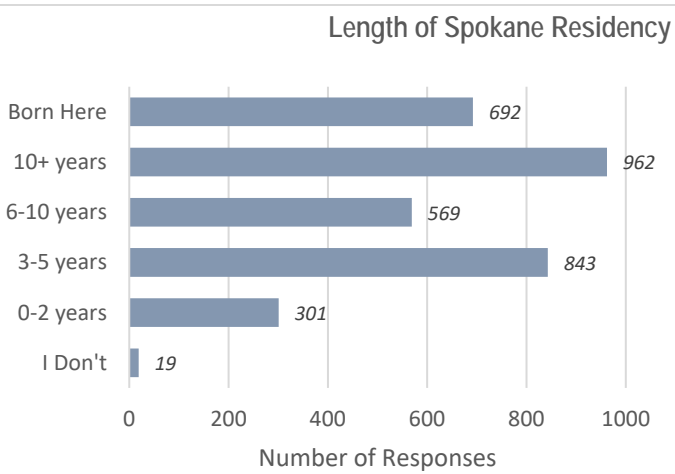


recover from the fallout of a global pandemic and the rise of new technologies that allow many more work from home opportunities, the working environment may continue to change. This number should be monitored in the future, but this survey only provides a point-in-time picture of current employment here.

The survey also asked in what general industries respondents are currently employed (those who *are* employed). Because there is a very large list of possible industries in common usage, the survey utilized grouped responses that conform to typical Census reporting. As shown below, respondents reported working in a wide range of industries, with all possible industry groups represented. One in five respondents work in the Education/Health industry, with a further ten percent in the Professional/Business Services realm.



Overall, respondents reported a broad range of employment industries, commute types, status, and place of work. Accordingly, responses to other questions are expected to represent a similarly broad range of residents and community members.



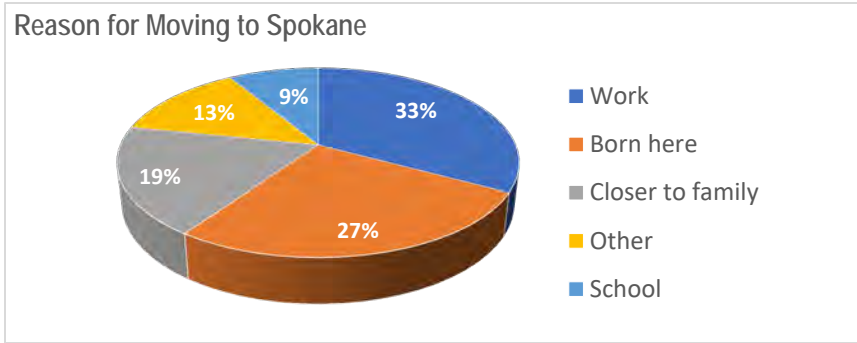
Residence and Mobility

To better understand the degree to which responses are from long-time residents of Spokane or those that have moved here in recent years, the survey asked respondents to report how long they have lived in Spokane (see at left). The survey did not define the term “born here” further, so some respondents may have reported longer times if they lived here in the past, left, and have since returned.

Of note, only 19 respondents indicated that they do not currently live in Spokane. For the remaining responses,

only 300 lived here less than three years (9 percent). More than a quarter of respondents have lived here more than a decade, not including a further 20 percent that reported being born here. Responses span the range of possible residencies, indicating that no one group has overly influenced the survey data. Those not living in the region are not well represented, but they were not the direct target of this outreach effort. Regardless, some of these respondents may benefit from the overall project if they decide to move to the region in the future.

For those that live here, the survey also asked respondents to report the general reason they moved to Spokane in the first place. Responses are shown at right. More than half of respondents were either born here or came to Spokane for work. Perhaps indicating a social aspect to housing need, nearly 20 percent of respondents (622) indicated they moved here to be closer to family.

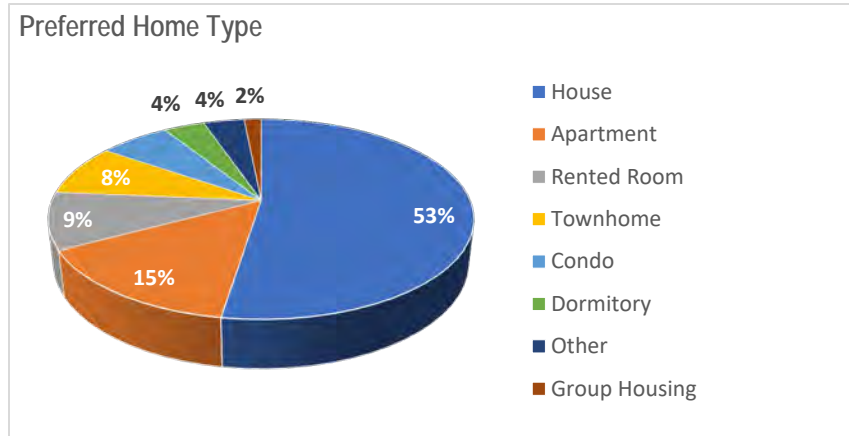


There is an apparent inconsistency when comparing length of residence to their reason for moving to Spokane. While 692 respondents reported their length of residence as “Born Here,” many more (898) reported that they moved to Spokane because they were born here. There are two possible explanations for this.

Firstly, as is often said, “Spokane is a great place to move back to.” Many residents who have interacted with staff as part of other public engagement efforts have indicated that they were born here, left for employment or school, and moved back to Spokane later. Accordingly, some of these respondents may have answered “born here” on both questions, while others may not have. Secondly, it was not explicit in the survey questions that “born here” as a reason for moving here or as a length of stay indicates that they have lived only here their whole lives. Respondents’ answers to these two questions were left to each respondent’s judgment, thus there is some variability in possible responses.

Housing Desire and Factors in Securing It

The survey sought to understand better the relationship between where respondents live and where they desire to live. Firstly, the survey asked respondents to report their *preferred* housing type, with the overall results shown at right. The survey then asked respondents to report what kind of housing they would occupy if cost were not a factor.

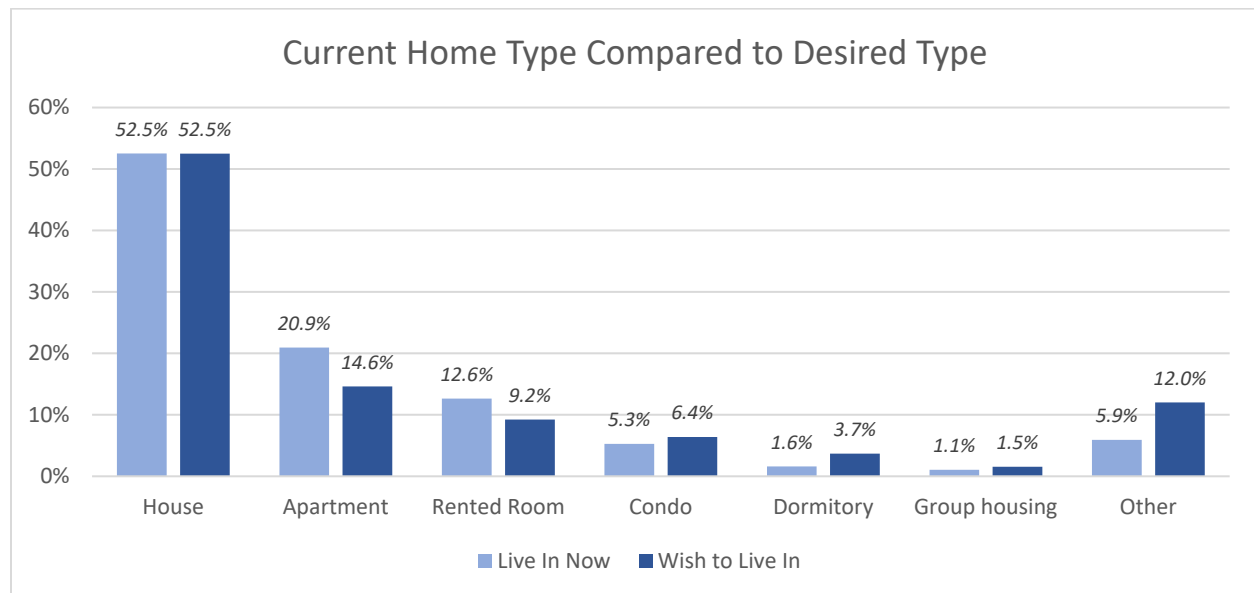


If respondents selected “other” as their preferred home type, the survey asked them to enter their preferred type. These ranged widely and included several responses that were outside the concept of “type” as envisioned in this question. That said, many people mentioned ADUs and duplexes as a preferred home type. Co-housing was also a

frequent answer, as was mention of a senior/retirement community. Only four percent of respondents selected “other” as a response here.

The relationship between existing housing and preferred housing can shed light on the overall demand for certain housing types in the city. By comparing these answers, we might better understand those parts of the community that remain in undesired housing types, and how they might migrate to other types if that type of home became available. Results also potentially speak to the potential that smaller, more affordable housing is sometimes occupied by those that seek to move to larger/different housing. Residents vacating a smaller, more affordable unit would then free that unit up for someone who is seeking smaller or more affordable options.

Some adjustment of responses is required to directly compare existing and desired home types. Most of the possible answers to both questions match, but some (like “triplex” or “duplex”) cannot be matched perfectly between the two questions. For the following discussion, any answers that match between the two questions (i.e. house, apartment, condo) are retained, while any that are unique to one question or the other are grouped into the “other” category. The resulting comparison overall is shown in the figure below.



As a rule of thumb, differences in the “live in now” and “wish to live in” answers in the chart provide an approximation of demand for that type. If the second column is greater, then we can assume that demand for that type is greater than our current capacity. Likewise, if the righthand column is lower, then demand is lower than our current supply.

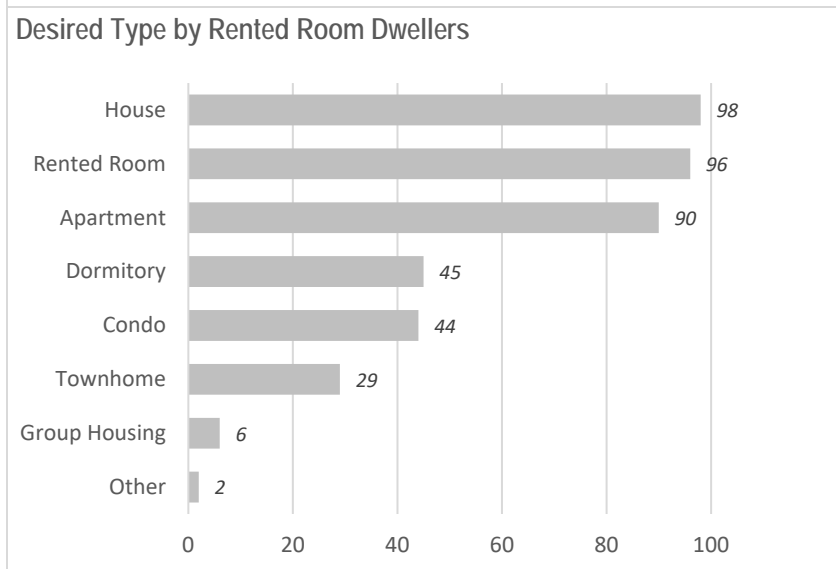
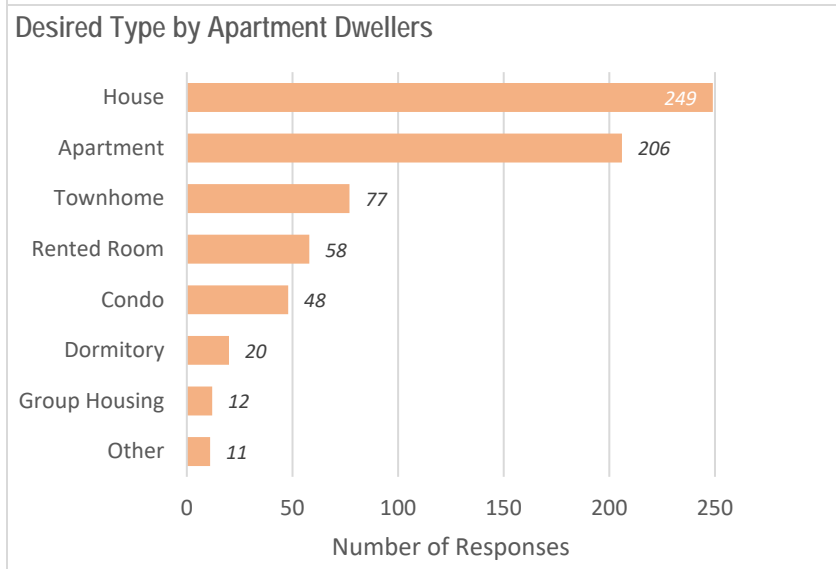
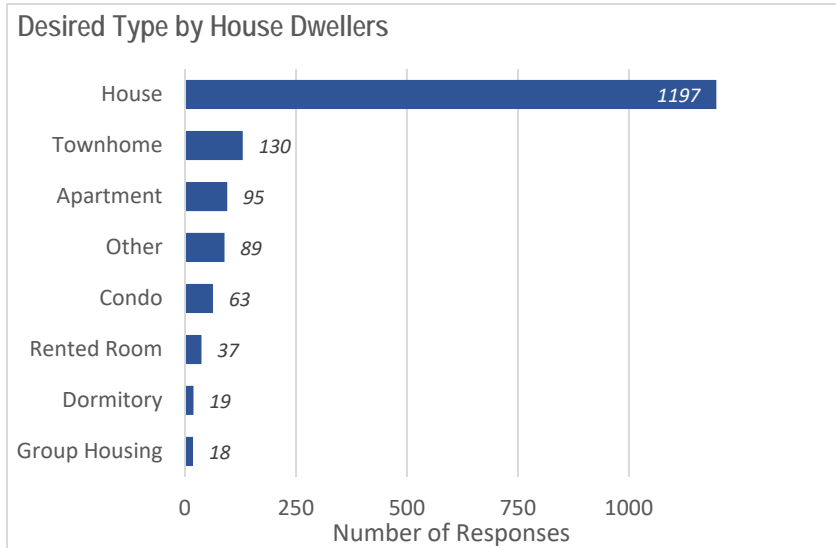
Using this basic comparison as a guide, the chart above indicates that demand for houses is somewhat the same while demand for apartments and rented rooms is significantly lower. In contrast, demand for condos and dormitories is increased. Perhaps most significantly for the considerations of the project at hand, demand for “other” types of housing (including duplexes, triplexes, etc.) is significantly higher. Those seeking these other types of housing are twice those currently living in those types. In general, these responses would seem to indicate a moderate shift in demand from more “traditional” forms (e.g., houses and apartments) to types not currently seen in large numbers in Spokane, like middle housing types.

To further illuminate these comparisons, three charts are provided at right, indicating the home type desired by those currently living in a house, an apartment, and a rented room, in that order. These data are distinct from the comparison on the previous page because they are limited only to the answers of one type of *current* home type.

Of the 1,648 respondents living in houses now, only 1,197 reported they wish to remain in a house, a reduction of 27 percent. This is a telling difference that may indicate the desire for more housing types in the city outside the “traditional” single-family detached house. It could also point to a desire by many house dwellers to change their housing type, while those living in apartments or other home types might still want to occupy houses. To explore this, the next chart is provided.

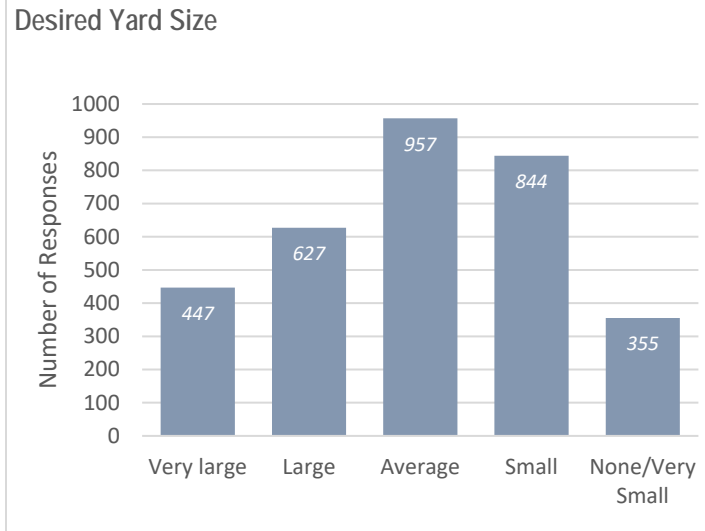
The second chart indicates desired housing types reported by apartment dwellers. When asked where they live now, 681 respondents answered “apartment.” Of those 681, only 206 reported wishing to continue living in an apartment (30 percent). However, not all of those wished to leave apartment living for a house. Only 37 percent of apartment dwellers are seeking a house. A further 18 percent are seeking a condo or townhome. This may indicate that ownership of some kind is more important to some apartment dwellers than the physical type of home.

Lastly, the third chart indicates the desired housing type of those who reported they currently live in a rented room. A total of 410 respondents currently live in a rented room. Of those, desire is split nearly evenly among houses, staying in a rented room, and apartments (approximately 23 percent each). A further ten percent desire to live in dormitories (pointing to possible students) and another 10 percent desire a condo situation.



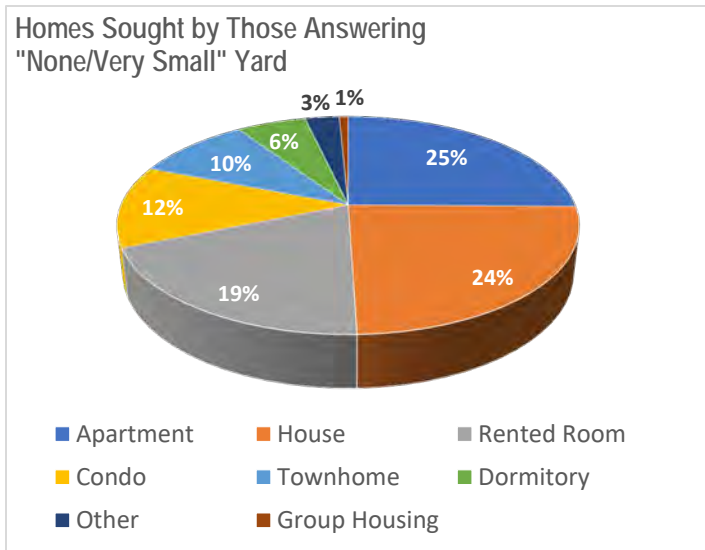
There are more factors involved than just the type of home, of course. The yard and the property on which that home sits have been frequently reported as a factor in choosing a home.

When discussing this topic in the community and with decisionmakers, the assumption is often expressed that most people want a big green lawn with lots of space. To explore that assertion, the survey asked respondents to classify how large their ideal yard would be. Possible answers were subjective, using terms like “average” and “small,” as this question intended to delve into personal attitudes, not specific measured sizes of yards. An option was included for “no yard”, as not everyone was expected to want one.



As shown at right, a range of answers were provided, but the peak was for an “average” yard size. More telling, however, is the high number of “small” responses as well as a notable number of “none/very small.” Approximately 37 percent of respondents are seeking a small, very small, or no yard, potentially speaking against traditional detached home subdivisions with large yards, and more towards middle housing types with shared or smaller yards per lot.

To further explore this group of responses, the chart at right provides the housing types sought by only those that want either a small yard or no yard at all. Of those 1,199 respondents, a quarter are also seeking a house, further supporting the concept that a large house with a large yard may not represent the main desire of Spokane residents as it may have in the past.



In addition to comparisons of house type and yard size, it is useful to consider that the answer might differ depending on the phase of life of the respondent. For instance, the question has arisen whether retired persons in general desire smaller yards. US Census data has shown that

the share of the population 65 years old and older has increased in Washington and is expected to continue increasing. If retired persons do in fact desire smaller yards, the increasing share of the population that is retired could directly affect the overall answers to the survey. To account for this, the chart at the top of the next page separates out yard size desired by retired persons from all others.

While there is some variation between retired and non-retired respondents, the two sets of answers show a similar curve. Answers of “Very Large” or “Large” seem less prevalent among retirees, perhaps

supporting the assumption that many retirees desire smaller yards. However, retirees also seem to desire average yards more often than non-retired persons.



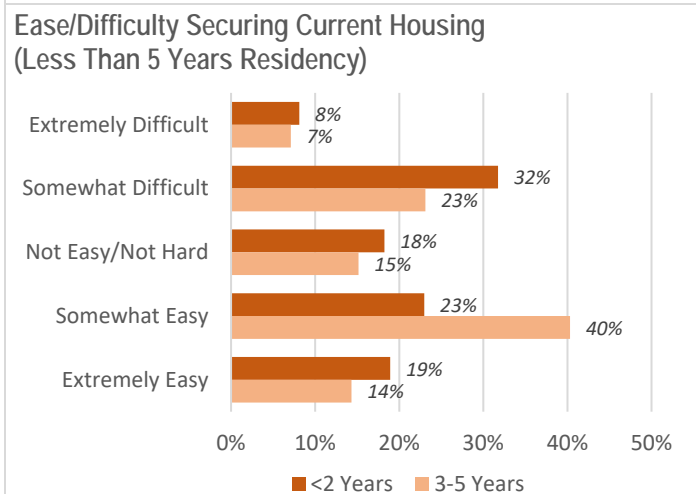
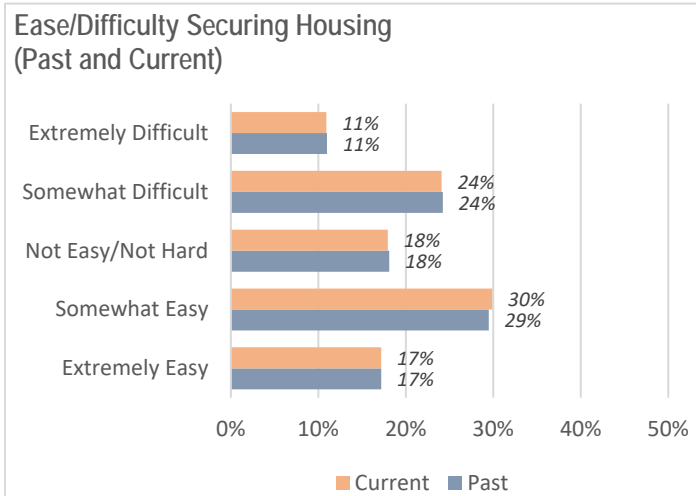
Barriers and Challenges Faced by Respondents

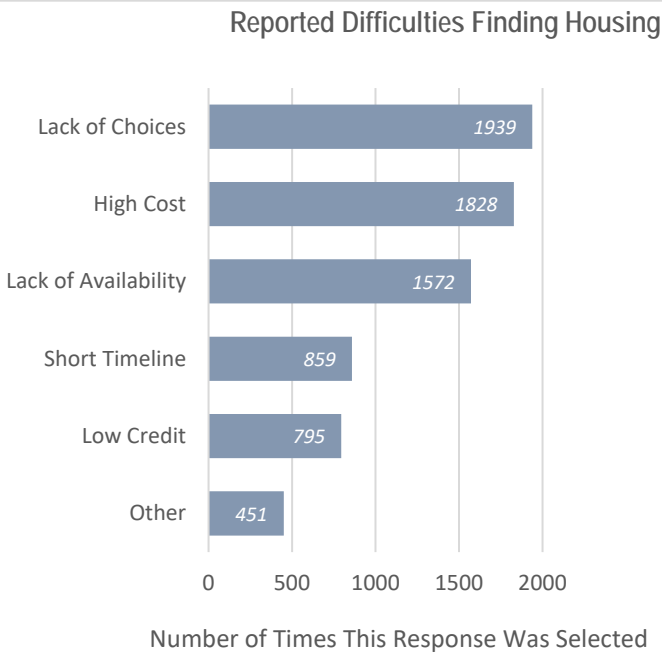
The survey not only asked respondents what they desired, but also to report on their experiences in the past. As a general indicator of difficulty, respondents were asked to grade the relative ease or difficulty they experienced when finding both their current and past residences.

As shown in the chart at right, it made little difference if respondents were considering their current housing or their previous home. The answers in each category largely conformed regardless. Of note is that the fewest respondents felt either experience was extremely difficult (11 percent), while nearly three quarters of respondents felt that their experiences were between somewhat easy and somewhat difficult.

Somewhat surprisingly, the highest number of respondents reported that their current and past housing was somewhat easy to obtain. However, because this survey includes both people who recently moved to Spokane and those that have lived here a long time (or all their lives), it is helpful to break these results down by respondents' length of residency. The second chart indicates answers to the "current housing" question, limiting respondents to only those that have lived in Spokane less than two years or those that have lived here three to five years.

By looking closer at recent residents, some interesting conclusions can be reached. Most cogent to the considerations of this project, it appears that





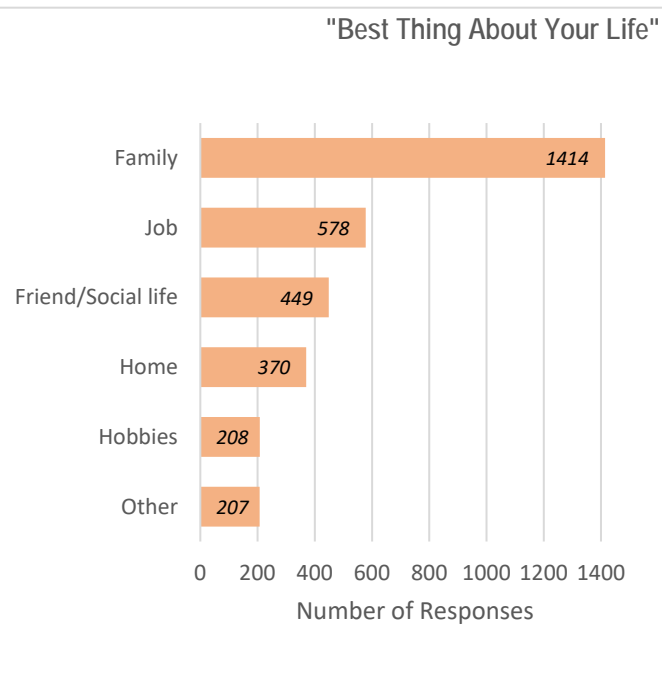
recent residents (those less than two years) reported a more difficult time finding housing than those that moved here three to five years ago. What cannot be determined from this survey is the effect the COVID epidemic had on this response. However, it is sufficient to assume that the ease by which recently arrived residents find housing in Spokane is worsening of late.

The survey also asked respondents to choose from a list of common housing hardships and provide the top three they experienced when seeking and securing housing. Respondents were also provided an opportunity to enter something else if they felt something was missing from the selected answers. The chart at left provides the various difficulties reported by respondents.

High cost, lack of choice, and lack of availability were each reported the most. A low number of “other” responses were reported as well (approximately 6 percent of the time). Among answers of “Other” to this question, respondents often indicated difficulties that are closely related to the choices already listed—such as cost, difficulty finding homes, and availability in a preferred neighborhood. However, some unique difficulties were mentioned, including the inability to find a place that would accept pets, difficulty securing a loan, and rising interest rates. Some also mentioned that cash buyers were making it hard for those with loans to purchase homes in Spokane.

High cost, lack of choice, and lack of availability were each reported the most. A low number of “other”

In an effort to explore desire and need further, the survey also asked respondents to indicate the best thing about their life by choosing from a list of possible answers. The various answers received from respondents are shown below.

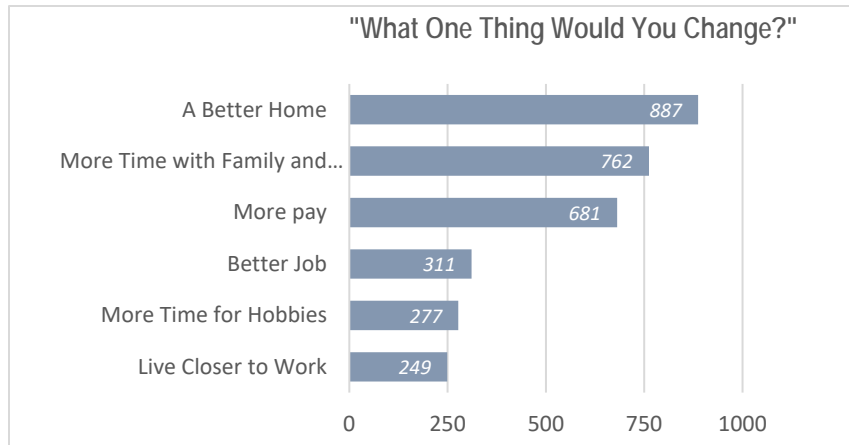


Perhaps not surprisingly, the most respondents by far listed family as the best thing about their life. Only about 11 percent listed their home as their answer, potentially indicating need for improvement in housing conditions in the city. As a secondary concern, the high “family” response rate indicates a possible focus on community and social aspects over physical housing needs. However, home is a critical component of community and society—a safe home is generally understood to be a critical component in the happiness of any person, family, or group.

“Other” responses to this question ranged widely. The vast majority of these “other” answers relate to the other possible answers (i.e., “time with family” could also be classified under the “family” response). However, some unique responses stood out, including

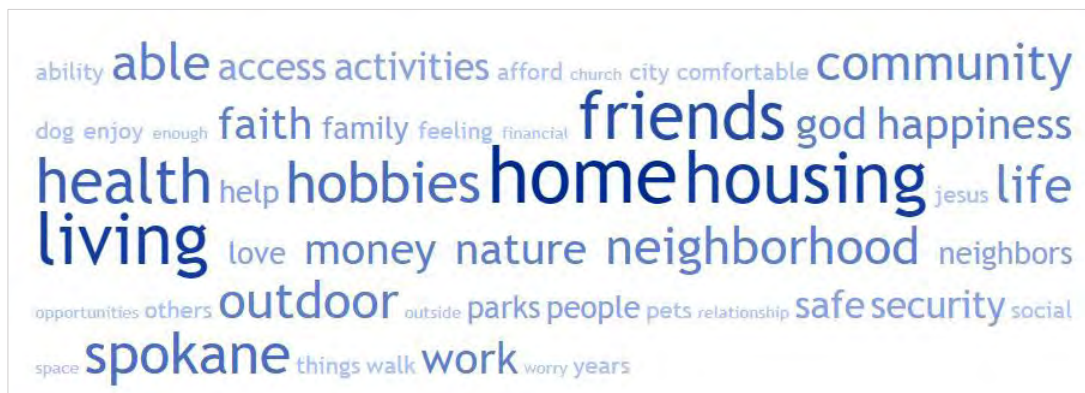
mentions of work/life balance and topics of religion or faith. Still others mentioned that the best thing in their life was that they were now retired.

As a follow up question to the best thing about life, the survey also asked respondents to report the top thing in their life they would change if they could (see results at right). Possible answers were chosen by staff to somewhat coordinate with the previous question. The chart at right provides the response from respondents.



The most frequent request to this question was “a better home.” Considering the low number of respondents who indicated in the last question that home was the best thing about their life, respondent satisfaction with their home is both important and relatively low at this time.

A follow up question was asked as well regarding the topic of happiness and satisfaction. This open-ended question asked respondents to describe the one thing in their life has had the most influence on their happiness, not including job or family. The survey did not specify if that thing should be positive or negative. Using a word cloud association tool, the following terms arose most frequently (see below). As shown in the graphic, home and housing were two of the most frequent words that showed up in the 1,793 answers provided to this question. Community was also prevalent in answers as well as God or other terms of faith.



Note: The more often a term appeared in the text answers to the question, the larger the word appears in the word cloud above. The top terms in this word cloud, those most frequently included in responses, were “home, living, and housing, in that order.

To provide some analysis of the responses, staff used various word searches for key topics/terms and recorded the frequency those topics appeared in the responses to this question. Please note that some respondents answered with more than one theme or topic. Major themes identified by staff analysis are shown in the table on the following page.

Theme or Topic	Count of Related Responses
Home, Housing, Shelter	256
Friends, Neighbors, Community, Pets	242
Religion, Faith	146
Money, Finances, Mortgage, Affordable	131
Nature, Outdoors, Gardens	116
Hobbies, Activities, Sports	91

Final Conclusions

This effort overall resulted in one of the largest public engagement response rates of any effort to date by the City of Spokane. Accordingly, several major takeaways have arisen from the analysis above for consideration. To provide a summary for decisionmakers, the largest outputs from the Housing Journey survey can be summarized as follows:

1. **The housing crisis is foremost in the community's mind.** Collected responses make it clear that housing is both important and in crisis in Spokane. A combination of factors, chief among them lack of choice and high prices, have contributed to this condition. Housing is both the highest need as well as the largest factor when achieving happiness and wellbeing in the region.
2. **Choice and diversity of housing type is truly a major factor in the local housing situation.** A significant part of the community still seeks a single family detached home, but the desire for middle housing types is high enough to warrant the development of more middle housing. To put it bluntly, no single housing type can serve the immediate needs or desires of the entire Spokane community.
3. **Demand in the housing market is nuanced.** It would be incorrect to assume that purchasing a detached house with a big yard is the dream of almost all residents. The survey delved deeply into respondents' desires and found that the dream for many has evolved from the traditional detached house to a range of living situations. Furthermore, respondents' needs change over time and thus safe, secure housing should be seen as a journey, not a destination.

Staff Report - File Z23-112COMP

Exhibit E

Resident Forum Summary

District Resident Forums Summary

May 2023



We would like to take the opportunity to thank the 22 residents who participated in the Building Opportunity for Housing Resident Forum series. The time spent discussing housing in Spokane and telling personal stories was invaluable. In an effort to formally document the diverse experiences and perspectives shared during these discussions, as well as an attempt to help keep these topics moving forward throughout the process, the following summary has been assembled.

Through the District Resident Forum series, participants put together the puzzle of what a livable and thriving community that supports all members of the community looks like and how we might reach that goal together. No one piece is enough to improve housing in Spokane—it will take many efforts on more than one front. Full details of the extensive conversations held with a diverse range of residents can be found in the following pages. In general, participants identified that:

- “Community” is essential to provide and support housing stability
- Many people’s current housing strategy is limited to “luck”
- People are focusing more on affordability than safety
- The uniqueness of Spokane’s neighborhoods can lead to greater security
- Diversity of housing, which leads to a diversity of income and life experiences, is key
- People are more concerned about complimentary buildings in a neighborhood than what “type” of housing it is—size, height, scale, appearance, etc. is more important than unit count
- Everyone is experiencing difficulties with housing, not just first-time homebuyers or the income constrained
- It’s not only about the building that someone lives in, its about the entire neighborhood



Resident Forum Overview

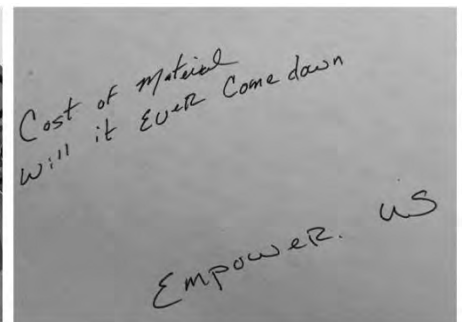
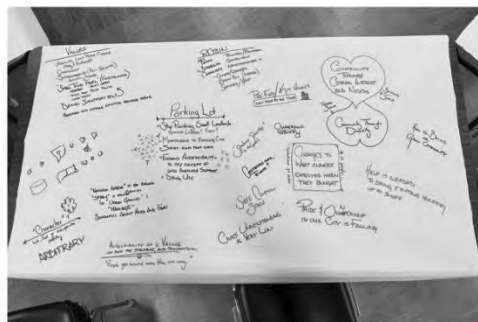
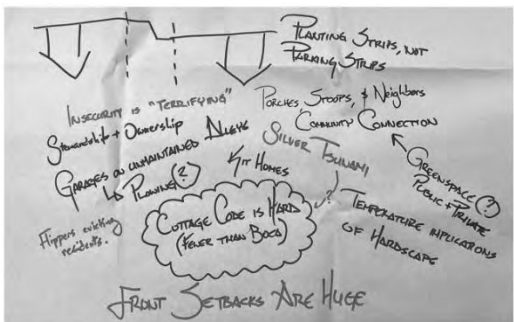
Following on the heels of the successful Building Opportunity and Choices for All interim ordinance, the Building Opportunity for Housing project intends to develop lasting Comprehensive Plan and Municipal Code amendments that increase housing choice and diversity throughout the city. A significant component of those updates is robust community engagement to explore and inform the vision of housing in Spokane.

One strategy of the engagement plan involved district-by-district conversations. These Resident Forums were held to hear from residents about housing in Spokane. The open discussions helped identify opportunities to increase housing and diversity of housing choice, while allowing for community collaboration with the process and between each other. Participants of the Resident Forums were randomly selected from the over 3,000 respondents to the Building Opportunity for Housing survey and were also invited through the Neighborhood Council system. Information about the Resident Forums was also posted on the Building Opportunity for Housing webpage.



Resident Forum participants discussing their housing experiences.

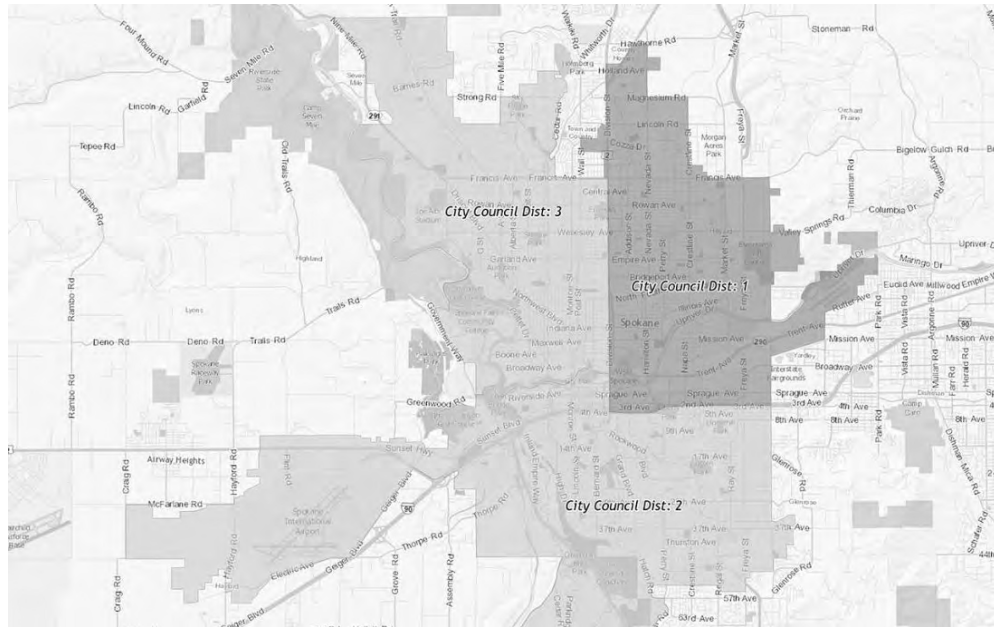
Separate meetings were set with each of the three City Council Districts. A final celebratory meeting was then hosted to bring all of the District participants together to celebrate all that was learned and to review possible language refinements to the Comprehensive Plan. Due to the considerable time commitment requested from attendees, compensation for participant efforts was provided.



Notes taken at Resident Forums identifying key topics and opinions.



Council District 1



Map highlighting City Council District 1.

City Council District 1 is located in northeast Spokane and is represented by Council Members Michael Cathcart and Jonathan Bingle. Resident Forum meetings were held on April 7 and April 21, 2023 at the Northeast Community Center.

The first Resident Forum meeting in each District revolved around sharing participants’ housing journeys and personal experiences, as well as their opinions about housing. Questions were asked to help Planning staff identify what can improve the housing situation in Spokane, but also how the City can improve engagement and other processes to avoid potential reservations held by participants.

Question 1 – Why did you choose to come tonight?

<p>“Housing is out of control”</p>	<p>“I’m invested in Spokane”</p>	<p>Want to have input on what potential change may look like</p>
<p>Concerned how new development can impact existing neighborhoods</p>	<p>Want to learn about the work the City is doing directly from the City</p>	



Question 2 – What is your ideal neighborhood?

- Central courtyards, shared garden space to bring people together
- Enough parking to avoid neighbors being mad at one another
- Monthly neighborhood get-togethers
- Being a close community without excluding newcomers
- Close to schools
- Walkable, improved sidewalks
- Houses not boarded up/condemned
- Mix of densities, but all “house” size (no large apartment complexes)
- Grocery stores/shops within walking, biking, and rolling distance
- Available community spaces
- Self-contained “village” feel

Question 3 – Recall a time when you struggled to find housing. What ultimately tipped the scales (or could have tipped the scales) towards finding your next place?

- A small landlord willing to view the renter as a person instead of a number
- Wages not keeping up with rental prices has led to a current struggle
- Ultimately had to choose the house and not the neighborhood because housing stock throughout the city was in bad condition
- Support from federal financing programs

Question 4 – What does safe and secure housing look like to you? How do we get there?

- Being able to rehab and maintain your home; “houses rot out from under people”
- Structurally safe
- Student-only housing that is vacant all summer is not safe (vacant = no eyes on the street); a diversity of living experiences and housing types can increase safety
- A cleaner neighborhood is a safer neighborhood, so make it easy to dispose of trash

Question 5 – What role do existing residents play in housing new neighbors?

- Landlords can give people a chance or be willing to be a part of Section 8
- Talking to neighbors and providing support
- Connecting good tenants with good landlords
- Encouraging the City to fulfill neighborhood needs, through code enforcement and community policing



- Building community through investments in park benches, public garbage cans, and other human scale investments that make places more livable; “making it easier to be human”

Question 6 – When you heard about this project, what doubts or reservations came to mind? What would keep those doubts from coming true?

- Any engagement is appreciated and better than some past planning efforts
- Concerned about going too far without considering impact on neighborhoods
- Concerned that the project was “just a bunch of city workers making decisions and not caring about people”; participant noted that their perception changed during the meeting

During the conversation, participants identified additional barriers and opportunities for housing in Spokane. The following summarizes those concepts:

Rentals are not affordable partially because of fees (first and last rent, security deposits, application fees, etc.)

People do not report bad conditions because they need a place to live and fear retaliation

Pressure to build/convert to multifamily is not appealing to everyone

Concerned over multifamily housing bringing a nonstable, rotating group of residents which can prevent community building

Housing diversity, including a mix of rentals and ownership, can create neighborhood stability

Impact fees affect smaller developers more than larger developers

Affordable housing is bought and flipped, leaving out first time homebuyers

It is often the lack of management of rentals, not the rentals themselves, that cause concerns

The second Resident Forum in each District dug deeper into the participants’ vision for the future of Spokane. To help inform specific updates to the Shaping Spokane Comprehensive Plan, specific language from [Land Use, Chapter 3](#) was presented and discussed.



Question 1 – What have you continued to think about or what is something that has stuck with you from the first meeting?

- Diversity = community
- Concerns over renters not taking pride in the neighborhood; many renters move frequently because of increased rents, not a desire to move
- How to maintain pride in ownership, for homeowners and landlords
- Single-family homes can be tall/imposing just like “multifamily” buildings can; it’s more about form than function

Question 2 – Whether you’ve lived here in Spokane for 20 days or 20 years, what is the biggest change you have seen in the community?



Growth, more sprawl, reduced homeownership, gradual shift (not sudden change)



Feels less safe, people are less polite, lack of community



Planning process now includes more people, less active Neighborhood Councils

Question 3 – What is one positive attribute of Spokane that should be maintained?

Parks

Bikeable

Colorful characters

Murals/artistic signs

Teachers and educational institutions

Unique neighborhoods

Services and amenities



Once the group discussed the past and present of Spokane, it was time to think about the future. The Comprehensive Plan is the 20-year vision for the city that helps guide decision makers. Resident Forum participants were provided with the existing vision and values found within Chapter 3, Land Use and Chapter 6, Housing of the Comprehensive Plan and asked to explore it with the group. The currently adopted Vision and Values can be found attached in Exhibit A.

Question 4 – Do you see the current land use values advocating for the type of city you believe Spokane should be? What is missing?

- Missing stability/consistency, anxiety is caused by not knowing when or how things will change
- Need to emphasize sustainability, particularly in regard to water conservation and wildland fire prevention
- Maintain and foster a small-town feel
- Enhance regional coordination
- Maintain existing housing stock (rehabilitation in addition to redevelopment)
- Physical accessibility to housing and connectivity should be prioritized
- Embrace the unknown and be comfortable with change
- Ensure access to transit
- Use people first language

Next, participants went line by line reviewing the existing Land Use, Chapter 3 values. The following observations were made:

- “Acquiring and preserving the natural areas inside and outside the city”
 - Upkeep and improvements are important, go beyond preservation
 - How are natural areas defined?
- “Controlling urban sprawl in order to protect outlying rural areas”
 - Control is a strong word that doesn’t allow for flexibility
 - Regulate, strategize, or manage may be more appropriate
- “Protecting the character of single-family neighborhoods”
 - What is the character of a single-family neighborhood?
 - Architecture?
 - Walkable, safe to play outside and walk dogs?
 - This can prevent density that can make neighborhoods more active, vibrant, and safe



"SEE THE PERSON, NOT THE SITUATION."

CELEBRATE WHAT IS WHILE ALLOWING IT TO CHANGE

STEWARDSHIP OVER CONTROL

WHY JUST SFR?

SAFETY ↔ PROTECT

KEEP PEOPLE IN HOMES AND KEEP HOMES AROUND PEOPLE.

"PROTECT" MEANS MANY THINGS

(CHARACTER = FEEL + VIBE (+PEOPLE))

"CONVENIENT" IS MISSING

↳ = WALKABLE, NOT JUST DRIVABLE + TRANST

MINIMIZE SPRAWL WHILE ALSO INCREASING DENSITY

"WALKABLE & BIKABLE"

"PEOPLE + PLANET"

MAINTAIN COMMUNITY & BONDS

"YOU CAN'T WAREHOUSE PEOPLE"

It's not all about the car.

SMALL FAMILY RESIDENTIAL ISNT INCLUSIVE

EQUITABLE APPLICATION OF EFFORT

PROTECTING ≠ EQUITABLE?

CHARACTER MIGHT NEED TO GO TO NEED

RETAIN WHAT WE HAVE.

DON'T BE AFRAID TO IMPROVE WHERE WE'VE ALREADY BUILT

"MINIMIZE SPRAWL"

DESIGNATED AREAS SHOULD BE ABLE TO ADJUST TO LOCAL CHANGES

Metrics!

Context of Place

PARKING LOT

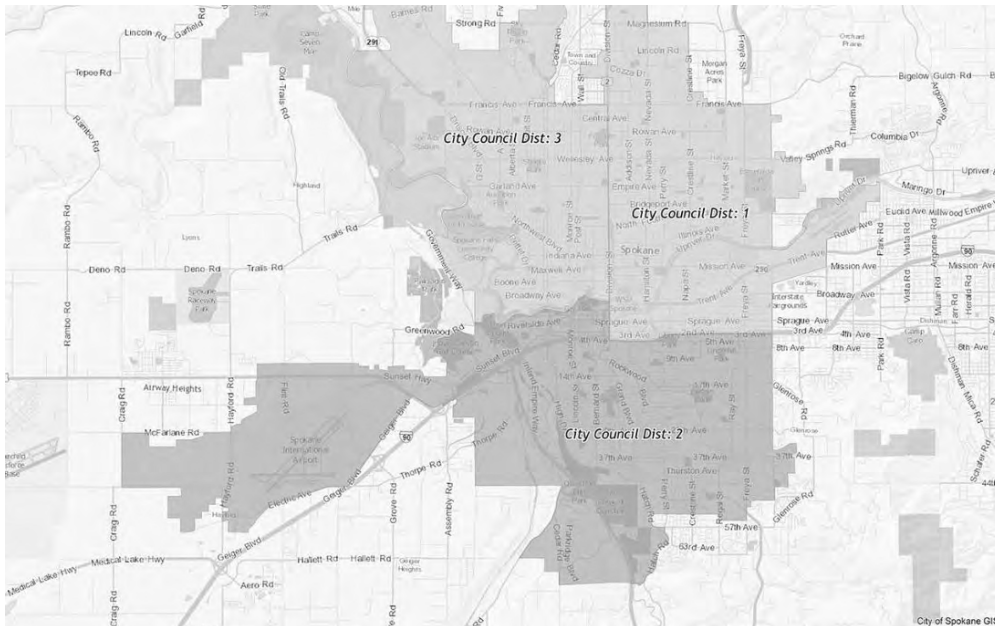
- Neighborhood Safety
- Loss of Urban Forest
- BUILDING CODE IMPACTS

Tell the stories
And speak up

Notes taken during Resident Forum meetings to document the discussions. Much of the conversation focused on people and telling individual stories.



Council District 2



Map highlighting City Council District 2.

District 2 is located in southern Spokane and is represented by Council Members Betsy Wilkerson and Lori Kinneer. Resident Forum meetings were held on April 6 and April 20, 2023 at the Liberty Park Library.

Question 1 – Why did you choose to come tonight?

“I care because I have to care”

The details matter when it comes to planning and housing regulations, want to be part of the details

“To help solve the problem instead of just complaining about it”

Came to represent people who look like me to insure different voices are included in the conversation when changes are made

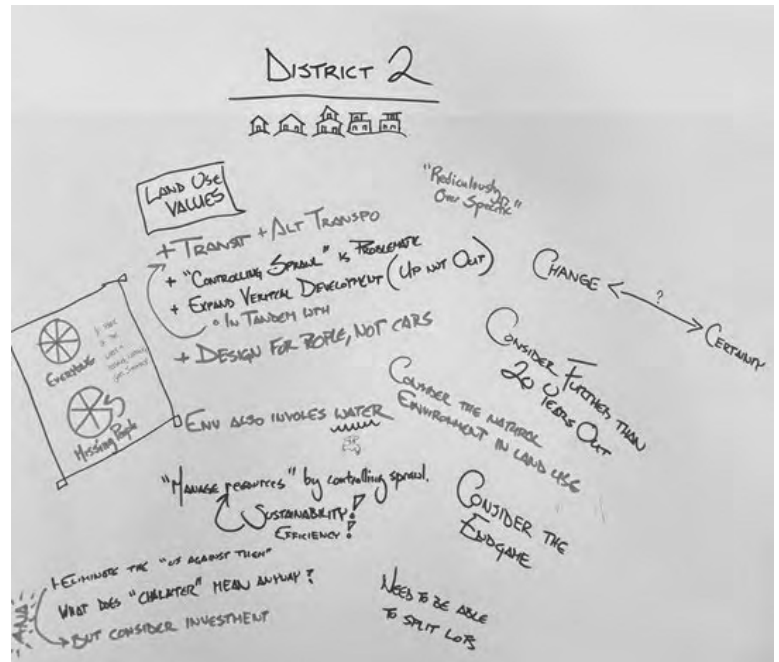
Everyone is currently living in “housing musical chairs”, moving around making decisions based purely on affordability and it is not sustainable

“You must participate to make things better”



Question 2 – What is your ideal neighborhood?

- Mix of uses
- Ways for people to bump into each other exist
- Small or no lawns, nearby open space
- Strong community connections
- Let people move around equally, within all neighborhoods
- Diverse – people, incomes, housing types, and both renters and owners
- Community gardens
- Trees and shading canopies
- Safe
- Flexible
- Walkable
- Affordable
- “Playable” for children



Notes taken during a Resident Forum meeting.

Question 3 – Recall a time when you struggled to find housing. What ultimately tipped the scales (or could have tipped the scales) towards finding your next place?

- Roommates chose to leave and couldn't afford to stay – no control over my own housing situation
- Working full time but not finding affordable options
- “Luck is not a housing strategy”, yet it is what many must rely on
- Homebuyer training tipped the scales, avoided a bank taking advantage
- Rent to own opportunities
- Veteran housing services

Question 4 – What does safe and secure housing look like to you? How do we get there?

- Having control over your own housing situation
- Housing that can be kept up, maintained
- Structurally sound, no mold or failing infrastructure



Question 5 – What role do existing residents play in housing new neighbors?

- Create community and a sense of belonging in the neighborhood; host block parties, talk to neighbors
- Model what you want, on a small scale
- Tell our own stories, take away shame and make it easier for others to share their stories
- Talk to City Council, be active in the community and decision-making process
- Building additional units when financially possible (accessory dwelling unit, duplex)

Question 6 – When you heard about this project, what doubts or reservations came to mind? What would keep those doubts from coming true?

- How will these changes affect existing neighborhoods?
- Is the project ignoring past work done in the City?
- Continue being transparent, engaging multiple areas of the community
- Be clear on how the project is leveraging prior work and engagement

Below are identified barriers and opportunities for housing in Spokane that were in addition to the above questions:

Intersection of housing needed to maintain neighborhood communities; need a mix of renters and homeowners

Ability to purchase homes downtown desired by younger populations

People who age out of a single-family homes (larger family, downsizing, etc.) keep it as a rental instead of selling, reducing the stock for first time homebuyers

“You don’t invest in communities you don’t get to stay in”

All concerns about neighborhood compatibility is labeled as NIMBY, being weaponized by developers

Lack of entry level homes to buy

Neighborhood Council (NC) rules that limit who can be a voting member leaves out parents, people with busy lives and disincentivizes participating in the NCs

“If you don’t become a landlord, you can’t afford to retire”

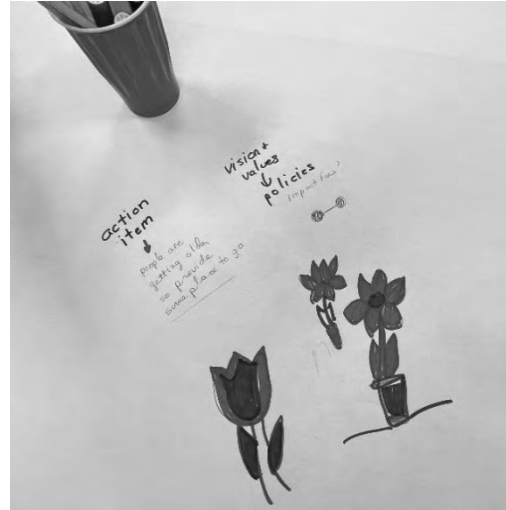
“Create communities people want to invest in” – both socially and physically



During the second Resident Forum, participants dug deeper into their vision for the future of Spokane.

Question 1 – What have you continued to think about or something that has stuck with you from the first meeting?

- Importance of community
- Emphasis on cost of housing first, safety and quality of housing second
- Public greenspace is needed to build community
- If everyone keeps their house for a rental as they move to a new house, prices will continue to rise and create a “wealth bottleneck”. On the flip side, rentals are also a nest egg for many people
- What IS affordable?
- Diversity is key for ideal neighborhoods
- More people in a neighborhood can increase random interactions and support community connections



Participants took notes on topics important to them.

Question 2 – Whether you’ve lived here in Spokane for 20 days or 20 years, what is the biggest change you have seen in the community?



Increased housing prices, decreased housing quality, less open land, stable compared to other places



Seclusion, less people talk to each other, more traffic, wages have not changed



Downtown, Park, and Library improvements, growing business districts (e.g. Perry and Garland)



Question 3 – What is one positive attribute of Spokane that should be maintained?



Question 4 – Do you see the land use values advocating for the type of city you believe Spokane should be? What is missing?

- Transit access/transit oriented development
- Sustainability, emphasis on water conservation
- Higher density is not specifically mentioned
- A city built for people, not cars – “Sprawl works for a car centric city, but doesn’t look into the future”
- 20 years goes by fast – how does the plan look further ahead?

The following observations were made as the participants went line by line reviewing the Land Use, Chapter 3 values:

- “Controlling urban sprawl in order to protect outlying rural areas”
 - Feels aggressive without providing solutions (incentivizing building up instead of out should also be included)
- “Protecting the character of single-family neighborhoods”
 - “Protect” creates an us-against-them mentality
 - Why are single-family homes the only type of neighborhood/housing being protected?
 - Balance “protect” with new development
 - Biggest investment is someone’s home, so they want to protect it
 - “Character” has historically been used to exclude marginalized communities from neighborhoods
 - There is no agreement of what character means (vibe, architecture, or something else?)
 - Each neighborhood has its own character; there is no such thing as a “single-family neighborhood character”



Council District 3



Map highlighting City Council District 3.

District 3 is located in northwest Spokane and is represented by Council Members Karen Stratton and Zack Zappone. Resident Forum meetings were held on April 4 and April 18, 2023 at the Shadle Library.

Question 1 – Why did you choose to come tonight?

“People are struggling”

It’s painful to see the housing issues

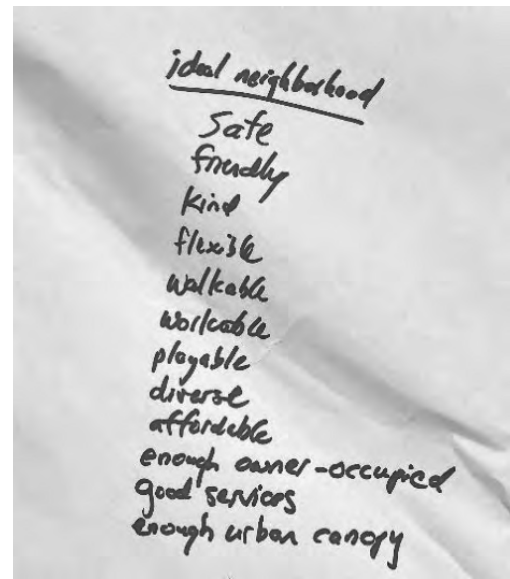
“I feel helpless”

Appreciate not having current housing insecurity, but know its not guaranteed in the future



Question 2 – What is your ideal neighborhood?

- Front porches to increase neighborliness
- Greenery, trees
- Walkable
- Small yards with nearby open space
- Mix of residential and commercial uses
- Community hub with shops
- Native plants and sustainable landscaping
- Natural swales and stormwater
- Accessible sidewalks
- Constructed like a village
- Safe



Notes taken during a Resident Forum meeting listing out traits of an ideal neighborhood.

Question 3 – Recall a time when you struggled to find housing. What ultimately tipped the scales (or could have tipped the scales) towards finding your next place?

- Found an affordable option and got lucky enough to have seen it in time before it was rented out
- Bought a dilapidated house that was too expensive for investors to put money into, but in too bad of shape for most first-time home buyers
- Neighbors were renters who were having the duplex sold out from under them, purchased the property using a home occupied loan and traded units with one of the renters to help avoid displacement (resident tipped the scales for their neighbors)
- Got in early, able to get a foot in the door
- Support from state financing

Question 4 – What does safe and secure housing look like to you? How do we get there?

- A place you know you won't get kicked out of
- "We're at the bottom of the barrel now, people's standards of safe and secure have dopped"
- Stability trumps livability
- Financial insecurity is scarier than physical insecurity when it comes to housing
- Security means there are no unknowns
- People stay in toxic relationships (friends, romantic) due to fear of not having housing; that is not safe or secure
- Being desperate for housing, people do not report substandard housing
- Baseline of housing is warm with a roof and lock



Question 5 – What role do existing residents play in housing new neighbors?

- “I can’t make a big difference to everyone, but I can impact my neighbors”
- Create community and sense of belonging and value, look out for one another
- Work on changing individuals’ minds, if you’re not currently struggling it’s easier to dismiss potential solutions for other people
- “Change is going to happen, so how do we shape that change together?”
- Build accessory dwelling units for long term rentals, not short-term rentals
- “Being neighborly is being safe”

Question 6 – When you heard about this project, what doubts or reservations came to mind? What would keep those doubts from coming true?

- Concerned about how and if change will occur
- Not sure what to expect, appreciated that it was a conversation
- Talk to real people who understand the housing struggle
- Be accessible to people and answer questions, even if they are broad
- Be out in the community constantly talking about the project

Below are identified barriers and opportunities for housing in Spokane that were in addition to the above questions:

Finding housing with kids and pets is an added struggle

Development regulations, such as setbacks and the cottage housing code, prevent it from being easy to build affordable housing

“Density is the solution”

Height transitions for infill will help increase neighborhood compatibility

If the landlord is not invested in the property, why would the renter be invested?

Rehabilitate existing housing stock

Change can be scary, need to bring people along and demystify the process

Investors flipping houses drives up costs and pushes out first-time home buyers

“We are building for the past, not for the reality of today”



During the second Resident Forum, participants dug deeper into their vision for the future of Spokane.

Question 1 – What have you continued to think about or something that has stuck with you from the first meeting?

- How the built environment can support community connectivity (front porches, walkability, anything to increase random interactions)
- The importance of greenery and the natural environment to ideal neighborhoods
- Housing security, putting affordability before safety

Question 2 – Whether you’ve lived here in Spokane for 20 days or 20 years, what is the biggest change you have seen in the community?



More sprawl (“sprawl is my fear for Spokane”), less open space and farmland



Increased traffic, less bikeable, historic neighborhoods have kept their sense of place (because of the people)



Developers are no longer building what the community needs or desires (bedroom count, location, affordability)

Question 3 – What is one positive attribute of Spokane that should be maintained?

Unique neighborhoods

Access to nature

Neighborliness

Areas with a mix of uses

The people

Diversity

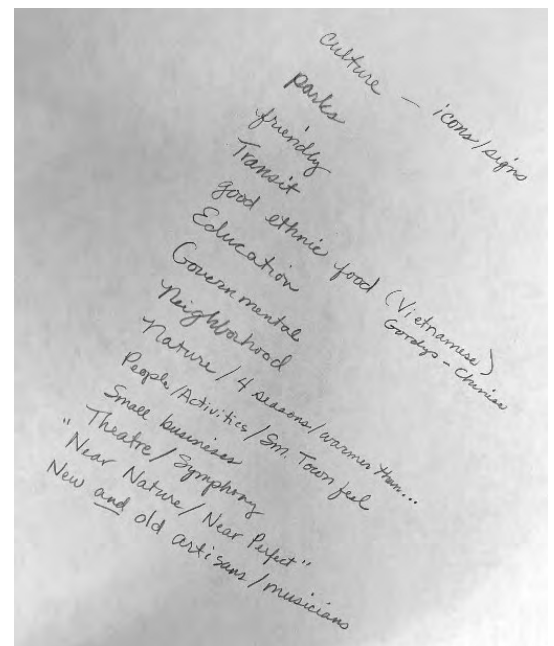


Question 4 – Do you see the land use values advocating for the type of city you believe Spokane should be? What is missing?

- Affordability
- Diversity and equitability
- Access to public transportation
- Walkable/bikeable
- Sustainability, impacts of climate change
- How to integrate a mix of uses
- Language needs to be adaptable to change
- Supporting, allowing to thrive, and stewardship should be guiding principles

The following observations were made as the participants went line by line reviewing the Land Use, Chapter 3 values:

- “Acquiring and preserving the natural areas inside and outside the city”
 - Sustainability and improvements should be identified
- “Protecting the character of single-family neighborhoods”
 - Protecting the character of single-family neighborhoods only means more sprawl
 - Protect should mean upkeep of existing homes (rehabilitate), not to preserve in amber
 - Which neighborhoods are currently being protected and which ones have not been?
 - What does character mean? Character changes and develops with the people
 - There is no one “character” of a neighborhood
 - To protect means there is an adversary
- “Guaranteeing a variety of densities that support a mix of land uses”
 - Single-family neighborhoods appear privileged in the values, which prevents clarity on what this means
 - Emphasize increased density, not just variety
- “Utilizing current residential lots before development raw land”
 - Displacement needs to be addressed



Notes taken at a Resident Forum calling out important values for the future of Spokane.

Shared Values

All three districts were brought together for a final celebratory meeting to discuss shared values that arose out of the Resident Forums series and to review draft language influenced by their engagement. The meeting was held on April 28, 2023 at the Central (Downtown) Library.

A summary of key takeaways included:

- Conflicts between what “is” and “what will be” are foremost in everyone’s mind
- Everyone is having difficulty, not just the first-time homebuyer or the income constrained
- It isn’t just about housing availability, but security
- Luck is not a housing strategy
- It is not just about the building, its about the entire neighborhood
- It takes a home and a community



A word cloud created from the table and staff notes of all six Resident Forum meetings that was presented at the final meeting on April 28.



The draft language presented to participants was as follows:

- Acquiring, preserving, and enhancing the natural areas inside and outside the city;
- Managing urban growth to ensure development results in equitable, livable, community-oriented neighborhoods, contributes positively to the City’s financial resources, and protects outlying rural areas;
- Developing and maintaining sufficient access and opportunities for amenities, services, and employment in all neighborhoods;
- Celebrating the uniqueness of each neighborhood while allowing for growth and diversity everywhere;
- Ensuring equitable housing supply by encouraging diversity of housing choice, addressing displacement of existing residents, and ensuring attainable and accessible housing for all parts of the community;
- Encouraging redevelopment in already-built areas while promoting compatible changes in residential neighborhoods; and
- Balancing stability and flexibility by reviewing and amending standards in an orderly and thoughtful fashion as needs change in the city.

Discussion around the proposed draft language to Chapter 3, Land Use values included:

- Equity was appropriately added within the proposed language
- How is walkability and bikeability incorporated into the values? What about transit?
- Access to greenspace should be specifically mentioned
- Education and access to schools is missing
- Maintaining and increasing tree canopies should be included as a value
- The use of “sufficient” does not capture the complexity of access and opportunities, almost minimizes their needs with the adjective

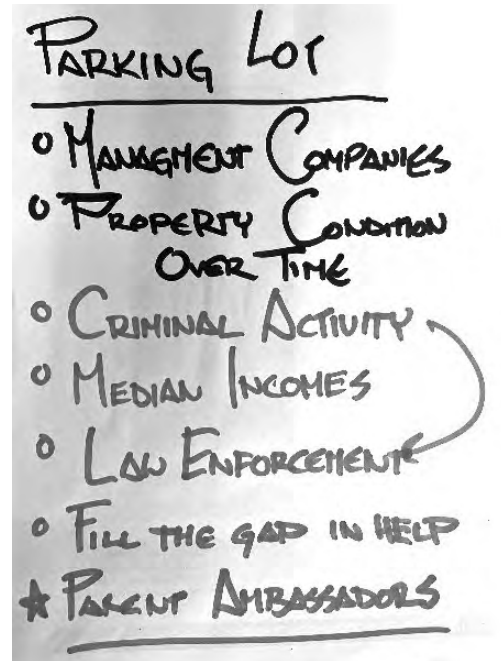
The comments received have been incorporated into the final recommended language and will be sent to Plan Commission and City Council for review.

Parking Lot

During the conversations, concepts were brought up that were not within the purview of the Building Opportunity for Housing project. However, there is recognition that successful community planning relies on the interconnection and collaboration of services. As such, “parking lots” were established to capture these ideas so they could be sent to the appropriate project teams, City Department, or decision maker.



- Childcare costs are so high that for many people it is cheaper to be a single income household than to be a two-income household and pay for care
- It is important to maintain a culture of honesty and straightforwardness in local governance
- Getting people educated in the planning and government processes is key to getting more people involved
 - People need to know how it helps/serves them to be involved
- Condos could increase homeownership significantly
- Tiny homes can help increase housing diversity and provide more affordable, smaller housing options
- Incentives to encourage desired behavior (renters, affordable housing) are needed
- Permitting needs to work at the neighborhood impact level, not just the individual property level
- There is a lack of transparency on submitted projects under permit review; need to improve information sharing with citizens
- The potential impact of natural gas bans on housing (e.g., utility costs, replacing appliances)
- The interim ordinance (Building Opportunity and Housing for All) did not incorporate sustainability/environmental practices
- Many people make too much to qualify for housing vouchers or other assistance programs, but not enough to afford housing or basic needs
- Expensive permitting processes incentivize bad design
- Design standards should increase walkability and community connectivity (e.g., less garages and more front porches)
- Improve code enforcement to enforce maintenance of homes and prevent deterioration of buildings
- Ensure solar access is maintained (state incentivizes solar and it is a long-term investment on people's homes)



Notes taken at a Resident Forum identifying Parking Lot elements.

Next Steps

The first part of the Building Opportunity for Housing project involves amendments to [Shaping Spokane](#), the city's comprehensive plan. These amendments will concentrate on the City's land use



vision for how land use and housing interact. Related amendments to policies necessary to improve access to housing choice in Spokane will be crafted as well. Once the comprehensive plan is updated (tentatively by July), development regulations within the [Spokane Municipal Code](#) will be updated to modify housing requirements and allowances.

Both the comprehensive plan and development code amendments will first go to [Plan Commission](#) for recommendation of approval, before going before [City Council](#) for the final decision. City Council decisions are then sent to the [Mayor](#), to sign, veto, or leave unsigned. Resident Forum participants will be kept up to date throughout the process and notified when there are opportunities to speak/write to City Council as they consider the changes.

The Resident Forums were the last major part of a robust engagement effort around the Comprehensive Plan amendment process for the Building Opportunity for Housing project. The insight gained from the series will be combined with other public comments received throughout the process, the [Community Roundtable](#), the [Faith-Based Roundtable](#), and [multilingual survey results](#) to inform the final decision. Department staff will continue to be available to answer questions or receive additional feedback anytime at developmentcode@spokanecity.org.



Exhibit A – Currently Adopted Vision and Values

Shaping Spokane, a Comprehensive Plan for the future of Spokane

Comprehensive Plan is the name given to identify the community's long-range plan for growth. It is comprehensive because it provides guidance for all aspects of the city's growth and development over a long period, typically twenty-years. The plan is a set of visions, goals, policies, and implementation strategies that state how the city should grow physically, socially, and economically. This comprehensive plan is the product of many, many people including hundreds of community members, the city Plan Commission, City Council and Mayor.

Chapter 3, Land Use

3.2 VISION AND VALUES

Spokane volunteers working to develop the 2001 Comprehensive Plan identified important themes in relation to Spokane's current and future growth. A series of visions and values was crafted for each element of the Comprehensive Plan that describes specific performance objectives. From the Visions and Values document, adopted in 1996 by the City Council, the Comprehensive Plan's goals and policies were generated.

Land use is defined as the general location of various uses of land, population density, and building intensities.

VISION

"Growth will be managed to allow a mix of land uses that fit, support, and enhance Spokane's neighborhoods, protect the environment, and sustain the downtown area and broaden the economic base of the community."

VALUES

"The things that are important to Spokane's future include:

- Acquiring and preserving the natural areas inside and outside the city;
- Controlling urban sprawl in order to protect outlying rural areas;
- Developing and maintaining convenient access and opportunities for shopping, services, and employment;
- Protecting the character of single-family neighborhoods;
- Guaranteeing a variety of densities that support a mix of land uses; and
- Utilizing current residential lots before developing raw land."



Chapter 6, Housing

6.2 VISION AND VALUES

Spokane volunteers working on the Comprehensive Plan identified important themes in relation to Spokane's current and future growth. A series of visions and values was crafted for each element of the Comprehensive Plan that describes specific performance objectives. From the Visions and Values document, adopted in 1996 by the City Council, the Comprehensive Plan's goals and policies were generated. Housing refers to housing availability, affordability, and mix.

VISION

"Affordable housing of all types will be available to all community residents in an environment that is safe, clean, and healthy. Renewed emphasis will be placed on preserving existing houses and rehabilitating older neighborhoods."

VALUES

"The things that are important to Spokane's future include:

- Keeping housing affordable;
- Encouraging home ownership;
- Maintaining pride in ownership;
- Developing a good mix of housing types;
- Encouraging housing for the low-income and homeless throughout the entire city;
- Preserving existing houses; and
- Rehabilitating older neighborhoods."



Staff Report - File Z23-112COMP

Exhibit F

Agency/Department Comments Received

From: [Nilsson, Mike](#)
To: [Freibott, Kevin](#)
Cc: [Whitmarsh, Brandon](#); [Brown, Eldon](#); [Eliason, Joelle](#); [Johnson, Erik D.](#)
Subject: RE: Request for Agency/Department Comment - Comp Plan Amendment File Z23-112COMP
Date: Wednesday, April 26, 2023 8:35:34 AM
Attachments: image002.png
image003.png
image004.png

Engineering has no comments at this time. Individual projects following the new comp plan amendments will be evaluated for their specific proposed improvements.

From: Freibott, Kevin <kfreibott@spokanecity.org>
Sent: Monday, April 17, 2023 1:27 PM
Cc: Whitmarsh, Brandon <bwhitmarsh@spokanecity.org>
Subject: Request for Agency/Department Comment - Comp Plan Amendment File Z23-112COMP

Please see the attached request for agency/department comments relating to the [Building Opportunity for Housing](#) comprehensive plan amendments. **We request you submit comments no later than May 2 at 5:00 PM** by emailing this address or by mail at:

Attn: Kevin Freibott, Planning & Economic Development
Spokane City Hall
808 W Spokane Falls Blvd
Spokane, WA 99201

Thank you and have a great day!

Sincerely,

Kevin Freibott



Kevin Freibott, MA ORGL | Senior Planner | City of Spokane - Planning and Economic Development
509.625-6184 | <mailto:kfreibott@spokanecity.org> | spokanecity.org | spokaneplanning.org



Please note that my work schedule is currently 6:30 AM – 5:30 PM, Monday through Thursday



Spokane Tribe of Indians
Tribal Historic Preservation Office
PO Box 100 Wellpinit WA 99040

May 22, 2023

To: Kevin Freibott, Senior Planner

RE: File No. Z23-112 COMP

Mr. Freibott,

Thank you for contacting the Tribe's Historic Preservation Office, we appreciate the opportunity to provide a cultural consult for your project. The intent of this process is to preserve and protect all cultural resources whenever protection is feasible.

As you already know these areas are sacred, religious and cultural significance to the Spokane Tribe, these sites are very limited and irreplaceable.

While surface evidence or artifacts and human remains may be sparse after years of no-Indian occupation and development, evidence below the surface may still be in place and artifacts and human remains may be entering the site through hydrological processes and other means.

RE: Case by case review on each project and may require cultural surveys and monitoring on these projects

We are looking forward to working with you and your staff.

Again, thank you for this opportunity to comment and consider this a positive action that will assist in protecting our shared heritage.

If questions arise, please contact me at (509) 258 4222.

Sincerely,

Randy Abrahamson
Tribal Historic Preservation Officer (T.H.P.O.)

June 5, 2023

Kevin Freibott
Senior Planner
City of Spokane
Planning & Economic Development
808 W. Spokane Falls Blvd.
Spokane, WA 99201

RE: City of Spokane Proposed Comprehensive Plan Amendment Z23-112COMP

Mr. Freibott,

Thank you for the opportunity to review and comment on the City of Spokane's Comprehensive Plan Amendment Z23-112COMP Building Opportunity for Housing Phase 1. SRTC staff has reviewed the notices and materials provided. As we previously discussed, SRTC's requirements for reviewing and certifying comprehensive plans are outlined in [SRTC's Plan Review and Certification Process Instruction Manual](#).

We understand that the proposed text amendments to Chapter 3 of the City's Comprehensive Plan essentially allow more housing types in low intensity residential areas. Based on our conversation in April, we also understand that this will not increase development beyond what is already planned for in the City of Spokane's current comprehensive plan.

Based on the information provided for the proposed comprehensive plan changes, SRTC has determined that the proposed amendment is generally consistent with the relevant Guiding Principles and Policies of [Horizon 2045](#), the Regional Transportation Plan (RTP). SRTC has also determined that the proposed amendment is generally consistent with the relevant transportation planning requirements of the Revised Code of Washington ([RCW](#)), including the Growth Management Act ([GMA](#)).

In the future, SRTC would like to be able to provide a more comprehensive analysis of regional impacts. For comprehensive plan updates and amendments, SRTC may conduct a regional level of service (LOS) analysis for the regional mobility corridors as outlined in the certification instruction manual. To that end, we look forward to working with the City of Spokane to discuss opportunities for SRTC to provide the analysis.

Please contact me if you need any additional information about our review of the amendment proposal.

Sincerely,



Ryan Stewart, AICP
Principal Transportation Planner

SRTC MEMBER AGENCIES

Staff Report - File Z23-112COMP

Exhibit G

Public Comments Received

From: [Carl](#)
To: [Planning & Development Services Comp Plan](#)
Subject: Comment on Proposed Changes to Spokane Comprehensive Plan
Date: Wednesday, May 17, 2023 11:44:27 AM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Department of Planning & Economic Development
City of Spokane

I would like to submit for consideration the following comment on the proposed changes to the Spokane Comprehensive Plan.

Thank you,
J. Carl Bruesch
3003 S. Manito Blvd.

- The proposal would change one of the Values statements as follows:

~~Protecting the character of single-family neighborhoods; Celebrating the uniqueness of each neighborhood while allowing for growth and diversity everywhere;~~

- Comment:

The character of these residential neighborhoods is important, and I think it is a mistake to eliminate neighborhood character as a value.

For example, I live in the Comstock neighborhood and walkability is a significant part of the neighborhood's character. This is clearly described in the Comstock neighborhood profile posted on the Spokane City website, and was a significant factor in my house purchase. Daily I see children walking to and from school, dog walkers, as well as general strollers – and I count myself among them.

It is important to me that potential development in my neighborhood be evaluated for impact on this character (among others).

- Suggested alternative language for this bullet point:

Protecting the character of ~~single-family~~ residential neighborhoods;, ~~Celebrating the uniqueness of each neighborhood~~ while allowing for appropriate growth and diversity;

From: [David Camp](#)
To: [Planning & Development Services Comp Plan](#)
Subject: Comment on Comp Plan Amendment proposal
Date: Wednesday, May 24, 2023 7:40:07 AM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

To the Plan Commission:

Regarding the proposed changes to Spokane's Comprehensive Plan, allowing fourplexes nearly everywhere, please add language that prevents developers from pushing most of this dense development out to the city's suburban fringes, far from bus lines and emergency services, in far-flung neighborhoods such as North Indian Trail, North Nevada and South Regal.

Let's learn from the city's failed multifamily tax incremental financing policy of 20 years ago, which was intended to subsidize apartment development in inner neighborhoods. Instead, developers took the subsidies to the city limits, building subsidized apartments in outer fringes where they were least needed, locking in still more car dependency and carbon emissions, forcing taxpayers to fund more suburban streets and services.

Without stronger language in the plan amendment, developers will do this again.

Please stick to Spokane's "centers and corridors" plan, giving preference to fourplex developments close to bus lines, schools and businesses, where existing police and fire resources can serve additional people, and where we won't need to build as many additional streets, water and sewer lines.

The state Growth Management Act will soon require Spokane to reduce emissions and vehicle miles traveled, so please ensure that this plan amendment puts density close to transit.

I love density. I love more housing. However, let's not let developers abandon Spokane's inner neighborhoods again.

Please add language to the amendment that prioritizes density near bus lines and existing services.

Thank you,
David Camp

From: [Linda Carroll](#)
To: [Planning & Development Services Comp Plan](#)
Subject: keep dense development at centers and corridors, do not extend to outlying areas
Date: Wednesday, May 24, 2023 6:41:27 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

To the Planning Commission,

As an environmentally-motivated Spokane voter and property owner, I support the Spokane's Comprehensive Plan in its current form, which allows increasing housing density through permitting fourplexes near centers and corridors that provide public and active transportation connections and are near schools and businesses because that plan will help us reach our goal of reducing greenhouse gas emissions and creating livable 15-minute neighborhoods.

I strongly oppose the proposed extension of such density to outlying areas such as North Indian Trail, North Nevada, and South Regal because those areas are not well served by public transportation and have few nearby schools and businesses and therefore such an extension would trap our city in the destructive car culture that has produced so much pollution damaging to our health and environment and that causes endless crashes, reckless driving, and street racing.

Please retain the current Comprehensive Plan density around centers and corridors to promote a healthier life for our community and all of us who live in it.

Linda Carroll

From: [Gaither, Kari Ann](#)
To: [Planning & Development Services Comp Plan](#)
Subject: Testimony to Plan Commission re changing comprehensive plan
Date: Wednesday, May 24, 2023 1:26:42 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Dear Plan Commission,

I understand that you are meeting today to discuss an amendment to Spokane's Comprehensive Plan which would allow for development of fourplexes around the city. I commend this move, however, I have serious concerns regarding how this change is implemented. More housing is clearly needed and fourplexes, duplexes and the like are wins for improving the housing crisis in Spokane. But it is imperative that this is implemented in keeping with the current objectives to increase housing density in the centers and corridors, where bus lines, infrastructure (including fire and police resources) and shops and businesses already exist. This will reduce the need for expensive new roads, water and sewer lines and reduce dependence on cars, thereby helping to mitigate already clogged traffic arteries in the city and reduce pollution.

Please include stronger language in your amendment to the plan which emphasizes development of fourplexes in the centers and corridors of Spokane to keep developers from focusing on developing these high density housing structures in fringe neighborhoods in Spokane, which though costing them less, would cost the city and its residents more in terms of sprawl, infrastructure development, less green spaces, and more pollution.

Thank you kindly,

Kari Gaither

From: [lila girvin](#)
To: [Planning & Development Services Comp Plan](#)
Subject: amendment to plan
Date: Wednesday, May 24, 2023 12:06:53 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

As a long time observer and participant (I was on the Boundary Review Board) I request that you stick to the centers and corridor plan.

Thank you,
Lila Shaw Girvin

From: [Joey Gunning](#)
To: [Planning & Development Services Comp Plan](#)
Subject: Comprehensive Plan Comments
Date: Monday, June 5, 2023 9:31:34 AM
Attachments: image004.png
City of Spokane Comp Plan - Comment.docx

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Good Morning,

Attached are some comments on the Comp Plan.

Really great work – and a lot of goals that tie directly to our region’s Comprehensive Economic Development Strategy (THRIVE Spokane). Great to see the City leading the way!

Joey Gunning

Strategic Growth Manager

[Greater Spokane Inc.](#)

(509) 321-3617

together we’re greater



[AdvantageSpokane.com](#) | [THRIVESpokane.org](#)



[Register today!](#)

Public Comment on City of Spokane Comprehensive Plan: Chapter 7 – Economic Development

ED 1.2 Support of Economic Development Organizations

I would suggest calling out the support of organizations who support underrepresented communities, such as AHANA, Carl Maxey Center, HBPA, Latinos En Spokane, etc. This is critical to ensuring economic development activities and policies achieve equitable outcomes.

ED 2.2 Revitalization Opportunities

May want to include language around pursuing policies and processes to stabilize communities and mitigate gentrification.

ED 2.4 Mixed-Use

Could add language around supporting arts & culture here. Creative economy has emerged as a key industry both locally and state-wide.

ED 3.5 Locally-Owned Businesses

The region's CEDS includes language around elevating the region's buy local campaigns, such as Live Local INW, to support locally owned BIPOC and small businesses. Might include language here to align with the region's equity goals.

ED 4.2 Benchmark Indicators

Might include language around equity here. How can we use benchmark indicators to achieve more equitable results going forward.

ED 5.2 Youth Programs

Might include language around supporting youth entrepreneurship programs to help Spokane's young residents cultivate an entrepreneurial spirit, building a community culture of innovation.

ED 5.3 Post-Secondary Education and Job Training

Could include language around uplifting BIPOC workers by connecting them with clear career pathways that offer earn-and-learn initiatives, like stipends, paid work experience, internships, or on-the-job training.

ED 5.8 Library as Educational Resource

Absolutely! The Library provides tools to help businesses overcome their vulnerabilities and to ensure they have critical processes to continue operations in the event of an unplanned disruption or disaster. This is critical.

Prepared by: Joey Gunning, Greater Spokane Inc.

ED 7.1 Collaborative Nurturing of the Business Climate

This is also critical. Might include specific language around establishing a process for regular communication with businesses to understand their priority issues and needs.

ED 8.4 Recreation and Tourism Promotion

How can you partner with municipalities and organizations that are already doing this? We could think about a collaborative approach to promoting the region's identity and high quality of life to support tourism, business attraction, and talent attraction and retention.

From: [Howard Family](#)
To: [Planning & Development Services Comp Plan](#)
Subject: comp plan comments
Date: Friday, May 12, 2023 9:54:39 AM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Mr. Freibott,

I am excited that Spokane is FINALLY getting serious about the need for housing options for both homeless and other folks.

As we move toward more density it will be crucial that development be done in such a manner to "help" us live better at density. By that I mean as lots are developed or redeveloped that there would be requirements for the following; lighting that does not bleed onto adjacent properties; landscaping that does not bleed onto neighboring properties; sidewalks whether new or existing be installed, repaired and maintained (levers to use: business license renewals for apt. owners, building permits for lot improvements and development, sidewalks required to be in good condition at the time of property sale and the city could repair or replace the sidewalk and put a lien on the property which would be paid off at the time of sale of the property) Sidewalk condition is an equity and quality of life condition in all areas of the city and cannot be allowed to be ignored as it has been for DECADES.

Don't forget noise ordinances, traffic enforcement and traffic calming so pedestrians and bicycles can safely move through neighborhoods.

There should be clear paths identified so that if a condition needs to be addressed that citizens know who in the city to contact so the issue can be resolved. I suspect that more code enforcement folks will need to be hired to "help" citizens live better at density. Density needs to happen whether people want it or not and density can either be an inconvenience or a horror depending upon how it occurs. Thanks Debra Howard

From: [Bob Hyta](#)
To: [Planning & Development Services Comp Plan](#)
Subject: Outdated comprehensive plan
Date: Wednesday, May 10, 2023 6:32:16 AM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Upon cursory review, many amendments to the comprehensive plan are as old as January 2020!!! This is pre-covid. Pre-urban exodus. Certainly, anything post-covid would be much more valuable to the city and it's residents.



Robert C. Hyta
Wells St. John P.S.
601 W. Main Avenue, Ste. 600
Spokane, WA 99201
Tel: (509) 624-4276
Fax: (509) 838-3424

bhyta@WellsIP.com
www.WellsIP.com

Patents, Trademarks and Copyrights

This transmission is the property of the sender and is intended solely for the addressee(s). It may also contain confidential and/or legally privileged information. If it has reached you by mistake, please notify the sender by reply email and permanently delete the transmission. Dissemination, distribution or copying of the transmission/property is prohibited.

From: [Alena I](#)
To: [Planning & Development Services Comp Plan](#)
Subject: Chapter 3, city land use
Date: Thursday, May 11, 2023 7:34:20 AM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

To whom it may concern,
I am excited to see that city council will allow to build multi-residential units and halt city sprawling

I would like to address the concerns of clear cutting of mature trees within and on outskirts of our city.

The examples are a new apartment development at the intersection of Magnesium and Nevada (by the international school) and the one across the Sundown plaza at the end of the Indian trail rd.

There used to be beautiful, mature park, which was clear cut.

Could you please consider requiring a 30% or so retainment of original vegetation and incorporate new buildings into the existing nature?

It breaks my heart to see loss of mature trees our city is famous for. I am also concerned for environmental impact with high winds and dry, hot summers with no tall trees to break the wind speed or shade to provide

Sincerely, Alena Izhokhina, homeowner in Spokane
425 419 9570 cell

Sent from my T-Mobile 5G Device
Get [Outlook for Android](#)

From: [David Jones](#)
To: [Planning & Development Services Comp Plan](#)
Subject: from David Jones/comments about the new BOCA zoning regulations
Date: Thursday, May 11, 2023 2:11:24 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

To whom it may concern

I am reservations against the new BOCA zoning regulations. The new rules allow for up to 4 units on any parcel zoned single family. Many new 4 plexes will be built in historically single family neighborhoods which defeats the whole purpose of zoning. Many people decided to buy homes in established single family neighborhoods and planned on raising their families in a lower density area. I am seeing plans to break up larger parcels into many parcels and put 4 plexes on them to create apartment complexes. I don't believe this was the intended purpose of the zoning changes. But, it is happening. The proposed 5 Mile Multi Family project at 7601 N 5 Mile Rd is an example of this.

This type of project goes against the language in the law and is wholly incompatible with the foundational goals and policies of the City of Spokane's Comprehensive Plan as listed in section 3.3:

1. ...Much of the future growth will occur within concentrated areas in Neighborhood Centers, District Centers, Employment Centers and Corridors designated on the Land Use Plan Map. While this growth occurs in Centers and Corridors, established single-family residential neighborhoods will remain largely unchanged. The Centers and Corridors contain a mix of uses, including higher density housing centered around or above retail and commercial establishments, office space and public and semi-public activities (parks, government and schools).

...Other important directives of the land use goals and policies include:
limiting commercial and higher density development outside Centers and Corridors to support growth and development of Centers and Corridors;
directing new higher density housing to Centers and Corridors and restricting this type of development in single-family areas; and

2. Using design guidelines to ensure that commercial buildings and higher density housing are compatible with existing neighborhood character in and around Centers and Corridors. [Emphasis Added] Comprehensive Plan, Amended Jan. 17, 2020, 3-5 - 3-6

If new apartment developments are allowed to be built in single-family neighborhoods it will irreversibly degrade areas that have traditionally been areas many people want to live in. Those people will be forced to push further out of the city to find similar neighborhoods to live in. That would be unfair and detrimental to the city financially.

Please reconsider the BOCA plan and ensure established single family neighborhoods are protected.

David

--



DAVID JONES

Realtor® at John L. Scott

509.990.8552

david.jonescb@gmail.com

davidjones.johnlscott.com

[What's my home worth?](#)

From: [Betty Krafft](#)
To: [Downey, KayCee](#)
Subject: Re: Thank you for taking the Building Opportunity for Housing survey!
Date: Thursday, February 16, 2023 6:50:53 PM
Attachments: [image001.png](#)

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Thanks for your response.

What I didn't see in the survey was a space about current housing options. The sale price of my condo has tripled since I bought it 11 years ago. While that would be good news if I wanted to sell it, the fact is that if i did sell, it would be difficult to find affordable housing in Spokane. I checked condos on the internet and the price went quickly from \$65k for a "blank canvas" that would require a tremendous amount of work to \$150k with nothing in between. And no parking. So if I sold, I would have no place to go.

I am a promoter of condos as a good way of increasing the number of people that can live in an area. Rents increase constantly (my own experience) and a 10% limit on increases can still move an apartment from reasonable \$800/month to unaffordable in just a few years. But you own your condo unit. If public spaces are easily accessible (parks, etc) then children can also thrive in a condo. And a condo is a good first time homebuyer investment. (The other issue is I don't WANT to take care of a yard)

Transportation is also an issue. I chose to live near Gonzaga because I knew I would have reasonably good bus service (and wonderful bus service with the Central City line), but for activities after dark, one still needs a car because busses don't come that often and may not coincide with the end of a movie or a worship service.

Wish I had some answers, but I think rules that encourage condos could be part of the mix.

Thank you.

From: [Cynthia Manycolors](#)
To: [Planning & Development Services Comp Plan](#)
Subject: housing plans
Date: Sunday, May 28, 2023 6:41:31 AM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Hello,
keeping new development of housing to corridors near schools and bus routes will be better for the community in a variety of ways. If people can ride the bus to school and work and appointments, there is less wear and tear on our roads, less pollution. In addition, poorer people many times can afford older cars more likely to break down and lack of transportation can mean losing a job, which can start a cycle of homelessness or other hardship. Let's do what is most effective.

Thanks,
Cynthia Manycolors
Spokane, WA

From: [Ben M](#)
To: [Planning & Development Services Comp Plan](#)
Cc: [Beggs, Breean](#); [Bingle, Jonathan](#); [Cathcart, Michael](#); [Wilkerson, Betsy](#); [Kinneer, Lori](#); [Zappone, Zack](#); [Stratton, Karen](#)
Subject: BOCA Concerns
Date: Monday, June 5, 2023 8:58:46 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

To Whom It May Concern,

Building Opportunity and Choices for All is meant to encourage better housing on many levels. It's meant to create generational wealth, make housing available at different price levels, and create housing for more to enjoy.

Unfortunately, there are no safeguards to prevent unscrupulous developers from taking advantage of BOCA to line their already well lined pockets. All over the city these developers are snapping up any piece of land they can get their hands on and stacking as many houses as they can on them. They add moderate to high density housing in traditionally single family residence areas.

With the increase in density created by BOCA for all zoning areas, this puts more people in areas without public transit. And since the parking requirements listed in Table 17C.230-2 were not updated to take into account the increased density, the developers are only required to provide one parking space per house. You would be hard pressed to find families with only one vehicle. And with Spokane lacking a sufficient public transit system, how are families supposed to traverse the area? The original framework of BOCA included a requirement for nearby public transportation, however, for some reason, it was removed. The definition of public transit, however, was left in the interim ordinance. The city of Spokane has a number of places that are not serviced by public transportation and building multi-unit dwellings without requiring a sufficient number of parking spaces is contrary to providing housing choices for all. Not everyone has a personal vehicle and therefore requires housing with easy access to public transportation. No one wants to have to hunt for on-street parking when they get home after working or going to school, nor not have any guest parking for people who might visit.

As you work on making the Building Opportunity and Choices for All interim ordinance permanent, I request that you revisit the access to public transportation, on-site parking requirements and not allowing moderate to high density housing in areas traditionally and historically meant for single family homes.

Sincerely,
Ben Maplethorpe
Five Mile Prairie Resident

From: [Adam Marshall](#)
To: [Planning & Development Services Comp Plan](#)
Subject: Comment: Building Opportunity for Housing – Comprehensive Plan Amendment
Date: Wednesday, June 7, 2023 5:01:48 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

City of Spokane Planning,

This current amendment to the Comp Plan appears benign but still does not address critical requirements that should be considered prior to authorizing development which are lacking or remain unenforced in the Comp Plan - namely adequate infrastructure in place or enforced concurrency. Largely in outer districts such as Latah Valley, 5 mile, Indian Trail, West Hills the checks and balances which should be present prior to permitting have not been adhered to. This has and will continue to result in inefficient and in some cases reckless growth patterns creating public safety concerns (fire, water quality) or access issues to critical roadways. Not including specifics on required infrastructure and functioning levels of service, whether imposed by low-density zoning changes should be remedied. Direction to the Planning Department to potentially deny permits when infrastructure . The Comp Plan should incorporate more appropriate and comprehensive infrastructure requirements, such as availability of public transportation, parks, fire & police support, K-12 schools and bussing, libraries, and active-transportation corridors. Recognizing the Comp Plan only directs water and sewer levels of service,

Adam Marshall

From: [RICK MESSENGER](#)
To: [Planning & Development Services Comp Plan](#)
Subject: Comments on new housing plan
Date: Tuesday, June 6, 2023 9:01:15 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Hello;

I have a few comments & suggestions on the new housing plans.

First off I think it's unfair to neighborhoods to allow investors to have ADU's in the backyards of homes they do not live in. We have an 8 year old home across the street from us that was built by an investor for a rental house. At only 8 yrs. old it looks older, junky and unkept. The sidewalks (& it's a corner lot) have never been shoveled no matter how much snow falls. The weeds grow up out of the fence & grow as tall as the fence. The trees that were planted in the back died within the first year of neglect. And we're talking about the comstock neighborhood. Now, the new rules have allowed him to build an ADU behind the parent house. The whole neighborhood knows what this means. 2 unkept homes & yards with more than enough cars & trucks for 2 homes. Since this law is not going to change, why do you not apply some rules to these investors who you have just gifted with 2 rental incomes off of one property? Such as an ADU can only be added (in the case of the owner not being onsite) when the investor provides full lawn care (including regular weed killing), full snow shoveling & requirements that their tenants have no more vehicles than the required "off" street parking that you allowed to be built for the size of the homes. They get double income & further lower the quality of the neighborhood & neighbors frustration for zero effort. It seems like this requirement would give something back to the neighborhoods you indicate you're trying to preserve.

Another concern is the daily commercials about the importance of trees. Spokane has an Urban Forestry department that is supposed to be insuring that trees are being planted and our dwindling canopy being restored. But in another conflict the city is allowing homes to be built 15 ft. from the curb & allowing porches to extend 6 ft. into that setback effectively allowing homes to sit 9 ft. from the curb. Where do the trees go? We have a home being built in a 2 lot pocket lot next door where the neighborhood was promised "more" landscaping because it was a pocket development than a single family home required. We notice on the application for permit that Urban forestry has stated there is no room for a tree because of right of way. A fine will have to be paid instead. Won't this be the case with all homes built so close to the curbs? What happened to the concern for trees & the tree lined streets you envision? The ADU across the street has room for a street tree but Urban Forestry states on their permit that they "can" plant a tree in there's an appropriate place or pay a fine. Hmmm. It seems like fines are what they're after not trees.

And finally, I think you should come clean with the public about what constitutes "off" street parking. The bunny story in one of your community outreach updates indicated that all bunnies would have a bedroom & therefore their home would require 5 off street parking spaces. Everyone is relieved. Except you never mention that if the bunnies lot was 100ft. wide, all 5 "off" street parking spots could be met "on" the street. And your vision of narrower neighborhood streets, tree lined forgot to mention those narrow streets would be filled with cars that have no where else to park. If you think people will get rid of their cars, ride the bus or a bike if you just eliminate most of the parking, you need look no further than Seattle with their superior bus & rail system, not to mention their milder winters and see their neighborhoods are busting with cars on top of cars. If you're so sure each home & rental will come with no more than the parking spaces you require, then that should be another rule for

the investors. They must allow no more vehicles to be at their rentals than the city required them to provide. I think since you are so sure of vehicle count per bedroom, it should be a requirement at least in rentals.

Thank you for your time. I know you only want to hear positive input but you asked for peoples opinions. I'm not sure you really listen or care to anything that is said that goes against your agenda but I thought I would try.

Regards,

Rick & Roxanne Messenger

May 24, 2023

TO: Spokane City Plan Commission

**RE: Comprehensive Plan Land Use Amendments
Proposed Text Amendments Chapter 3**

Page 1: Vision

I would suggest leaving the word “neighborhoods” in the paragraph. Since we are talking about adding more diverse housing to neighborhoods.

Page 1: Values

I am all for enhancing natural areas inside and outside the city, would be good to explore here how you plan to do that.

If you are truly committed to the uniqueness of each neighborhood then you must realize that “All Land Is Not Created Equal”. You can only build what the land will allow while following all the regulations for stormwater, erodible soils, ground water saturation and contamination and the harm that blasting has on a basalt mesa like Five Mile Prairie.

I think it is also fair to say that even though these amendments are meant for every city neighborhood, development will come to the neighborhoods that have the land. And by looking at a map you can see where those neighborhoods are.

The last bullet point I don't understand. It would help to know what your thinking is with regards to being flexible in amending standards.

Also I do not see anything about the Capital Facilities Plan, and how we are going to pay for services knowing that they are more expensive on the fringe of the city. Providing services outside of centers and corridors is more expensive for the city, right? And concurrency will still be an important part of adding density to every part of the city?

Page 3: LU1.3

This is where again, please be reminded that not “Not All Land Is Equal”. Because we sit on 4 perched aquifers, we are a CARA,(critical aquifer recharge area), we have underground springs and huge evaporation ponds with complimentary frogs!

We find that we need less impervious surface not more. We are more than a mile from a transit stop and we share our roads with our rural neighbors who still farm. More walking and biking facilities would be great we have a bike/ped plan already adopted.

Page 6:

Top of Page 6 under Residential Low. This seems to be out of context with residential low. Grocery stores, small format retail, medical facilities? These should be in neighborhood centers, centers and corridors, but you would need land that is environmentally safe and could take more impervious surfaces, I am sure there are several neighborhoods that this would not work well and is one reason why our Neighborhood Plan does not call for “commercial development”. I hope you will rethink this section and out it under high intensity uses where commercial should go. I don’t believe it belongs here.

Thank you for listening. I’ll have more comments before the deadline.

Respectfully,



Kathy Miotke

53 year resident of Five Mile Prairie

prairiepyrs@fastmail.com

From: [Scott Moore](#)
To: [Freibott, Kevin](#)
Subject: Public Comments for Comprehensive Plan
Date: Monday, May 22, 2023 9:00:20 AM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Greetings,

What good is any spending on planning or its manifested implementations if those achievements are drowned out by rampant crime and drugs?

Numerous businesses have already high-tailed out of downtown and many locals no longer have any desire to go there.

How long will it be ignored?

Only when this blatant issue is addressed will me and others consider it "comprehensive."

Thank you,

Scott Moore
(406) 926-9583

This communication, including attachments, is confidential and is intended for the sole use of the addressee. Any use, duplication, disclosure or dissemination of this communication, other than by the addressee(s), is prohibited. If you have received this communication in error, please notify the sender immediately and delete or destroy this communication and all copies.

From: [Heather Morgan](#)
To: [Planning & Development Services Comp Plan](#)
Cc: [Beggs, Breean](#); [Bingle, Jonathan](#); [Cathcart, Michael](#); [Wilkerson, Betsy](#); [Kinneer, Lori](#); [Zappone, Zack](#); [Stratton, Karen](#)
Subject: Concerns about Transportation, Land Use and Interim BOCA
Date: Monday, June 5, 2023 6:41:19 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Good afternoon,

BOCA is designed to encourage creating a variety of housing at various price points, but lacks any requirements for access to public transportation or adequate on-site parking. This is shortsighted and ultimately is contrary to promoting a quality of life for people regardless of the type of housing they live in. To make multi-dwelling units liveable you either need to provide adequate on-site parking for residents and their guests and/or they need to have easy access to public transportation. The interim BOCA ordinance does not address this.

I have lived in apartments, townhomes and single family homes at various times in my adult life. When looking and choosing housing, adequate parking or access to public transportation for myself and my co-habitants is a deciding factor in where I chose to live. The city of Spokane has a number of places that are not serviced by public transportation and building multi-unit dwellings without requiring a sufficient number of parking spaces is contrary to providing housing choices for all.

Parking:

The interim ordinance only requires builders to adhere to existing requirements found in [Table 17C.230-2 Parking Spaces by Use](#) which only calls for one parking space per unit for less than three bedrooms. In this day and age, it is rare to see one car per household. Even a one bedroom unit is likely to have two car-owners living in it (ie couples, roommates). It would be shortsighted to overlook these lack of sufficient parking requirements which ultimately impedes the quality of life for all. No one wants to have to hunt for on-street parking when they get home after working or going to school, nor have any guest parking for people who might visit.

Public Transportation:

Not everyone has a personal vehicle and therefore requires housing with easy access to public transportation. Access to public transportation is even mentioned in the [PIES committee report](#) summary indicates there was discussion to “Allow duplexes in all zoning districts, and triplexes and fourplexes in all areas within ¼ mile of frequent transit and ½ mile of all Center and Corridor zones.” “Major transit stop” is even defined in the interim ordinance (Chapter 17C.400.010B), yet the term is mentioned nowhere else in the ordinance.

As you work on making the Building Opportunity and Choices for All interim ordinance permanent, I request that you revisit the access to public transportation and on-site parking requirements.

And also in the [Proposed Text Amendments - Chapter 3 Comprehensive Plan](#) page 3, complementary types of development should allow residents to walk to “churches,” I suggest you use “places of worship” or another more inclusive term.

Sincerely,
Heather Morgan

Freibott, Kevin

From: Candace Mumm <candacemumm@aol.com>
Sent: Wednesday, May 24, 2023 12:40 PM
To: Kathy Miotke; Freibott, Kevin
Cc: Candace Mumm
Subject: PC Comments Mumm May 24, 2023
Attachments: Mumm PC Comments May 24, 2023.docx

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Kevin,

Here are my comments for the PC today.

I have a funeral and will get there as soon as I can.

Candace Mumm

MIDDLE HOUSING DEFINITION SUBSTITUTE LANGUAGE

Please modify the definition of Middle Housing being added to the Glossary section on Page 10.

State law will likely change again does not prescribe that five and six plexes are outright allowed on any residential lot. Only in the case of being within ¼ mile of a major transit stop or if at least two units are affordable housing.

Optional language is below following the proposed language of May 24, 202

- **Middle Housing**
- ~~In accordance with state law, Middle housing includes buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes such as duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.~~
- **Middle Housing** is a range of house-scale buildings with multiple units—compatible in scale and form with detached single-family homes—located in a walkable neighborhood. (source: missingmiddlehousing.com)
- **Middle Housing** is a term for homes that are at a middle scale between detached single-family houses and large multifamily complexes. Examples include: duplexes, triplexes, fourplexes, fiveplexes, sixplexes, courtyard apartments, cottage clusters, and townhomes. These types are typically “house-scale”; that is, the buildings are about the same size and height as detached houses. (source: Commerc.WA.gov)
- **Middle Housing** is diverse, fits seamlessly into existing residential neighborhoods and supports walkability. It can include duplexes, fourplexes, cottage courts, multiplexes and other small-footprint homes.

(source: housingnext.com)

3.2 Vision and Values

Values

1. Keep in language about controlling urban sprawl- this keeps costs down for using capacity of existing investment in infrastructure and expands it only when the city has the means to do so, otherwise this language is permissive and may be used against you when planning for expansion. Remember we serve outside our jurisdiction for water and sometimes sewer.
2. ~~Controlling urban sprawl in order to~~ Managing urban growth to ensure development results in equitable, livable, community-oriented neighborhoods, contributes positively to the City's financial resources, and to protects outlying rural areas;
3. Keep the word "convenient" because it affects climate change—makes it walkable—
4. I like adding education to this section

~~Developing and maintaining convenient access and opportunities for shopping to amenities, services, education, and employment for people of all ages and abilities in all parts of the city;~~

5. This sentence is word salad and unnecessary.

~~Balancing stability and flexibility by reviewing and amending standards in an orderly and thoughtful fashion as needs change in the city.~~

6. Keep these in. They are important to the function and health of Centers and Corridors and focused growth. Must keep this in there---efficient land use for utilities—investment of the city---Not all parts of the city are geographically built to handle the same amount of intensity due to the lack of infrastructure or the fact that they have 400 foot cliffs. New Centers and

limiting commercial and higher density development outside Centers and Corridors to support growth and development of Centers and Corridors;

directing new higher density housing to Centers and Corridors and restricting this type of development in single-family areas; and

using design guidelines to ensure that commercial buildings and higher density housing are compatible with existing neighborhood character in and around Centers and Corridors.

7. LU 1.4 Higher Density Intensity Residential Uses Areas

Suggest you substitute this section: “~~and to areas where existing development intensity is already consistent with development of this type.~~ Use language here to **and adopt new centers through the neighborhood planning process where “existing development intensity is already consistent with development of this type.”**”

Direct new higher density intensity residential uses to areas in and around Centers and Corridors designated on the Land Use Plan Map and to areas where existing development intensity is already consistent with development of this type.

(

From: [Mark Odegard](#)
To: [Planning & Development Services Comp Plan](#)
Subject: Amendment to Comprehensive Plan
Date: Wednesday, May 24, 2023 9:53:52 AM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Hello – I am a homeowner and business owner in the city of Spokane and creating urban density is critically important to our city. Creating density will help address our homeless problem, better support the local population growth, aligns with the sustainability action plan that was passed by the Spokane City Council in October of 2021, and is critical to addressing the climate crisis.

Allowing growth to expand outwards into the suburbs will create more traffic congestion, increase costs related to maintaining transportation infrastructure, and significantly increase the greenhouse gases that threaten our local and global community.

I urge the Plan Commission to reject the amendment and leave the plan in its current form.

Mark

Mark Odegard
MEASURE MEANT
Operations | Senior Strategist
509.904.5692
mark@measurepnw.com
www.measurepnw.com

From: [JAMES O'HARE](#)
To: [Planning Services Development Code](#)
Subject: Housing
Date: Friday, January 6, 2023 12:25:04 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

I am a 74 y.o. white male who has lived in the same residential one level 2100 sq ft rancher in the south hill for 28 years. My spouse and I have raised 4 children, 3 of whom now live outside of Spokane. The youngest child lives with us after he was injured in a major accident 5 years ago.

We love our home but worried going forward about our capacity to continue to manage the upkeep and pay the property taxes.

We have thought about down sizing but upon investigation have found few options that are financially feasible.

When we compare the costs of remaining in our current home vs purchasing a new home, remaining in our current is more cost-effective.

We would like to see options of moving into a multi-age, diverse family make-ups and diverse racial, ethnic and cultural settings.

We are supportive if Spokane developing more housing options for everyone in the community.

Thank you.

James O'HARE

Jolmhc@gmail.com

509-251-4474.

1414 E. Woodcliff Rd

99203

Sent from my iPhone

From: [Drew Peterson](#)
To: [Planning & Development Services Comp Plan](#)
Subject: Public Comment For Proposed Comp Plan Changes
Date: Monday, June 5, 2023 11:47:25 AM
Attachments: Public Comment Letter - Bethany.pdf

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Hello,

Please find the attached letter we are submitting during your public comment period.

Thank you,

Drew Peterson
Land Stewardship Guide
Presbytery of the Inland Northwest
(509) 496-2916

Dear Spokane City Plan Commission,

Thank you for your hard work in updating our city's comprehensive plan amendment in ways that support increasing opportunities for housing. As you know from the city planning department's roundtable discussion with faith-based leaders, many churches in our city are both geographically and missionally oriented to provide needed housing for the community. We support changes that allow for church sites to create moderate intensity development. Therefore, we appreciate specific mention of "churches" in section 3.4 under "residential moderate", as well as "residential low". We wish to eliminate any possibility for interpretation of the comprehensive plan that excludes churches.

At the bottom of page six, the proposed language amendments to chapter 3 says, "Residential Moderate uses should be generally limited to within moderate walking distance of a Center, Corridor, or major employment/commercial area." Thank you for this language, as it seems to define more clearly what the comp plan means by "in and *around* centers and corridors." We understand the value of using flexible language in the language amendments and we also understand defining "moderate walking distance" may need to be done on a case-by-case basis. Our hope is that these proposed language amendments will support inclusive and expansive interpretations by future city staff to ensure churches are regarded as good partners and preferred locations that fit the vision, values, and goals of the plan commission for building options for housing in our community.

Thank you for the opportunity to comment on this draft language and for including us in this important process.

Sincerely,

Dirk Vastrick, Clerk of Session, Bethany Presbyterian Church

Drew Peterson, Land Stewardship Guide, The Presbytery of the Inland Northwest

Brian Grow, President of the Board, Proclaim Liberty

Sarah Brede, Associate, ZBA Architecture

Dave Roberts, Development Consultant, Kiemle and Hagood

Shannon Meagher, Development Consultant, Kiemle and Hagood

From: [Pistone, Amy](#)
To: [Planning & Development Services Comp Plan](#)
Subject: Proposal to amend Spokane's Comprehensive Plan,
Date: Wednesday, May 24, 2023 12:20:41 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

To whom it may concern,

I'm writing to thank the Plan Commission for their proposal to build fourplexes in the city to increase housing availability and density but also to strongly encourage them to stick to the "centers and corridors" plan, giving preference to fourplex developments close to bus lines, schools and businesses, where existing police and fire resources can serve additional people, and where we won't need to build as many additional streets, water and sewer lines. As Spokane is growing, new housing is incredibly important, and I would love to see this new housing be constructed in ways that are going to be the most cost-efficient and climate-friendly. I think you can accomplish both of those by prioritizing and incentivizing denser housing options closer to existing resources and infrastructure.

Thank you so much,

Amy Pistone

Amy Pistone
Assistant Professor, Department of Classical Civilizations
She/her/hers
[@apistone](#)
College Hall 416L
Spring 2023 Office Hours: Mon 11-12, Wed 11-12, Thu 10:30-11:30, or [by appointment](#)

From: [EDWARD RENOARD](#)
To: [Planning & Development Services Comp Plan](#)
Subject: When considering changes to the comprehensive plan...
Date: Wednesday, May 24, 2023 10:48:57 AM
Attachments: Outlook-horizontal.png

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Hello:

I'm writing to encourage you, when considering changes to Spokane's Comprehensive Plan, that you remain steadfast in sticking to the existing Centers and Corridors strategy, giving preference to developing multifamily projects, including fourplexes, close to existing infrastructure —streets, water, sewer, gas, and electricity — where access to existing services, schools, transit, businesses, shopping, hospitality, and entertainment are easy to access and don't require additional burdens on taxpayers to create new infrastructure in less dense or undeveloped areas where land may be cheaper but civil and societal costs are much higher.

Thank you for your consideration.

Best regards,

Ed. Renouard

EDWARD RENOARD

(509) 994-4427
911 EAST 9TH AVENUE
SPOKANE, WA 99202

From: [Richard Schubach](#)
To: [Planning Services Development Code](#)
Subject: E ILLINOIS AVE
Date: Friday, February 17, 2023 10:42:30 AM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

I live on E Illinois consequently, I have a vested interest in any forms of development between Market St & Perry St. The southside of Illinois has railroad tracks & a dynamic panoramic view of the City from Sunset hill to the Idaho Mountains. There is thinking of landscaping with viewpoints on the southside of Illinois between the curb & railroad tracks. A year ago a large apartment complex was built on N Regal which has blocked the view of the river & obviously destroyed any plan of adding a viewpoint in that area. Before that apt complex I used to enjoy the view of the river watching Osprey skim the water catching fish. That's gone now forever. Further development west of Regal should never be considered to avoid destroying one of Spokane's most valuable scenic drives. E Illinois was recently resurfaced with the addition of a jogging/bicycle path against the southern curb, specifically to take advantage of the view. Spokane housing is of great concern & every area of development should be considered but, at what expense to our valuable livable environment needs equal consideration.

Richard Schubach
pa.schubach@gmail.com
509 255 3874
2809 E. Illinois
Spokane WA 992207

--

Richard

From: [Antonia DePasquale](#)
To: [Planning & Development Services Comp Plan](#)
Subject: BOCA Ordinance
Date: Wednesday, June 7, 2023 9:38:34 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Please develop the empty parking lots downtown, before carving into historical neighborhoods, basalt rock formations and green spaces in the city of Spokane, these are our assets... bus lines, infrastructure and retail are already in place downtown. We could add 50,000 residents to downtown, thank you for taking my comment.

Take Care,
Toni Sharkey

Sent from my iPhone

From: [Hannah TeGrotenhuis](#)
To: [Planning & Development Services Comp Plan](#)
Subject: New proposal to amend Spokane's Comprehensive Plan
Date: Wednesday, May 24, 2023 3:02:59 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Please stick to the “centers and corridors” plan, giving preference to fourplex developments close to bus lines, schools and businesses, where existing police and fire resources can serve additional people, and where we won’t need to build as many additional streets, water and sewer lines. Spokane is already very car-dependent; please don’t let this continue into the future.

Thank you,

Hannah TeGrotenhuis

From: [Carol Tomsic](#)
To: [Planning & Development Services Comp Plan](#)
Cc: [Beggs, Breean](#); [Kinnear, Lori](#); [Cathcart, Michael](#); [Bingle, Jonathan](#); [Wilkerson, Betsy](#); [Zappone, Zack](#); [Stratton, Karen](#); [Winkes, Mary](#); [Marilyn](#); [Striker, Patrick](#); [Deasy, Annie](#); [Freibott, Kevin](#)
Subject: Building Opportunity for Housing Comment
Date: Sunday, June 4, 2023 7:37:20 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

I disagree with a proposed change to 3.2 Visions and Values.

Neighborhoods should not be omitted and replaced with livability.

Shaping Spokane Housing "aims to address housing needs while preserving character and livability". Our neighborhoods provide the city's character and livability. The city has 29 neighborhoods that are recognized by City Charter.

I tell everyone I live in the Lincoln Heights neighborhood. We identify ourselves by our neighborhood. Our city supports our neighborhoods with the Neighborhood Traffic Calming Program and the Neighborhood Clean-up Program.

The Land Use chapter should not omit our neighborhoods in its Visions and Values.

And, it was noticeable that 'downtown' was not omitted and given preference, since it is a neighborhood by City Charter.

And, a priority in the Housing Action Plan is to preserve housing affordability and quality to help people thrive where they live and support residents in every 'neighborhood'.

Please leave neighborhoods in the text.

I greatly appreciate the wording in the proposed changes that preserve and enhance the existing character of housing in our neighborhoods, especially LU 5.5 Complementary Development.

Carol Tomsic
Lincoln Heights

From: [Katie Upton](#)
To: [Planning & Development Services Comp Plan](#)
Subject: Comprehensive Plan Amendment
Date: Wednesday, May 17, 2023 11:31:31 AM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Hello,

I live in a single family home on a lot next to a low-income, rent assisted apartment building and value my neighbors and what they bring to the neighborhood. I think other neighborhoods will benefit as well by having a more diverse selection of housing available to different income levels.

So just giving a comment of support - I appreciate the attention given to the missing middle. Thank you for your work, I think this is a good step in addressing access to affordable housing.

Thanks!

Katie Upton
623 W Spofford Ave, Spokane, WA 99205

From: [Jimmy Young](#)
To: [Planning & Development Services Comp Plan](#)
Date: Wednesday, May 24, 2023 12:13:19 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

Hello!

Today at 2 PM, [Spokane's Plan Commission](#) will discuss [a new proposal to amend Spokane's Comprehensive Plan](#), allowing for development of fourplexes all over the city.

While this is in keeping with the Middle Housing Bill just passed by the state legislature **developers want to push this dense development out to the city's suburban fringes**, far from bus lines and emergency services, in far-flung neighborhoods such as North Indian Trail, North Nevada and South Regal. They do this because in these fringe neighborhoods, land is cheaper, parcels are larger and deals are easier.

The result will be an even more car-dependent Spokane, with higher tax bills to support more streets, sewers, police and fire services along sprawling suburban edges.

This echoes the city's failed tax incremental financing policy of 20 years ago, which was intended to subsidize apartment development in inner neighborhoods. Instead, developers took the subsidies to the city limits, building subsidized apartments in outer fringes where they were least needed, locking in still more car dependency.

Let's not repeat that mistake. **Please stick to the "centers and corridors" plan, giving preference to fourplex developments close to bus lines, schools and businesses, where existing police and fire resources can serve additional people, and where we won't need to build as many additional streets, water and sewer lines.**

Thanks,

Jim Young

Spokane WA

Staff Report - File Z23-112COMP

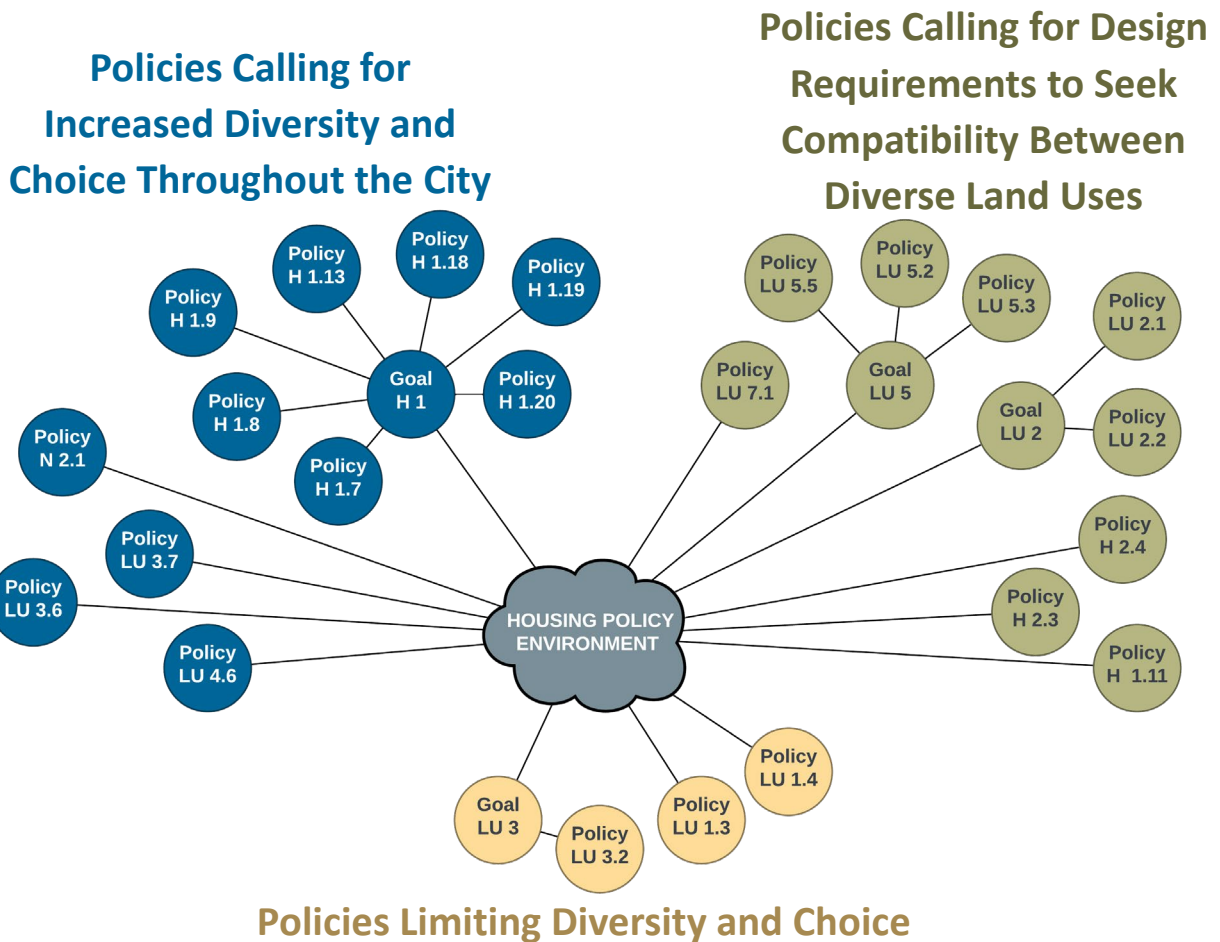
Exhibit H

**Comprehensive Plan Policy Environment Around
Diversity and Choice**



The following goals and policies of the comprehensive plan relate to file Z23-112COMP. The full text of the Comprehensive Plan can be found at www.shapingspokane.org.

COMPREHENSIVE PLAN POLICY ENVIRONMENT: DIVERSITY AND CHOICE



Chapter 3 – Land Use

LU 1.3 Single-Family Residential Areas

Protect the character of single-family residential neighborhoods by focusing higher intensity land uses in designated Centers and Corridors.

LU 1.4 Higher Density Residential Uses

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

LU 2 PUBLIC REALM ENHANCEMENT

Goal: Encourage the enhancement of the public realm.

LU 2.1 Public Realm Features

Encourage features that improve the appearance of development, paying attention to how projects function to encourage social interaction and relate to and enhance the surrounding urban and natural environment.

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.

LU 3 EFFICIENT LAND USE

Goal: 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 3.2 Centers and Corridors

Designate Centers and Corridors (neighborhood scale, community or district scale, and regional scale) on the Land Use Plan Map that encourage a mix of uses and activities around which growth is focused.

LU 3.3 Designating Centers and Corridors¹

Designate new Centers or Corridors in appropriate locations on the Land Use Plan Map through a city-approved planning process.

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.

¹ This policy is included here because it pertains to a public comment discussed in the Staff Report.

LU 4.6 Transit-Supported Development

Encourage transit-supported development, including a mix of employment, residential, and commercial uses, adjacent to high-performance transit stops.

LU 5 DEVELOPMENT CHARACTER

Goal: Promote development in a manner that is attractive, complementary, and compatible with other land uses.

LU 5.2 Environmental Quality Enhancement

Encourage site locations and design features that enhance environmental quality and compatibility with surrounding land uses.

LU 5.3 Off-Site Impacts

Ensure that off-street parking, access, and loading facilities do not adversely impact the surrounding area.

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.

Chapter 6 – Housing

H 1 HOUSING CHOICE AND DIVERSITY

Goal: 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 1.8 Affordable Housing Requirement

Include a percentage of affordable housing within all new developments that include housing.

H 1.9 Mixed-Income Housing

Encourage mixed-income developments throughout the city.

H 1.11 Access to Transportation

Encourage housing that provides easy access to public transit and other efficient modes of transportation.

H 1.13 Siting of Subsidized Low-Income Housing

Set clear site selection criteria for publicly subsidized housing to minimize geographic concentrations of publicly subsidized housing projects in neighborhoods with a high percent of minority or low-income households.

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.

H 1.20 Accessory Dwelling Units

Allow one accessory dwelling unit as an ancillary use to single-family homes in all designated residential areas as an affordable housing option.

H 2.3 Housing Preservation

Encourage preservation of viable housing.

H 2.4 Linking Housing With Other Uses

Ensure that plans provide increased physical connection between housing, employment, transportation, recreation, daily-needs services, and educational uses.

Chapter 11 – Neighborhoods

N 2.1 Neighborhood Quality of Life

Ensure that neighborhoods continue to offer residents transportation and living options, safe streets, quality schools, public services, and cultural, social, and recreational opportunities in order to sustain and enhance the vitality, diversity, and quality of life within neighborhoods.

Staff Report - File Z23-112COMP

Exhibit I

SEPA Determination and Environmental Checklist

NONPROJECT DETERMINATION OF NONSIGNIFICANCE

FILE NO(S): Z23-112COMP

PROPONENT: City of Spokane

DESCRIPTION OF PROPOSAL: The City of Spokane is proposing various amendments to Chapter 3, Land Use, and the Glossary of the City’s Comprehensive Plan with the intent of encouraging and easing development of middle housing in Spokane. Pursuant to the findings of the City’s Housing Action Plan, and as called for in Revised Code of Washington (RCW) 36.70A.600, the City intends to amend the Comprehensive Plan to increase the types of housing that may be accommodated and expected in residential land use plan areas throughout the City while accounting for and minimizing impacts to adjacent uses.

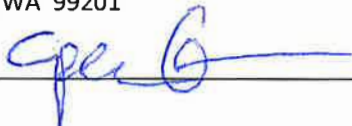
LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: The proposal would potentially affect any future development or redevelopment of residential properties in the city.

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.
- 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 regarding this DNS must be submitted no later than 5 p.m. on June 27, 2023 if they are intended to alter the DNS.

Responsible Official: Spencer Gardner
Position/Title: Director, Planning Services **Phone:** (509) 625-6500
Address: 808 W. Spokane Falls Blvd., Spokane, WA 99201

Date Issued: June 12, 2023 **Signature:** 

**State Environmental Policy Act (SEPA)
ENVIRONMENTAL CHECKLIST**

File No. Z23-112COMP

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: **Building Opportunity for Housing – Phase I (Comp Plan), Amendments to the City of Spokane Comprehensive Plan**
2. Applicant: **City of Spokane (Contact: Kevin Freibott)**
3. Address: **808 W Spokane Falls Blvd**
City/State/Zip: **Spokane, WA 99201**
Phone: **509-625-6500**
Agent or Primary Contact: **Kevin Freibott, Senior Planner (kfreibott@spokanecity.org)**
Address: **(same)**
City/State/Zip: **(same)** _____ Phone: _____
Location of Project: **Citywide (text/map amendment to Comprehensive Plan)**
Address: **n/a**
Section: _____ Quarter: _____ Township: _____ Range: _____
Tax Parcel Number(s) **All residentially zoned parcels in the City of Spokane**
4. Date checklist prepared: **April 15, 2023**
5. Agency requesting checklist: **City of Spokane**
6. Proposed timing or schedule (including phasing, if applicable): **Comprehensive plan amendments are expected to be completed by third quarter of 2023.**
7. a. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. **Following adoption of the proposed amendments to the City of Spokane Comprehensive Plan, a series of Municipal Code amendments will be developed for consideration. These code changes are not reviewed in this SEPA process.**
b. Do you own or have options on land nearby or adjacent to this proposal? If yes, explain. **N/A**
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. **No specific studies or analyses have been prepared.**
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. **The City is not currently processing any other Comprehensive Plan amendments during 2023.**
10. List any government approvals or permits that will be needed for your proposal, if known. **City Council approval of a Comprehensive Plan Amendment.**

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 City of Spokane is proposing various amendments to Chapter 3, Land Use of the City's Comprehensive Plan with the intent of encouraging and easing development of middle housing in Spokane. Pursuant to the findings of the City's Housing Action Plan, and as called for in Revised Code of Washington (RCW) 36.70A.600, the City intends to amend the Comprehensive Plan to increase the types of housing that may be accommodated and expected in residential land use plan areas throughout the City while accounting for and minimizing impacts to adjacent uses.

The City of Spokane proposes to amend the text of Chapter 3, Land Use, as follows:

- 1) Text amendments to the vision and values section in Chapter 3, clarifying the intended relationship between low-intensity residential areas and a mix of housing types;**
- 2) Text amendments to Policies LU 1.3 and LU 1.4, clarifying that middle housing types (up to 6 units per lot) are appropriate within low-intensity residential areas in the City and outlining topics which should be considered during any future land use or zoning changes that might increase the intensity of a given residential area in the city;**
- 3) Text amendments to the land use plan map designations described in the chapter, changing the descriptors from density (units per acre) to low-, medium-, and high-intensity residential uses; and**
- 4) Updates to land use labels on the Land Use Plan Map (map LU-1) to match the updated land uses described in item 3 above.**

No change to the Spokane municipal code is proposed as part of this proposal.

12. Location of the proposal: Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you

should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit application related to this checklist. **Various locations throughout the City. Land Use Plan Map (LU1) residential land use descriptions will change; no changes to the boundaries of these residential land uses are proposed by this action. To view the Land Use Plan Map designations, visit the City's public mapping website at my.spokanecity.org/opendata/gis/**

13. Does the proposed action lie within the Aquifer Sensitive Area (ASA)? The General Sewer Service Area? The Priority Sewer Service Area? The City of Spokane? (See: Spokane County's ASA Overlay Zone Atlas for boundaries.) This is a non-project action that is citywide. **Portions of the City are located within the ASA, and most is within a sewer service area.**

14. The following questions supplement Part A.

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

(1) Describe any systems, other than those designed for the disposal of sanitary waste installed for the purpose of discharging fluids below the ground surface (includes systems such as those for the disposal of stormwater or drainage from floor drains). Describe the type of system, the amount of material to be disposed of through the system and the types of material likely to be disposed of (including materials which may enter the system inadvertently through spills or as a result of firefighting activities). **As a non-project action, this proposal is not expected to directly result or impel any physical development or alteration of the physical environment.**

(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? **N/A, Non-Project Action (see answer 1 above).**

(3) What protective measures will be taken to ensure 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. **N/A, Non-Project Action (see answer 1 above).**

(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? **N/A, Non-Project Action (see answer 1 above).**

b. Stormwater

(1) What are the depths on the site to groundwater and to bedrock (if known)? **Varies throughout the City.**

(2) Will stormwater be discharged into the ground? If so, describe any potential impacts. **N/A, Non-Project Action.**

B. ENVIRONMENTAL ELEMENTS

1. Earth

a. General description of the site (check one):

Flat Rolling Hilly Steep slopes Mountainous

Other: **Varies throughout the City. Any future development in accordance with this proposal would be subject to a site-by-site determination as to the slope impacts to that development at the time of building permit application.**

b. What is the steepest slope on the site (approximate percent slope)? **Varies throughout the City.**

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. **Varies throughout the City.**

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. **N/A, Non-Project Action (see answer A.14.a.1 above for more detail).**

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: **N/A, Non-Project Action (see answer A.14.a.1 above for more detail).**

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. **No, as this is a Non-Project Action. Any future development in accordance with this proposal would be subject to a site-by-site determination as to the erosion impacts and measures to prevent those impacts at the time of building permit application.**

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt, or buildings)? **N/A, Non-Project Action (see answer A.14.a.1 above for more detail).**
- h. Proposed measures to reduce or control erosion or other impacts to the earth, if any: **None.**

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. **N/A, Non-project action.**
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. **No.**
- c. Proposed measures to reduce or control emissions or other impacts to air, if any: **None, 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. **N/A, Non-Project Action (see answer 14.a.1 above). Any development within Shoreline Jurisdictional Boundaries is subject to additional scrutiny, approval, and mitigation under existing requirements of the Spokane Municipal Code.**
- (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. **N/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. **N/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. **N/A Non-project action.**

(5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. **Varies throughout the City. Future development proposals would be subject to analysis at the time of application to determine any potential impacts from the floodplain.**

(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. **No, 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. **Non-project action. Future developments will be subject to concurrency determinations per the Spokane Municipal Code.**

(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. **NA 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. **N/A, Non-Project Action.**

(2) Could waste materials enter ground or surface waters? If so, generally describe. **N/A, Non-Project Action.**

(3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. **N/A, Non-Project Action.**

d. PROPOSED MEASURES to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any. **None.**

4. Plants

- a. Check the type of vegetation found on the site: **Non-project action. All of the following are found in various locations throughout the City.**

Deciduous tree: alder maple aspen

Other: **Various street trees.**

Evergreen tree: fir cedar pine

Other: **Various street trees.**

Shrubs Grass Pasture Crop or grain

Orchards, vineyards or other permanent crops

Wet soil plants: cattail buttercup bullrush skunk cabbage

Other: _____

Water plants: water lily eelgrass milfoil

Other: _____

Other types of vegetation: _____

- a. What kind and amount of vegetation will be removed or altered? **N/A, Non-Project Action.**
- b. List threatened and endangered species known to be on or near the site. **N/A, Non-Project Action.**
- c. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: **None.**
- d. List all noxious weeds and invasive species known to be on or near the site. **N/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: **N/A Non-project action. Many of the following may be found in various locations throughout the City.**

Birds: hawk heron eagle songbirds

Other: _____

Mammals: deer bear elk beaver

Other: _____

Fish: bass salmon trout herring shellfish

Other: _____

Other (*not* listed in above categories): **Typical urban wildlife may exist on various sites within landscaping and street trees.**

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

None.

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

d. Proposed measures to preserve or enhance wildlife, if any: **None.**

e. List any invasive animal species known to be on or near the site. **None.**

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. **N/A, Non-Project Action.**

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. **N/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: **None.**

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. **N/A, Non-Project Action.**

(1) Describe any known or possible contamination at the site from present or past uses. **None.**

(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. **N/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. **N/A, Non-Project Action.**

(4) Describe special emergency services that might be required. **None.**

(5) Proposed measures to reduce or control environmental health hazards, if any:
None.

b. NOISE:

(1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? **N/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. **N/A Non-Project action.**

(3) Proposed measure to reduce or control noise impacts, if any: **None.**

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. **N/A Non-Project action.**

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses 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? **N/A.**

- 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: **N/A, Non-Project Action**

- c. Describe any structures on the site. **N/A Non-project action.**

- d. Will any structures be demolished? If so, which? **N/A, Non-Project Action.**

- e. What is the current zoning classification of the site? **This is a non-project action that potentially changes the descriptions of Land Use classifications. It will not change zoning classifications.**

- f. What is the current comprehensive plan designation of the site? **This non-project action will not change the parcel level designations of the Land Use Plan Map but may change the descriptions of Land Use Plan Map classifications.**

- g. If applicable, what is the current shoreline master program designation of the site? **N/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. **N/A, Non-Project Action. Development within critical areas is guided by Spokane Municipal Code requirements.**

- i. Approximately how many people would reside or work in the completed project? **N/A, Non-Project Action.**

- j. Approximately how many people would the completed project displace? **N/A, Non-Project Action.**

- k. Proposed measures to avoid or reduce displacement impacts, if any: **None.**

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: **The proposal would amend land uses and land use plan map designations and policies, actions allowed under RCW 36.70A.130 and SMC 17G.020.**

- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: **None.**

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. **N/A, Non-Project Action.**
- b. Approximately how many units, if any, would be eliminated? Indicate whether high-, middle- or low-income housing. **This non-project action does not require the demolition or removal of any existing units.**
- c. Proposed measures to reduce or control housing impacts, if any: **None.**

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? **N/A, Non-Project Action.**
- b. What views in the immediate vicinity would be altered or obstructed? **N/A, Non-Project Action.**
- c. Proposed measures to reduce or control aesthetic impacts, if any: **None.**

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? **N/A, Non-Project Action.**
- b. Could light or glare from the finished project be a safety hazard or interfere with views? **N/A, Non-Project Action.**
- c. What existing off-site sources of light or glare may affect your proposal? **N/A, Non-Project Action.**
- d. Proposed measures to reduce or control light and glare impacts, if any: **None.**

12. Recreation

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

- b. Would the proposed project displace any existing recreational uses? If so, describe. **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: **None.**

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. **N/A, Non-Project Action.**
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. **N/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. **None.**
- 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. **None.**

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. **N/A 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 **The City is currently served by a comprehensive regional and local transit system, as managed by the Spokane Transit Authority. This is a non-project action which does not address public transit.**
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? **N/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). **N/A Non-project action.**
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe. **N/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? **N/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. **No.**
- h. Proposed measures to reduce or control transportation impacts, if any: **None.**

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. **This is a non-project action. Any future project actions must meet the concurrency requirements in SMC 17D.075.030.**
- b. Proposed measures to reduce or control direct impacts on public services, if any: **None.**

16. Utilities

- a. Check utilities currently available at the site:
- electricity**
 - natural gas**
 - water**

refuse service

telephone

sanitary sewer

septic system

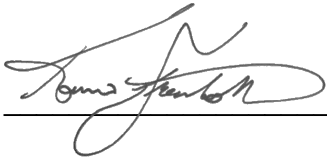
Other: _____

- 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: **None.**

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: April 17, 2023

Signature:  _____

Please Print or Type:

Proponent: City of Spokane

Staff Contact: Kevin Freibott, Department of Planning & Economic Development

Address: 808 W Spokane Falls Blvd

Phone: 509-625-6184

Person completing form (if different from proponent):

Phone: _____ Address: _____

FOR STAFF USE ONLY

Staff member(s) reviewing checklist: Spencer Gardner, Planning Director

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? **This proposal is not expected to increase the overall density of development beyond levels already planned in the City. The overall impacts from development are expected to be substantially similar to those that could occur under the existing Comprehensive Plan language.**

Proposed measures to avoid or reduce such increases are: **None.**

2. How would the proposal be likely to affect plants, animals, fish or marine life? **As discussed in the previous answer, the proposed amendments concern future residential development in portions of the City already designated for residential and/or urban development. Impacts to plants, animals, fish, or marine life would be substantially similar between current Comprehensive Plan language and the proposal. Likewise, any direct impacts to these resources resulting from any future private residential development that may or may not occur following adoption of the proposal would be subject to additional SEPA review and potential mitigation, as required by SMC 17E.050.**

Proposed measures to protect or conserve plants, animals, fish or marine life are: **None.**

3. How would the proposal be likely to deplete energy or natural resources? **As the proposal concerns portions of the City already designated for urban development, and because the proposal would authorize/permit similar urban development in those areas, the impacts to energy or natural resources are expected to be substantially similar to those already expected under existing conditions.**

Proposed measures to protect or conserve energy and natural resources are: **None.**

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? **This is a non-project action that does not change any designations of 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**

Proposed measures to protect such resources or to avoid or reduce impacts are: **None.**

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? **This is a non-project action. Land Use Plan Map and policy descriptions are proposed to be amended to allow for more types of housing. This will ensure compatible development patterns. No changes to the Shoreline Master Program are proposed.**

Proposed measures to avoid or reduce shoreline and land use impacts are: **None.**

6. How would the proposal be likely to increase demands on transportation or public services and utilities? This is a non-project action. **The proposal envisions a similar intensity of urban residential development as is current called for by the Comprehensive Plan. These urban-scale uses were previously anticipated by the Comprehensive Plan and thus are accounted for in existing infrastructure and service plans for the City. While the proposal would potentially allow for future modification of the housing types allowed within residential areas of the City, the overall density of these areas is not anticipated to increase beyond the maximum currently planned for. Thus, demand for services or infrastructure is not expected to rise beyond that already assumed by the Comprehensive Plan.**

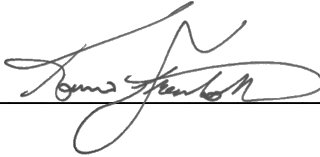
Proposed measures to reduce or respond to such demand(s) are: **None.**

7. Identify, if possible, whether the proposal may conflict with local, state or federal laws or requirements for the protection of the environment. **The proposed amendment is both consistent with and supported by RCW 36.70A.600.**

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: April 17, 2023

Signature:  _____

Please Print or Type:

Proponent: City of Spokane
Primary Staff Contact: Kevin Freibott, Department of Planning & Economic Development

Address: 808 W Spokane Falls Blvd

Phone: 509-625-6184

Person completing form (if different from proponent): _____

Phone: _____ Address: _____

FOR STAFF USE ONLY

Staff member(s) reviewing checklist: Spencer Gardner, Planning Director

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.

Ordinance No. C36414

AN ORDINANCE RELATING TO PROPOSAL FILE Z23-112COMP, AMENDING CHAPTER 3, LAND USE, AND THE GLOSSARY OF THE COMPREHENSIVE PLAN WITH THE GOAL OF INCORPORATING AND ACCOMMODATING MIDDLE HOUSING TYPES IN ALL RESIDENTIAL AREAS OF THE CITY AND IMPROVING THE OVERALL IMPLEMENTATION AND EFFECTIVENESS OF VISION, VALUES, AND POLICIES OF THE CHAPTER.

WHEREAS, RCW 36.70A.600(1) encourages the City to take a number of actions in order to increase its residential building capacity and authorized the City to adopt a housing action plan (the “HAP”); and

WHEREAS, Council Resolution RES 2021-0062 adopted the HAP as a guide for future housing planning, policy development, and regulatory/programmatic implementation measures that increase housing options for people of all incomes in the City; and

WHEREAS, the Mayor’s proclamation of July 26, 2021, also directed the City to expand housing options in the city, including changes to codes and plans to allow more housing types in all areas in the city; and

WHEREAS, the Spokane City Council adopted interim zoning ordinance C36232 (2022), making immediate changes to the City’s Municipal Code to allow development of middle housing types everywhere and calling on the City to evaluate “whether to make these measures permanent;” and

WHEREAS, the Planning & Economic Development Department has undertaken an extensive and in-depth review and exploration of the interim ordinance, including its effectiveness and success, and has developed the proposal to incorporate certain changes to Chapter 3, Land Use, supporting greater housing choice and enhancing certain policies and standards envisioned by the Comprehensive Plan as a first step towards making the effects of the interim ordinance permanent, while also incorporating lessons learned during the tenure of the interim ordinance; and

WHEREAS, the preparation of the proposal has included a robust public participation plan, commensurate with RCW 36.70A.140 and as requested by Section 4 of the interim ordinance (C36232); and

WHEREAS, during preparation of the proposal, the State has passed House Bill 1110 (2023-24) which among other things, requires Cities (including Spokane) to increase middle housing in areas traditionally dedicated to single-family detached houses, requirements with which the proposal substantially complies; and

WHEREAS, the proposal seeks to amend the Vision and Values; policies LU 1.3, LU 1.4, LU 3.6, and LU 5.5; residential land use names and descriptions, and various other minor amendments throughout Chapter 3 and the Glossary of the Comprehensive Plan; and

WHEREAS, the proposal brings the Comprehensive Plan into compliance with Section 3 of House Bill 1110 (2023-24); and

WHEREAS, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice before adoption of proposed changes to the Comprehensive Plan on April 18, 2023; and

WHEREAS, staff requested comments from agencies and departments on April 17, 2023, and a public comment period ran from May 8, 2023 to June 7, 2023; and

WHEREAS, the Spokane Plan Commission held workshops during the public comment period to study the proposal on May 10 and May 24, 2023, commensurate with the requirements of SMC 17G.020.060.B.5; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on June 12, 2023, for the amendment to the Comprehensive Plan, the comment period for which ended on June 27, 2023; and

WHEREAS, a staff report for the proposal reviewing all the criteria relevant to consideration of the proposal was published on June 12, 2023 and sent to all interested parties and the Plan Commission; and

WHEREAS, notice of the Plan Commission Hearing and SEPA Determination for the proposal was published online and in the Spokesman Review on June 14 and June 21, 2023; and

WHEREAS, the Spokane Plan Commission held a public hearing, including the taking of public testimony, on June 28, 2023, during which the public record was closed; and

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

WHEREAS, the Spokane Plan Commission found that the proposal meets the final review criteria for Comprehensive Plan Amendments delineated in Spokane Municipal Code 17G.020.030; and

WHEREAS, the Spokane Plan Commission voted 9 to 0 to recommend approval of the proposal, conditioned upon three distinct changes to the proposal: (1) changing the word “churches” to “places of worship,” (2) changing the term “Residential

Increased” to “Residential Plus,” and (3) amending the text of policy LU 5.5, “Compatible and Complementary Development”; and

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

NOW, THEREFORE, THE CITY OF SPOKANE DOES ORDAIN:

1. Approval of the Proposal. Proposal Z23-112COMP is approved.
2. Amendment of the Comprehensive Plan. Chapter 3, Land Use, of the Comprehensive Plan is amended as shown in Exhibit 1 of this Ordinance.
3. Amendment of the Comprehensive Plan Glossary. The Comprehensive Plan Glossary is amended as shown in Exhibit 2 of this Ordinance.
4. Amendment of Map LU-1, Land Use Plan Map. Map LU-1 of the Comprehensive Plan, the Land Use Plan Map, is amended to rename all residential land use plan map designations as follows:

Previous Land Use Designation	Revised Land Use Designation
“Residential 4-10”	“Residential Low”
“Residential 10-20”	“Residential Plus”
“Residential 15-30”	“Residential Moderate”
“Residential 15+”	“Residential High”

PASSED BY THE CITY COUNCIL ON _____, 2023.

Council President

Approved as to form:

Attest:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date



Building Opportunity for Housing Phase I

Exhibit I – Amendments to Chapter 3, Land Use, Comprehensive Plan

Department of Planning & Economic Development

---- Changes start on page 3-5 of the currently adopted Comprehensive Plan ----

3.2 VISION AND VALUES

Spokane volunteers working to develop the 2001 Comprehensive Plan identified important themes in relation to Spokane’s current and future growth. A series of visions and values was crafted for each element of the Comprehensive Plan that describes specific performance objectives. From the Visions and Values document, adopted in 1996 by the City Council, the Comprehensive Plan’s goals and policies were generated. In 2023, the City endeavored to explore these visions and values further, seeking to refine them in the face of an ongoing housing crisis (see the Spokane Housing Action Plan). Accordingly, the City held numerous meetings and roundtable discussions with the public and key housing stakeholders in the region and crafted updates to the vision and values herein.

Land use is defined as the general location of various uses of land, concentrations of population ((density)), and building-intensities: of development (size, height, lot coverage, etc.).

Vision

Growth will be managed to allow a mix of land uses that fit, support, and enhance Spokane’s neighborhoods livability, protect the environment, ~~and~~ sustain the downtown area, and broaden the economic base of the community.

Values

The things that are important to Spokane’s future include:

- Acquiring ~~((and))~~, preserving, and enhancing the natural areas inside and outside the city;
- ~~((Controlling urban sprawl in order to))~~ Managing urban growth to ensure development results in equitable, livable, community-oriented neighborhoods, contributes positively to the City’s financial resources, and to protect outlying rural areas;
- Developing and maintaining ~~((convenient))~~ access ~~((and opportunities for shopping))~~ to amenities, services, education, and employment for people of all ages and abilities in all parts of the city;
- ~~((Protecting the character of single-family neighborhoods;))~~ Celebrating the uniqueness of each neighborhood while allowing for growth and diversity everywhere;
- Ensuring equitable housing supply by encouraging diversity of housing choice, mitigating the effects of displacement on existing residents, and ensuring attainable and accessible housing for all members of the community;
- ((Guaranteeing a variety of densities that support a mix of land uses; and))

- ~~((Utilizing current residential lots before developing raw land.)) Encouraging development in built areas while promoting complementary changes in all parts of the city; and~~
- Balancing stability and flexibility by reviewing and amending standards in an orderly and thoughtful fashion as needs change in the city.

3.3 GOALS AND POLICIES

Goals and policies provide direction for planning and decision-making. Overall, they indicate desired directions, accomplishments, or aims in relation to the growth and development of Spokane. The land use goals and policies establish a framework for future growth and development of the city.

Much of the future growth ~~((will))~~ should occur within concentrated areas in and around Neighborhood Centers, District Centers, Employment Centers, ~~((and))~~ Corridors, and Downtown (the Regional Center), as designated on the Land Use Plan Map. ~~((While this))~~ Significant growth ~~((occurs in))~~ is directed to Centers and Corridors, ~~((established single-family))~~ with changes in other areas (like existing residential neighborhoods ~~((will remain largely unchanged))~~) guided towards more compatible uses and scales that fit well into those existing areas.

The Centers and Corridors contain a mix of uses, including higher ~~((density))~~ intensity housing centered around or above retail and commercial establishments, office space, and public and semi-public activities (parks, government, and schools). In addition to these uses, areas designated as Employment Centers emphasize a strong employment component such as major offices or light industrial uses. Street patterns within the Centers and surrounding neighborhoods enable residents to walk or bicycle for their daily service needs and to access each center’s transit stop. Higher ~~((density))~~ intensity housing within and around the Centers supports business in the Center and allows for enhanced transit service between Centers, along Corridors, and to the downtown area. Center designations on the Land Use Plan Map may change to reflect neighborhood planning decisions.

~~((Other important directives of the land use goals and policies include:~~

- ~~limiting commercial and higher density development outside Centers and Corridors to support growth and development of Centers and Corridors;~~
- ~~directing new higher density housing to Centers and Corridors and restricting this type of development in single-family areas; and~~
- ~~using design guidelines to ensure that commercial buildings and higher density housing are compatible with existing neighborhood character in and around Centers and Corridors.))~~

---- No other proposed changes until page 3-8 ----

LU 1.3 ~~((Single-Family))~~ Lower Intensity Residential Areas

~~((Protect the character of single-family residential neighborhoods by focusing higher intensity land uses in designated Centers and Corridors.))~~ Focus a range of lower intensity residential uses in every neighborhood while ensuring that new development complements existing development and the form and function of the area in which it is located.

Discussion: The city’s residential neighborhoods are one of its most valuable assets. ~~((They are worthy of protection from the intrusion of incompatible land uses. Centers and Corridors provide opportunities for~~

complementary types of development and a greater diversity of residential densities.)) Diversity in both housing type and residents in these areas is essential for the wellbeing and health of the city's neighborhoods. Lower intensity residential uses, from detached homes to middle housing types, are generally compatible with each other and can be incorporated effectively into all neighborhoods. Accordingly, some residential areas would benefit from slightly increased intensities of residential use (e.g., somewhat taller buildings, more lot coverage), dependent on the context and nature of the surrounding neighborhood. These areas of increased residential development should focus on those parts of the neighborhood where proximity to adequate transportation (such as frequent transit), parks, schools, shopping, and other services already exists and where conditions allow for accommodation of increased utility/service needs and other impacts such as parking or the need for public green space.

Complementary types of development ~~((may))~~ should include places for neighborhood residents to walk to work, shop, eat, and recreate. Complementary uses include those serving daily needs of residents, including schools, places of worship, grocery stores, recreation facilities, and small-format retail and medical uses. Development of these uses in a manner that avoids negative impacts to surroundings is essential. Creative mechanisms, including design standards, must be implemented to address these impacts so that potential conflicts are avoided.

The following graphics are provided as a conceptual guide to different intensities envisioned by this policy. These are schematic representations of possible development intensities and are not intended to call for specific structure designs or architectural details.



For specific guidance as to the land use plan map designations guided by this policy—"Residential Low" and "Residential Plus"—see Section 3.4 below.

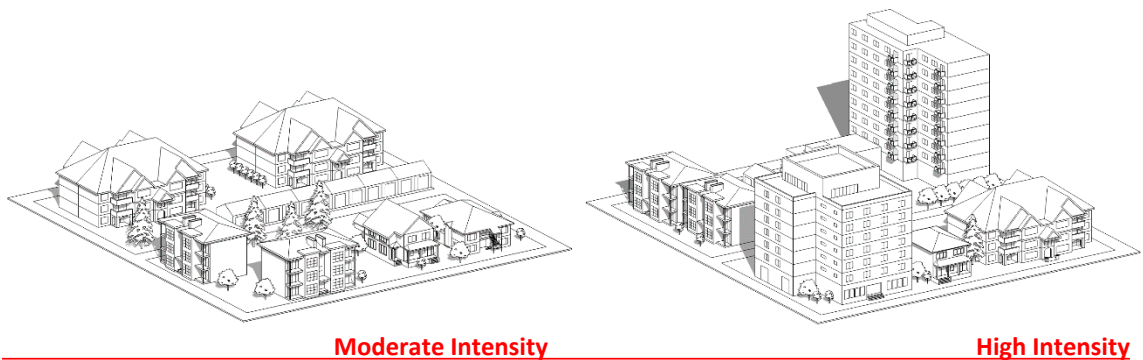
LU 1.4 Higher ~~((Density))~~ Intensity Residential ~~((Uses))~~ Areas

Direct new higher ~~((density))~~ intensity residential uses to areas in and around Centers and Corridors designated on the Land Use Plan Map and to areas where existing development intensity is already consistent with development of this type.

Discussion: Higher ~~((density))~~ intensity 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 townhomes, garden apartments, and housing over retail space))~~ more intense commercial development. Residential uses in and around Centers generally consist of multi-story condominiums and apartments. In some cases, smaller-scale residential development may be interspersed among those higher intensity uses, but generally uses of higher scale and height should predominate in these areas, especially as proximity to designated Centers or Corridors increases. Likewise, residential development should increase in height, mass, and lot coverage as properties are located closer to commercial areas or where employment is higher.

To ensure that the market for higher ((density)) intensity residential use is directed to Centers, future ((higher density)) housing of higher scale and form is 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.)) Whenever more intense residential uses are proposed outside the general vicinity of Centers and Corridors, topics such as the proximity of those areas to uses like commercial or downtown uses should be considered. Design and site requirements should be considered that minimize conflict between these areas and other uses.

The following graphics are provided as a conceptual guide to different intensities envisioned by this policy. These are schematic representations of possible development intensities and are not intended to call for specific structure designs or architectural details.



For specific guidance as to the two land use plan map designations guided by this policy—"Residential Moderate" and "Residential High"—see Section 3.4 below.

---- No other proposed changes until page 3-24 ----

LU 3.6 Compact Residential Patterns

Allow more compact and affordable housing in all neighborhoods, in accordance with design guidelines.

Discussion: Compact and affordable housing includes such choices as townhouses, accessory dwelling units (granny flats), live-work housing, triplexes, zero-lot line, starter, small-lot, and row houses. Middle housing types such as these are compatible with all residential areas, commensurate with policy LU 1.3 above.

---- No other proposed changes until page 3-28 ----

LU 5.5 Compatible and Complementary Development

Ensure that infill and redevelopment projects are ((well-designed and)) designed to be compatible with and complement surrounding uses and building types.

Discussion: New infill development and redevelopment should be designed and planned to seek compatibility with its location. Consideration should be given to multiple scales of compatibility, from the site on which the use will be constructed to the wider area in which it will reside. New development or redevelopment should also seek to complement and enhance the existing neighborhood where possible by expanding the choices available in the area and improving the

use and form of the area in which it is located. For example, middle housing types provide for increased diversity in scale and form while also maintaining a high level of compatibility with existing residential neighborhoods, especially in those areas where only one housing type was previously available.

---- No other proposed changes until page 3-37 ----

3.4 DESCRIPTION OF LAND USE DESIGNATIONS

~~((Much of the future growth will occur in District Centers, Employment Centers, Neighborhood Centers, and Corridors. A key component of each of these focused growth areas is higher density housing centered around or above service and retail facilities. This enables residents near the Center or Corridor to walk or bicycle for their daily needs. Higher density housing also provides economic support for the businesses and allows for more efficient transit service along the Corridor and between mixed-use Centers and downtown Spokane.~~

~~Focusing growth results in a more compact urban form with less land being used at the fringe of the city. It provides city residents with more housing and transportation choices. New policies, regulations, and incentives allow mixed-use in designated Centers and Corridors and assure that these areas are designed to be compatible with surrounding lower density residential areas.))~~

~~The following land use plan map designations are necessary for development and growth in the city to achieve the vision and values discussed at the beginning of the chapter. These land use designations are shown on the following map, LU-1 Land Use Plan Map, which apply the requirements of land use and the goals and policies of the Comprehensive Plan to the physical environment, describing the types of development expected in each area. The overall strategy, as described above, is that development mass, height, and lot coverage be concentrated in focused growth areas (Centers and Corridors) while the remaining parts of the city remain occupied by lower intensity uses. Furthermore, future changes to the land use plan map should seek to achieve a transition between areas of lower and higher development mass and form and should avoid locations where the lowest intensity uses immediately transition to the highest intensity uses.~~

~~There is expected to be some variation in residential zones within each residential land use plan map designation. Contextual factors such as proximity to services, transportation options, and existing land use patterns should be considered when assigning a zoning category.~~

The land use designations and their general characteristics are as follows:

---- No other proposed changes until page 3-40 ----

~~((**Residential 4-10:** This designation allows single-family residences, and attached (zero-lot-line) single-family residences. The allowed density is a minimum of four units and a maximum of ten units per acre. Allowed structure types are single-family residences, attached (zero-lot-line) single-family residences, or two-family residences in appropriate areas. Other residential structure types may be permitted through approval of a Planned Unit Development or other process identified in the development regulations.))~~

~~**Residential Low:** The Residential Low land use designation should focus on a range of housing choices built at the general scale and height of detached houses. This includes both detached and attached homes and housing categorized as middle housing (duplex, triplex, etc.). Combinations of these types should also be allowed, such as a duplex with an accessory dwelling unit. Other non-residential uses should be allowed conditionally, provided they integrate into the nature and context of the~~

neighborhood. This would include uses such as schools, places of worship, grocery, small-format retail and medical services, and other resident serving uses.

Residential Low areas are appropriate in parts of the city where amenities and services are scaled for a lower level of development intensity.

((Residential 10-20: This designation allows single-family residences or two-family residences on individual lots or attached (zero-lot line) single-family residences. The allowed density is a minimum of 10 and a maximum of 20 units per acre. Allowed structure types are single-family residences or two-family residences on individual lots or attached (zero-lot line) single-family residences. Other residential structure types may be permitted through approval of a Planned Unit Development or other process identified in the development regulations.)) **Residential Plus:** Uses in the Increased Intensity Residential designation are largely similar in type to low intensity residential areas. However, the overall development scale of those uses should be slightly higher, including possible design allowances like increased lot coverage, height, and other similar design requirements. The intent of Increased Intensity Residential areas is to provide a gradual increase in intensity, height, and overall context as the lower intensity areas transition into the more intense uses found in Centers and Corridors or significant commercial areas.

Residential Plus areas are appropriate whenever predominately lower scale residential is located near or around more intense uses like commercial locations or designated Centers and Corridors. Factors to be considered in designating such areas should include proximity to arterials and collectors, availability of transit, the nearness of more intense development, available capacity in systems and infrastructure, and any other factors that help ensure the proposed land use designation integrates well into the existing built environment.

Development allowed in these areas is expected to be larger in form (height, lot coverage, etc.) than those in the Low Intensity Residential areas, while still maintaining a high level of continuity and consistency between the two less intense residential areas.

((Residential 15-30: This designation allows higher density residential use at a density of 15 to 30 units per acre.)) **Residential Moderate:** Residential Moderate areas provide increased intensity of development more appropriate to areas in the vicinity of designated Centers and Corridors and those served by substantial commercial or employment opportunities. The typical type of residential development appropriate to this designation include larger apartment buildings while also including a mix of the lower intensity areas where warranted. Example apartment types include the three-floor walkup and traditional apartment complexes as well as larger townhome and condo complexes. If neighborhood serving uses are included, such as places of worship or community centers, those non-residential uses can be of a higher scale and intensity than those conditionally permitted in Low and Increased Intensity Residential areas.

Residential Moderate uses should be generally limited to within moderate walking distance of a Center, Corridor, or major employment/commercial area. Placement of Moderate Residential outside walking distance of these more intense areas is acceptable if sufficient rationale exists to place them further out—such as proximity to high-capacity or frequent transit service (aka Transit Oriented Development).

((Residential 15+: This designation allows higher density residential use at a density of 15 or more units per acre or more.)) **Residential High:** The Residential High designation allows for the highest intensity of residential uses, including construction types found in the Moderate Intensity Residential designation but also including taller and more intense apartment complexes. High Intensity Residential areas are

intended to focus residential intensity in the near vicinity of downtown and other Centers and Corridors in the city, where sufficient services and employment opportunities exist nearby. A focus on accessibility, walkability, and equitable housing provisions should be provided in this area, including incentives and other bonuses for more affordable/attainable units as these areas are also located near to services and essential facilities like frequent transit.

---- No other proposed changes until page 3-41 ----

The following table, LU 2, “Description of Land Use Designations,” provides the names of the Land Use Map designations, a description of the typical land uses found in each designation, and some of the applicable development standards. While the following table provides the approximate range of residential density expected in some areas, this is not intended to be a site-by-site maximum limit for development. The number is provided here for the planning and provision of services and utilities in these areas (see Chapter 5, Capital Facilities and Utilities) and represents the average density one might expect in these areas. Conversely, where minimum densities are listed, implementing codes and practices should seek to achieve or exceed those minimums in general. The table is followed by the Land Use Plan Map which shows the location of the various land use designations that are described in the following table:

TABLE LU 2 – DESCRIPTION OF LAND USE DESIGNATIONS			
Land Use Designations	Typical Land Use	Assumed Density (Units per Acre)	
		Minimum	Maximum
Heavy Industrial	Heavier Industrial uses. No residential uses.	-	-
Light Industrial	Light industrial uses, limited commercial and residential uses.	-	-
General Commercial	Commercial and residential uses, warehouses.	-	-
Regional Center (Downtown)	Variety of goods, services, cultural, governmental, hospitality, and residential uses. Downtown plan provides detail of planning for this area.	-	-
Neighborhood Retail	Neighborhood-Serving Business and residential use. Maximum containment area of two acres.	-	30
Neighborhood Mini-Center	Same uses as Neighborhood Retail.	-	30
Office	Offices and residential use.	-	-
Institutional	Includes uses such as middle and high schools, colleges, universities, and large governmental facilities.	Same standards as designation in which institution is located or as allowed by discretionary permit approval.	
Residential ((4-10) Low)	Attached or detached ((single-family) residences and middle housing types.	4	10
Residential ((10-20) Plus)	((Attached or detached single-family and two-family residences.)) Middle housing types of greater scale or intensity than in	10	20

TABLE LU 2 – DESCRIPTION OF LAND USE DESIGNATIONS

Land Use Designations	Typical Land Use	Assumed Density (Units per Acre)	
		Minimum	Maximum
	<u>lower intensity areas, with potential for mixed-use, neighborhood scale retail and services.</u>		
Residential ((15-30)) <u>Moderate</u>	<u>((Higher-density residences.)) A mix of more intense middle housing types and moderate-sized apartment, condo, townhome developments.</u>	15	30
Residential ((15+)) <u>High</u>	<u>((Higher-density residences.)) Large apartment, condominium, townhouse developments, potentially on multiple sites with site planning and features.</u>	15	-
Agriculture	Agricultural lands of local importance.	-	-
Conservation Open Space	Areas that are publicly owned, not developed and designated to remain in a natural state.	-	-
Potential Open Space	Areas that are not currently publicly owned, not developed and expected to remain in a natural state.	-	-
Open Space	Major publicly or privately owned open space areas such as golf courses, major parks and open space areas, and cemeteries.	-	-
Neighborhood Center	Neighborhood-oriented commercial uses, offices, mixed-type housing, parks, civic uses in a master-planned, mixed-use setting.	15	32 in the core, 22 at the perimeter
District Center	Community-oriented commercial uses, offices, mixed-type housing, parks, civic uses in a master-planned, mixed-use setting.	15	44 in the core, 22 at the perimeter
Corridor	Community-oriented commercial uses, mixed-type housing in a master-planned, mixed-use setting.	15	44 in the core, 22 at the perimeter
Employment Center	Major employment uses, community-oriented commercial uses, mixed-type housing in a master-planned, mixed-use setting.	15	44 in the core, 22 at the perimeter
Center & Corridor Core	Commercial, office and residential uses consistent with type of designated Center and Corridor.	-	-
Center & Corridor Transition	Office, small retail, and multi-family residential uses. Office and retail uses are required to have residential uses on the same site.	-	-



Building Opportunity for Housing Phase I

Exhibit II – Amendments to the Glossary, Comprehensive Plan

Department of Planning & Economic Development

The following terms would be added to the glossary in their proper place in the alphabetical order of that section.

Glossary

Intensity (of Development)

Development intensity refers to factors beyond simple density (e.g., units per acre). Instead, the concept of development intensity focuses on the mass, form, and function of development. A tall building with many floors, covering a large proportion of the site, and requiring a high level of service/utility connections would be considered a “high intensity” use. A small building, covering less of the lot, of less height, and integrated into the physical environment in which it is located would be a lower intensity use. In the case of housing, middle housing types are considered “low intensity” while multi-story apartment buildings are considered “high intensity.”

Livability

Livability in the Comprehensive Plan encompasses the positive attributes that make places feasible and enjoyable to live, work, and visit. The values that support livability include but are not limited to:

- Equity
- Diversity (both physical and social)
- Accessibility (physical, cognitive, and financial)
- Attainability
- Walkability and Transit Access
- Environmental Sustainability
- Integration Between Different Uses
- Greenery and Canopy Coverage
- Connected Community

Middle Housing

In accordance with state law, middle housing includes buildings that are compatible in scale, form, and character with single-family houses and contain two or more attached, stacked, or clustered homes such as duplexes, triplexes, fourplexes, fiveplexes, sixplexes, townhouses, stacked flats, courtyard apartments, and cottage housing.



Building Opportunity for Housing Phase I

Plan Commission Findings of Fact, Conclusions, And Recommendations on Comprehensive Plan Amendment File Z23-112COMP

A Recommendation of the Spokane Plan Commission to the City Council to APPROVE the Comprehensive Plan Amendment proposal seeking to amend the text of Chapter 3 and the Glossary to accommodate and ease development of middle housing in Spokane.

FINDINGS OF FACT:

- A. Amendment proposal Z23-112COMP (“the proposal”) was impelled by the adoption of the Interim Zoning Ordinance known as Building Opportunity and Choices for All (C36232), in that the interim ordinance called on the City to develop a permanent solution following a complete public engagement process and study of the expected impacts of the changes.
- B. The Proposal was prepared according to the requirements of the Growth Management Act (RCW 36.70A) and included an extensive and thorough public engagement effort.
- C. The Proposal seeks to make various amendments to Chapter 3, Land Use, and the Glossary of the Comprehensive Plan.
- D. As reflected throughout the City’s Comprehensive Plan, the Plan envisions a variety of compatible housing types in a neighborhood and that the housing assortment should include higher density residences developed in the form of small-scale apartments, townhouses, duplexes, and rental units that are accessory to single-family homes. LU 1.1 (Neighborhoods).
- E. The Comprehensive Plan also recognizes the need for increased density which enables the provision of affordable housing. LU 3.7.
- F. The Comprehensive Plan also promotes socioeconomic integration throughout the City and recognizes that housing affordability acts as a barrier to integration of all socioeconomic groups throughout the community. H 1.7 (Socioeconomic Integration).
- G. The Comprehensive Plan also encourages mixed-income developments throughout the city and recognizes that mixed-income housing provides socio-economic diversity that enhances community stability and ensures that low-income households are not isolated in concentrations of poverty. H 1.9 (Mixed-Income Housing).
- H. The Comprehensive Plan also calls for a variety of housing types should be available in each neighborhood. Diversity includes styles, types, size, and cost of housing. Many different housing forms can exist in an area and still exhibit an aesthetic continuity. Development of a diversity of housing must take into account the context of the area and should result in an improvement to the existing surrounding neighborhood. H 1.18 (Distribution of Housing Options).
- I. On March 1, 2023, the Land Use Subcommittee of the Community Assembly received a presentation regarding the proposal.

- J. On April 17, 2023, staff requested comments from local, regional, and state agencies as well as City departments. The City received two agency comment letters, one from the City of Spokane Engineering Department and one from the Spokane Tribe.
- K. On April 18, 2023, the Washington State Department of Commerce and appropriate state agencies were given the required 60-day notice of intent to adopt before adoption of any proposed changes to the Comprehensive Plan.
- L. On April 18, 2023, the required Spokane Regional Transportation Council (SRTC) review of the proposal was initiated by staff.
 - 1. On June 5, 2023, SRTC provided comment that the proposal is generally consistent with the Regional Transportation Plan.
- M. In April 2023 the State Legislature passed Engrossed Second Substitute House Bill 1110, which calls for City's of at least 75,000 people who are either required or have elected to plan under the State Growth Management Act, which includes the City of Spokane, to allow construction on any residential lot of up to four units, including various middle housing types (duplex, triplex, fourplex, etc.) and up to six units on a lot if a lot is within one-quarter mile of transit or for development where at least two units are affordable.
- N. This nonproject action to amend the City's Comprehensive Plan will bring the City into compliance with Section 3 of HB 1110.
- O. In May 8, 2023 a Notice of Application was published in the Spokesman Review. The Notice of Application initiated a 30-day public comment period from May 8 to June 7, 2023, during which thirty one (31) comments were received.
- P. On May 10 and May 24, 2023, the Spokane City Plan Commission held a workshop to study the Proposal.
- Q. On June 12, 2023, a State Environmental Policy Act (SEPA) Checklist and Determination of Non-Significance were issued for the Proposal. The deadline to appeal the SEPA determination was June 27, 2023. No comments on the SEPA determination were received.
- R. On June 12, 2023, staff published a report addressing SEPA and providing staff's analysis of the merits of the Proposal, copies of which were circulated as prescribed by SMC 17G.020.060B.8. Staff's analysis of the Proposal recommended approval of the Proposal.
 - 1. Staff's analysis of the proposal and its likely effect included a determination that the residential densities expected in the city under the existing Comprehensive Plan would not be exceeded by the proposal, given the fact that the city is mostly built-out already and that development in recent years has generally fallen below the minimum density called for in the Comprehensive Plan.
 - 2. Accordingly, as density is not expected to change overall the impact on City public services and facilities is not expected to be significant.

3. This will be reviewed again during the next periodic update to the City's Comprehensive Plan and, pursuant to Section 3 of HB1110, again during the periodic update occurring on or after June 30, 2034.
- S. On June 14 and June 21, 2023, notice was published in the Spokesman Review providing notice of a SEPA Determination of Non-Significance and of the Plan Commission Public Hearing.
- T. On June 28, 2023, the Plan Commission held a public hearing on the Proposal, including the taking of verbal testimony, and closed the public record on that date.
- U. On June 28, 2023, the Spokane Plan Commission conducted its deliberations on this Proposal and voted to recommend the City Council approve this Proposal with the following conditions:
 1. Replace the word "churches" with "places of worship" in the new language;
 2. Replace the term "Residential Increased" with "Residential Plus;" and
 3. Modify the proposed amendments to Policy LU 5.5 commensurate with the alternate version presented at the Plan Commission workshop on June 14, 2023.
- V. As a result of the City's efforts, pursuant to the requirements of SMC 17G.020.070, the public has had extensive opportunities to participate throughout the process and persons desiring to comment were given an opportunity to do so.
- W. Except as otherwise indicated herein, the Plan Commission adopts the findings and analysis set forth in the Staff Report prepared for the Proposal (the "Staff Report").
- X. The Plan Commission finds that the proposal meets the intent and requirements of the Comprehensive Plan.
- Y. The Plan Commission finds that the proposal meets the decision criteria established by SMC 17G.020.030, as described in the Staff Report.

CONCLUSIONS:

Based upon the application materials, staff analysis (which is hereby incorporated into these findings, conclusions, and recommendation), SEPA review, agency and public comments received, and public testimony presented regarding Proposal File No. Z23-112COMP, the Plan Commission makes the following conclusions with respect to the review criteria outlined in SMC 17G.020.030:

1. The Proposal was submitted in a timely manner and added to the 2023 Annual Comprehensive Plan Amendment Work Program.
2. Interested agencies and the public have had extensive opportunities to participate throughout the process and persons desiring to comment have been given that opportunity to comment.
3. The Proposal is consistent with recent changes in State law and particularly those in RCW 36.70A.600 and HB 1110 and is also consistent with the goals and purposes of GMA.
4. The Proposal will help to bring the City into compliance with HB 1110.

5. Any potential infrastructure implications associated with the Proposal will either be mitigated through projects reflected in the City’s relevant six-year capital improvement plans or through enforcement of the City’s development regulations at time of any future development.
6. As outlined in above in the Findings of Fact, the Proposal is internally consistent as it pertains to the Comprehensive Plan, as described in SMC 17G.020.030.E.
7. The Proposal is consistent with the Countywide Planning Policies for Spokane County, the comprehensive plans of neighboring jurisdictions, applicable capital facilities plans, the regional transportation plan, and official population growth forecasts.
8. As this was the only proposal to amend the comprehensive plan this cycle, no cumulative analysis was required.
9. SEPA review was completed for the Proposal.
10. The Proposal will not adversely affect the City’s ability to provide the full range of urban public facilities and services citywide at the planned level of service, or consume public resources otherwise needed to support comprehensive plan implementation strategies.
11. The Proposal proposes policy adjustments intended to be consistent with the Comprehensive Plan and to provide correction and additional guidance towards better implementation of the community’s vision and values.

RECOMMENDATIONS:

In the matter of Z23-112COMP, a request by the City of Spokane to amend the text of the Comprehensive Plan, based upon the above listed findings and conclusions, by a vote of **9 to 0**, the Spokane Plan Commission recommends City Council **APPROVE** the requested amendments to the Comprehensive Plan, conditioned upon the changes outlined above, and authorizes the President to prepare and sign on the Commission’s behalf a written decision setting forth the Commission’s findings, conclusions, and recommendation on the Proposal.

Greg Francis
Greg Francis (Jun 29, 2023 11:18 PDT)

Greg Francis, President
Spokane Plan Commission
Date: Jun 29, 2023

Final Findings and Conclusions - Z23-112COMP

Final Audit Report

2023-06-29

Created:	2023-06-29
By:	Jackie Churchill (jchurchill@spokanecity.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAA_FHH2lc0ScVA6ZIK1TuPrUspeGGIz0BB

"Final Findings and Conclusions - Z23-112COMP" History

-  Document created by Jackie Churchill (jchurchill@spokanecity.org)
2023-06-29 - 5:47:47 PM GMT- IP address: 174.165.162.230
-  Document emailed to gfrancis@spokanecity.org for signature
2023-06-29 - 5:48:14 PM GMT
-  Email viewed by gfrancis@spokanecity.org
2023-06-29 - 6:12:49 PM GMT- IP address: 65.133.88.36
-  Signer gfrancis@spokanecity.org entered name at signing as Greg Francis
2023-06-29 - 6:18:42 PM GMT- IP address: 65.133.88.36
-  Document e-signed by Greg Francis (gfrancis@spokanecity.org)
Signature Date: 2023-06-29 - 6:18:44 PM GMT - Time Source: server- IP address: 65.133.88.36
-  Agreement completed.
2023-06-29 - 6:18:44 PM GMT



File Z23-112COMP: Building Opportunity for Housing Phase I

Written Public Comment Received AFTER Staff Report was Published

From: Ben Stuckart <benstuckart@gmail.com>
Sent: Friday, June 9, 2023 10:38 AM
To: City Council Members and Staff <citycouncil@spokanecity.org>
Cc: Gardner, Spencer <sgardner@spokanecity.org>
Subject: BOCA Comment

[CAUTION - EXTERNAL EMAIL - Verify Sender]

City Council

I understand you have been receiving comments from specific neighborhoods as well as concerns from parties concerned about gentrification.

The wealthy neighborhoods are worried about poorer folks moving in and the people worried about gentrification are concerned about poor people being displaced. These concerns are at odds with each other. They both cannot be true. As you know I have been working heavily on housing policy since 2017 and since 2020 spend over 40 hours per week researching, advocating, and attending conferences to learn best practices.

Below are my thoughts. I am free to meet with any of you in the lead up to your hearing at the end of the month.

On July 18, 2022 The Spokane City Council passed the Building Opportunity and Choices for All (BOCA) Ordinance. This ordinance was in response to the local market rate housing crisis which has seen rents and ownership rates rise at unsustainable levels over the last 3 years. The average Spokane renter is seeing rent increases over 60% the last 3 years. Combine this with the fact that wages are not rising this fast and we have an unsustainable housing situation. If you look at the data, inventory is low and rents are rising. A lack of supply has led to this situation.

The BOCA ordinance allows duplexes, fourplexes and townhomes in Spokane's single family neighborhoods. Production of these types of homes fills the "missing middle". Spokane's policy was praised across the state by advocates of both urbanism and the free market as a step in the right direction. Spokane has seen an increase in permitted activity over the last 12 months and we must act to make BOCA permanent.

The great thing about allowing the missing middle is that it directly addresses the racism of past housing policies and at the same time satisfies those that see the free market as the solution to many economic crises. In 1916, the city of Berkeley CA didn't want a black owned business to open in a predominantly white neighborhood, so the Berkeley city council passed an ordinance that said no black

owned businesses in certain rich, white neighborhoods. The CA State Supreme court rightfully struck this law down. So what did Berkeley do? They came up with Single Family Zoning out of thin air, and by saying certain neighborhoods could only have homes and not apartments, townhomes, duplexes or fourplexes, by doing this they zoned poor people out of their neighborhoods. A majority of people of color in Berkeley were poor so in essence they used zoning for racial segregation. Fast forward 108 years and we have gotten rid of this legacy of our shameful past. We are now directly attacking the roots of racist housing policy.

If you don't think we should be using policy to address the wrongs of the past but instead just believe you should be able to use your property that you own to build what you want, BOCA is also for you. You now have a much wider set of options available to you to suit your needs. Want a single family home, go for it. Want a couple townhouses, go for it. The market is free to create more housing. What could be better than the left and right coming together to solve the housing crisis!

But as with all complicated policy decisions you have people on all spectrums of the political landscape coming out against making these groundbreaking changes permanent. The first set of opposition is grumbings from our neighborhoods on the edges of town that tend to be wealthier and believe their property rights extend to what everyone else around them builds as well. I get it, people in very wealthy neighborhoods such as Indian Trail, Five Mile and Rockwood bought homes in exclusive wealthy neighborhoods and don't want "those" people living near them. They want the character of their neighborhood to stay the same, damn the consequences. Literature refers to these members of our community as "NIMBYS" or "not in my backyard" opposition. I say "Yes in my backyard" and cannot wait until an ADU can be built in my backyard. Things change and change is hard. Opposition based on self preservation of the status quo of income segregation has no real basis in policy nor moral grounding.

These changes will create mixed income neighborhoods, this is good. Mixed-income neighborhoods stop income segregation and stop the practice of othering people because at the grocery store, at the library and across the street you run into people who are different from you. We should strive for every neighborhood to be mixed-income.

The second set of opposition is those that believe that allowing "upzoning" or new types of housing in a neighborhood or new investment in neighborhoods will lead to gentrification (displacement). Gentrification is a real worry in poor neighborhoods when investment is made without regards to the current

residents. They will be pushed out as new investments are made and property values rise. Think of the investments we made on the Sprague corridor from 2014-2017, by incentivizing and funding low-income housing development along the corridor and prioritizing rehabilitation of current houses as we invested in the streets and infrastructure the city was able to create a permanent mixed income neighborhood instead of allowing prices to rise and forcing residents to leave. Those investments hedged against gentrification. In regards to the Building Opportunities and Choices for All Act the city is doing the opposite. Allowing less expensive options in middle class and wealthy neighborhoods. The investments will create a mix of incomes and a healthier community. *Gentrification worries have followed this discussion but not one scholarly study has shown that by confronting our racist housing policies we should worry about gentrification.* It has not happened where this has been done before. As communities implement a variety of strategies to foster mixed income neighborhoods we see strengthening communities, more walkable neighborhoods and a decrease in the ability to “other” members of our community. Our strength is in our diversity and in this instance a free market solution that confronts past racist housing policies is a step in the right direction.

Thanks for reading
Ben

Ben Stuckart
Executive Director, Spokane Low Income Housing Coalition
www.housingandhelp.org

Land Use Solutions & Entitlement

Land Use Planning Services

9101 N. MT. VIEW LANE Spokane, WA 99218
509-435-3108 (V)

(Sent via email this date)

6-26-23

City of Spokane Planning Commission
C/O Kevin Freibott, Senior Planner,
City of Spokane Planning & Economic Development
808 W Spokane Falls Blvd.
Spokane WA 99201

Ref: Comprehensive Plan Amendment for Housing – Church/Residential

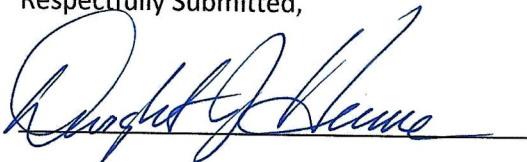
Members of the Planning Commission:

This letter is in support of the proposed amendment language which provides policy support for the intensification of housing within residential zones. Kudos to both the staff and you for this extraordinary effort to seek public participation and feedback on this major change in land use policy.

My focus is upon the provision to integrate housing onto existing church sites. More importantly, to enable the mix of market-rate and low-income housing, to ensure economic viability. This is a critical change in church/housing mix from what the RCW currently provides, but doesn't address viability, by limiting housing to low-income only. This amendment addresses that.

As a land use planner, myself, I look forward to assisting staff on writing reasonable criteria for such use. I know that there are several church bodies that anxiously await the conclusion of these efforts, so they can accommodate this use into their church functions and ministry.

Respectfully Submitted,



Dwight J Hume, Land Use Planner-Consultant

From: [Carol Tomsic](#)
To: [Planning & Development Services Comp Plan](#)
Cc: [Freibott, Kevin](#); [Beggs, Breean](#); [Kinnear, Lori](#); [Wilkerson, Betsy](#); [Cathcart, Michael](#); [Bingle, Jonathan](#); [Zappone, Zack](#); [Stratton, Karen](#); [Mary Winkes](#); [Marilyn](#); [Deasy, Annie](#); [Striker, Patrick](#)
Subject: Comprehensive Plan Amendments for Building Opportunity for Housing Comment Plan Commission 6/28/23 Meeting
Date: Monday, June 26, 2023 10:40:04 PM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

I am asking for 'neighborhoods' not be omitted in the proposed change to 3.2 Visions and Values.

In the staff response - 'neighborhood terminology' it was stated neighborhoods was removed due to public engagement and direct consultation with participants of the Resident Forums. In the Resident Forum Summary it was stated that 22 residents participated in the series. In the 2022 Census quick facts Spokane had 230,160 residents. 22 participants is not an adequate percentage of the population to determine that neighborhoods do not clarify the original vision in 3.2 Visions and Values. The term is inclusive. A neighborhood is the area or region around or near some place or thing (dictionary.com).

In the staff response- 'neighborhood terminology' it was also stated neighborhoods remain a major component of the comprehensive plan, including Chapter 11 Neighborhoods. Therefore, neighborhoods should be a major part of our city's visions and values.

In Chapter 11 Neighborhoods of the Comprehensive Plan, it states, "the goals and policies are intended to enable Spokane to be a cohesive network of individual neighborhoods by providing residents with a wide range of choices of housing locations and options; the preservation of distinctive neighborhood character; attractive and safe streetscapes; transportation options; quality schools; inviting gathering places' proximity to a variety of public services' cultural, social recreational and entertainment opportunities; and finally a place and community - a city citizens can proudly call home, a city of neighborhoods".

Our neighborhoods provide the city's livability.

Thank you!

Carol Tomsic
resident

From: [Marcella Bennett](#)
To: [Freibott, Kevin](#)
Cc: [Mary Ann Corman](#); [MUMM, CANDACE](#); [Kathy Miotke](#); [Stacy Ryser](#)
Subject: Five Mile prairie - 7601 N Five Mile proposal
Date: Tuesday, June 27, 2023 8:22:49 AM

[CAUTION - EXTERNAL EMAIL - Verify Sender]

We have lived on Five Mile Prairie for over 30 years and were involved in the historical preservation of the Five Mile School House. We understand the importance of development and celebrate the neighborhood communities that have been established.

What we do not understand is why this Planning Department is intent on destroying the integrity of these neighborhoods. Build your multiple 4-plexes in like areas where there is adequate infrastructure, not in the backyards of an established single family home neighborhood.

We implore you to really listen to these people who not only live on the Prairie but have done extensive research as to why this proposed development will have negative impact on the Five Mile neighborhood and have submitted an appeal to the proposal. Then re-evaluate. Thank you for your consideration.

Sincerely,
Blaine and Marcella Bennett
3093 W Horizon Ave
Spokane, WA 98208
509-481-1740

Sent from my iPhone



Agenda Sheet for City Council Meeting of:
07/24/2023

Date Rec'd	7/7/2023
Clerk's File #	ORD C36415
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept	CITY COUNCIL
Contact Name/Phone	MATT BOSTON X6820
Contact E-Mail	MBOSTON@SPOKANECITY.ORG
Agenda Item Type	First Reading Ordinance
Agenda Item Name	0320 - CANNABIS TAX SPECIAL REVENUE FUND CREATION

Agenda Wording

An ordinance relating to revenue from cannabis sales, creating a special revenue fund in Article II of Chapter 07.08 of the Spokane Municipal Code, and enacting new section 07.08.159 of the Spokane Municipal Code.

Summary (Background)

The City of Spokane will separate its Cannabis Tax Revenue from the General Fund, to its own Special Revenue Fund. This will create a new section 07.14 in Spokane Municipal Code to create the Special Revenue Fund.

Lease? NO Grant related? NO Public Works? NO
Fiscal Impact **Budget Account**

Neutral	\$	#
Select	\$	#
Select	\$	#
Select	\$	#

Approvals

Dept Head	BYRD, GIACOBBE
Division Director	
Finance	
Legal	
For the Mayor	

Council Notifications

Study Session\Other	PIES 06/26/2023
Council Sponsor	Stratton and Wilkerson
Distribution List	
	mboston@spokanecity.org
	gbyrd@spokanecity.org

Additional Approvals

Purchasing	

Committee Agenda Sheet

Public Infrastructure, Environment & Sustainability Committee

Submitting Department	City Council
Contact Name	Matt Boston
Contact Email & Phone	mboston@spokanecity.org x6820
Council Sponsor(s)	CM's Stratton and Wilkerson
Select Agenda Item Type	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion Time Requested: 15
Agenda Item Name	MJ Tax Special Revenue Fund Creation
Summary (Background) *use the Fiscal Impact box below for relevant financial information	<p>The City of Spokane will separate its Cannabis Tax Revenue from the General Fund, to its own Special Revenue Fund. This will create a new section 07.14 in Spokane Municipal Code to create the Special Revenue Fund.</p> <p>Revenue received from the Cannabis Tax (RCW 65.50.540) has increased year-over-year at an exponential rate, but historically been deposited into the General Fund. During the 2023 budget process Spokane City Council laid the groundwork for a limit of revenue that the General Fund will receive by the Cannabis Tax. With the creation of the Special Revenue Fund, any revenue transferred to the General Fund will be defined during the budget process, but revenue remaining in the Special Revenue Fund will be programmed specifically for youth intervention, education, and prevention.</p>
Proposed Council Action	Pass on July 10, 2023
Fiscal Impact	
Total Cost: <u>Cost of the program(s) will be defined by revenues received and defined as part of the budget process</u>	
Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Funding Source <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring Specify funding source: Click or tap here to enter text.	
Expense Occurrence <input type="checkbox"/> One-time <input checked="" type="checkbox"/> Recurring	
Other budget impacts: (revenue generating, match requirements, etc.)	
Education programs incurred will be within the confines of the ongoing revenue received.	
Operations Impacts (If N/A, please give a brief description as to why)	
What impacts would the proposal have on historically excluded communities?	
The funding of these programs is focused on upstream solutions which the enforcement of drug use is known to disproportionately impact the historically excluded communities. Implementation of the program will have to take these impacts into consideration	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?	

Data will be collected and maintained on programs funded by the managing department and/or organization.

How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?

Legislative and Executive branches will continually review expenditures within the fund to ensure effectiveness of programs.

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

Dedication of funds for drug intervention, education, and prevention aligns with Spokane City Council's actions to fight the area's widespread drug challenges.

ORDINANCE NO. C36415

An ordinance relating to revenue from cannabis sales, creating a special revenue fund in Article II of Chapter 07.08 of the Spokane Municipal Code, and enacting new section 07.08.159 of the Spokane Municipal Code.

WHEREAS, the City of Spokane currently receives a portion of revenues derived from the statewide sales of cannabis pursuant to RCW 69.50.540(2)(g), which revenues are paid to the City on a quarterly basis; and

WHEREAS, historically revenues received by the City of Spokane under RCW 69.50.540 have increased steadily since the legalization of cannabis sales in Washington in 2012, and are expected to remain a stable and increasing source of revenue to the City for the indefinite future; and

WHEREAS, the City of Spokane currently allocates revenues from cannabis sales directly to the general fund, where it is appropriated from the general fund to the Spokane Police Department; and

WHEREAS, the City of Spokane desires that revenues received under RCW 69.59.540 be directed to a special revenue account in Article II of Section 07.08 of the Spokane Municipal Code effective on January 1, 2024, and appropriated from said special revenue account to suitable programs and purposes relating to drug abuse prevention, education and general enforcement to several City departments operating such programs, including but not limited to the Spokane Police Department and the Spokane Opioid Abatement Council.

NOW THEREFORE, the City of Spokane does ordain:

Section 1. That there are adopted new section 07.08.159 to chapter 07.08 of the Spokane Municipal Code to read as follows:

Section 10.08.159 Cannabis Special Revenue Fund

- A. Effective January 1, 2024, there is established a special revenue fund entitled the "Cannabis Special Revenue Fund" into which shall be paid all funds received by the City pursuant to RCW 69.50.540.
- B. As provided in the annual budget, the "Cannabis Special Revenue Fund" is appropriated to provide for drug abuse prevention, education and general drug enforcement to several City departments operating such programs, including but not limited to the Spokane Police Department, and the Opioid Abatement Council established under chapter 04.39 of the Spokane Municipal Code
- C. The city council may also provide for additional revenues to be paid into Cannabis Special Revenue Fund from time to time from any available funds of the City.

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:**

07/24/2023

Date Rec'd

6/29/2023

Clerk's File #

ORD C36416

Renews #**Submitting Dept**

PLANNING & ECONOMIC DEVELOPMENT

Cross Ref #**Contact Name/Phone**

TAYLOR BERBERICH X6193

Project #**Contact E-Mail**

TBERBERICH@SPOKANECITY.ORG

Bid #**Agenda Item Type**

First Reading Ordinance

Requisition #**Agenda Item Name**

RENAMING A PORTION OF WEST DEAN AVENUE TO JOE ALBI WAY

Agenda Wording

Proposed name change of W. Dean Avenue to Joe Albi Way

Summary (Background)

Spokane School District has applied for a Street Name Change; renaming of a section of W. Dean Avenue, between Howard Street and Washington Street, to "Joe Albi Way." This section of West Dean Avenue is located adjacent to the Podium and the new downtown stadium currently being constructed.

Lease? NO

Grant related? NO

Public Works? NO

Fiscal Impact**Budget Account**

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

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

GARDNER, SPENCER

Study Session\Other

PIES 6/2623

Division Director

MACDONALD, STEVEN

Council Sponsor

CMs Bingle and Zappone

Finance

ORLOB, KIMBERLY

Distribution List**Legal**

RICHMAN, JAMES

tberberich@spokanecity

For the Mayor

SMITHSON, LYNDEN

sgardner@spokanecity.org

Additional Approvals

smacdonald@spokanecity.org

Purchasing

tblack@spokanecity.org

-Committee Agenda Sheet

PIES

Submitting Department	Planning and Economic Development
Contact Name	Taylor Berberich, Urban Designer
Contact Email & Phone	tberberich@spokanecity.org
Council Sponsor(s)	Jonathan Bingle, Zack Zappone
Select Agenda Item Type	<input type="checkbox"/> Consent <input type="checkbox"/> Discussion Time Requested:
Agenda Item Name	Street Name Change: W Dean Ave to Joe Albi Way
Summary (Background) *use the Fiscal Impact box below for relevant financial information	To recognize the legacy of the former stadium's namesake Joe Albi, the School District has included in the design of the new Stadium an area near the front entry to be named "Joe Albi Plaza," which will include a display plaque and the statue of Joe Albi (Joe Fan), once located in the former stadium. To further recognize the many contributions Joe Albi made to sports in Spokane, the District has submitted a Street Name Change Application to the City of Spokane, requesting to rename the section of West Dean Avenue between Washington Street and Howard Street to 'Joe Albi Way.' This section of West Dean Avenue is located adjacent to the Podium and the new downtown stadium currently being constructed.
Proposed Council Action	Approve
Fiscal Impact	
Total Cost: Click or tap here to enter text.	
Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Specify funding source: Click or tap here to enter text.	
Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Other budget impacts: (revenue generating, match requirements, etc.)	
Operations Impacts (If N/A, please give a brief description as to why)	
What impacts would the proposal have on historically excluded communities? <u>N/A</u>	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities? <u>N/A</u>	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution? <u>N/A</u>	
Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others? Staff has reviewed the application and finds that the proposed street name meets all the relevant criteria outlined in 17D.050A – Roadway Naming and Addressing. In addition, Spokane School District No. 81 has, by resolution No 2023-05, voiced its support for this proposal.	

ORDINANCE NO. C36416

An ordinance renaming A portion of West Dean Avenue from Howard Street to Washington Street to "Joe Albi Way."

WHEREAS, a roadway name shall be established or changed by Ordinance upon recommendation of the City Plan Commission, pursuant to the Spokane Municipal Code - Chapter 17D.050A; and

WHEREAS, Spokane School District proposes this change in honor of Joe Albi and his many years of dedicated advocacy for youth sports in Spokane, and

WHEREAS, the Spokane School District Board of Directors has put forward Resolution No. 2023-05 in favor of the change, and

WHEREAS, the Spokane Public Facilities District has shared a letter in support of the change, and

WHEREAS, the City Plan Commission held a workshop on June 14, 2023, a public hearing on June 28, 2023 to obtain public comments on the proposed street re-naming, after which the Plan Commission closed public testimony, and voted ___ to ___ to recommend approval of the name change to the Spokane City Council.

NOW, THEREFORE, the City of Spokane does ordain:

That W. Dean Avenue, extending from Howard Street to the west and Washington Street to the east, shall be re-named "Joe Albi Way."

PASSED BY THE CITY COUNCIL ON _____, 2023.

Council President

Attest:

Approved as to form:

City Clerk

Assistant City Attorney

Mayor

Date

Effective Date

Spokane City Plan Commission
Findings of Fact, Conclusion, and Recommendation for the
2023 Proposed Street Name Change for a Portion of W. Dean Avenue to Joe Albi Way
under the Spokane Municipal Code chapter 17D.050 Roadway Naming.

A recommendation from the City Plan Commission to the City Council certifying that the Joe Albi Way Street Name Change is in conformance with the Spokane Municipal Code.

Findings of Fact:

- A.** The City of Spokane, under the Spokane Municipal Code chapter 17D.050A, is authorized to establish or change a roadway name by ordinance upon recommendation of the City Plan Commission.
- B.** Spokane Public Schools filed a complete application on May 19, 2023, to rename West Dean Avenue to Joe Albi Way between Howard Street and Washington Street.
- C.** The proposed street name changes were initiated and processed under the procedures set forth in SMC chapter 17D.050A.
- D.** The proposed street name changes were found to be in accordance with the goals of SMC section 17D.050A.010.
- E.** This proposed street name is in accordance with SMC section 17D.050A.060, roadway naming Standards and does not duplicate any current street or roadway names within the City.
- F.** The City Plan Commission conducted a public hearing on June 28, 2023, to receive public comments on the proposed street name change.

Conclusion:

The proposed street name change has been reviewed by the City Plan Commission and is found to be in conformance with the procedures, policy, and decision criteria for a street name change in Spokane Municipal Code chapter 17D.050A.

Recommendation:

By a vote of 8 to 0, and 1 abstention, the Plan Commission recommends to the City Council the approval of the proposed street name changes.

Greg Francis
Greg Francis (Jun 29, 2023 10:20 PDT)

Greg Francis, President
Spokane Plan Commission
July 28, 2023

PC Findings Conclusions- Dean to Joe Albi Street Name Change

Final Audit Report

2023-06-29

Created:	2023-06-29
By:	Jackie Churchill (jchurchill@spokanecity.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAA269oQ7IFjIn_zhOLZ9hIjsaiExmaN-5I

"PC Findings Conclusions- Dean to Joe Albi Street Name Change" History

-  Document created by Jackie Churchill (jchurchill@spokanecity.org)
2023-06-29 - 4:43:47 PM GMT- IP address: 174.165.162.230
-  Document emailed to gfrancis@spokanecity.org for signature
2023-06-29 - 4:44:07 PM GMT
-  Email viewed by gfrancis@spokanecity.org
2023-06-29 - 5:19:55 PM GMT- IP address: 65.133.88.36
-  Signer gfrancis@spokanecity.org entered name at signing as Greg Francis
2023-06-29 - 5:20:33 PM GMT- IP address: 65.133.88.36
-  Document e-signed by Greg Francis (gfrancis@spokanecity.org)
Signature Date: 2023-06-29 - 5:20:35 PM GMT - Time Source: server- IP address: 65.133.88.36
-  Agreement completed.
2023-06-29 - 5:20:35 PM GMT



Mayor Nadine Woodward

June 22, 2023

Plan Commission Members,

I am pleased to express my support for the proposal by Spokane Public Schools in renaming a portion of Dean Avenue as "Joe Albi Way." This proposal offers an opportunity to highlight the rich history of Spokane and a community icon who tirelessly worked to improve the City through athletics and memorable events.

Joseph Aloysius Albi's roots as a civic leader extended to his work as an attorney, businessman, and diplomat. He had a passion for encouraging youth athletics and sports, founding the Athletic Round Table and advocating for sports facilities in the Spokane area. He played a key role in successfully funding the Memorial Stadium in 1950, which was later renamed Joe Albi Stadium in his honor shortly before his death in 1962. From that time, Joe Albi Stadium continued to be a vital community resource, providing the region with opportunities to participate and watch sports and musical performances

The City of Spokane historically owned and managed Joe Albi Stadium until 2013 when ownership was transferred to Spokane Public Schools. The aging Joe Albi Stadium was part of Spokane Public Schools 2018 Bond and Levy plan that included it be replaced with a more efficient and appropriately sized venue. The replacement stadium will be located downtown Spokane adjacent to the Spokane Veterans Memorial Arena and The Podium. While planning for the replacement stadium, Spokane Public Schools has made efforts to preserve recognition of Joe Albi's legacy through the design of "Joe Albi Plaza," which will be located near the front entrance of the stadium. This plaza will include a display plaque and also the statue of Joe Albi whose home has been within Joe Albi Stadium since 1997. This street name change is an appropriate action to continue the commemoration of Joe Albi's civic efforts in the Spokane community.

Consultation with the City's Historical Preservation Department indicates the historic significance of Dean Avenue will be preserved. Dean Avenue was originally named and platted further to the west between Elm Street and Cedar Street, named after Chester Dean Ide. Dean Avenue will continue to be preserved within the City of Spokane, located in the heart of the West Central Neighborhood.

Spokane Public Schools and Spokane Public Facilities District, an adjacent tenant, support the street name change. I invite you to support this request as an effort to continue a legacy while our community looks forward at the same time. The renaming of this section of Dean Avenue as "Joe Albi Way" will serve as a daily reminder of Joe's contributions and serve as an enduring testament to the impact that one individual can have when dedicating themselves to making positive changes in the lives of others.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in purple ink that reads "Nadine Woodward".

Nadine Woodward
Mayor

The City of Choice

808 W. Spokane Falls Blvd. • Spokane, Washington 99201-3335
Phone: 509.625.6250 FAX: 509.625.6563



SPOKANE
PUBLIC FACILITIES
DISTRICT

June 15, 2023

Taylor Berberich
Urban Designer
City of Spokane
808 West Spokane Falls Blvd
Spokane, WA 99201

Dear Taylor,

I am writing this letter as the major property owner on Dean Avenue in support of changing the name of Dean Avenue to Joe Albi Way.

Joe Albi was a prominent attorney and businessman, a philanthropist and civic benefactor, and a successful fund-raiser as well as a vital sports supporter for Spokane. By implementing his ideas for the promotion of sports in Spokane, Albi helped found the Spokane Athletic Round Table and served as its president for 42 years.

Joe Albi Stadium replaced the name of "Spokane Memorial Stadium" in 1962 after Joe Albi's passing. He led the efforts to fund and construct the stadium, Joe Albi Stadium has a rich history, and has been an important part of life to many Spokane residents.

Changing Dean Avenue to Joe Albi Way is an excellent way to honor contributions by Joe Albi as well as express appreciation for our community that holds countless fond memories of experiences at Joe Albi Stadium.

Thank you for your consideration and support.

Sincerely,

Stephanie Curran, CEO
Spokane Public Facilities District



SPOKANE CITY/COUNTY HISTORIC PRESERVATION OFFICE

*Providing historic property protection and development
services to the City of Spokane and Spokane County.*



June 2, 2023

Dear Shawn Jordan and Spokane Public Schools,

This letter is in response to a request from Spokane School District 81 to prepare a short sketch of the history of Dean Avenue and its namesake Chester Dean Ide. The request was prompted by the school district's proposed renaming of a section of Dean Avenue between Howard Street and Washington Street near the downtown stadium and Podium.

Based on the records examined by the Spokane Historic Preservation Office, Dean Avenue (originally Dean Street) was first named as such when Ide's Addition to Spokane was platted in 1883. Ide's Addition was platted by Chester Dean Ide, who shamelessly named the addition after himself. He also used his middle name (Dean, which was probably a family name) and his surname (Ide) for two of the street names.

Chester Dean Ide, and his wife (Lucy nee Loomis) and son (Clarence W. Ide), were significant in late 19th and early 20th century Spokane. Chester was born in Vermont in 1830. In his thirties, he fought in the Civil War with the Union Army as a member of the Wisconsin 25th Infantry Regiment. In 1878, just over a decade after the war ended, the Ides along with a group of thirty-five family members from Wisconsin moved to Spokan Falls via wagon train. Lucy Ide kept a daily journal during their move which can be viewed at the Ferris Archives at Northwest Museum of Arts and Culture.

The Ide family were among the earliest white individuals to arrive at the Spokan Falls townsite, three years before the city incorporated and over a decade before Washington statehood. Chester was a serial homesteader who received title for hundreds of acres of land from the federal government, land that was the ancestral territory of regional tribes including the Spokane Tribe of Indians. In 1880, Chester was appointed as the postmaster of the Mondovi Post Office in Spokane County, a position he held for three years. In 1881, Chester purchased 160 acres in the heart of Spokane from the Northern Pacific Railroad Company. As the city grew, Chester developed the land, which included most of the modern West Central Neighborhood, into a residential district. Chester lived in Spokane until his wife died in 1903 at which time he relocated to Seattle with his son, Clarence. Chester died in 1917 at 86 years old and he is interred at Greenwood Cemetery in Spokane.

Chester's son, Clarence, was 18 years old when the family moved to Spokan Falls. In the 1890s, he served as a Washington State Senator representing Spokane County during the first decade of statehood. He later relocated to western Washington where he became a US Marshall and customs officer. Clarence died in 1917 at just 56 years old in Seattle, just six months after the death of his father. Despite Clarence's untimely death, the family helped to initiate a long political legacy in Washington State. Clarence's daughter Irma Evans (nee Ide), who was active in politics herself, was the mother of Washington's legendary three term governor and United States

Senator, Daniel J. Evans, which makes Clarence the grandfather and Chester the great-grandfather of Governor Evans.

The Ides previously had a more prominent Spokane street in West Central along the north river bluff adorned with their family name, Ide Avenue, which has been reconfigured multiple times and renamed to Summit Parkway. Considering the loss of Ide Avenue, preserving Dean Avenue as a street name is of greater priority since the other street name memorializing the family has been changed. But, the original section of Dean Avenue, as platted by the Ides, was further west than the section proposed for renaming near the downtown stadium/Podium. The original section was between Elm Street and Cedar Street. When the area around the stadium/Podium was first platted as Keystone Addition in 1890, the name Dean Avenue was adopted for the section of section of road between Howard Street and Washington Street likely based on a city policy to use uniform street names for all streets that have alignment east to west and north to south.

Furthermore, the section of Dean Avenue near the downtown stadium/Podium is (and always has been) disconnected from the main contiguous portion of Dean which has an eastern terminus at Adams Street, half a dozen blocks to the west. The small section of Dean Avenue near the stadium/podium also does not proceed further to the east from Washington Street. It is a standalone section of Dean Avenue between Howard Street and Washington Street that is potentially ripe for renaming.

Sincerely,

A handwritten signature in blue ink, appearing to read "Logan Camporeale". The signature is stylized with a large, looping initial "L" and a horizontal line extending to the right.

Logan Camporeale

Berberich, Taylor

From: Halbig, Bobby
Sent: Thursday, June 15, 2023 7:41 AM
To: Berberich, Taylor
Subject: Renaming of Dean Avenue to Joe Albi Way

Follow Up Flag: Follow up
Flag Status: Flagged

The proponent will need to provide the City (Signs and Markers) with replacement street name plates.

Best regards,



Bobby Halbig | City of Spokane | Traffic Engineering Specialist I, Traffic Operations
509.232-8846 | fax 509.232.8830 | bhalbig@spokanecity.org | spokanecity.org



SPOKANE SCHOOL DISTRICT NO. 81
SPOKANE COUNTY, WASHINGTON

RESOLUTION NO. 2023-05

A RESOLUTION of the Board of Directors of Spokane School District No. 81, Spokane County, Washington, expressing its support to rename a portion of West Dean Avenue adjacent to the new downtown Stadium site as “Joe Albi Way”; and providing for related matters.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF SPOKANE SCHOOL DISTRICT NO. 81, SPOKANE COUNTY, WASHINGTON, as follows:

Section 1. Findings and Determinations. The Board of Directors (the “Board”) of Spokane School District No. 81, Spokane County, Washington (the “District”), takes note of the following facts and makes the following findings and determinations:

(a) On November 6, 2018, the District’s voters approved a ballot proposition, submitted pursuant to District Resolution No. 2018-10 (the “2018 Election Resolution”), authorizing the District to undertake and finance certain capital projects, including to “... replace or renovate ... Albi Stadium ...” (the “Stadium Project”). Section 2(h) of the 2018 Election Resolution, which was incorporated by reference in the ballot proposition, further defined the Stadium Project to include: “Construct a new stadium to replace Albi Stadium on a site to be determined by the Board that will include, but not be limited to, a stadium facility, parking, locker rooms, restrooms, concessions and other capital facilities and improvements.”

(b) On March 10, 2021, downtown Spokane business community members presented a proposal requesting the Board consider constructing the Stadium Project in downtown Spokane, adjacent to the Spokane Arena and the Podium indoor sports facility.

(c) The District subsequently engaged the community to evaluate the downtown proposal for the Stadium Project, including: (1) conducting two public forums (the first on March 16, 2021 and the second on March 17, 2021) with the majority of those providing public comment in favor of the downtown location; (2) conducting a Thought Exchange from March 12 to March 31, 2021 that engaged 7,704 participants, received 11,223 “thoughts” from students, District staff, parents/guardians and community members and concluded “there is overwhelming support for a downtown stadium” with the highest rated themes being consideration of the Spokane Civic Theatre, student centric approach for access and scheduling and a strong relationship with the Spokane Public Facilities District (the “PFD”); and (3) receiving correspondence from District principals and athletic directors, Spokane Civic Theatre, Eastern Washington University, Washington State University and numerous elected officials and other community members.

(d) Upon hearing and consideration of the community feedback, the Board on April 21, 2021, adopted a motion to allow District staff to engage in negotiations to create a partnership with the PFD regarding the development and operation of the Stadium Project in downtown Spokane.

(e) Based on general terms of understanding negotiated by District and PFD staff, and after due consideration, and being fully informed and advised, the Board adopted Resolution No.

2021-13 to, among other actions, "... select and designate the Stadium Project to be constructed in downtown Spokane on an approximately five to seven acre site, which is bordered by Boone avenue to the north, Howard street to the west, Dean avenue to the south, and Washington street to the east, together with other sites necessary for parking and related facilities and improvements." Resolution No. 2021-13, § 2.

(f) Under the resulting partnership with the PFD, the District is constructing the Stadium Project at the downtown Spokane location. The PFD will maintain and operate the stadium, saving the District significant costs. In addition, the PFD will use the stadium for professional sports, concerts and other entertainment events when not in use by the District, resulting in significant community and economic benefit to the greater Spokane area.

(g) To recognize the legacy of the former stadium's namesake Joe Albi, the District has included in the design of the Stadium Project an area near the front entry to be named "Joe Albi Plaza," which will include a display plaque and the statue of Joe Albi (Joe Fan), once located in the former stadium. The current draft of the display plaque recognizes Joe Albi's accomplishments and history, as follows:

"The son of Italian immigrants and a lifelong Spokane resident, Joseph Aloysius Albi was more than a local businessman – he was a trial attorney, philanthropist, civic booster, diplomat, and sports supporter. The Spokane Daily Chronicle called him 'a man with a million ideas, every one of which was designed to help some deserving youngsters and to promote...his favorite city.' Albi founded the Athletic Round Table in 1920 and served as its president until his death 42 years later. During that time, he raised and distributed more than two million dollars for the Spokane sports community. His legacy includes Esmeralda Golf Course; Spokane Coliseum; the inaugural U.S. Women's Open golf tournament; numerous PGA Tour events, including the 1944 PGA Championship; and Spokane Memorial Stadium, which hosted everyone from the Green Bay Packers to Elvis Presley to Billy Graham. Renamed in honor of Albi just weeks before his death, the original stadium was demolished in 2022. Today's stadium is a modern testament to the visionary who transformed Spokane sports for good."

(h) To further recognize the many contributions Joe Albi made to sports in Spokane, the District has submitted a Street Name Change Application to the City of Spokane, requesting to rename a section of West Dean Avenue, located adjacent to the Stadium Project site between Washington and Howard Streets, to "Joe Albi Way" (the "Joe Albi Way Application").

(i) The Board now desires to express its support of the Joe Albi Way Application.

Section 2. Declaration of Support. After due consideration, and being fully informed and advised, the Board hereby expresses its support for the Joe Albi Way Application.

Section 5. Effective Date. This resolution takes effective from and after its adoption.


ADOPTED by the Board of Directors of Spokane School District No. 81, Spokane County, Washington, at a regular open public meeting held this 24th day of May 2023.

SPOKANE SCHOOL DISTRICT NO. 81,
SPOKANE COUNTY, WASHINGTON



President and Director

ATTEST:



DR. ADAM M. SWINYARD
Secretary to the Board of Directors

**STAFF REPORT ON
STREET NAME CHANGE APPLICATION
FILE NO. Z23-215STNC**

I. SUMMARY OF REQUEST AND RECOMMENDATION:

Description: An application was submitted by the Spokane School District for a Street Name Change for the renaming of a section of W. Dean Avenue, between Howard Street and Washington Street, to be renamed “Joe Albi Way.”

Recommendation: Staff recommends approval to street name change.

II. GENERAL INFORMATION:

- A. Applicant: Spokane School District
200 N Bernard
Spokane, WA 99201
- B. Location of Proposal: The subject property is the public right-of-way of W. Dean Avenue from Howard Street east to Washington Street.
- E. SEPA Status: Categorically Exempt pursuant to WAC 197-11-800(19)
- F. Enabling Zoning: SMC Chapter 17D.050A Roadway Naming and Addressing.
- G. Hearing Date: June 28, 2023, 4:00 p.m.
- H. Staff Contact: Taylor Berberich, 625-6500

III. FINDINGS OF FACT:

- A. Site Description: The single segment of W. Dean Avenue runs from its east end at Washington Street to the west where it intersects Howard Street.
- B. Project Description: Authorized by Spokane Municipal Code Chapter 17D.050A – Roadway Naming, the Spokane School District applied for a Street Name Change to rename a section of W. Dean Avenue, between Howard Street and Washington Street.
- C. Surrounding Zoning: All parcels in the project extents are zoned Downtown General (DTG).
- D. Zoning History: The roadway was named when the area was originally platted in

1883. Chester Dean Ide named it Dean Street, and it was later changed to Dean Avenue. Portions of the original roadway still exist in Spokane's West Central neighborhood.

- E. Adjacent Land Use: The adjacent parcels contain Spokane Civic Theatre, Canopy Credit Union (Formerly Spokane Federal Credit Union), The Podium, Inland Northwest, Council Endowment Properties, LLC, and Shrag Vets Real Estate LLC.
- F. Applicable Zoning/Code Regulations: SMC Chapter 17D.050A – Roadway Naming and Addressing.
- G. Procedural Requirements:
 - Application was accepted on Friday May 19, 2023; and
 - Notice of the Public Hearing was posted on the roadway on June 12, 2023, published in the Spokesman on June 14 and 21, 2023, and mailed to recipients adjacent to the subject property, emergency dispatching personnel, and the United States Postal Service on June 8, 2023.

IV. CONCLUSIONS:

Procedure. The procedure for naming of roadways is detailed in SMC 17D.050A.055 and outlined below:

[17D.050A.055](#) *Naming of Roadways*

- A. *Any project permit action that results in a name being created to identify a new roadway, whether public or private, shall comply with the requirements of this chapter. The applicant will designate proposed roadway names. The Development Services Center shall review the proposed roadway names for consistency with this chapter.*
- B. *Other than as provided in subsection (A) of this section, a roadway name shall be established or changed by ordinance upon recommendation of the plan commission. Any proposed roadway name change shall be consistent with the roadway naming standards of [SMC 17D.050A.060](#).*
- C. *Before submitting a proposed roadway name change to the plan commission, the Development Services Center shall cause the applicant to give notice to the owners of property fronting on the roadway, the United States Postal Service and emergency dispatching personnel, for the purpose of eliciting comments. The Development Services Center shall also cause the applicant to post notice pursuant to [SMC 17G.060.120](#).*

Policy. The policy for naming of roadways is detailed in 17D.050A.050 and outlined below:

[17D.050A.050](#) *Roadways to Which Naming Requirements Apply*

- A. *New or unnamed existing roadways providing access to four (4) or more addressable parcels, structures, or units shall be named.*

- B. Existing roadways for which renaming has been authorized by the City to promote the purpose of this chapter shall be renamed as provided for in the City Charter and the Spokane Municipal Code.
- C. Preapproved road names shall be identified on plat documents at the time of Final Plat submittal.
- D. Only traveled ways that qualify as roadways may be named; except that alleys in the downtown zones may be named.
- E. All roadways shall be named regardless of whether the ownership is public or private. Without limitation, this includes all roadways that are created within plats, short plats, binding site plans, PUDs and manufactured/mobile home parks.
- F. Driveways, access to parking areas and other traveled surfaces that are not considered roadways may not be named, but may have directions identified with the following method:
 - 1. Arrow signs indicating building or address ranges within an apartment complex or campus may be placed at the entrances and along the non-roadway traveled ways to locate the buildings.

Decision Criteria. The decision criteria for roadway name change is detailed in 17D.050A.110 and outlined below:

[17D.050A.110](#) *Change in Roadway or Address Status*

- A. If a public or private roadway right-of-way is altered, the City shall review the alteration and may assign a corrected roadway name and/or address/addresses consistent with the provisions of this Code. If the access to an individual address is altered, the City shall assign a corrected address consistent with the provisions of this Code (e.g., the owners of 200 W. Cherry Ln. change the location of their driveway from Cherry Ln. to Spruce Ln. necessitating an address on Spruce Ln.).
- B. Roadway name changes should be approved only when they further the public interest or public safety, specifically in the dispatching of emergency vehicles. A change in the name of an existing roadway is subject to approval by the city council. The city council, subsequent to the recommendation of the plan commission, may grant a roadway name change if the proposed change is consistent with the policy for naming roadways found in [SMC 17D.050A.060](#).

Relevant Facts

Staff has reviewed the application and finds that the proposed street name meets all the relevant criteria outlined in 17D.050A – Roadway Naming and Addressing.

The street segment is an isolated street that does not continue in either direction past the intersections with Howard Street or Washington Street. The desired roadway name is specifically consistent with the criteria identified below:

17D.050A.060(M): Roadway name integrity should be maintained for the entire length of the roadway whenever possible. Roadway names shall only change when

there is a substantial intersection or significant “visual geometric cue.” Generally continuous roadways shall not be subdivided into segments with different names.

Comments

One comment has been received regarding the street name change. The City of Spokane traffic operations noted on June 15th, 2023, that “The proponent will need to provide the City (Signs and Markers) with replacement street name plates.” No public comment was received as of June 22, 2023.

VI. RECOMMENDATION

STAFF CONCLUSION: Based on the above findings, staff supports renaming the roadway “Joe Albi Way”.

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

07/24/2023

Date Rec'd	7/12/2023
Clerk's File #	ORD C36417
Renews #	
Cross Ref #	
Project #	
Bid #	
Requisition #	

Submitting Dept	CITY COUNCIL
Contact Name/Phone	ELIZABETH X6232 SCHOEDEL
Contact E-Mail	ESCHOEDEL@SPOKANECITY.ORG
Agenda Item Type	First Reading Ordinance
Agenda Item Name	0320 - RENTAL REGULATION UPDATE

Agenda Wording

AN ORDINANCE relating to Regulations of Residential Rental Housing; adopting a new section 10.57.115 to chapter 10.57 SMC; and repealing SMC 18.08.010, 18.08.020, 18.08.030, 18.08.040, 18.08.050, 18.08.060, 18.08.070, 18.08.080, 18.08.090, 18.08.100,

Summary (Background)

City Council adopted SMC 18.08 in January 2022 as the pandemic and statewide regulations on tenant evictions were still evolving. SMC 18.08 has since become obsolete after termination of the statewide eviction moratorium and the July 1, 2023 termination of related rental assistance programs. This proposed ordinance is intended to update SMC 18.08 and repeal obsolete provisions.

Lease? NO	Grant related? NO	Public Works? NO
Fiscal Impact		Budget Account
Neutral \$		#
Select \$		#
Select \$		#
Select \$		#

Approvals		Council Notifications	
Dept Head	BYRD, GIACOBBE	Study Session\Other	07/17/23 Finance
Division Director		Council Sponsor	CM Bingle & CM Cathcart
Finance		Distribution List	
Legal		cwright@spokanecity.org	
For the Mayor		gbyrd@spokanecity.org	
Additional Approvals		eschoedel@spokanecity.org	
Purchasing		jbingle@spokanecity.org	
		mcathcart@spokanecity.org	

ORDINANCE NO. C36417

AN ORDINANCE relating to Regulations of Residential Rental Housing; adopting a new section 10.57.115 to chapter 10.57 SMC; and repealing SMC 18.08.010, 18.08.020, 18.08.030, 18.08.040, 18.08.050, 18.08.060, 18.08.070, 18.08.080, 18.08.090, 18.08.100, 18.08.110, 18.08.120, 18.08.130, 18.08.140, 18.08.150, and 18.08.160 to chapter 18 of the Spokane Municipal Code; and setting an effective date.

WHEREAS, the Eviction Moratorium instituted by the Governor of the State of Washington under proclamation 20-19.6 ended on June 20, 2021; and

WHEREAS, RCW 59.18.660 Eviction Resolution Pilot Program expired on July 1, 2023; and

WHEREAS, as a result, the City is amending relevant ordinances.

- - Now, Therefore,

The City of Spokane does ordain:

Section 1. That there is adopted a new section 10.57.115 to chapter 10.57 SMC to read as follows:

10.57.115 Future Rent – COVID-19 Repayment

A. For rent accruing on August 1, 2021, or thereafter, it is the expectation that tenants will pay rent in full, negotiate a lesser amount or a payment plan with the tenant's landlord, or actively seek rental assistance if assistance is needed.

B. For rent owed that accrued due to COVID-19 or the economic effects of the pandemic (such as, without limitation, loss or reduction of income in connection with COVID-19) on or after February 29, 2020 to August 1, 2021, landlords are prohibited from serving or enforcing, or threatening to serve or enforce, any notice requiring a resident to vacate any dwelling, including but not limited to an eviction notice, notice to pay or vacate, unlawful detainer summons or complaint, notice of termination of rental, or notice to comply or vacate if the landlord has made no attempt to establish a reasonable repayment plan with the tenant. Tenants must respond to landlords within 14 days of the landlord's offer. If a tenant fails to accept the terms of a reasonable repayment plan or if the tenant defaults on any rent owed under a repayment plan, a landlord must first provide notice to the tenant of the default, and then follow the procedures provided in Chapter 59.18 RCW, before filing an unlawful detainer action based in whole or in part on non-payment.

Section 2. That SMC section 18.08.010 entitled “Purpose and Intent is repealed.

Section 3. That SMC section 18.08.020 entitled “Definitions” is repealed.

Section 4. That SMC section 18.08.030 entitled “Past Rent Owed” is repealed.

Section 5. That SMC section 18.08.040 entitled “Enforceable Debt” is repealed.

Section 6. That SMC section 18.08.050 entitled “Future Rent Owed” is repealed.

Section 7. That SMC section 18.08.060 entitled “Late Fees” is repealed.

Section 8. That SMC section 18.08.070 entitled “Written Notice of Resources and Programs” is repealed.

Section 9. That SMC section 18.08.080 entitled “Reasonable Payment Plans” is repealed.

Section 10. That SMC section 18.08.090 entitled “Permissible Unlawful Detainer Actions” is repealed.

Section 11. That SMC section 18.08.100 entitled “Local Law Enforcement Involvement in Evictions Prohibited” is repealed.

Section 12. That SMC section 18.08.110 entitled “Communications” is repealed.

Section 13. That SMC section 18.08.120 entitled “Retaliation Prohibited” is repealed.

Section 14. That SMC section 18.08.130 entitled “Right to Legal Counsel” is repealed.

Section 15. That SMC section 18.08.140 entitled “Exclusions” is repealed.

Section 16. That SMC section 18.08.150 entitled “Penalties” is repealed.

Section 17. That SMC section 18.08.160 entitled “Severability” is repealed.

Section 18. Effective Date.

PASSED BY THE CITY COUNCIL ON _____, 2023.

Council President

Attest:

City Clerk

Mayor

Approved as to form:

Assistant City Attorney

Date

Effective Date



Agenda Sheet for City Council Meeting of:

06/05/2023

Date Rec'd	5/22/2023
Clerk's File #	ORD C36389
Renews #	
Cross Ref #	RES 2023-0043
Project #	
Bid #	
Requisition #	

Submitting Dept	CITY COUNCIL
Contact Name/Phone	COUNCIL MEMBER X6257 CATHCART
Contact E-Mail	MCATHCART@SPOKANECITY.ORG
Agenda Item Type	First Reading Ordinance
Agenda Item Name	0320 - BALLOT PROPOSITION AMENDING THE CITY COUNCIL REDISTRICTING PROCESS

Agenda Wording

An ordinance submitting a ballot proposition to the voters of the City of Spokane amending the city council redistricting process by adding a new section 62 to Article VII and repealing sections 59 and 60 of the Spokane City Charter.

Summary (Background)

Spokane's redistricting process must be fair, reasonable and without bias. As such, the process for Council redistricting must also be open and transparent, allowing for meaningful public engagement and time for the public to provide feedback on the proposed redistricting plan, and the proposed commission to act appropriately based on input.

Lease? NO Grant related? NO Public Works? NO
Fiscal Impact **Budget Account**

Neutral	\$	#
Select	\$	#
Select	\$	#
Select	\$	#

Approvals		Council Notifications	
Dept Head	BYRD, GIACOBBE	Study Session\Other	04/17/2023 F&A
Division Director		Council Sponsor	CM Cathcart & CM Bingle
Finance		Distribution List	
Legal		mcathcart@spokanecity.org	
For the Mayor		sblackwell@spokanecity.org	
Additional Approvals		jbingle@spokanecity.org	
Purchasing			

Committee Agenda Sheet

Finance & Administration Committee

Submitting Department	City Council
Contact Name	Shae Blackwell
Contact Email & Phone	sblackwell@spokanecity.org / x6224
Council Sponsor(s)	CM Cathcart
Select Agenda Item Type	<input type="checkbox"/> Consent <input checked="" type="checkbox"/> Discussion Time Requested: 10
Agenda Item Name	Charter Amendment on Redistricting
Summary (Background) *use the Fiscal Impact box below for relevant financial information	An ordinance submitting a ballot proposition to the voters of the City of Spokane amending the city council redistricting process by adding a new section 62 to Article VII and repealing sections 59 and 60 of the Spokane City Charter.
Proposed Council Action	F&A – 4/17, Council Action May 8
Fiscal Impact	
Total Cost: <u>N/A</u>	
Approved in current year budget? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	
Funding Source <input type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Specify funding source: Not Required	
Expense Occurrence <input type="checkbox"/> One-time <input type="checkbox"/> Recurring	
Other budget impacts: (revenue generating, match requirements, etc.) None	
Operations Impacts (If N/A, please give a brief description as to why)	
What impacts would the proposal have on historically excluded communities?	
It's important that citizens have the ability to weigh in on decennial redistricting, considering it is one of the essential public processes in our local government. Spokane's redistricting process must be fair, reasonable and without bias. As such, the process for Council redistricting must also be open and transparent, allowing for meaningful public engagement and time for the public to provide feedback on the proposed redistricting plan, and the proposed commission to act appropriately in the interest of all citizens based on input.	
How will data be collected, analyzed, and reported concerning the effect of the program/policy by racial, ethnic, gender identity, national origin, income level, disability, sexual orientation, or other existing disparities?	
This is a ballot proposition to the voters of the City of Spokane.	
How will data be collected regarding the effectiveness of this program, policy or product to ensure it is the right solution?	
This is a ballot proposition to the voters of the City of Spokane.	

Describe how this proposal aligns with current City Policies, including the Comprehensive Plan, Sustainability Action Plan, Capital Improvement Program, Neighborhood Master Plans, Council Resolutions, and others?

This ballot proposition to the voters of the City of Spokane amends the current city council redistricting process.

ORDINANCE NO. C-36389

An ordinance submitting a ballot proposition to the voters of the City of Spokane amending the city council redistricting process by adding a new section 62 to Article VII and repealing sections 59 and 60 of the Spokane City Charter.

WHEREAS, RCW 29A.76.010 provides in part that the City is responsible to periodically redistrict its election districts based on population data from the most recent federal decennial census; and

WHEREAS, pursuant to RCW 29A.76.010 (3) (b) the City must prepare, by November 15 of each year ending in one, a plan for redistricting its districts consistent with the criteria set forth in RCW 29A.76.010 (4); and

WHEREAS, pursuant to Section 60 of the City Charter, a decennial districting board is established during the year of state and federal redistricting to accomplish city council redistricting; and

WHEREAS, the People of Spokane wish to avoid unnecessary ambiguities in the current City Charter provisions that regulate the redistricting process in the City of Spokane.

NOW, THEREFORE, the City of Spokane does ordain:

Section 1. That Article VII, Section 59, of the City Charter of the City of Spokane is hereby repealed.

Section 2. That Article VII, Section 60, of the City Charter of the City of Spokane is hereby repealed.

Section 3. That Article VII of the City Charter of the City of Spokane shall be amended by adding a new section to read as follows:

Article VII, Section 62 – Citizen Led Council Redistricting

A decennial districting commission comprised of seven commissioners shall be appointed no later than May 1 in the year of county, state and federal redistricting to accomplish city council redistricting.

A. Membership Appointments

The City, through the Community Assembly, shall seek candidates for the districting commission. The Community Assembly shall confirm that interested candidates are qualified for membership on the districting commission as described in Section B and not otherwise prohibited from serving as members under Section C.

The Community Assembly shall deliver a list of qualified candidates to the Mayor and City Council, including in the list are the City Council districts in which each candidate lives and information confirming qualification for membership. All Community Assembly proceedings regarding interested candidates shall be open to the public and must meet the requirements of Section E2.

1. From the pool of qualified candidates, the Mayor shall select and appoint three (3) commissioners, one from each City Council district. These appointments shall not be subject to City Council approval.
2. From the pool of qualified candidates, the City Council, by majority vote, shall select and appoint three (3) commissioners, one from each City Council district. These appointments shall not be subject to Mayoral veto.
3. No later than 30 days following the final appointment to the districting commission, the six (6) appointed members shall select by affirmative majority plus one vote, a seventh non-voting member who will act as chairperson and preside over meetings of the districting commission.
4. If no chairperson is selected within 30 days, the Community Assembly, by majority vote, shall appoint the non-voting chairperson.
5. A vacancy on the districting commission shall be filled by the authority who made the initial appointment, or their successor, from the pool of qualified applicants within fifteen days after the vacancy occurs.

B. Membership Qualifications

1. Candidates must be a current resident of the City of Spokane and have maintained that primary residence for a minimum of two consecutive years.
2. Candidates must be registered to vote.

C. Membership Prohibitions

1. Candidates cannot have been a registered lobbyist in the State of Washington within two years prior to selection or one year following the end of membership.
2. Candidates cannot hold or be within two years removed of holding any elective office other than Precinct Committee Officer.
3. Candidates cannot campaign for any elective office other than Precinct Committee Officer, or actively participate in, contribute to, or fundraise for any political campaign of any candidate for local, state, or federal office while a member of the districting commission.
4. Candidates may not seek election or appointment to a City Council position for two years after the effective date of the districting plan.

D. Redistricting consistent with Washington State Law

1. The redistricting plan shall be consistent with RCW 29A.76.010(4), as may be amended from time to time, pertaining to the criteria for redistricting city council district boundaries
2. The districting commission shall utilize the most recent available census information and guidelines for districting as established in RCW 44.05.090, as applicable.

E. Redistricting Procedures

1. The districting commission shall convene a minimum of five public hearings throughout the City, including at least one meeting within each existing Council District to receive written and oral comments and to accept proposed districting plans from the public. The districting commission shall only consider those plans which are submitted by individual city residents.
2. The meetings and materials of the districting commission and all related proceedings of the Community Assembly shall be transparent and publicly accessible including online video streaming and archiving for the broadest possible public access. The commission shall prepare and publicize its minutes within 21 days of any meeting.
3. The City Council shall by ordinance appropriate such funds as may be reasonably needed for the Community Assembly and districting commission to conduct their business under this Article. The commission may employ within its budget authority any necessary experts, consultants, and attorneys not employed by the City to carry out its duties as established in this Charter.
4. No later than August 1, the districting commission shall select five preliminary districting plans for a final public review and comment. The Commission shall allow a period of at least 30 days for public review and comment of preliminary districting plans.

F. Final Plan Adoption

1. No later than October 1st, the districting commission shall adopt by affirmative majority plus one vote a final districting plan from the five districting plans selected for public review and comment, which will be transferred to the City Council along with a published report that will minimally include, (a) population for every district; (b) an explanation of the criteria used in developing the plan with (1) a justification for any deviation in a district from the average district population or (2) a justification for any fracturing of an existing neighborhood council boundary between multiple council districts; (c) a map of all the districts.
2. Upon receipt of the Commission of its proposed redistricting plan, the City Council shall consider whether to adopt the proposed districting plan. Any approval of the proposed districting plan must be approved by four affirmative votes of the City Council. The City Council may not revise the proposed districting plan or adopt any plan not previously prepared by the Commission.
3. Upon adoption by the city council, the proposed districting plan shall be submitted to the clerk of the city council who shall forward the district plan to the Spokane County Auditor. The districting plan shall become effective upon filing and the districting commission shall be relieved of any further duties and disbanded.
4. If the districting commission's proposed plan is not approved by a four affirmative votes from the City Council, the proposed districting plan shall be remanded back to the districting commission to consider changes as

expeditiously as possible.

5. A final plan must be adopted by the City Council by November 15 in the year of county, state and federal redistricting to accomplish city council redistricting or as otherwise provided for by state law.
6. In the event that no plan is adopted by the date established in this charter, the previously adopted districting plan shall remain in effect, so long as such existing districting plan complies with state law.

G. Modified Districting

1. A modified council districting plan may be established only within the fifth year of the decennial districting cycle. Should the City Council determine by five affirmative votes that consideration of a modified districting plan is warranted, including for population adjustment, a districting commission shall be established pursuant to the provisions of this charter section. The districting commission shall follow the same process for a modified redistricting plan as it would follow for the decennial redistricting plan.
2. The City shall also establish a districting commission within the fifth year of decennial districting cycle upon submission of a valid citizens petition that conforms to all requirements of the SMC and is signed by registered and qualified electors of the City equal to five percent of the number of votes cast at the last preceding general municipal election.
3. Land that is annexed to the City subsequent to modifications of district boundaries pursuant to a district plan shall be assigned to the city council district that is most contiguous with the annexed land. At its discretion, the city council may take legislative action to assign annexed land to a district in the event the annexed land is contiguous to more than one council district.

H. Oath of Office

Before serving on the commission every person shall take and subscribe an oath to faithfully perform the duties of that office.

I. Challenges to plan

After the plan has been adopted by the city council, any registered voter residing with the City of Spokane may file a petition with Superior Court challenging the plan. After a modification to the redistricting plan has been adopted by the city council, any registered voter may file a petition with Superior Court challenging the amended plan. The petition to Superior Court shall comply with the requirements of state law regarding judicial review of redistricting plans.

Section 4. That this ordinance be submitted to the voters of the City of Spokane for their approval or rejection at a special election to be held November 7, 2023, in conjunction with the scheduled general election, as the following proposition:

CITY OF SPOKANE

PROPOSITION NO. 1

Amendment to the City Charter Regarding City Council Redistricting Process

This proposition will amending the city council redistricting process by adding a new section 62 and repealing sections 59 and 60 of the City Charter as set forth in Ordinance No. C-36389.

Shall this measure be enacted into law?

Yes.....

No

Section 5. Severability

If any provision of this charter amendment or its application to any person or circumstance is held invalid, the remainder of the amendment or the application of the provision to other persons or circumstances is not affected.

Section 6. Effective Date

This ordinance, if approved by the voters at the general election to be held on Tuesday, November 7, 2023, shall take effect and be in full force upon the issuance of the certificate of election by the Spokane County Auditor’s Office.

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:**

06/12/2023

Date Rec'd

6/1/2023

Clerk's File #

RES 2023-0043

Renews #**Cross Ref #**

ORD C36389

Submitting Dept

CITY COUNCIL

Contact Name/PhoneCOUNCIL MEMBER X6257
CATHCART**Project #****Contact E-Mail**

MCATHCART@SPOKANECITY.ORG

Bid #**Agenda Item Type**

Special Considerations

Requisition #**Agenda Item Name**

BALLOT PROPOSITION AMENDING THE CITY COUNCIL REDISTRICTING PROCESS

Agenda Wording

A RESOLUTION REQUESTING THE SPOKANE COUNTY AUDITOR TO HOLD A SPECIAL ELECTION IN CONJUNCTION WITH THE SCHEDULED GENERAL ELECTION ON NOVEMBER 7, 2023 TO SUBMIT TO THE ELECTORS OF THE CITY OF SPOKANE A PROPOSITION REGARDING AMENDMENTS TO THE SPOKANE C

Summary (Background)

Spokane's redistricting process must be fair, reasonable and without bias. As such, the process for Council redistricting must also be open and transparent, allowing for meaningful public engagement and time for the public to provide feedback on the proposed redistricting plan, and the proposed commission to act appropriately based on input.

Lease? NO

Grant related? NO

Public Works? NO

Fiscal Impact**Budget Account**

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

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

BYRD, GIACOBBE

Study Session\Other

04/17/2023 F&A

Division Director**Council Sponsor**

CM Cathcart & Bingle

Finance**Distribution List****Legal**

mcathcart@spokanecity.org

For the Mayor

sblackwell@spokanecity.org

Additional Approvals

jbingle@spokanecity.org

Purchasing

RESOLUTION NO. 2023-0043

A RESOLUTION REQUESTING THE SPOKANE COUNTY AUDITOR TO HOLD A SPECIAL ELECTION IN CONJUNCTION WITH THE SCHEDULED GENERAL ELECTION ON NOVEMBER 7, 2023 TO SUBMIT TO THE ELECTORS OF THE CITY OF SPOKANE A PROPOSITION REGARDING AMENDMENTS TO THE SPOKANE CITY CHARTER ADDING A NEW SECTION 62 AND REPEALING SECTIONS 59 AND 60, ALL RELATING TO THE CITY COUNCIL REDISTRICTING PROCESS.

WHEREAS, pursuant to Section 125 of the City Charter, the City Council, of its own motion, may submit to popular vote for adoption or rejection at any election, proposed amendments to the City Charter; and

WHEREAS, RCW 29A.04.330(3) requires the City to present a resolution calling for a special election on the general election date to the Spokane County Auditor no later than the date of the primary election.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Spokane, pursuant to Section 125 of the City Charter, that:

1) the Spokane County Auditor is hereby requested pursuant to RCW 29A.04.330 to call a special municipal election to be held on November 7, 2023 for the purpose of submitting to the electors of the City of Spokane for their approval or rejection the following proposition:

CITY OF SPOKANE

PROPOSITION NO. 1

Amendment to the City Charter Regarding City Council Redistricting Process

This proposition will amend the city council redistricting process by adding a new section 62 and repealing sections 59 and 60 of the City Charter as set forth in Ordinance No. C-36389.

Shall this measure be enacted into law?

Yes□

No□

2) the City Clerk is directed to deliver a certified copy of this resolution to the Spokane County Auditor no later than August 1, 2023.

Adopted _____.

City Clerk

Approved as to form:

Assistant City Attorney